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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker.

PRAYER

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

Almighty God of the universe, we give You thanks for giving us another day.

We pray for the gift of wisdom to all with great responsibility in this House for the leadership of our Nation.

May all the Members have the vision of a world where respect and understanding are the marks of civility and where honor and integrity are the marks of one's character.

As Members take time in the coming week for constituency visits, give them the ability to hear the voices of all in their districts, so that when they return they are focused on the important work to be done.

Bless us this day and every day, and may all that is done within these hallowed Halls be for Your greater honor and glory.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Illinois (Mr. GUTIERREZ) come forward and lead the House in the Pledge of Allegiance.

Mr. GUTIERREZ 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.

ANNOUNCEMENT BY THE SPEAKER

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

SUPPORT THE JUMSPSTART OUR BUSINESS STARTUPS ACT

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

Mr. CANTOR. Mr. Speaker, I rise today in support of the Jumspstart Our Business Startups Act.

Our Nation's success has been built by individuals who turn innovative ideas into small businesses. By taking risks and working hard, our small business owners drive the majority of job creation in this country.

Right now it's just too difficult to start up a business. The threat of higher taxes and increased regulations has small businessmen and -women and entrepreneurs frozen in their tracks. Small businesses and start-ups simply do not have the bandwidth to comply with Washington's redtape, and yet they are the ones we're counting on to create jobs.

Mr. Speaker, the JOBS Act will get small businesses and entrepreneurs back into the game by removing costly regulations and making it easier for them to access capital. This legislation also paves the way for more start-ups and small businesses to go public, which will attract new investors and will allow small businesses to grow and create jobs.

In his State of the Union address, President Obama asked Congress to send him a bill that helps start-ups and entrepreneurs succeed. The JOBS Act that we'll be voting on today does exactly that. Our bill brings together commonsense measures that have bipartisan support here in Washington and from business leaders across the country, including former AOL chairman and founder Steve Case.

Mr. Speaker, I would like to recognize my colleagues who have worked on the JOBS Act, including Congressman STEPHEN FINCHER, Whip KEVIN MCCARTHY, Congressman DAVID SCHWEIKERT, Congressman BEN QUAYLE, Congressman PATRICK MCHENRY, Congressman JOHN CARNEY, and many of my colleagues on the other side of the aisle.

Let's build on this bipartisan momentum, Mr. Speaker. This week, President Obama offered his support for the JOBS Act. I strongly urge Senator REID to take up this bill as quickly as possible and let's just get it to the President's desk.

Mr. Speaker, the American people want to see us get something done and produce results. With the JOBS Act, we do have a window of opportunity for both parties in Washington to come together and produce results. We must make sure America remains the place where extraordinary success can be achieved by individuals who are willing to take risks and work hard.

PEDRO GRANT

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

Mr. GUTIERREZ. Madam Speaker, Puerto Rico lost one of the towering figures of its labor movement, Pedro Grant, at the age of 92.

Throughout his life, Mr. Grant was an example for the struggle for justice. He was one of the main leaders of the United Workers Movement, which led to the revival of the labor movement in Puerto Rico in the sixties and seventies.

By his example, Mr. Grant taught us that a life well lived is a life devoted to the struggle for justice and human rights and dignity for working people. He was a lifelong fighter against abuses of power and standing up for the little guy. He was a Puerto Rican patriot whose wisdom and strength will be sorely missed.

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I will say a few words in his language, Spanish, in his memory:

Viviste bien. Siempre dijiste presente en todas las luchas de tu peublo. Viviremos a la sombra de tu ejemplo. Gracias. Mereces un buen descanso, hermano.

You lived well. You were always present in all our struggles. We will live in the shadow of your example. Thank you. You deserve a good rest, my brother.

MODERN-DAY SLAVERY

(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. Madam Speaker, modern-day slavery is alive in America.

When Maria was 16, she was lured from Mexico to Houston by a man who promised her a better life. When she arrived in Texas, she learned this scoundrel was in the slavery business. The slave master immediately put Maria up for sale. Now she was a sex slave, a victim of child human trafficking.

Here's what she said she was forced to do:

> Every day, 6 to 7 days a week, I'd have sex with seven to 10 men a night during the week, and on the weekends, 20 to 30 men a night.

Tortured and abused, the slave trader threatened her so she was too scared to run away, but she defied her captor and called for help. Law enforcement came to her aid and rescued her.

The trafficker was convicted and sent to prison where we house these deviant international slave traders. Now it's time to prosecute the customers as well.

Meanwhile, we have a duty to help and care for the victims of child sex slavery like Maria.

And that's just the way it is.

INTERNATIONAL WOMEN'S DAY

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. Madam Speaker, I rise today in recognition of International Women's Day.

Today is a day that honors numerous women who have actively and passionately participated in various economic, social, and political issues within their communities.

Women around the world continue to face significant obstacles in all aspects of their lives, including discrimination, gender bias, and the denial of basic human rights.

Let's take a look at Vietnam, for example:

Ms. Bui Thi Minh Hang, who was sentenced without trial to 2 years of reeducation camp for participating in peaceful protests related to the Eastern Sea; or

Ms. Do Thi Minh Hanh, a labor organizer, who was sentenced to 7 years' imprisonment for advocating for farmers and workers' rights; or

Ms. Pham Thanh Nghien, who was unfairly sentenced to 4 years' imprisonment, followed by 3 years' house arrest for participating in a nonviolent hunger strike in her home related to the issue of the Eastern Sea.

In the discourse of women's rights, these women are only three of the many voices who have been unjustly sentenced to prison without any due process.

Madam Speaker, I ask my colleagues on both sides of the aisle to join me in recognizing International Women's Day and the women who are advocating for freedom and democracy in their communities and in countries such as Vietnam.

□ 1010

RECOGNIZING AUGUSTO OPPUS AND OTHER DENIED FILIPINO VETERANS

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

Mr. HECK. Madam Speaker, I come to the floor today saddened by the news of the passing of World War II veteran and Las Vegas resident Augusto Oppus over this past weekend. Mr. Oppus was part of a small community known as the ''Denied Filipino Veterans.''

Born in the Philippines on August 28, 1924, Mr. Oppus entered into military service on behalf of the United States in March of 1945 and was trained as a military policeman. He served in the 12th Military Police Company and was honorably discharged in 1946.

While he enjoyed a happy, healthy life following the war, one thing Mr. Oppus did not share with his fellow World War II veterans was full recognition for his service and access to military benefits he had rightfully earned.

In February 1946, President Truman signed the Rescission Act of 1946 into law. This bill denied over 200,000 Filipino World War II veterans who served before July 1, 1946, the benefits promised to them 5 years prior by President Franklin Roosevelt. The men who joined prior to July of '46 put their lives on the line for the Allied cause and helped us win the war in the Pacific, yet, due to a technicality, are not afforded the recognition they deserve.

With every day that passes, it is estimated that 10 of these forgotten soldiers die having received no answer or recognition of service from our government. Men like Augusto Oppus deserve the recognition and access to benefits they've earned.

My district is home to four remaining forgotten Filipino veterans. Besides Augusto, we lost Francisco Cedula last year, and I want their families to know that I am personally thankful for their service and will continue working to see them properly recognized.

COMMENDING PRESIDENT BARACK OBAMA'S COMMITMENT TO THE AMERICAN MANUFACTURING INDUSTRY

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

Mr. FALEOMAVAEGA. Madam Speaker, increasing American manufacturing is central to President Obama's vision for an economy built to last. The American manufacturing industry has expanded for 30 straight months. For the first time since the 1990s, we are creating manufacturing jobs again. The past 2 years, American manufacturers have created nearly 400,000 jobs across the country.

Because of President Obama's decisive actions, we've also experienced a revival in the automotive industry. In the last 2½ years, the auto industry alone has added more than 200,000 jobs. Furthermore, General Motors Company once again is the number one company in the world, and it recently announced its largest annual profits in history, thanks again to President Obama's determination to assist this important industry to get back on its feet.

Because of President Obama's leadership, the United States also is on track to meet his goal of doubling exports within 5 years. Now more and more consumers around the world are buying products stamped with the three magic words, ''Made in America.''

The vitality of the American manufacturing industry is crucial to the economic recovery of our Nation. I commend President Obama for his commitment to our manufacturing industry and, most of all, for his bold leadership and vision.

IT'S WORSE THAN WE THOUGHT

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

Mr. JOHNSON of Ohio. Madam Speaker, it's worse than we thought. President Obama and his activist Interior Department are threatening an estimated 100,000 direct and indirect coal jobs, according to a new study. This is from the administration's proposed rewrite of the stream buffer zone rule that would cut coal production in half. Instead of developing one of America's most abundant resources, the Obama administration chooses to attack the coal industry and the jobs that go with it and would rather put the American taxpayer on the hook for failed companies like Solyndra.

This is unacceptable. We need solutions and real growth to create jobs through energy development, because the President's current policies continue to hurt America and are making our economy worse. House Republicans have a plan to stop President Obama's attack on coal. It's part of the plan for America's job creators that's being

blocked by President Obama and Senate Democrats. This failure of leadership is irresponsible, and it needs to stop.

THE U.S. NAVY IS DEVELOPING CLEAN, GREEN ENERGY

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

Mr. INSLEE. Madam Speaker, I rise today to honor the United States Navy, who, under the leadership of Secretary Ray Mabus, is doing a fantastic job developing clean, green sources of energy for the United States Navy and, eventually, the world. The Navy is already flying the Blue Angels on biofuels, it is charging our communication equipment in Afghanistan with solar energy, and it is on a path to half of its energy coming from clean sources by 2020 and the Great Green Fleet by 2016.

In my State, we're building whole industries around this: Imperium Renewables, Targeted Growth, General Biofuels, Boeing, and Alaska Airlines.

We can power the future with clean energy. The Navy is leading the way. Washington State University is doing great work, and I know there's one great former Washington State student who's helping on this effort, and her name is Trudi.

RECOGNIZING THE LIFE AND CONTRIBUTIONS OF REPRESENTATIVE DONALD M. PAYNE

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

Mrs. CAPPS. Mr. Speaker, I rise today in recognition of the life and contributions of our colleague and friend, Donald Payne.

Don will always be remembered for his commitment to his community, which he served with distinction as a local elected official; to his country, evident by 23 years of service in Congress in which he championed education and fair labor practices; and to the global community, where he was a champion for global health, especially malaria prevention and treatment.

Don was a joy to travel with. He combined gentleness with strength, stood with and for the underserved and underrepresented, and always spoke of his commitment. But as he did, he had this warmhearted smile, even his eyes smiled, as he gave voice to the voiceless.

Our thoughts and prayers are with Don Payne's family, with his staff and the people of the Tenth District of New Jersey, and for all of us as we keep his legacy alive.

Don, you will be missed.

JUMPSTART OUR BUSINESS STARTUPS ACT

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3606 and insert extraneous material thereon.

The SPEAKER pro tempore (Mr. JOHNSON of Ohio). Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 572 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 3606.

□ 1018

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 3606) to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies, with Mrs. MILLER of Michigan (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Wednesday, March 7, 2012, amendment No. 10 printed in House Report 112–409 offered by the gentleman from California (Mr. MCCARTHY) had been disposed of.

AMENDMENT NO. 11 OFFERED BY MR. MCHENRY

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in House Report 112–409.

Mr. MCHENRY. I have an amendment printed in the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 19, after line 23, insert the following:

(c) EXPLANATION OF EXEMPTION.—Section 4 of the Securities Act of 1933 (15 U.S.C. 77d) is amended—

(1) by striking ''The provisions of section 5'' and inserting ''(a) The provisions of section 5''; and

(2) by adding at the end the following:

''(b)(1) With respect to securities offered and sold in compliance with Rule 506 of Regulation D under this Act, no person who meets the conditions set forth in paragraph (2) shall be subject to registration as a broker or dealer pursuant to section 15(a)(1) of this title, solely because—

''(A) that person maintains a platform or mechanism that permits the offer, sale, purchase, or negotiation of or with respect to securities, or permits general solicitations, general advertisements, or similar or related activities by issuers of such securities, whether online, in person, or through any other means;

''(B) that person or any person associated with that person co-invests in such securities; or

''(C) that person or any person associated with that person provides ancillary services with respect to such securities.

''(2) The exemption provided in paragraph (1) shall apply to any person described in such paragraph if—

''(A) such person and each person associated with that person receives no compensation in connection with the purchase or sale of such security;

''(B) such person and each person associated with that person does not have possession of customer funds or securities in connection with the purchase or sale of such security; and

''(C) such person is not subject to a statutory disqualification as defined in section 3(a)(39) of this title and does not have any person associated with that person subject to such a statutory disqualification.

''(3) For the purposes of this subsection, the term 'ancillary services' means—

''(A) the provision of due diligence services, in connection with the offer, sale, purchase, or negotiation of such security, so long as such services do not include, for separate compensation, investment advice or recommendations to issuers or investors; and

''(B) the provision of standardized documents to the issuers and investors, so long as such person or entity does not negotiate the terms of the issuance for and on behalf of third parties and issuers are not required to use the standardized documents as a condition of using the service.''.

The Acting CHAIR. Pursuant to House Resolution 572, the gentleman from North Carolina (Mr. MCHENRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

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

This amendment is very simple. We know, and policymakers in Washington here know, that entrepreneurship is at a 17-year low in the United States. We also know that small businesses are the drivers of our economy. So what this amendment does is it enables investors to connect with start-ups.

□ 1020

It takes away some red tape that is within securities regulations, and it allows incubators, forums, and online platforms which only connect accredited investors to start-ups to be exempt from SEC registration as a broker-dealer if they, number one, do not charge a commission or fee for their service; number two, do not handle the moneys of investors; and, number three, only permit accredited investors to use their platforms.

This is a very narrow amendment, very specifically crafted. In fact, the President's Council on Jobs and Competitiveness in October of last year said in their report that the emergence of angel investors and networks have also played a crucial role in initial funding of companies, and that the council recommends that clarifying that experience and active seed in angel investors and their meeting venues should not be subject to the regulations that were designed to protect inexperienced investors.

This amendment deals with that subject matter within the President's jobs council recommendations. I ask my colleagues to support this amendment.

I reserve the balance of my time.

Mr. FRANK of Massachusetts. Madam Chairman, I rise to claim the time that would go to someone in opposition if there is anybody in opposition, which there does not appear to be.

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

There was no objection.

Mr. FRANK of Massachusetts. Madam Chair, I support this amendment. I am pleased that we have been able to come together in a process that is providing some improvement. As I've said, I think there have been people in both the executive and legislative branches that have exaggerated the impact of these, but they are helpful.

I do want to make one point, though, that it is true that the President has been one of those who has been a proponent of this—it's been a very bipartisan and very cooperative process—and there is a Statement of Administration Policy in support of the bills.

I do want to make it clear because there will be some subsequent amendments that I think will be controversial. This one is not. The next two are actually not, I believe. But then there are one, two, three, four that may be. I want to make it very clear that the President's Statement of Administration Policy, which supports the bills—or the bill, with the package of bills within it—in general is in no way—and I speak for the administration on this, having talked to them—an expression of opposition to the later amendments, none of the later amendments—and Members will debate them one way or the other, although I deeply regret that the Rules Committee only gave us 5 minutes to debate controversial amendments on each side. I think that's a denigration of process.

I would note we're probably going to finish up before noon today, or maybe 12:30. The notion that we couldn't have taken 20 minutes or even a half hour to debate a couple of these significant issues seems to me to be very, very regrettable.

But I did want to make it clear that there are amendments that will be coming up that are not either supported or opposed by the administration; that is, they are not in opposition to the general approach. And since we only have 5 minutes, I will take a little of this time to note that, for example, there is one from Mr. CAPUANO, who is a very thoughtful student here, to make sure that when we talk about holders of record, that that's not a subterfuge, that the holders of record, we are talking about limiting the number, that you don't get a whole lot of people listed as one holder of record. I think that amendment by Mr. CAPUANO is wholly in the spirit of this bill.

Mr. PETERS' amendment, one of the things that we had talked about, the gentleman from Michigan (Mr. PETERS), is to talk about the job impact. These have been listed as a ''jobs'' bill. We have one of those foolish acronyms of which I'm not very fond. They call this the ''JOBS''—whatever. Well, Mr. PETERS wants to know how many jobs are really going to be created. I think that's very helpful. Similarly, the gentlewoman from California (Mrs. CAPPS) wants to know about what the real impact is.

So I will reserve the balance of my time at this point, but I did want to make clear that several of the subsequent amendments are not in any way derogatory to this bill. In fact, I say, look, if this bill does what it says, let's know about it.

I reserve the balance of my time. I believe I have the right to close.

The Acting CHAIR. The gentleman from Texas has the right to close because the gentleman is not a true opponent.

Mr. MCHENRY. Madam Chair, I am prepared to close.

Mr. FRANK of Massachusetts. Well, I will take the rest of our time to say this—and this is another relevant issue: this is a bill which does unusual things to reduce what the SEC will have to do in some of these areas, not primarily that save time for the SEC, but in fact to try to make it less burdensome for the companies that are involved.

But with that having been said, the reduction in SEC duties, which are really incidental to this bill, in no way removes the need for adequate funding for the SEC. One of the things that has been troubling to many of us is a tendency on the part of the majority to refuse the adequate funding to the SEC that it needs to carry out its new responsibilities. That's especially troubling because the SEC funds do not come from the taxpayers. The SEC is funded by a fee paid by those who participate in the securities business. In fact, as we are doing here, we are exempting the smaller people.

So when we have the largest financial institutions in this country paying a relatively small fee, in fact, an absolutely small fee, we can fund the SEC adequately. What we have seen is a disturbing refusal on the part of the majority in this House to give the SEC the funds it needs. We gave the SEC increased powers over investor protection with fiduciary responsibilities over shareholder rights. We gave them increased powers, particularly over derivatives, which had gone unregulated for so long. We have had some criticism of the SEC for not moving more promptly. We have had some criticisms of the SEC for not doing a better job of enforcement. None of those are helped by starving them of funds.

So when we have a situation where the majority does the financial community the favor of withholding funds that the administration has asked for for the SEC—and we've asked that it be funded at that adequate level—and by doing so not only damages the enforcement capabilities of the SEC, but gives an unjustified present to the largest financial institutions—investment houses and others—I think that a very grave error has been made.

So I welcome the fact that we are making some minor reductions in the SEC burdens here as an incidence of trying to help the companies, but that does not justify fairly and adequately to fund the SEC out of fees assessed on the companies.

Madam Chairman, I yield back the balance of my time.

The Acting CHAIR. The Chair would clarify that the gentleman from North Carolina, the proponent, is recognized to close.

Mr. MCHENRY. Thank you, Madam Chair.

I appreciate the more conciliatory tone in today's debate. It's fantastic, Madam Chair, to have the ranking member back in debating form today and permitted to debate on the House floor.

This amendment is about investors, incubators, and start-ups. We've got wide endorsements from 155 folks from across America—both investor level, we have incubators, we have online platforms and forums that have endorsed this, including the founder of AOL, Steve Case, the founder of Netscape, Marc Andreessen, who is also a renowned investor in Silicon Valley.

This is a great amendment that clarifies something that's very important for us to update in securities laws. I certainly appreciate the support across the aisle for this important issue as well. I'm glad it can be passed with bipartisan support.

With that, I ask my colleagues to vote ''yes.''

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. MCHENRY).

The amendment was agreed to.

AMENDMENT NO. 12 OFFERED BY MR. MILLER OF NORTH CAROLINA

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in House Report 112–409.

Mr. MILLER of North Carolina. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 36, line 25, strike ''by 1,000 persons, and'' and insert ''by either—

''(i) 2,000 persons, or

''(ii) 500 persons who are not accredited investors (as such term is defined by the Commission), and''.

The Acting CHAIR. Pursuant to House Resolution 572, the gentleman from North Carolina (Mr. MILLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. MILLER of North Carolina. Madam Chair, I hate to be the only one at the campfire not singing ''Kumbaya,'' but I do part company with my President and with the ranking Democrat on the Financial Services Committee in their support for this bill.

I do fear that if we cut back on the transparency and we cut back on the investor protections, it really is only going to take one or two well-publicized cases of investors losing their shirts, losing their retirement savings because they got defaulted for small business capital to dry up, to get harder to come by instead of easier to come by.

But I do agree that governments should not go to great lengths to protect people who really can fend for themselves, who are more sophisticated, and who really knowingly decide that they do not want protections.

□ 1030

This amendment increases the exception from SEC registration to 2,000 investors, provided that no more than 500 are not accredited investors. I think the importance of accredited investors, or their sophistication, may well be overstated. But they are, in fact, people who have well more than the net worth of most Americans. They have a net worth of $1 million, without consideration of equity in their home, which used to be more than it is now; or have an income of $200,000, annual income of $200,000 for an individual or $300,000 for a couple.

More important, they actually have to fill out a form to ask to be an accredited investor. They have to opt in. They have to decide that they do want to be outside of some of the protections of the SEC. So this will limit some of the effect of the bill to investors who are somewhat more able to fend for themselves, are somewhat more sophisticated, and are more able to take a loss in investing in a small business that may be a greater risk of an investment, an investment which may be more of a risk but may also promise more reward.

I yield back the balance of my time.

Mr. SCHWEIKERT. Madam Chairman, I rise to claim the time in opposition, though I do not oppose the underlying amendment.

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

There was no objection.

Mr. SCHWEIKERT. Madam Chair, this is one of those occasions where Mr. MILLER and his staff—I extend an appreciation. We've gone back and forth in discussion over the last year, you know, what should the number be. We all came to a collective agreement that 500 was far too small for capital formation. Was 2,000 appropriate? Well, should be it 2,000 accredited? Well, what should be the unaccredited portion for that?

I think this is what we'll call an appropriate compromise, and I thank Mr. MILLER for bringing this to us and helping us get there. What this ultimately does is allow an organization to have investors, up to 2,000. Five hundred of those can be unaccredited. The other 1,500 have to fill out the form; have to have net assets over $1 million, exclusive of their home; a couple hundred thousand dollars a year income, $300,000 if they're a married couple.

So at that point, we've made the decision that this somewhat more sophisticated population gets to participate, but they have to opt in. And yet, we still do not lock out those who are, shall we say, working their way to becoming that next sophisticated population.

So, Madam Chairwoman, we support this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. MILLER).

The amendment was agreed to.

AMENDMENT NO. 13 OFFERED BY MR. SCHWEIKERT

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in House Report 112–409.

Mr. SCHWEIKERT. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 37, after line 22, insert the following:

SEC. 504. COMMISSION STUDY OF ENFORCEMENT AUTHORITY UNDER RULE 12G5-1.

The Securities and Exchange Commission shall examine its authority to enforce Rule 12g5-1 to determine if new enforcement tools are needed to enforce the anti-evasion provision contained in subsection (b)(3) of the rule, and shall, not later than 120 days after the date of enactment of this Act transmit its recommendations to Congress.

The table of contents in section 2 of the bill is amended by inserting after the item relating to section 503 the following new item:

Sec. 504. Commission study of enforcement authority under Rule 12g5-1

The Acting CHAIR. Pursuant to House Resolution 572, the gentleman from Arizona (Mr. SCHWEIKERT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. SCHWEIKERT. Madam Chairman, we'll call this amendment a study amendment, but we've had repeated discussions on the difference between shareholders of record and beneficial interests. So think of this: we have just raised the number of shareholders that an organization can have. Okay.

Well, what if you're a broker-dealer? Do you count as one? Do you count as many? And does it actually make any difference in investor protection?

So, in this amendment, we basically say, All right, SEC, we believe you already have this authority. Please, for the first 120 days look into this, see if it causes any harm. If it doesn't, make that decision.

We felt this would be a rational way to approach the question because it was a repeated discussion within committee, and just simply say, All right, if it's a problem, SEC, you have the authority. If not, let's move forward.

But it's a good example of us not legislating something that, at this point, may be just folklore.

Madam Chairman, I reserve the balance of my time.

Mr. WELCH. Madam Chairman, I rise to claim the time in opposition, even though I'm not opposed, and I'd like to speak generally on H.R. 3606.

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

There was no objection.

Mr. WELCH. First of all, it's very refreshing that we have legislation that's focused on improving the business climate that we're doing together, and we've had some internal squabbles about whose name should go first. I'm not sure it amuses the American people. But the bottom line here that should encourage the American people is that we have bipartisan legislation that is going to do positive things for the business climate, certainly in Vermont and around the country.

I want to thank my colleagues, Mr. FINCHER, Mr. HIMES, Mr. CARNEY, and Mr. SCHWEIKERT, for working together so well to bring this legislation to the floor. And there are a number of good things here.

We don't have to exaggerate this as the answer to the real challenge we have in creating jobs. But you know what? Just selling this for what it is is a good thing, and it's a good thing because it does practical things to help us improve our business climate, particularly for small businesses, and for the rare time that we have this opportunity, we're doing it together.

But the legislation, overall, does a number of good things. The IPO on-ramp that is going to allow companies that need access to capital fewer barriers to get access to capital, particularly our small companies, where the cost of putting together an initial public offering is very significant, oftentimes prohibitive, that's a very good thing.

The Access to Capital for Job Creators Act that removes the regulatory ban that prevents small, privately held companies from using advertisements to solicit investors for private offerings, so they are allowed to let the word go out that they are open for business and they want investors, that's a good thing.

The Entrepreneur Access to Capital Act permits crowdfunding to finance new businesses by allowing companies to accept and pool donations up to $1 million. Again, a very practical step to take. Good step to take.

The Small Companies Capital Formation Act that Mr. SCHWEIKERT, my colleague from Arizona, pioneered raises the offering threshold for companies exempted from registration with the U.S. Securities and Exchange Commission from $5 million, the threshold, to $50 million.

Mr. SCHWEIKERT, again, you've been busy. The Private Company Flexibility and Growth Act raises the threshold for mandatory SEC registration for companies from 500 to 1,000 shareholders. We've got a company in Newport, Vermont, that has been under a lot of regulatory pressure. They can't go over that 500 threshold. This is going to be very helpful, Madam Chairman, to that company to get access to capital, and it's going to make certain that the SEC regulations are still complied with.

Then the provision that raises the threshold for mandatory SEC registration for community banks from 500 to 1,000 shareholders, that's going to have a direct impact on a bank in Newport, Vermont.

So these are all practical steps. I don't think we need to oversell it. It's not the step that is going to get us down to an unemployment rate of 1 or 2 or 3 percent that all of us aspire to, and there's a tendency in this body sometimes to oversell what we're doing. But you know what? We shouldn't minimize what we're doing as well. And these, again, practical, sensible small business-oriented steps that are taken on a bipartisan basis. This is a good thing that we're doing.

I yield back the balance of my time.

Mr. SCHWEIKERT. Madam Chairman, I am prepared to close.

The Acting CHAIR. The gentleman is recognized.

Mr. SCHWEIKERT. May I request the time available?

The Acting CHAIR. The gentleman has 4 minutes remaining.

Mr. SCHWEIKERT. Well, hopefully, I won't take 4 minutes here.

Madam Chairman, this amendment is actually very, very simple. We're basically reaching out to the SEC saying, Look, come back, make your determination, and let us know within 120 days if you see this is an actual issue.

The language in here—''not later than 120 days after the enactment of this act transmit its recommendations to Congress''—this is actually, I believe, a good, workable, rational answer to much of the discussion that happened in the Financial Services Committee. It also has the SEC stand up and say yes, they have the authority, or no, they don't, and then transmit that back to us in the committee.

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

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

The amendment was agreed to.

AMENDMENT NO. 14 OFFERED BY MR. CAPUANO

The Acting CHAIR. It is now in order to consider amendment No. 14 printed in House Report 112–409.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 37, after line 22, insert the following (and amend the table of contents accordingly):

SEC. 504. STUDY, REPORT, AND RULEMAKING.

(a) STUDY.—The Securities and Exchange Commission shall conduct a study regarding whether the term ''held of record'' (as defined pursuant to section 12(g)(5) of the Securities Exchange Act of 1934) should be changed—

(1) to mean the beneficial owner of the security; and

(2) to address anti-evasion concerns, such as those described under section 240.12g5-1(b)(3) of title 17, Code of Federal Regulations.

(b) REPORT.—Not later than 6 months after the date of the enactment of this Act, the Commission shall submit a report to the Congress containing the conclusions of the study carried out under subsection (a).

(c) RULEMAKING.—If, based on the study conducted pursuant to subsection (a), the Commission concludes that a change to the definition of the term ''held of record'' is necessary and appropriate in the public interest and for the protection of investors, then, not later than 1 year after the date of the enactment of this Act, the Commission shall revise such definition.

The Acting CHAIR. Pursuant to House Resolution 572, the gentleman from Massachusetts (Mr. CAPUANO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. CAPUANO. Madam Chair, this amendment is actually just to piggyback on the previous one that we just adopted by voice vote. It's just a little bit more specific. And honestly, had I known the gentleman was going to offer the other amendment, I might have worked with him a little bit more to make it more specific.

In some levels it's redundant, but this particular one is more specific as to what the issue is. It's actually the specific issue that Mr. SCHWEIKERT pointed out, which is the definition of the beneficial owner.

□ 1040

Right now, when Facebook went public, they allowed one or two or three or a handful of investors to be counted as one. Broker-dealers can hold investments on behalf of thousands, an unlimited number of people. The concept of having 2,000 or 1,000, I respect the gentleman's comments previously that there is no magic number—2,000 sounds fine, 1,000 was fine. That's all well and good, and there is no magic answer to that number. I think the compromise that was reached was pretty reasonable.

At the same time, what it doesn't address, which is exactly what the gentleman said earlier, is that each one of these 2,000 people in theory and in reality often do hold the beneficial interest of tens of thousands of people. I'm not talking about mutual funds. But these are the people that have the authority to direct the broker-dealer to act on their behalf. All this says is it does very similar, but it directs the SEC to look at this specific issue, and to do it within 6 specific months and to come back not just with recommendations to Congress, but if they determine it's an appropriate issue, to actually act.

I don't think there is any disagreement that the SEC has the current authority under current law to do this action if they choose to do it. All this says is rather than simply coming back to Congress with a proposal that if they see the appropriate thing to do is act, that they should do it within 6 months. It is very similar. On many levels it overlaps. It's a technical difference, and a more specific amendment.

I reserve the balance of my time.

Mr. SCHWEIKERT. Madam Chairman, I claim the time in opposition.

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

Mr. SCHWEIKERT. I appreciate our friend from Massachusetts. I do believe, though, that we are about to be somewhat duplicative to the amendment that we just did.

I accept that there is a little bit more here that is a bit more specific, but it is, I hate to say, not necessary. We just passed an amendment that I believe accomplishes where the gentleman from Massachusetts wishes to go, and therefore, I don't see this amendment as actually being necessary.

I reserve the balance of my time.

Mr. CAPUANO. Madam Chair, as the gentleman said in his debate on his bill, even that was unnecessary because the SEC has the authority to do this now. That was unnecessary, and I agree this in theory is unnecessary. The only difference is that this tells the SEC that if they determine that it is a problem, that they are required to act. That's the only major difference here, and they're required to act within any specific period of time.

The previous amendment, also unnecessary pursuant to current law, does direct the SEC look at an issue and make recommendations to Congress. That's all it says. You can actually argue that that might undermine the SEC's authority to take action. I don't think that it does, but you could make that argument if you so chose. This amendment, I agree, is overlapping; but it is not fully redundant, and it keeps the clarification that the SEC is empowered to act now to take action. That's the only major difference.

I reserve the balance of my time.

Mr. SCHWEIKERT. I yield myself the remainder of my time.

I appreciate the part of the argument here, but in the amendment we just passed, we basically, I believe, did what the Congress is supposed to do. We asked the SEC to come back to us within that 120 days, say all right, here's your authority. Do this, do that. Here's where we see a problem. Here's where we don't see a problem. Actually, I think that's actually where those questions come from.

Mr. CAPUANO. Will the gentleman yield for a question?

Mr. SCHWEIKERT. I do yield.

Mr. CAPUANO. Will the gentleman agree that the SEC is currently empowered to take these actions on their own without congressional approval?

Mr. SCHWEIKERT. Reclaiming my time, I actually do.

Mr. CAPUANO. If the gentleman agrees with that and the gentleman agrees that his amendment, his proposal, which I agree with that we just adopted, doesn't undermine that authority at all, would the gentleman agree with that?

Mr. SCHWEIKERT. Would the gentleman restate the question?

Mr. CAPUANO. I simply asked under the amendment that we just adopted, your previous amendment, do you think in any way that that undermines the current ability of the SEC to take action? I would think that it doesn't, but I'm just trying to build the record to be clear as to what it does.

Mr. SCHWEIKERT. Reclaiming my time, actually, where I think it's a really interesting part of the discussion is, all right, if I do believe the SEC actually has this authority, but at the same time, I also believe you and I and all of us in this body are responsible for the ultimate policy, that this policy should be coming back before us, particularly those in the Financial Services Committee, because we're going to also see it as it ties into this whole package of legislation, but also other moving parts out there.

Substantially, for that reason, I must tell you I preferred the amendment we just adopted over the one you've offered because it does say that provision, if it comes back before us, yes, the SEC may have this authority; but we're also going to be the ones also touching it and saying, yes, but it needs to be in context.

With that, I reserve the balance of my time.

Mr. CAPUANO. I don't disagree with anything that the gentleman just said. I happen to agree that Congress should exercise its responsibility every time, but I also understand and I also agree that we have empowered various agencies across the government to take action on their own. We agree that the SEC has current action; and I would argue very clearly that this amendment, this bill, doesn't change the SEC's authority. If they would come out with a ruling tomorrow that defined ''beneficial owner'' or ''owner of record'' in a different way—that they're fully authorized to do so—all this amendment does is suggest that they do, actually requires them to do so one way or the other.

Even if they disagree with me, this doesn't direct them to agree with me. This simply directs them to act if they determine that they should.

I would also argue very clearly that if that's the determination that they make, that they will act anyway, and that's the way it should be. That's all this amendment does is try to draw a big bold line under a potential massive loophole that could be utilized by not necessarily most people but by a few nefarious people who might intend to defraud people, and that's all this is intended to do—close one more door that can be used by people that should be used.

I yield back the balance of my time.

Mr. SCHWEIKERT. Madam Chairman, may I request the time remaining.

The Acting CHAIR. The gentleman from Arizona has 2½ minutes remaining.

Mr. SCHWEIKERT. Madam Chairman, I appreciate the discussion, and I know we may be bordering on that line of being esoteric. I actually believe that we took care of much of this concern in the previous amendment. If you are with us and agree, we're literally looking at two tracks here. The SEC does hold authority. At the same time, we also want this brought back to us if the SEC does see an issue. That's the proper venue. It is the proper venue that we passed in the previous amendment, therefore making this amendment somewhat duplicative.

I yield back the balance of my time.

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

The amendment was rejected.

AMENDMENT NO. 15 OFFERED BY MR. PETERS

The Acting CHAIR. It is now in order to consider amendment No. 15 printed in House Report 112–409.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill insert the following:

TITLE VII—REQUIRED DISCLOSURE OF NUMBER OF DOMESTIC AND FOREIGN EMPLOYEES

SEC. 701. REQUIRED DISCLOSURE OF NUMBER OF DOMESTIC AND FOREIGN EMPLOYEES.

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 NUMBER OF DOMESTIC AND FOREIGN EMPLOYEES.—

''(1) IN GENERAL.—Beginning the first full fiscal year that begins after the date of enactment of this subsection, each issuer required to file reports with the Commission pursuant to subsection (a) shall disclose annually to the Commission and to shareholders—

''(A) the total number of employees of the issuer and each consolidated subsidiary of the issuer who are domiciled in the United States and listed by number in each State;

''(B) the total number of such employees physically working in and domiciled in any country other than the United States, listed by number in each country; and

''(C) the percentage increase or decrease in the numbers required under subparagraphs (A) and (B) from the previous reporting year.

''(2) EXEMPTIONS.—

''(A) NEWER PUBLIC COMPANIES.—An issuer shall not be subject to the requirement under paragraph (1) for the first 5 years after the issuer is first required to file reports with the Commission pursuant to subsection (a).

''(B) EMERGING GROWTH COMPANIES.—An issuer that is an emerging growth company shall not be subject to the requirement under paragraph (1).

''(3) REGULATIONS.—The Commission may promulgate such regulations as it considers necessary to implement the requirement set forth in paragraph (1).''.

Amend the table of contents in section 2 by adding at the end the following new items:

TITLE VII—REQUIRED DISCLOSURE OF NUMBER OF DOMESTIC AND FOREIGN EMPLOYEES

Sec. 701. Required disclosure of number of domestic and foreign employees

The Acting CHAIR. Pursuant to House Resolution 572, the gentleman from Michigan (Mr. PETERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

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

Madam Chair, I'm the cosponsor of H.R. 3630 because I believe that this bipartisan legislation has the potential to create thousands of jobs in the coming years.

My amendment improves this bill by ensuring that those jobs stay here in the United States and in our local communities.

When I meet with constituents, one of their top concerns is the persistent outsourcing of American jobs. Between 2000 and 2009, multinational corporations cut 2.9 million U.S. jobs while adding 2.4 million jobs overseas.

□ 1050

Millions more jobs in diverse sectors, such as the life sciences, agriculture, and sales, could be moving abroad over the next few years. Annual job losses to offshoring have been estimated to be around 300,000. Those 300,000 job losses, of course, are significantly slowing net job creation at a time when we need it most in this country.

My amendment will simply require publicly held companies to disclose where their employees are located in their annual SEC filings. Are their employees here in the United States or are they overseas? While there is consistent concern in this Chamber regarding new regulations on businesses, I think we can all agree that employers know where they are sending their paychecks every month, and this bill specifically exempts newly appointed companies for 5 years.

With unemployment above 8 percent and persistently high unemployment rates possible in the coming years, policymakers at every level of government must look at all credible options for creating jobs. Analyzing the effectiveness of past and future job policies is difficult without knowing whether corporations benefiting from tax incentives or other policies are creating the jobs here in America or abroad. Additionally, responsible investors have a right to know how publicly traded companies are spending their money and whether they are hiring and investing in the United States or are sending their resources overseas.

I urge my colleagues to support this amendment and to support the underlying bill.

I reserve the balance of my time.

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

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

Mr. HENSARLING. I guess the threshold question I have to ask is: How does this amendment help jump-start business start-ups?

What this amendment does is require one more disclosure report. Much of

this, frankly, I do not believe to be germane to the underlying bill, but it is here before us. Nonetheless, it is one more regulatory burden. It is one more cost imposed upon our job creators. It is one more piece of red tape when already the Small Business Administration under the Obama administration has reported the total regulatory cost amounts to $1.75 trillion annually, which is enough money for businesses to provide 35 million private sector jobs with an average salary of $50,000. The same report from the Obama administration's Small Business Administration has reported that 64 percent of all new jobs in the past 15 years have come from small business. Yet these small businesses face an annual regulatory cost of $10,585 per employee.

So, again, I begin to wonder. I know every single report, every single study, every single regulation has, perhaps, some beneficial purpose, but the cumulative impact of them all, Madam Chair, is hurting our businesses.

According to a recent Chamber of Commerce small business survey, 78 percent of small businesses surveyed report that taxation, regulation, legislation from Washington is what is making it harder for their firms to hire more individuals. What we understand from the Office of Information and Regulatory Affairs, a division of OMB, is that during the first 3 years of the President's administration, we have seen a 95 percent increase in the average number of completed regulations deemed economically significant to our economy—almost double. The administration has currently proposed 3,118 regulations. Again, at what point do you begin to say enough is enough?

I understand the purpose of the gentleman's amendment, but I think we know that we have lost far too many jobs overseas. It's not a matter of documenting the symptom; it's getting to the disease. What is the root cause? Well, we know what the root cause is. The root cause is too much red tape. It's bills like the President's health care plan, which is an anathema to small businesses across the land—2,000 pages of legislation that have promulgated even more regulations. Talk to any small business person in America, and the person will cite the President's health care program as something that is inhibiting job growth.

This regulatory burden almost doubles economically significant regulations imposed. That's what's chasing jobs overseas—taxation. The President is proposing $1.9 trillion more in taxes, much of it to fall upon small businesses; and we wonder why we're losing jobs overseas? That's what needs to be documented—not the fact that it's happening, but the root causes. That would be more worthy of a study.

At this point, the purpose of this bill is to help bring more companies on to this IPO on-ramp. This is at cross-purposes, and I would urge my colleagues to defeat this.

I reserve the balance of my time.

Mr. PETERS. I would like to respond to my esteemed colleague in a couple of respects.

He mentions that this is outside the scope of the legislation, that this is really not germane to what we're dealing with. I think, hopefully, my colleague will agree with me that this legislation is about jobs, that it is about creating jobs. More importantly, it is about making sure that those jobs are here in the United States. My colleague across the aisle wants to create jobs overseas. He can do that somewhere else. He should not be doing it in the legislation before us.

This is about empowering American businesses to hire American workers in order to grow the American economy. For us to do that, though, we need to have information. We have to know whether or not these policies that we are implementing are, indeed, doing what they are intended to do, which is to create jobs in the United States.

My colleague argues that this is somehow some incredible burden on companies to be able to report this. I want to remind my colleague that they already do report the number of employees they have. That is part of the SEC filings that currently public corporations are required to file. All this does is ask where those employees are. Are they in the United States or are they overseas? To argue that this is somehow some incredible administrative burden would be to argue that these companies have no idea where they are sending their paychecks and that they're going to need to have some sort of expensive compliance mechanism put in place. I would argue companies know exactly where they send those paychecks each and every month. They know if they're sending them to the United States, and they know if they're sending them overseas.

This is easy to comply with, but it is absolutely essential information for those of us as policymakers who hear from companies regularly that only if we were to adopt this policy they would create jobs. Well, if we adopt that policy, I would like to see that those jobs are actually being created in America and not overseas. We need to have that transparency.

Additionally, this amendment is very careful to exempt new companies, those that are first filing. The initial first 5 years of a start-up company do not have to file this; but what often happens with these new start-up companies is that they start up in the United States. When they then move to scale up operations and really start selling products, all too often we see those companies sending those jobs overseas, and the scale-up—most of the jobs, most of the good-paying middle class jobs, which are critical for a strong economy and for a strong democracy, are being sent overseas.

We need to know. We need to have the transparency. That's simply what this amendment does, and I would urge its adoption.

I yield back the balance of my time.

Mr. HENSARLING. I would inquire of the Chair how much time I have remaining.

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

Mr. HENSARLING. In that case, Madam Chair, I yield the balance of my time to the gentleman from Tennessee (Mr. FINCHER).

Mr. FINCHER. I thank the gentleman for yielding.

I appreciate Mr. PETERS' concerns, but this is about the private sector creating jobs. As we've been here as freshmen for a year and a few months, we have to remind ourselves in this body that jobs are not created in the Halls of Congress, they're created in the private sector, which is what this jobs package will do for America. It lets the private sector get back in the business of creating jobs. I do appreciate the concern, but we're looking out for America here, not overseas jobs. We're looking at bringing back jobs, lowering unemployment and letting the private sector get back in the driver's seat of our economy.

American businesses don't need more mandates from Washington. I couldn't help but hear ''we, we, we'' and ''us, us, us'' here in the House. Let's get back to the people and to the private sector.

While I understand, again, that the gentleman's intention may be to encourage more companies to keep jobs at home, I think this amendment would only add to the list of reasons a company chooses a path other than going public, which leads to less job creation at home. So I urge my colleagues to vote ''no'' on this amendment.

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

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

Mr. PETERS. Madam Chair, I demand a recorded vote.

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

□ 1100

AMENDMENT NO. 16 OFFERED BY MRS. CAPPS

The Acting CHAIR. It is now in order to consider amendment No. 16 printed in House Report 112–409.

Mrs. CAPPS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following (and conform the table of contents accordingly):

TITLE VII—REPORT ON IPOS AND MANUFACTURING

SEC. 701. REPORT.

After the end of the 1-year period beginning on the date of the enactment of this Act, the Securities and Exchange Commission shall issue a report to the Congress on

the increase in initial public offerings that resulted from this Act and the amendments made by this Act, including the specific increases in offerings by companies in the manufacturing industry and the high technology industry.

The Acting CHAIR. Pursuant to House Resolution 572, the gentlewoman from California (Mrs. CAPPS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Mrs. CAPPS. Madam Chair, I rise today to offer a straightforward amendment to H.R. 3606, the Jumpstart Our Business Startups Act.

My amendment would simply direct the Securities and Exchange Commission to conduct a study 1 year after enactment of the law to determine the increase in initial public offerings, or IPOs, resulting from this legislation. The study would also include data specifically on the increases in the manufacturing and high-technology industries.

Though I have concerns about the underlying bill, I plan to support it because I believe it will help small high-tech manufacturers, particularly many in my congressional district, to grow and to hire. However, I also believe we must take steps to ensure these provisions are actually working and our innovative entrepreneurs and small business are getting the support they need.

Madam Chair, as our Nation has struggled these past few years from the economic crisis, we have taken a hard look at what is required for our economy to grow and to thrive into the future. One thing we have all agreed upon is the need to Make It in America.

Of course, this means rebuilding and re-energizing American manufacturing, especially in high-tech. America's greatest export has always been our innovative ideas. For decades, we excelled at both imagining and building new products here in America. But in recent years, we've lost so many manufacturing plants and the millions of quality middle class jobs that came with them.

Small start-ups and local companies have been replaced with large global corporations who have exported our best ideas and our jobs overseas. This has to stop.

Encouraging growth in high-tech manufacturing here at home is critical to rebuilding our economy to better compete in the 21st century. Whether it's in clean energy, defense, or computer science, high-tech manufacturers are creating jobs, spurring economic growth, and helping our Nation regain its rightful place as the global leader in innovation and manufacturing.

What my amendment will simply ensure is this bill is actually accomplishing what it is supposed to accomplish. It will ensure that these reforms are helping high-tech entrepreneurs and small businesses grow and hire more workers.

I'm fortunate in my district to see firsthand the tremendous success these innovative high-tech manufacturers can have in the 21st century economy, companies like Transphorm, Inogen, Trust Automation, MariPro, Owl Biomedical, and Wyatt Technologies. They're all homegrown, often with ideas first hatched at our public universities like UC Santa Barbara and Cal Poly San Luis Obispo.

These companies, and so many more like them, are all innovating, expanding, and creating quality local, good-paying jobs on California's central coast. These innovative businesses have weathered the economic crisis better than anyone else, and they've done this not by outsourcing jobs or cutting pay and benefits. They are doing it the old-fashioned way by constantly innovating and outthinking their competition. They demonstrate the critical link between education, innovation, and our economy. Well, the reforms in the underlying bill are certainly important. We can't lose sight of the many other critical policies that help nurture and grow small business.

As I meet with small business owners and entrepreneurs throughout my district, I hear about access to capital and cutting red tape, of course. But I also hear about the importance of funding our local community colleges and universities, improving local infrastructure, and protecting critical Federal programs like the Small Business Innovation Research, SBIR, under the Small Business Administration.

This bill certainly moves us in the right direction, but we need to do so much more. We need to take up a long-term transportation bill that rebuilds our crumbling roads, bridges, and railways without partisan gimmicks and giveaways.

We need to address the ongoing housing crisis that continues to drag down our economy and force families from their homes. We need to close the gaping loopholes in our Tax Code that encourage companies to ship jobs overseas.

Madam Chair, this bill is a positive step forward, but as many of my colleagues have pointed out, there is room for improvement. While I hope this bill can be improved as it moves forward, I plan to support it because it includes important reforms that will help small businesses. We must also ensure these reforms are actually helping the businesses that need it most, our small manufacturers and innovators.

My amendment will make that happen, and I urge my colleagues to support it.

I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, I rise to claim time in opposition.

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

Mr. HENSARLING. Madam Chair, this, again, the underlying piece of legislation is a piece of legislation that is designed to ensure that small businesses have an on-ramp to equity financing into the IPO market. Let's recall again, why are we seeing so few IPOs? Why are we continuing in this 8 percent-plus unemployment environment for over 3 years, the longest period of sustained high unemployment since the Great Depression?

Well, I listen closely to businesspeople in the Fifth Congressional District of Texas. I listen to other job creators around America, and here's what I hear.

John Mackey, cofounder and CEO of Whole Foods Market:

> In some cases regulations have gone too far, and it really makes it difficult for small businesses. There's too much bureaucracy and red tape. Taxes on business are very high. So we're not creating the enabling conditions that allow businesses to get started.

We're trying to cut away red tape with this JOBS Act.

Andrew Puzder, CEO, CKE Restaurants:

> Government just doesn't understand how much uncertainty it creates in the economy when it attempts to regulate what the private sector does, and it really doesn't understand what the private sector does.

Bernie Marcus, cofounder, former CEO of Home Depot:

> Having built a small business into a big one, I can tell you that today the impediments that the government imposes are almost impossible to deal with. Home Depot would have never succeeded if we tried to start it today.

Let me repeat that, Madam Chair. Home Depot would never have succeeded if we tried to start it today.

Every day you see rules and regulations from a group of Washington bureaucrats who know nothing about running a business, and I mean every day. It's become stifling.

If you're a small businessman, the only way to deal with it is to work harder, put in more hours, and let people go. When you consider that something like 70 percent of the American people work for small businesses, you are talking about a big economic impact.

Just three voices, Madam Chair, from America's job creators. Again, it's not a real secret why we've had a dearth of IPOs.

I understand the gentlelady's amendment is to have the SEC issue a report, number one. I would also note, since these are public filings, we ourselves, as Members of Congress, will have no trouble whatsoever understanding how many companies will go public in the next year.

I understand the gentlelady's argument, I respect that, but, again, it's just one more reporting burden that, frankly, is being placed on the SEC. Now, we've had a debate, and the ranking member has brought up many times he's unhappy with the level of funding that the SEC has received. In fact, I would note, however, that even the President of the United States in his budget is not trying to give the SEC what they have requested.

But what the ranking member has said:

Studies are not done for free by the SEC. I think we have got a further burdening of the SEC with more work. Given the current decision to restrict SEC funding, I will be much more careful about burdening them with studies which will inevitably come at the expense of more important duties.

Again it's a debate. Does the SEC have the right amount of resources, too much, too many? I don't know, that's a legitimate debate.

But, apparently, he thought strongly enough that we should not be burdening the SEC with further burdens at this time. For all of those reasons, I would urge that we defeat the amendment.

I reserve the balance of my time.

Mrs. CAPPS. Madam Chair, I yield myself the balance of my time.

As I said initially, this amendment is simple and it's straightforward. It simply ensures that the provisions of the bill are actually helping small business grow and hire more workers. It's an amendment about oversight and accountability, and it focuses especially on the manufacturers and high-tech innovators that are so critical to future economic growth.

Madam Chair, how much time remains on our side?

The Acting CHAIR. The gentlewoman from California has 5 seconds remaining.

Mrs. CAPPS. I yield the balance of my time to my ranking member, the gentleman from Massachusetts (Mr. FRANK).

□ 1110

Mr. FRANK of Massachusetts. I appreciate the gentleman from Texas selectively quoting me. I do not want to pile on studies, but this one makes a great deal of sense.

Mr. HENSARLING. Madam Chair, may I inquire how much time I have remaining.

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

Mr. HENSARLING. Madam Chair, I yield myself the balance of my time.

Among other reasons I think we should oppose this amendment, number one, I'm not sure what we're going to learn in 1 year. We didn't get into this terrible environment of high unemployment overnight. Frankly, it took 3 years of the burdens that this administration has placed on small businesses. I don't know if we are going to get out of it overnight. So, number one, I don't believe that 1 year is particularly helpful.

But, again, we can have a debate about the root causes. We're already going to know which companies go public. And at some point in time you have to say are the benefits to be derived from the report, from the regulation, worth the cost? I simply don't see it, Madam Chair. Again, I urge defeat of the amendment.

I yield back the balance of my time.

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

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

Mrs. CAPPS. Madam Chair, I demand a recorded vote.

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

AMENDMENT NO. 17 OFFERED BY MR. LOEBSACK

The Acting CHAIR. It is now in order to consider amendment No. 17 printed in House Report 112–409.

Mr. LOEBSACK. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following (and conform the table of contents accordingly):

TITLE VII—OUTREACH ON CHANGES TO THE LAW

SEC. 701. OUTREACH BY THE COMMISSION.

The Securities and Exchange Commission shall provide online information and conduct outreach to inform small and medium sized businesses, women owned businesses, veteran owned businesses, and minority owned businesses of the changes made by this Act.

The Acting CHAIR. Pursuant to House Resolution 572, the gentleman from Iowa (Mr. LOEBSACK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

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

I first want to thank Congressman FINCHER and the Financial Services Committee for bringing this package forward. I am encouraged the House is taking steps today to support small businesses, and I would urge and hope the House will take up additional legislation to create jobs. As any Iowa family can tell you, our Nation is still recovering from the worst recession since the Great Depression, and Congress' focus must be on jobs. Our unemployment rate is painfully high, is still painfully high, and has been a long-term problem for millions of Americans and thousands of Iowans.

We need to be working on legislation to boost our economy, and helping our small businesses flourish is an important step in that direction. This is why I am offering this amendment, to ensure provisions of this legislation are made widely available, and particularly to women-owned, veteran-owned, and minority-owned businesses to make sure that they are informed of changes that might help. Small businesses will be leaders in helping our country climb out of the recession.

I'm home every weekend in Iowa, and I hear time and again the two big problems small businesses face is access to capital and finding skilled workers. In order for this bill to be effective, small and medium businesses must be aware of the new opportunities they will have to expand their business and raise capital. This will be particularly important for the segment of businesses I am targeting in my amendment—women-owned, veteran-owned, and minority-owned businesses.

Specifically, my amendment would require the Securities and Exchange Commission to provide information online and also conduct outreach to these businesses to help them utilize the changes made through this legislation.

Especially since it is Women's History Month, there is no better time to highlight the importance of women-owned businesses to our economy. It's estimated there are over 8 million women-owned businesses in the United States, generating nearly $1.3 trillion in revenues and employing nearly 8 million people. Women-owned businesses account for almost 30 percent of U.S. firms and are growing in some nontraditional areas as well.

Especially during these tough economic times that are weighing heavily on our veterans and their families, it is also essential we as a Nation do all we can to ensure no man or woman who has served our country in uniform should have to fight for a job here at home. Veterans bring to the table many of the skills necessary to run a small business as well and to be leaders in their community. Veterans own 2.4 million businesses, generated over $1 trillion in receipts, and employed nearly 6 million people.

Minority business owners also employ nearly 6 million people with $864 billion in receipts.

All small businesses owners are important, which is why there is a requirement in my amendment to post information about advantages changes in this bill might offer on the SEC Web site in addition to conducting outreach for women-owned, veteran-owned, and minority-owned businesses. This amendment does not score according to the nonpartisan CBO and is simply a commonsense way to ensure employers we're trying to target in this legislation are able to use these new tools to grow our economy and create new jobs and industries. I ask for the support of my colleagues on this commonsense amendment.

I reserve the balance of my time.

Mr. HENSARLING. Madam Chair, I rise to claim the time in opposition, although I am not opposed to the bill.

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

There was no objection.

Mr. HENSARLING. Madam Chair, I want to thank the gentleman from Iowa for bringing this amendment to the floor. I suspect, given that the SEC already has a fairly comprehensive Web site, they probably would have done the proper job in outreach on small business issues. But as important as the JOBS Act is, his amendment is helpful to the underlying bill. I also want to thank him for working with us to tailor his amendment to the underlying bill. Again, it is my expectation

that the SEC would do this job. This will help ensure that all the benefits of this act will be known throughout the small-business community. I urge adoption of the gentleman's amendment.

I reserve the balance of my time.

Mr. LOEBSACK. Madam Chair, I yield such time as she may consume to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. Madam Chair, I thank the gentleman for yielding and compliment him on his very thoughtful amendment, and appreciate the support of the other side of the aisle.

This amendment is aimed at supporting the growth of small and medium-sized businesses and easing the sometimes daunting task of figuring out just what new legislation will mean to them.

This amendment requires the SEC to provide online information and, perhaps more importantly, outreach to small and medium-sized businesses, businesses owned by women, minorities, and veterans.

It is widely recognized that such businesses face a unique set of challenges. We should be doing everything we can to encourage their growth and supporting their success.

Again, I compliment the hard work and really meaningful amendment that my friend from the great State of Iowa has put forth, and I urge unanimous support of it and appreciate the support of the other side of the aisle.

Mr. HENSARLING. Madam Chair, I yield myself the balance of my time.

Again, I wish to urge adoption of the gentleman's amendment. Madam Chair, I would note that this is the last amendment that we will be debating. So, again, I want to use this opportunity to urge all of my colleagues to support the JOBS Act. We again know that jobs, economic growth, the state of our economy continue to be the most pressing issues we are facing in the Nation today. These are foremost in the minds of our constituents.

I want to thank the Republican leader, the gentleman from Virginia, for his leadership in bringing this effort to the floor. I certainly want to thank the chairman of the Financial Services Committee, Mr. BACHUS of Alabama, and the prime author of the legislation, the gentleman from Tennessee (Mr. FINCHER), who has been very active in this debate. I also want to thank the Representatives, my colleagues from the other side of the aisle, for working with us again. It is challenging, most challenging, to find areas of consensus, and most challenging to find the ability to move bipartisan legislation. I think this is a day, a moment, that can be celebrated by all Members. It certainly doesn't do what we would totally like done on our side of the aisle, and I'm sure my friends on the other side of the aisle have the same thing to say.

□ 1120

But it is a step in the right direction for allowing more start-ups to access equity capital to create more jobs for a Nation in desperate need of more job growth and more economic growth.

Again, we know the President in his Statement of Administration Policy has indicated a desire to sign this piece of legislation, and I look forward to the President having that opportunity. I hope it is not our last opportunity to work on a bipartisan basis in this Congress and in this year. It is certainly a good start and something I believe the American people will celebrate.

I want to urge adoption of the gentleman's amendment; I want to urge all of my colleagues to support the bill; and let's find ways to grow this economy and get America back to work.

I yield back the balance of my time.

The Acting CHAIR. The gentleman from Iowa has 30 seconds remaining.

Mr. LOEBSACK. Thank you, Madam Chair.

I really do appreciate the support from the other side of the aisle for this amendment.

I concur with my colleague from Texas in his sentiment that the American people want us to work together to get America back to work again. That's what I'm hearing when I'm home every weekend in my district. I appreciate the support from the gentlewoman from New York as well.

Hopefully, this is the beginning of something bigger where we can work across the aisle and get America back to work and get this economy back on track.

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

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

The amendment was agreed to.

Mr. HENSARLING. Madam Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. FINCHER) having assumed the chair, Mrs. MILLER of Michigan, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3606) to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies, had come to no resolution thereon.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

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

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 8, 2012 at 9:34 a.m.:

That the Senate passed S. 1855.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 11:45 a.m. today.

Accordingly (at 11 o'clock and 22 minutes a.m.), the House stood in recess.

□ 1145

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. MILLER of Michigan) at 11 o'clock and 45 minutes a.m.

The SPEAKER pro tempore. Pursuant to House Resolution 572 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 3606.

□ 1146

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 3606) to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies, with Mr. SIMPSON (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, amendment No. 17 printed in House Report 112–409 offered by the gentleman from Iowa (Mr. LOEBSACK) had been disposed of.

Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 112–409 on which further proceedings were postponed, in the following order:

Amendment No. 15 by Mr. PETERS of Michigan.

Amendment No. 16 by Mrs. CAPPS of California.

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

AMENDMENT NO. 15 OFFERED BY MR. PETERS

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 175, noes 239, not voting 18, as follows:

[Roll No. 107]

AYES—175

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

NOES—239

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

NOT VOTING—18

Bonner
Cardoza
Culberson
Davis (IL)
Filner
Garamendi
Hinojosa
Johnson (GA)
Labrador
Landry
Miller, Gary
Moore
Neugebauer
Paul
Rangel
Schmidt
Thompson (MS)
Visclosky

□ 1218

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

Messrs. WAXMAN, HONDA, and CLYBURN changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 107, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''aye.''

AMENDMENT NO. 16 OFFERED BY MRS. CAPPS

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 172, noes 236, not voting 24, as follows:

[Roll No. 108]

AYES—172

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

NOES—236

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Cole
Conaway
Cooper
Cravaack
Crawford
Crenshaw
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger

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

NOT VOTING—24

Bartlett
Bonner
Cardoza
Costa
Culberson
Davis (IL)
Doggett
Filner
Garamendi
Hinojosa
Hoyer
Johnson (GA)
Labrador
Landry
LaTourette
Miller, Gary
Moore
Moran
Neugebauer
Paul
Rangel
Schmidt
Thompson (MS)
Visclosky

□ 1222

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Madam Chair, on rollcall 108, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

The Acting CHAIR (Mrs. EMERSON). There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SIMPSON) having assumed the chair, Mrs. EMERSON, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3606) to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies, and, pursuant to House Resolution 572, reported the bill, as amended by that resolution, back to the House with sundry further amendments adopted in the Committee of the Whole.

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

Is a separate vote demanded on any further amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

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

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

MOTION TO RECOMMIT

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

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

Ms. ESHOO. In its current form.

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

The Clerk read as follows:

Ms. Eshoo moves to recommit the bill H.R. 3606 to the Committee on Financial Services with instructions to report the same back to the House forthwith with the following amendment:

Page 2, line 12 insert before the period the following: '', and discloses publicly and to the Commission any political expenditures made by the issuer during such fiscal year''.

Page 3, line 21, insert before the period the following: '', and discloses publicly and to the Commission any political expenditures made by the issuer during such fiscal year''.

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

Ms. ESHOO. Mr. Speaker, I yield to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Speaker, I strongly support a very good recommit motion, but I want to clarify one point.

Reference was made in the debate to this bill being one that would relieve small businesses of regulations imposed by this administration recently. Let me be very clear. With the exception of Say-on-Pay, which I strongly support, the administrative and regulatory issues addressed here were not imposed by this administration, were not a result of the bill. These are longstanding things that predate this administration. So I'm for the bill, but I wanted to clear up that misconception. This is not any reaction to anything that was done recently; it's making accommodation for these small businesses with regard to things that are of long standing.

Ms. ESHOO. Mr. Speaker, my colleagues, this is the final amendment to improve this important piece of legislation that I fully support. Capital formation is the lifeblood of innovation in the 21st century, as it was in our past in America. It's so essential to our national economy. Just as importantly, transparency is the lifeblood of our democracy.

The amendment I'm offering today will ensure that emerging growth companies nurtured under today's legislation will fully disclose their political expenditures. Just as entrepreneurs deserve all of the tools available to create and grow companies, voters deserve every tool to decide on public issues for themselves.

Since the Supreme Court's disastrous Citizens United decision, voters across the country have been treated to a sad spectacle not seen since the Watergate era or even the Gilded Age. This year's Presidential election is bearing witness to hundreds of millions of dollars spent on behalf of candidates. The vast majority of the money is coming from outside the channels of parties and candidates, unaccountable to the voters for the messages they deliver. Instead, money from corporations and extremely wealthy people is now being spent through so-called nonprofits and super PACs, denying and delaying disclosure or preventing it all together.

The American people deserve better. House Democrats have offered comprehensive transparency legislation called the DISCLOSE Act, and we should pass that bill together as soon as possible. We can begin that work today by adopting this final amendment and passing the bill. It will not burden small businesses, and it will empower the American people.

Mr. Speaker, this final amendment to the bill will not kill it nor will it send it back to committee. If it's adopted, the bill will proceed to final passage as amended. Congress can say today to the American people that we respect them. We can say we trust them to decide for themselves because they have complete information.

I've always believed that sunlight is the best disinfectant. By voting for this amendment and voting for the bill, we can score two victories for the American people. We can strengthen small businesses across our country, and we can strengthen democracy.

I yield back the balance of my time.

Mr. MCCARTHY of California. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. MCCARTHY of California. Mr. Speaker, it never ceases to amaze me how good my friends on the other side of the aisle have become in putting politics before jobs.

They've said ''no'' to the dozens of job bills that the House Republicans have put forward and ''no'' to unleashing investment in small business.

Mr. Speaker, we have all been somewhere where you've seen a family, a family with a small child, and the child is crying and throwing a tantrum and the parent turns and gives the child what they want, but the child still cries. Today we see another good example of something good still not being good enough for the other side.

At a time when the economy is struggling, unemployment above 8 percent for more than 35 consecutive months, underemployment above 15 percent, you have a bill here that would

unshackle and unleash small business growth. So it is beyond me why, after both subcommittee and full committee markups where provisions passed almost unanimously, this idea never came forth after a full and open debate on the floor with 15 Democrat amendments.

□ 1230

What really shocks me the most is that the President of the United States offered a statement in support of the bill. But when I read his entire statement, Mr. Speaker, he never mentions this motion to recommit or the concern. So, Mr. Speaker, it's one more time that the floor tries to come together, but politics are put before job growth.

So I urge all my friends to come together in a bipartisan fashion—the way this bill was created—to vote down this motion and support the underlying bill.

I yield back the balance of my time.

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

There was no objection.

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

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

RECORDED VOTE

Ms. ESHOO. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 170, noes 244, not voting 18, as follows:

[Roll No. 109]

AYES—170

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

NOES—244

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

NOT VOTING—18

Bonner
Cardoza
Culberson
Davis (IL)
Filner
Garamendi
Hinojosa
Labrador
Landry
Maloney
Miller, Gary
Moore
Neugebauer
Paul
Rangel
Schmidt
Thompson (MS)
Visclosky

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1250

Mr. MATHESON and Ms. HOCHUL changed their vote from ''aye'' to ''no.''

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

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 109, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 390, noes 23, not voting 19, as follows:

[Roll No. 110]

AYES—390

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Andrews
Austria
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah

Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hirono
Hochul
Holden
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Marino
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, George
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Neal
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Scalise
Schiff
Schilling
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stark
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—23

Baca
Bass (CA)
Becerra
Capuano
Conyers
Dingell
Edwards
Hinchey
Holt
Johnson (GA)
Kildee
Kucinich
Lee (CA)
Markey
McDermott
Miller (NC)
Napolitano
Olver
Pingree (ME)
Sarbanes
Schakowsky
Watt
Waxman

NOT VOTING—19

Bonner
Cardoza
Culberson
Davis (IL)
Duncan (TN)
Filner
Garamendi
Hinojosa
Labrador
Landry
Maloney
Miller, Gary
Moore
Neugebauer
Paul
Rangel
Schmidt
Thompson (MS)
Visclosky

□ 1304

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

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 110, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''no.''

PERSONAL EXPLANATION

Mr. VISCLOSKY. Mr. Speaker, on March 8, 2012, I was absent from the House and missed rollcall votes 107 through 110.

Had I been present for rollcall 107, on agreeing to the Peters amendment to H.R. 3606, to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies, I would have voted ''aye.''

Had I been present for rollcall 108, on agreeing to the Capps amendment to H.R. 3606, to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies, I would have voted ''aye.''

Had I been present for rollcall 109, on the motion to recommit with instructions H.R. 3606, to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies, I would have voted ''aye.''

Had I been present for rollcall 110, on passage of H.R. 3606, to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies, I would have voted ''aye.''

AUTHORIZING THE CLERK TO CORRECT ENGROSSMENT

Mr. BACHUS. Mr. Speaker, I ask unanimous consent that in the engrossment of H.R. 3606, the Clerk be authorized to correct section numbers, punctuation, and cross-references and to make other technical and conforming changes as may be necessary to accurately reflect the actions of the House.

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

There was no objection.

HOUR OF MEETING ON TOMORROW

Mr. BACHUS. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 11 a.m. tomorrow; when the House adjourns on that day, it adjourn to meet at 10 a.m. on Tuesday, March 13, 2012; when the House adjourns on that day, it adjourn to meet at 10 a.m. on Friday, March 16, 2012; and when the House adjourns on that day, it adjourn to meet at 2 p.m. on Monday, March 19, 2012.

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

There was no objection.

PENNSYLVANIA STATE UNIVERSITY IFC/PANHELLENIC DANCE MARATHON.

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to congratulate the Pennsylvania State University IFC/Panhellenic Dance Marathon, otherwise known affectionately as ''THON.''

THON's goal every year is to raise money for the Four Diamonds Fund at Penn State Hershey Children's Hospital. The fund was established to support children's cancer by assisting patients and their families through treatment. The fund has helped thousands of families by offsetting medical expenses incurred during cancer treatment. This year, THON broke the previous record and raised $10,698,924. They raised over $10.6 million. That's amazing work. Congratulations.

Penn State's THON has grown to become one of the largest student-run philanthropies in the world, and their efforts have helped improve the lives of so many.

As a proud Penn State alum and Member representing the university here in Washington, I want to congratulate Penn State, the students, the donors, and all of the organizations involved in the THON for another amazing year in support of a truly important cause.

END THE WAR IN AFGHANISTAN

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

Mr. MCGOVERN. Mr. Speaker, today's New York Times headline: ''Intractable Afghan Graft Hampering U.S. Strategy''; the subtitle: Elite group is known for corruption, but high level trials have been absent.

Mr. Speaker, another story about corruption, another story about Afghan President Karzai's complicity in corruption. This story appears while American servicemen and -women continue to die in Afghanistan, while the American people continue to send billions of dollars each day to Afghanistan to sustain the Afghan Government.

Mr. Speaker, I've had it; the American people have had it. This war is not worth another American life. It is not worth another taxpayer dollar. I urge the President to bring our troops home now. I urge the President to end this war now. Enough is enough.

[From the New York Times, Mar. 7, 2012]

INTRACTABLE AFGHAN GRAFT HAMPERING U.S. STRATEGY

(By Matthew Rosenberg and Graham Bowley)

KABUL, Afghanistan.—For the past few months, possibly the most intriguing poker game in Kabul has been taking place in the sprawling pink sitting room of the man at the center of one of the most public corruption scandals in the world, the near collapse of Kabul Bank.

The players include people tied to President Hamid Karzai's inner circle, many of whom have profited from the crony capitalism that has come to define Afghanistan's economic order, and nearly brought down Kabul Bank. The game's stakes ''aren't too big—a few thousand dollars up or down,'' one of the participants said.

Betting thousands of dollars a night in a country where most families live off a few hundred dollars a year would seem like a bad play for Sherkhan Farnood, the founder and former chairman of Kabul Bank, the country's biggest. His assets are supposed to be frozen, and he is still facing the threat of prosecution over a scandal that could end up costing the Afghan government—and, by extension, the Western countries that pay most of its expenses—almost $900 million, a sum that nearly equals the government's total annual revenues.

But Mr. Farnood, who in 2008 won about $143,000 at a World Series of Poker event in Europe, appears to know a good wager when he sees one. Despite years of urging and oversight by American advisers, Mr. Karzai's government has yet to prosecute a high-level corruption case. And now many American officials say that they have little expectation that Mr. Farnood's case will prove to be the exception—or that Washington will try to do much about it, especially after violent anti-American protests in recent weeks have sowed fresh doubts in the Obama administration over the viability of the mission in Afghanistan.

As Americans pull back from Afghanistan, Mr. Farnood's case exemplifies how the United States is leaving behind a problem it underwrote over the past decade with tens of billions of dollars of aid and logistical support: a narrow business and political elite defined by its corruption, and despised by most Afghans for it.

The Americans and Afghans blame each other for the problem's seeming intractability, contributing to the deterioration in relations that now threatens to scuttle talks on the shape of ties between the countries after the NATO combat mission ends in 2014. What is clear is that the pervasive graft has badly undercut the American war strategy, which hinged on building the Karzai administration into a credible alternative to the Taliban.

Still, the Obama administration has concluded that pressing the fight against corruption, as many American officials tried to do in recent years, could further alienate Mr. Karzai and others around him whom Washington is relying on as it tries to manage a graceful drawdown.

''It's a little late in the game to worry about anticorruption measures because what in the world is the alternative going to be?'' said Anthony H. Cordesman, a military analyst at the Center for Strategic and International Studies in Washington. ''If you find people who aren't corrupt, it is largely because they haven't had the opportunity.''

Some of the corruption will fade organically, as America and its allies cut back on their aid to Afghanistan, which is likely to have a harsh impact on the Afghan economy, Mr. Cordesman said. Efforts by the American-led coalition to better monitor the billions it spends each year in Afghanistan continue and are having an effect, although it remains slight largely because billions of dollars keep pouring in and are likely to do so for years to come.

The limits of the coalition's efforts to police its own spending—and the newfound reluctance of top American officials to push back against Afghan intransigence over prosecuting corruption—were laid bare in December when Mr. Karzai's office demanded that the coalition provide evidence if it wanted the government to prosecute the Afghan Army's former surgeon general, Gen. Ahmad Zia Yaftali.

Coalition officials had in fact provided the evidence a full year earlier. General Yaftali was suspended in December 2010 after Gen. David H. Petraeus, then the coalition commander, told Mr. Karzai that NATO investigators had found that the Afghan officer had stolen tens of millions of dollars' worth of drugs from the country's main military hospital, an institution he ran and where Afghan soldiers regularly died from simple infections because they could not afford to bribe nurses or doctors to treat them.

The running of the hospital, like much of the Afghan Army, is financed by the United States, which last year spent $11.2 billion to pay, train and equip Afghanistan's security force.

But after the suspension of the politically connected general, the investigation into his conduct remained in limbo—until Mr. Karzai on Dec. 29 unexpectedly demanded to see the evidence he had already seen.

The American officer in charge of the inquiry, Brig. Gen. H. R. McMaster, was furious. The investigation of General Yaftali and the Dawood Military Hospital was one of the major initiatives undertaken by General McMaster's task force, a high-profile coalition effort set up in 2010 to go after corruption that was being financed by coalition spending. Now it appeared as if an officer who was accused of letting his own soldiers die so he could enrich himself would never be tried.

General McMaster and his staff quickly pulled together their evidence and wrote a statement to counter Mr. Karzai's demand. Their draft, a copy of which was obtained by The New York 7imes, struck both accusatory and conciliatory notes.

It bluntly stated that the coalition had provided the evidence Mr. Karzai was now demanding. It said efforts to investigate had been met with ''interference, obstruction, and delay.'' It quoted a pledge Mr. Karzai had made in December at an international conference in Germany to end a ''culture of impunity.''

The statement was never released. According to two NATO officials, the commander of coalition forces, Gen. John R. Allen, decided there was little to gain in picking a fight with Mr. Karzai over the matter.

A senior coalition officer who is involved with the case said he believed that it would eventually proceed. NATO is focused on preparing Afghan forces to take over the fight against the Taliban, and will continue to try to clamp down on corruption that undermines that goal, the officer said.

The American officials tracking the bank investigation seem similarly uninterested in challenging Afghan authorities over the status of Mr. Farnood and his former partner, Khalilullah Frozi.

Under pressure from the United States and its allies, Afghan authorities arrested both men in June. Kabul Bank was taken over nearly 10 months earlier amid accusations that its owners used it as their personal piggy bank.

Mr. Farnood spent more than $150 million of the bank's money on villas in Dubai purchased in his own name. Kabul Bank money helped finance shell companies whose main function was to win subcontracts from businesses doing work for the American-led coalition, siphon a slice of the money and then find other subcontractors to do the actual work, American officials have said. Mahmoud Karzai, a brother of the Afghan president, and Abdul Haseen Fahim, a brother of the first vice president, Gen. Muhammad Qasim Fahim, both received interest-free loans so they could buy stakes in the bank.

News of the takeover prompted a run on the bank that almost led to its collapse. Afghanistan's central bank spent nearly $900 million to keep it afloat, an outlay that the Afghan government, already short of cash, has since had to cover. While some of that money is likely to be recovered, some Western officials concede that donor funds will eventually be needed to close the hole in the Afghan budget, even if Western dollars do not go directly to cover Kabul Bank's losses.

Deputy Attorney General Rahmat-ullah Nazari said the authorities this past fall gave permission to let Mr. Farnood and Mr. Frozi out of prison during the daytime so they could help recover assets owed to the bank. Mr. Farnood owes the bank $467 million, he said; Mr. Frozi owes $78 million.

Mr. Frozi has been helpful in tracking down missing assets; Mr. Farnood less so, Mr. Nazari said, although some Western officials disputed that characterization and said it was Mr. Farnood who was being more helpful.

But it is unclear how hard the Afghan government is pushing either man. The villas and a pair of partly constructed office towers in Dubai are still in Mr. Farnood's name, and Mr. Nazari said the transfer of the property was being held up by a 2 percent tax that the United Arab Emirates levy on such deals. Some Western officials questioned why a routine tax would hold up such an important transaction.

Meanwhile, Mr. Farnood is collecting rent from tenants in some of the villas, Mr. Nazari said.

But, Mr. Nazari insisted, both will be prosecuted once the asset recovery has been completed.

American, European and even some Afghan officials say they doubt that will happen. Despite Mr. Nazari's claim that both spend their nights in prison, the two have rented separate houses in Kabul and rarely, if ever, return to their cells, said people close to the men.

Mr. Farnood's spacious house stands behind high walls in Kabul's most expensive neighborhood, around the corner from the office of the International Monetary Fund, which is overseeing a forensic audit of Kabul Bank.

A pool table, a table for table tennis, a large Samsung flat-screen television and a set of purple faux-leather couches and arm chairs grace the cavernous pink sitting room. A pair of late-model black Toyota Land Cruisers sit in the driveway. The officer from Afghanistan's National Directorate of Security, the country's intelligence agency, who mans the front door functions more like a doorman than a guard.

Mr. Farnood lunches regularly at the Kabul Serena Hotel, where the buffet costs about $25 a head. Mr. Frozi has his own spot, Boccaccio, an upscale Italian eatery popular with well-heeled Afghans and foreigners, including American and European diplomats.

Lunching there on afternoon last month with four other men, Mr. Frozi declined to talk to a reporter. He said the American press had ''destroyed the bank,'' and he dismissed his questioner with a wave of his hand.

THE PRICE OF GAS

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

Mr. DUNCAN of South Carolina. Americans, it's been 1,044 days since the United States Senate has passed a budget for America. Back in 2009, the average American family spent $173.80 a month on gasoline. In 2011, that number had risen to $368.09 a month on gasoline. What could you use that difference, $194, what could you use that money for?

I guarantee you, with the policies coming out of this administration, gasoline prices are going up. It will be more than $368 a month for gasoline unless we make changes to American energy policies and be energy independent.

STUDENT LOANS

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

Mr. CLARKE of Michigan. Mr. Speaker, today I have introduced H.R. 4170, a bill that will forgive student loan debt for millions of hardworking Americans.

This bill provides that if a student loan borrower makes payments equal to 10 percent of their discretionary income for a period of 10 years, the balance of their Federal student loan debt will be forgiven. This provides student loan borrowers with a second chance, those who have been struggling financially. By cutting this debt, this frees up their money to invest on their own. That will create new jobs throughout this country.

It's time for Congress to stand for the rights of student loan borrowers. It's time to forgive these student loan debts.

CONGRATULATING UALR WOMEN'S BASKETBALL TEAM

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

Mr. GRIFFIN of Arkansas. Mr. Speaker, I rise today to congratulate the University of Arkansas at Little Rock women's basketball team for securing a spot in this year's NCAA basketball tournament.

The game that put them into the tournament was an exciting one. The Lady Trojans came back from a 22-point deficit in the second half against Middle Tennessee and went on to win by one point in overtime.

With Taylor Ford's game-winning shot, the lady Trojans earned their second straight Sun Belt Conference tournament title and their third straight NCAA berth.

Congratulations to the entire UALR community, to Coach Joe Foley for his leadership this championship season, and to the student athletes on this year's team. Thank you all for representing your school, the city of Little Rock, and our great State of Arkansas.

Good luck.

□ 1310

IN HONOR OF THE CYSTIC FIBROSIS FOUNDATION

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

Mr. HIMES. Mr. Speaker, I rise today to honor the Cystic Fibrosis Foundation. Cystic fibrosis is not a disease that affects a lot of Americans; but of the Americans it does affect, it compromises and, all too often, prematurely ends their lives.

I had the good and great fortune to just meet with a number of my constituents, including some young constituents who are with me in the Chamber today, who are very concerned and involved with cystic fibrosis.

We are an enlightened and good society because we invest the money necessary to solve the problems that affect our children, our people. We spend money on cures to eradicate diseases that compromise and end the quality of life for so many of our citizens. So as we do the hard work of getting our budget in order, I ask that this Chamber not erode that good work that we do.

16TH ANNIVERSARY OF BROTHERS TO RESCUE AIRPLANE SHOOT-DOWN BY CUBAN AUTHORITIES

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

Mr. RIVERA. I am here today to honor four American heroes—Carlos Costa, Mario de la Pena, Pablo Morales, and Armando Alejandre, Jr.—who tragically lost their lives 16 years ago at the hands of the Castro dictatorship.

On February 24, 1996, two planes from the humanitarian organization Brothers to the Rescue were shot down under Fidel Castro's and Raul Castro's direct orders as they conducted air search and rescue missions for Cuban refugees trying to reach freedom.

Raul Castro, himself, has publicly admitted to ordering the shoot-down over international waters so that there would be no evidence of the crime; but the Castro brothers have yet to be indicted for their role in ordering the murders of four innocent Americans, and they continue to commit blatant human rights violations towards peaceful civilians every day.

The United States should move immediately to indict the Castro brothers for this crime. We must not turn our backs on the Cuban people, who so tirelessly fight for freedom. I also ask, on this tragic anniversary, that we continue to push forward for democratic change in Cuba.

THE FACTS ABOUT THE PRICE OF GAS IN AMERICA

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

Ms. FOXX. It is time that we emphasize the facts about the price of gas in our country.

On inauguration day for President Obama, the average price of gasoline was $1.84 per gallon. Today, it's $3.75. That's an increase of 103 percent. The estimate is that it will be $4.50 by May. A 1-cent increase in the cost of gas equals $1 billion out of the economy, and it's a $4 million-per-day cost to consumers.

As the price of oil continues to rise at an alarming rate, the President and the congressional Democrats have tried to deflect the blame of their failed energy policies and point the finger at Wall Street speculators for the rise of the cost of a barrel of oil. But that's not the problem, Mr. Speaker. The Obama administration's energy policies are creating uncertainty in the marketplace and are driving up costs.

We need this President to assume the responsibility for the problems that he has caused the average hardworking American taxpayer and to do something about the price of gas.

APPOINTMENT OF MEMBERS TO PRESIDENT'S EXPORT COUNCIL

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to Executive order 12131, and the order of the House of January 5, 2011, of the following Members of the House to the President's Export Council:

Mr. REICHERT, Washington
Mr. GERLACH, Pennsylvania
Mr. TIBERI, Ohio
Ms. SUTTON, Ohio
Ms. LINDA T. SÁNCHEZ, California

THE PREMEDITATED MURDER OF NEW-BORN BABIES JUSTIFIED AS MORALLY EQUIVALENT TO ABORTION

The SPEAKER pro tempore (Ms. FOXX). Under the Speaker's announced policy of January 5, 2011, the gentleman from New Jersey (Mr. SMITH) is recognized for 60 minutes as the designee of the majority leader.

Mr. SMITH of New Jersey. Thank you very much, Madam Speaker.

Late last month, two bioethicists—Dr. Alberto Giubilini and Francesca Minerva—published an outrageous paper in the Journal of Medical Ethics, justifying the deliberate, premeditated murder of new-born babies during the first days and even weeks after birth.

Giubilini and Minerva wrote: ''When circumstances occur after birth that

would have justified abortion, what we call after-birth abortion should be permissible.''

Madam Speaker, they've just coined a brand-new phrase, ''after-birth abortion,'' which is the killing of newborns, the killing of little children—boys and girls—immediately after their births and up to weeks later. These bioethicists argue that if a newly born child poses an economic burden on a family or is disabled or is unwanted that that child can be murdered in cold blood because the baby lacks intrinsic value, and according to Giubilini and Minerva, it is simply not a person.

Giubilini and Minerva write: ''Actual people's well-being—'' and you and I, Madam Speaker, are actual people; adults are actual people according to them ''—could be threatened by a newborn, even if healthy child, requiring energy, money and care which the family might happen to be in short supply of.''

As any parents—especially moms—will tell you, children in general, and newborns in particular, require an enormous amount of energy, money, and boatloads of love. If any of those things, however, are lacking or pose what Giubilini and Minerva call a ''threat,'' does that justify a death sentence? Are the lives of new-born children and new-born babies so cheap? so expendable?

The murder of newly born children is further justified by Giubilini and Minerva in this renowned journal's article—why they carried it is certainly suspect—because new-born infants, like their slightly younger sisters and brothers in the womb, ''cannot have formed any aim that she is prevented from accomplishing.'' In other words, no dreams, no plans for the future, no ''aims'' that can be discerned, recognized or understood by adults equal no life at all.

This preposterous, arbitrary, and evil prerequisite for the attainment of legal personhood is not only bizarre; it is inhumane in the extreme. Stripped of its pseudo-intellectual underpinnings, the Giubilini and Minerva rationale for murdering newborns in the nursery is indistinguishable from any other child predator wielding a knife or a gun.

Giubilini and Minerva say the devaluation of new-born babies is inextricably linked to the devaluation of unborn children. Let me say that again. The devaluation of new-born babies, even into weeks of their lives outside their mothers' wombs, is inextricably linked to the devaluation of unborn children and is, indeed, the logical extension of the abortion culture. They also write this: that they ''propose to call the practice after-birth abortion rather than infanticide in order to emphasize that the moral status of the individual killed—'' that is to say the baby ''—is comparable to that of a fetus . . . Whether she will exist is exactly what our choice is about.''

So let's again get this right because the unborn child has been deemed to be a nonperson and can be killed at will. For the new-born child, who is very, very similar in almost every aspect except dependency and its not being a little bit more mature, the choice is, if it is unwanted, that the parents can order the killing, the execution, of that child.

□ 1320

Madam Speaker, these anti-child, pro-murder rationalizations remind me of other equally disturbing rants from highly credentialed individuals over the years. Princeton's Peter Singer suggested a couple of years ago—and I quote him in pertinent part:

> There are various things you can say that are sufficient to give moral status to a child after a few months, maybe 6 months or something like that, and you get perhaps a full moral status, really, only after 2 years.

Break that down. Only after 2 years, Madam Speaker, should we really confer a sense of personhood to a child who is no longer a baby anymore because of this particular intellectual's perspective.

Dr. James Watson, the Nobel Laureate for unraveling the mystery of DNA many, many years ago, wrote in Prism Magazine:

> If a child were not declared alive until 3 days after birth, then all parents could be allowed the choice only a few have under the present system. The doctor could allow the child to die if the parents so choose and save a lot of misery and suffering. I believe this view is the only rational, compassionate attitude to have.

Compassionate to allow a newborn to die? I think not.

In like manner, Dr. Francis Crick, who received the Nobel Prize along with Watson said:

> No new-born infant should be declared human until it has passed certain tests regarding its genetic endowment and that if it fails these tests it forfeits the right to live.

Madam Speaker, the dehumanization of unborn children has been going on for decades. What is less understood and appreciated is the dehumanization of new-born and very young infants. That too has been going on for years, but it has gotten in the last few years demonstrably worse.

Giubilini and Minerva's article must serve as a wake-up call. The lives of young children who are truly the most unprotected class of individuals in our society are under assault. Hard questions need to be asked and answered and defenders of life must be mobilized. I truly believe we have a duty to protect the weakest and the most vulnerable from violence; and now even the hospital nursery is not a place of refuge or sanctuary.

Madam Speaker, we must strive for consistency. I have been hearing about it for 32 years, and I've worked every single day of my congressional life on human rights issues, from human trafficking to religious freedom. I've written the Trafficking Victims Protection Act back in 2000 to combat modern-day slavery. I work against torture all over the world, wherever and whenever it rears its horrific head. That is especially in places like China, North Korea, and elsewhere.

But I am left to wonder why so many who claim to be proponents of human rights systematically dehumanize and exclude the weakest and the most vulnerable human beings from legal protection.

Why the modern-day surge in prejudice and ugly bias against unborn children and now, by logical extension, new-born children? Why the policy of exclusion rather than inclusion? They are indeed part of the human family. We should embrace them, love them, and protect them. Why is lethal violence against children, abortion, and premeditated killing of new-born infants marketed and sold as somehow benign or progressive, enlightened, and compassionate? Why have so many good people turned a blind eye and looked askance as mothers are wounded by abortion and their babies in the womb pulverized by suction machines 20 to 30 times more powerful than household vacuum cleaners or dismembered with surgical knives or poisoned with chemicals? Looking back, how could anyone in the House or the Senate or President Clinton justify the hideous procedure called ''partial birth abortion''?

Madam Speaker, since 1973, well over 54 million babies have had abortion forced upon them. Some of those children have been exterminated in the second and third trimester. These are known as pain-capable babies. Those kids have suffered excruciating pain as the abortionist committed his violence upon him or her. Why are some surprised that now the emerging class of victims, new-born kids, new-born children, are being slaughtered in Holland and elsewhere while a perverse proposal to murder any new-born children, sick or healthy, is advanced in an otherwise serious and respected ethics journal?

I urge Members to read this article. It will make you sick. It certainly is the opening salvo in an assault on new-born children.

In conclusion, Madam Speaker, children born and unborn are precious. Children sick, disabled, or healthy possess fundamental human rights that no sane or compassionate society can abridge. The premeditated murder of new-born babies, those who are 1 day old after birth, 2 weeks, 3 weeks old is now being justified as being morally equivalent to abortion.

I respectfully submit, Madam Speaker, that the Congress, the courts, the President, and society at large have a sacred duty to protect all children from violence, murder, and exploitation. We don't have a moment to lose. The child predators are working overtime to create more victims.

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

TYRANTS AND DESPOTS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Indiana (Mr. BURTON) is recognized for 48 minutes as the designee of the majority leader.

Mr. BURTON of Indiana. Madam Speaker, yesterday a good friend of mine, Senator JOHN MCCAIN, became the first U.S. Senator to publicly call for U.S.-led air strikes to halt the violence in Syria.

Respectfully, I disagree with the Senator from Arizona. Our main goal in the Middle East is to protect our interests and the interests of our major ally, Israel.

If we are to be dragged into a civil war in Syria for humanitarian reasons, I would respectfully remind Senator MCCAIN and the President that they do not have the power to unilaterally start a war. The authority to initiate war is vested by the Constitution exclusively in Congress. The War Powers Act was enacted into law over a Presidential veto—not an easy thing to accomplish—to fulfill the intent of the Framers of the Constitution of the United States in requiring that the President has to seek the consent of Congress before the introduction of the United States Armed Forces into hostile action.

Section 2(c) of the War Powers Act provides that no attempt by the President to introduce the United States Armed Forces into hostile action may be made under the War Powers Act unless, number one, there is a declaration of war; number two, a specific authorization; or, number three, a national emergency created by attack upon the United States, its territories or possession, or its Armed Forces.

□ 1330

The Constitution and the War Powers Act are not a list of suggestions; they are the law of the land, the law the President of the United States and every Member of Congress swears to protect and defend. Contrary to Defense Secretary Panetta's assertion before the Senate Armed Services Committee the other day, international permission does not trump congressional permission. If the President is even remotely entertaining the idea of engaging in military action in Syria, he must seek formal authorization from Congress to attack Syria first.

While the violence is Syria is appalling and Syrian President Bashar al-Assad is certainly no friend of the United States, before any military action is taken, the President must tell Congress and the American people by what right we attack Syria. Syria has not declared war on the United States nor attacked the United States, our territories, possessions, or Armed Forces. It is not our responsibility to intervene simply because violence erupts in another nation. If it were, then bombs should be falling on a number of countries, including Yemen, Zimbabwe, Uganda, Sudan, Rwanda, North Korea, Burma, and I could go on and on.

In fact, just this past Tuesday, March 6, the former top United Nations humanitarian official in Sudan warned that the country's military is carrying out crimes against humanity in the country's southern Nuba Mountains in acts that remind him of the 2003–2004 genocide in Darfur. Sudan President Omar al-Bashir is under indictment for war crimes by the International Criminal Court for killings and rapes committed in Darfur. Roughly 5,000 people have died in Syria compared to 400,000 in Darfur. How are the actions of al-Assad any worse than the actions of al-Bashir? Where is the call to bomb Sudan?

Madam Speaker, we could have a war of the week if we went after every tyrant that is committing these kinds of atrocities. Well-respected organizations, including Human Rights Watch and Amnesty International, have documented the crimes committed by Burma's military. Many of the abuses committed by the Burmese regime represent some of the world's most horrific ongoing atrocities. For example, the regime has destroyed over 3,300 ethnic minority villages in eastern Burma alone, recruited tens of thousands of children, child soldiers, forced up to 2 million people to flee their homes as refugees and internally displaced, and used rape as a weapon of war against the women of Burma. How is the violence going on in Syria any worse than the destruction and degradation committed by the Burmese junta?

North Korea is widely acknowledged to be the worst violator of human rights in the world. The regime cares so little for its people that authorities are imprisoning, for 6 months in labor training camps, anybody who did not participate in the organized gatherings during the mourning period for the late Kim Jung Il, or who did participate but didn't cry and didn't seem genuine. Six months in a labor camp for not crying? North Korea is a recognized state sponsor of terror, a proliferator of nuclear weapons, and a direct threat to United States forces in South Korea, yet no one is urging the bombing of North Korea.

The world is full of despotic and oppressive regimes. The sad fact is that even in 2012, more of the world labors in the shadow of tyranny than in the daylight of democracy and the rule of law. Many of the world's leaders are at least as bad as Qadhafi and al-Assad, and many are even worse. We are not the world's policeman.

Even if we are willing to ignore the hypocrisy of using military force in Syria for ''humanitarian reasons'' while we turn a blind eye to the other equally pressing humanitarian crises around the world, there are several practical issues surrounding an operation in Syria that make it ill-advised, and this case should be made to the Congress if the President or Senator MCCAIN push for military action against Syria.

Libya and Syria are very different countries with different geographies and different militaries. The Libyan army of Qadhafi was far less capable than Syria's army under al-Assad. Its forces were not as well-trained, well-fed or well-armed. In fact, Qadhafi had decisively turned on his military forces after a series of military coup attempts in the 1980s and 1990s. In the place of a professional military, Qadhafi increasingly relied on the revolutionary committees, many of whom defected en mass within days of protests breaking out against his rule.

Even against such a weak opposition, NATO's bombing campaign only succeeded in pushing the loyalist forces back. The rebels were unable to advance very far. As the battle turned in a stalemate, NATO and others were forced to raise their commitment, and the United States spent billions of dollars in that conflict as well, without congressional approval. Trainers were sent in, and NATO personnel shared space in the rebels' operations room in Benghazi. Qatar had to ship in approximately 30 consignment of Milan anti-tank cannons and Belgian FN rifles. During the final assault on Qadhafi's compound, Qatari forces even found themselves leading the charge.

Nearly a year into the civil war to oust President al-Assad, the Syrian army remains largely intact. In addition, Syria has a substantial chemical and biological weapons capability and thousands of surface-to-air missiles and shoulder-launched missiles, making Syria much more of a threat to attacking air forces than anything Libya had. How will the American people react if an American pilot is shot down and captured by the Syrian army, or worse, Syria's terrorist proxy, Hezbollah? And that's why Congress must be consulted before we take any action; and I would urge any of my colleagues who are considering urging the President to take unilateral action, that they remember the War Powers Act and the Constitution.

In addition, if air power is to be used against Assad's regime, as it was to overthrow Qadhafi's, then it is certain that the venture will take longer than the 6 months it took in Libya. The price in Syrian blood on both sides, the rebels and the government, will be higher, and the geography of the country, without the vast stretches of desert between towns that were turned into shooting galleries when Qadhafi tried to remove his forces, would guarantee more civilian casualties from NATO bombs than occurred in Libya. How many civilian casualties are acceptable to prevent a humanitarian crisis?

Other questions that need to be addressed: What will Israel do if Hezbollah responds to Western military actions against Syria by launching rockets into Israel? What will Iran do to protect its ally in Damascus?

Finally, brutally, we must ask the question: Is the devil we know better than the devil we don't know? And here I'd like to divert just a minute from my prepared text.

When we saw the changes in Libya, we didn't know who was going to take over. We didn't know that sharia law was going to be the rule of law there, which took them back into a more radical stance.

In Egypt, the elections that have taken place after Mubarak was removed from power have led to the suspicion, very strong suspicion, that sharia law will be imposed in Egypt as well. We don't know what that will do to the Camp David Peace Accords and whether or not that could cause our ally, Israel, to be in more danger. We need to know, before we get into a war to change regimes, what we're getting in place of the people we are removing.

Qadhafi, as bad as he was, and I didn't like him at all and I think he should have been removed, was no threat to the United States or our allies. He was a threat to his own people. And yet we decided unilaterally to go in and get him, and we did, along with the French and our NATO allies. And now some of my colleagues are talking about going into Syria and removing al-Assad without congressional approval, unilaterally by the President, and we don't know what we'll be getting.

We have found recently from reports that al Qaeda forces are in Syria assisting the rebels. Now we have to make sure that if al-Assad goes, that we don't have a base of operations for the enemies of freedom in Syria. We know what we've got. We don't like it, but we better be careful before we start making a regime change there that al Qaeda doesn't take over or have a big influence in Syria that will cause problems for the United States, our ally Israel, and others in the Middle East later on.

While Senator MCCAIN, my good friend, may angrily deny it, the assessment of the Director of National Intelligence, James Clapper, and half a dozen intelligence reports and independent news agencies is that al Qaeda has inserted themselves inside armed operations groups in Syria, as I just said. Al Qaeda is there. They're the mortal enemy of everything that we believe in, and they're involved with the rebels, and we need to be sure that we're doing the right thing if we participate and if the Congress approves of some action in Syria.

Do we really want to undertake a ''significant military commitment''—those are the words of Marine General James Mattis, head of the U.S. Central Command—to create so-called safe havens in Syria to deliver weapons and supplies to al Qaeda fighters from Iraq?

□ 1340

I believe that the sun is slowly setting on the Assad regime in Syria. I sincerely hope that we are not pushed into a war we do not fully understand and that we don't really need to be in.

I must remind my colleagues in both the House and the Senate one more time: Neither the President nor a few Senators nor Members of Congress have the right to demand or push for unilateral action by the United States without the Congress of the United States being involved in the decision-making process. That has happened in other countries in the past. It happened in Libya. But it should not happen anymore because the Constitution, the War Powers Act, and the rule of law must be maintained by the Congress of the United States.

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

HOW TO GROW THE AMERICAN ECONOMY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the Chair recognizes the gentleman from Georgia (Mr. WOODALL) for 30 minutes.

Mr. WOODALL. Madam Speaker, I very much appreciate the time and your staying with me late on a Thursday afternoon to do this. Is it Thursday afternoon, Madam Speaker, or Friday afternoon? It's Thursday afternoon. I'm losing track of my days because I'm on the Budget Committee, Madam Speaker, I'm on the Budget Committee, and this is budget season, and we are going nonstop meeting after meeting after meeting after meeting to try to find that budget that not only guarantees that our safety net programs like Medicare and Social Security will be there for generations to come, but that also guarantees that America will be here for generations to come. Because if you've looked at the deficits that we're running, if you've looked at the economic circumstances that we're in, if you've looked at the $15 trillion—now $16 trillion—that we've passed on to our children and our grandchildren, you know that our economic future is at risk.

We talk so much, Madam Speaker, about the things that divide us in Washington. I sometimes think that's unfortunate. There's really a lot that unites us. And I brought with me today some quotes from President Obama in the State of the Union speeches that he's given right here between where you and I stand today, Madam Speaker, when he has come to the Joint Session of Congress to deliver.

This is what he said in 2010. The President said:

> We should start where most new jobs do, in small businesses, companies that begin when an entrepreneur takes a chance on a dream or a worker decides it's time that she became her own boss. Through sheer grit and determination, these companies have weathered the recession and they are ready to grow.

Wow. Who is that talking, Madam Speaker? Is that a Republican? Is that a Democrat? That's an American. That's an American talking about the American Dream of being your own boss and growing a business, employing your neighbors and growing the American economy. The President understood that when he gave his State of the Union speech in 2010.

In 2011, Madam Speaker, the President returned right here to this very same room, and he said this:

> At stake right now is not who wins the next election. At stake is whether new jobs and industries take root in this country or somewhere else.

He was exactly right. He's exactly right about the grit that it takes for entrepreneurs to grow jobs in this country, and he is right that the question is not who wins the next election; the question is how do we ensure that new jobs and new industries take place in America instead of somewhere else around the globe.

Again, in 2011, Madam Speaker, the President said this in the State of the Union speech:

> We measure progress by the success of our people, by the jobs they can find and the quality of life those jobs offer; by the prospects of a small business owner who dreams of turning a good idea into a thriving enterprise, and by the opportunities for a better life that we pass on to our children.

Madam Speaker, we see so much in the newspaper about what divides us in this country. These are words that unite us, words that Republicans, Democrats—Americans from north and south, east and west—can all get behind. They don't stop in 2011.

Here he is in 2012, just 2 months ago, Madam Speaker, right here in this Chamber:

> To reduce barriers to growth and investment, I've ordered a review of government regulations. When we find rules that are unnecessary, that put an unnecessary burden on business, we will fix them.

He said that two months ago, right here in this Chamber.

Madam Speaker, you know, as I know, that business in this country is under assault. And when business in this country is under assault, American families in this country are under assault, entrepreneurship in this country is under assault, the very basis of the American Dream, of being able to put in a hard day's work for a hard day's wage, to be able to change your station in life by the power of your ideas and the sweat of your brow, is at risk. And why?

I have here, Madam Speaker, a chart that shows the regulatory burden in this Nation. What it actually charts is those regulations that come out of Washington, D.C., where implementation costs alone are $100 million a year—the implementation costs alone. Not what it burdens businesses with in terms of lost revenues, not the number of jobs that it kills, not how many jobs it pushes overseas to China, to India and elsewhere instead of keeping those jobs in America, but just what it costs out of someone's wallet to actually implement that regulation, and this is what we see.

In 1995, of course, there was a Republican Congress with Newt Gingrich leading as Speaker and a Democratic President with Bill Clinton. You see this kind of level line at about 80 regulations a year—80 regulations a year. It goes along and along, through the Clinton administration, through the Bush administration. And then we get to 2006, when America decided they could tell no difference between Republicans and Democrats, and they threw the Republicans out of control of the Congress—as well they should have, as well they should have—but what happened—elections have consequences—when they threw Republicans out of the leadership of the U.S. House of Representatives, the number of regulations began to skyrocket. Even with President Bush in the White House, this Congress is where that legislation begins, the number of regulations on small business begins to skyrocket. Then we get to 2008, when President Obama is sworn in to the White House, when Democrats rule both the House and the Senate, and you see regulations and the burden they cause rise right to the top.

Madam Speaker, the decisions we make in this Chamber have consequences. It's not nothing to tell a small business that there's a new rule or regulation that that small business has to comply with because it takes money and it takes time to comply with those regulations. They need to be important, and we need to take a look at it. The President says all the right things. I just couldn't agree with him more.

> To reduce barriers to growth and investment, I've ordered a review of government regulations. When we find rules that are an unnecessary burden on business, we will fix them.

The speech says all the right things, Madam Speaker. But the evidence suggests that we are on a regulatory spending spree the likes of which this country has never seen. And if you think for a minute we cannot destroy the entrepreneurial spirit in this country, you're mistaken.

Do you know that entrepreneurial activity, Madam Speaker, is at a historic low in America today? I'm not talking about the number of businesses that succeed. I'm talking about the number of Americans who dare to try.

Economic good times come, and economic bad times come. The economy will always ebb and flow. But when Americans are afraid to try, when the regulatory burden is such that Americans do not dare to try, we are threatening the future of this Nation and the economic success of our children and our grandchildren.

They published an editorial in The Wall Street Journal, Madam Speaker. It was written by one of the four founders of Home Depot. Now, Madam Speaker, as you know, I'm a freshman Congressman from the great State of Georgia, birthplace of Home Depot. I hope folks have an opportunity to go and shop there. I hope you've had an opportunity to take your kids over and do some of the morning craft projects that they do there at the Home Depot and wear the orange apron.

□ 1350

But this is what that founder said:

If we got together today—the four of them who got together to found Home Depot—if we got together today with our same idea, our same intellect, our same capital, if we gathered together today, we could not make Home Depot succeed. Why? Because the regulatory burden in America is too great to allow for business growth.

Madam Speaker, these challenges that we face are not global challenges about which we have no control. They are domestic challenges about which we have complete control. We choose, Madam Speaker, which regulations we pass and which ones we say no to. I'm proud to say, Madam Speaker, since this new Congress was sworn in, we have not implemented one more regulation on this line. We are trying to turn back. We had the JOBS Act this week to turn back the clock on that regulatory burden to allow folks with energy and creativity to begin to grow jobs again, but it's a team sport.

Let me take you back to the rhetoric, Madam Speaker. You know, rhetoric has a pejorative term to it. I shouldn't say rhetoric, Madam Speaker. Let me take you back to the State of the Union speech that the President gave right here in this Chamber. Again, I listened to those State of the Union speeches. And I confess, I may be a rock-solid conservative Republican from the Deep South, but those speeches move me from time to time. They move me because I agree with the words that the President says. I just disagree with the actions that he does.

Here we go, 2009. State of the Union speech again, Madam Speaker, right here in this Chamber. The President said this:

> Given these realities, everyone in this Chamber, Democrats and Republicans, will have to sacrifice some worthy priorities for which there are no dollars, and that includes me.

He says leadership begins with him, and he's absolutely right. You know, Madam Speaker, we don't have control over the whole government in this Chamber, but we do have control over the budget of this Chamber. The budget that you've allocated to my office, to the Seventh District of Georgia, is lower this year than the budget that the Seventh District of Georgia had in 2008. These things about which we have control, Madam Speaker—we know leadership begins at home, and we are starting with the tough budget cuts right here in the House Chamber.

The President said the same thing in 2009. He said there has to be some sacrifice of worthy priorities for which there are no dollars. And when we have a $16 trillion deficit, Madam Speaker, we know that there are no dollars.

This is 2010—same President, same State of the Union speech right here in this Chamber, and the President says this:

> Families across the country are tightening their belts and making tough decisions. The Federal Government should do the same.

He's absolutely right. He is absolutely right, Madam Speaker. Families across this country are absolutely making changes, absolutely doing what it takes to balance their budgets. The Federal Government can and must do the same. He said it in 2009. He said it in 2010. Madam Speaker, here we are in 2011, same State of the Union speech, he says this:

> Every day, families sacrifice to live within their means. They deserve a government that does the same.

Madam Speaker, again, he's absolutely right. He was right when he said it in 2009, he was right when he said it in 2010, he was right when he said it in 2011. But, Madam Speaker, he hasn't done anything about it. That's the challenge. It's an election year, and folks like to say all the right things, Madam Speaker. But I didn't come to this Chamber as a freshman to say the right things. I came to this Chamber to do the right things.

What I have here is a chart of the President's budget that he submitted this year. Now, let me first say, Madam Speaker, that as you know, the United States Senate has ignored the laws of the United States of America and has not submitted a budget to this Congress in 1,044 days, and they have said they're not going to do it again this year. HARRY REID said it would be foolish, foolish to do a budget. It just so happens the law requires them to do a budget, but foolish he said. The President, to his credit, did put forward a budget.

I say ''to his credit'' because it's hard. A budget is a moral document. I didn't bring a copy of the President's budget with me today, Madam Speaker, but it's about 12 inches tall. You have to go line by line by line and talk about what's important to you. Is there enough money to go around for everything? No, there's not. So, what's important to you? Where are you going to put your dollars? The President, to his credit, went through that very hard process and sent a budget to Capitol Hill.

What I have here is a visual representation of the budget that he sent, Madam Speaker. As you can see, I have a white dotted line here that represents current law. This white dotted line that runs right through here is the current law. If we do nothing, Madam Speaker, if we do absolutely nothing, this is the trajectory on which American debt will grow—if we do nothing.

The President submitted his budget in February. I've represented the President's budget by this large red line, by this large red triangle. The red line is what the President proposes that the deficit be. I mean, we can go back to his 2011 State of the Union address where he said, ''Every day, families sacrifice to live within their means.

The government must do the same.'' We can go back to 2010 when he said the same thing. We can go back to 2009 when he said the same thing. But in 2012, when he submits his budget, he actually runs the deficit up in 2012, up in 2013, up in 2014, up in 2015—and '16 and '17 and '18 and '19 and '20 and '21.

What I've done, Madam Speaker, is I've blown up a little circle way out there at 2022, this little green space right here. Way out there in 2022 the President's budget begins to reduce the deficit that this country faces from what it is under current law today.

Madam Speaker, that's my frustration. How often is it in this body that we hear folks say all the right things: ''Families sacrifice to live within their means,'' said the President. ''They deserve a government that does the same.'' 2011. 2010: ''Families across the country are tightening their belts and making tough decisions. The Federal Government must do the same.'' 2009: ''Given these realities, Democrats and Republicans will have to sacrifice some worthy priorities for which there are no dollars, and that includes me.'' But, Madam Speaker, the evidence reveals exactly the opposite.

What folks may not know—and I encourage you to go and read the President's budget. Again, he did the right thing by submitting it, and I admire him for doing that. It's located at www.omb—Office of Management and Budget—omb.gov. It's got charts and graphs and all the numbers. But what happens in that budget, Madam Speaker, is taxes go up by $2 trillion; $2 trillion taxes go up on the American people.

Now listen, we're in deficit times, we have revenue issues here. We need to have that debate about taxation. But my question to the White House is: How can you raise taxes by $2 trillion on the American people and not reduce America's deficit by one penny for 9 years? The answer is that you raise those taxes by $2 trillion, and then you go and you spend it on other priorities.

The President knows and has said in State of the Union Address after State of the Union Address after State of the Union Address that we have to curb the appetite for spending in Washington. And yet here in the fourth budget, the last budget of his first term—and, candidly, the most serious budget of his administration—he still has not found those items that he is willing to be honest with the American people about and say, we can't afford this, this puts our children and our grandchildren—and, in fact, our entire Republic—at risk.

Now, there's a lot of blame that goes on in this town, Madam Speaker. I don't take any pride in pointing out the challenges of other people's ideas, but I do take pride in pointing out the merit of our own ideas. What I have here, Madam Speaker, is another graphical representation of the tough choices that we in this House, Madam Speaker, with your support and my support and the support of Members on both sides of the aisles, the tough choices that we agreed to make on behalf of America.

What I have here is a chart that shows America's debt as a percentage of GDP, as a percentage of the entire economy. Down here in black, Madam Speaker, is the historic debt. You see down here in the World War II era, the 1940s and coming down in the 1950s, this is the historic debt of America. During the global conflict that was World War II, we ran America's debt up to 100 percent of the size of the entire economy. Why? Because we were fighting a madman overseas and everything depended on us winning.

□ 1400

And so we borrowed to the hilt, Madam Speaker, 100 percent of GDP, to invest in the war effort that saved freedom around the globe.

Well, then we began to pay those debts down, Madam Speaker. Come forward to 2000, 2010. This red line is the current path of America. This red line—if, as the President dodged the tough decisions this year, if the Congress dodges those tough decisions, this red line represents where America is headed.

Here we have at 100, Madam Speaker, that level of debt during the largest conflict this world has ever seen, at which the freedom of the planet hung in the balance. We are headed to that level and higher, Madam Speaker, 100 percent higher, 200 percent higher, 300 percent higher, 400 percent higher, with absolutely no conflict of that size on the horizon. We're just spending it here. Not to fight a national emergency, not to rise to meet an international challenge, but just spending it here.

The green line here, Madam Speaker represents the plan that you and I and this House have passed. You know, it's the only budget that's passed anywhere in the city of Washington, D.C., in the last 3 years?

Only one budget has passed anywhere in the city of Washington, D.C., in 3 years, and it was this one, the one that we did right here, Madam Speaker, that changes the trajectory of America's economic path; that takes us from a path to ruin back to a path of possibility and opportunity, ultimately paying down our Federal debt.

Well, how did we do that?

We did that by making tough decisions. We did that by going into the budget and asking the question, how can we do better?

You know, Madam Speaker, in the great State of Georgia, if you talk to our Department of Transportation, they will tell you that we can build a Georgia road, same mile of pavement, same safety specifications, same everything, we can build a mile of Georgia highway for about 60 percent of the exact same mile of Federal highway?

Why? Because of the regulatory burden that begins in Washington, D.C., and flows downward. Because every agency that touches every dollar this town sends back to the people that it took those dollars from skims just a little bit off the top for administrative costs, just a little bit off the top.

We have to find ways to do better, and we have to find ways, Madam Speaker, to behave differently.

This is one example. How many town hall meetings, have you had, Madam Speaker, where folks have come up to you and said, dag gummit, Madam Speaker, I've paid into Medicare all my life. I need those benefits to be there for me when I retire. I hear that all the time.

Shoot, I've been paying into Medicare all my life. I need those benefits to be there too. I absolutely agree and understand why it is when folks have invested through their taxes, through their paychecks, in a promise that the government committed that would be there for them in their time of need, why it is that Americans believe the government should come through on that.

But there are things about Medicare we don't like to talk about, Madam Speaker. I have here a chart of Medicare revenue, where it is the dollars come in to pay for Medicare. Because if you haven't looked at the numbers recently, Madam Speaker, you know we're spending about 40 percent of every penny in the Federal Government, about 40 percent of every penny in Federal spending goes to Medicare and Medicaid. Medicare and Medicaid, just two programs, consume 40 percent of every dollar that we spend.

In 1964 there was no Medicare and Medicaid; didn't spend a penny in those directions. Now we spend 40 cents out of every dollar, and that number's growing.

Well, what you learn when you get to Congress, Madam Speaker, and you start going through all these committee hearings, is there's a lot that they didn't tell you back home. Medicare part A, that's the hospital program. That's the part for our parents and our grandparents when you go into the hospital. In fact, when we designed the Medicare program in 1965, as Americans, we said folks should not lose everything they have when they have a catastrophic illness and get hospitalized. We should have a support system to protect them in their time of need. And we did. We created Medicare part A. And that's what every working American, whether they started working at 15 or 16 or 17 or 18, they see that FICA line on their check, Madam Speaker, those dollars are coming out of every American's check, no matter how much they earn, all the way to the top of the income spectrum. Every paycheck has about 3½ percent taken out to fund Medicare.

Now, what happens? That amount that's taken out of all the American paychecks is represented in this light blue line here. It covers about 84 percent of Medicare part A costs, Medicare part A, this hospital insurance

that we're providing. Every penny that we've taken from every American covers about 84 cents of the cost of the program.

But you know, after we created Medicare part A, Madam Speaker, we created Medicare part B. Medicare part B is funded with zero dollars out of your and my paycheck, zero dollars out of any paycheck of anyone in America. Not one penny in Medicare taxes is taken out to fund Medicare part B.

Now, we charge Medicare part B premiums, Madam Speaker. Part B is what pays for your doctor visits and supplies, things like that.

We ask Medicare beneficiaries to write the government a check to cover 25 percent of those part B costs. But the other 75 percent—74 here because there's a little interest that gets picked up in there—74 percent of all of those costs are picked up by the American taxpayer, just out of general revenues.

You wonder where the money goes. Understand, we have told America that you pay into Medicare, and so you shall receive from Medicare. You've paid in all your life so it will be there in your time of need, and so we will ensure that it is there in your time of need. But that's just Medicare part A, about $200 billion.

Medicare part B is exactly the same size, at $200 billion, and we never paid a penny for it, but the government is pushing all those dollars out the door.

Move on to Medicare part D, Madam Speaker. Medicare part D, that largest expansion of entitlement programs in the history of the country since 1967, implemented by a Republican Congress and a Republican President.

Yes, we charge Americans. We ask Americans to pay some beneficiary premiums to get Medicare part D. About 11 percent of all Medicare part D revenue comes from beneficiaries' premiums. Eighty-three percent is picked up by the American taxpayer at large. No one ever paid a penny out of their pocket to deposit in a trust fund for that benefit. It's just a benefit that sprang up out of thin air, Madam Speaker, and 83 percent of it is subsidized by American taxpayers across this country.

Now, I bring up these numbers for two reasons, Madam Speaker. Number one, because folks just don't know. Folks just don't know. You're at home, and you're talking about Medicare. You're looking at your paycheck. You see that you're paying Medicare taxes. You think those taxes are going into the trust fund to fund the Medicare program. Well, they are. They're just going into the trust fund to fund the Medicare part A program. Medicare part B and Medicare part D have absolutely no trust funds at all. They never have. They get funded out of general revenues. We have made promises to people about benefits that they will receive for which they never paid a penny.

Madam Speaker, we have $16 trillion in debt that we're passing on to our children and our grandchildren. The days of being able to promise people something for nothing are long gone. We have to be able to have candid conversations with today's seniors, with tomorrow's seniors—I'm in my forties—with my generation, Madam Speaker, and we have to renegotiate the Medicare contract with folks my age and younger. We have to do it.

America cannot, Madam Speaker, sustain this path of debt. You know, I feel a little disingenuous putting this chart up here, Madam Speaker. This is the one of the current path of debt. The truth is, that if you're running the computer models, they really break down somewhere right about here. They really say that the laws of economics, what we know about the world banking system, what we know about commerce in this country, what they really say is right about here America's going to cease to exist anyway; that the numbers just don't work; that the economy just won't function; that America, as we know it, will be over here.

It's not going to get as bad as I've presented, Madam Speaker, because the Republic, as we know it, will have gone away.

You know, we talk so much about the debt limit on this floor, Madam Speaker, the debt limit, as if it's something that Congress passes. Every American knows a debt limit is not a law on a piece of paper. A debt limit is when you can't find anyone to lend you money anymore. The debt limit comes when the Chinese say, No, America, you're a bad credit risk, we're not going to give you anymore. When the Germans say, No, America, you're a bad credit risk, we're not going to give you anymore.

On the Budget Committee we had that hearing, Madam Speaker, and we brought in economists from the left and economists from the right, and we asked them all, folks, tell us how much longer do we have? When does the real debt limit get here, when the American economy can no longer find anyone willing to lend to them?

And this is what they said. Madam Speaker, the liberal economist that came to talk to us said we think you have 5 years, 5 years before that day comes. The conservative economists said we think you have 2 years before that day comes. So we have a window, Madam Speaker, between 2 and 5 years, when the entire economy is going to begin to come unraveled, when American jobs and businesses are going to be at risk, when our entire experiment as a Republic will be challenged.

□ 1410

The President in his budget this year introduced a $2 trillion tax increase and found a way to save us just a little bit of money 9 years from now. Madam Speaker, we don't have 9 years.

Every day that passes makes the problem harder to solve. Every day that passes removes arrows from our quiver of solutions. Every day that passes threatens the survival of our Republic, and that is why we presented the path to prosperity, Madam Speaker, as a solution.

Madam Speaker, I thank you for providing me the time today to talk a little bit about this budget. I hope folks will go to the Web and learn for themselves the truth of the challenges facing this country.

I yield back the balance of my time.

PRODUCING AMERICAN ENERGY

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

Mr. GOHMERT. Madam Speaker, it's always a pleasure to get to address the House in your presence.

I tell you what. There was quite an election in November of 2010. One of the results was a freshman named ROB WOODALL from Georgia, and the gentleman from Georgia does his constituents proud. It's a pleasure to serve with him.

His comments, most meaningful. When we think of what is going on today in the world of energy and the world of constitutional rights, in the world of religious freedom, there are things to be excited about, and there are things to be greatly saddened about.

When I came to Congress as a freshman, was sworn in in January of 2005, it looked like our days of being an energy giant in the world were over. Sure, we were the kings of technology, but we were hearing from people that use natural gas for most of the stuff it seems like—you look around the room and see whether it's plastics, or if you've got food, probably had fertilizer, natural gas used to make the fertilizer—it has had such a role in many things.

In recent months I've asked some scientists, do you see anything on the horizon that might replace natural gas for the use as a feed stock for so many things we make, and manufacture, in this country. I was told not for at least 30 years or so.

The amazing thing, though, in the last 7 years that should have everybody in America excited, is all the energy that's been found in America. Here we are having to all wring our hands, lower our heads, oh, woe is us, gas prices going up. We've got a President, unfortunately, seems like a nice fellow, but he doesn't know anything about energy other than what's handed to him that he could read about. I wish that it was otherwise, but the fact is he keeps making statements that are not borne out by the facts with regard to energy.

I've been excited as a member of the Natural Resources Committee to find out all of the things that are being found. In east Texas, where I am, we are fortunate because there was a natural gas formation that Louisiana was

kind enough to share with us. It's called the Haynesville shale. For that reason, there's more natural gas being produced in east Texas than any of the other 31 congressional districts in America.

There's the Marcellus shale, Pennsylvania, runs up into New York State. But a massive natural gas formation. The ability of hydraulic fracking, which has never been shown by a single scientific study to pollute water, despite some of the stories—once they're investigated people find out they're not true. Because the purpose of hydraulic fracking is to push oil or natural gas out of the formation and up. There is a vested interest in making sure that everything is sealed thousands of feet below where drinking water would be found. There is no scientific study that finds hydraulic fracking has polluted drinking water.

Yet, you look at the things it's done. Depending on who you believe, we probably have at least 300 years of natural gas, even at an accelerated rate. People are now looking at having their cars running on natural gas.

Then, just when we think, well, natural gas is the thing of the future, now we've got 300 years in which to find a suitable alternative without bankrupting the country trying to create something in the way of solar power or wind power—one day solar power I think will be a very viable source, but in the meantime, this President, in supporting his cronies who are manufacturing solar panels, some of them not doing anything but enriching themselves—but the market will take care of these things.

When it is economically feasible and economically viable, then we'll see things like solar power become a reality. But it's no time soon. In the meantime, the President's friends are being enriched, the country is being taken to the poorhouse on a fast track. There is no need for that.

Natural gas is the cleanest burning form of energy we could hope for.

We're the largest repository of coal in the world.

Then we find all of this oil, this huge place in North Dakota. I've met with a third group now who tells me that in Utah, this hard reddish brown rock that you wouldn't think has oil, when put under intense heat, without oxygen, you get oil. They say it's $60 a barrel. They can make $10 or more a barrel. They're doing it right now in Estonia. The same kind of rock, the same kind of thing. Now the third group has told me they believe they think they can get 3 trillion barrels of oil from just one area of Utah. Then it goes into northwest Colorado and southwest Wyoming, from what I'm told.

We know that there have been enough wells drilled in the Middle East that all the oil that is there, we pretty well know where it is. We have a good idea from the way the wells and the fields are being depleted about how much is left.

□ 1420

Information that I've been given indicates that there is probably somewhere around a trillion barrels of oil left in the Middle East—a trillion. Yet, in one area of Utah, we're told there may be three times that much. Sadly, however, this administration does what it has done repeatedly for over 3 years: they put more and more of our resources off limits. So when the President reads the teleprompter and says, There's just nothing I can do to change the price of gasoline, would that we could get information to him to show him how wrong that is. There is oil; there is natural gas; there is coal.

We've also been given the information that when gasoline hits $4 a gallon, normally at least 25 percent to a third or so is purely speculation. So I realize the President wouldn't say there's nothing he can do about the skyrocketing price of gasoline. He surely means that, or I'm sure he wouldn't say it.

Yet the truth is, if the President were to go on television tonight and announce, Do you know what, folks? My Secretary of the Interior in January of 2009 immediately on coming into office announced that he was sending back the checks for leases in this small area. It may have involved some in northwest Colorado, but it was certainly in Utah. He sent back the checks and said that we're not going to allow leases on these areas that were let at the midnight hour by the Bush administration. Well, we'd give him the benefit of the doubt and just say, apparently he didn't know at the time what he was saying was not true.

Those leases, as he admitted in one of our hearings as I had to keep pushing to get the answer, were part of a 7-year process. Companies can't just come in and bid massive amounts of money on a lease on which they expect to produce oil or gas until they've had a chance to study the information. It was a 7-year process—not the midnight hour, but 7 years. Secretary Salazar finally admitted that. It was 7 years just to get to the point where people could bid on those leases—a massive amount of Federal land. The majority of Utah is Federal land. He put it off limits and returned the checks after the 7-year process was completed. Fortunately, during the prior 7, 8 years of the Bush administration, there were other areas where leases were let and permits were granted and drilling commenced.

I don't think we ought to be allowing anybody to drill who has had as many safety violations as British Petroleum had in the gulf. If you can't have less than 800 egregious safety violations in your drilling, you've got no business drilling on American soil or over American waters. Yet they were allowed to drill when, during comparable times, Exxon and others had one, two, none. They had about 800.

It appears the reason they were allowed to keep going, even though there was such a great lack of safety, is that they were about to come out publicly as being a big energy company that embraced the President's cap-and-trade bill. That was going to be big news, so they didn't want to alienate a big energy company. Of course, they were going to be getting even richer dealing in the carbon credits. Consistent with the crony capitalism, they were going to be thrown lots of bonuses through that.

But anyway, this ought to be an exciting time in American history. We have energy galore. A man from China told me that he thought they had figured out what we were doing for our energy policy. We keep declaring all of our energy off limits, more and more of it. We don't use the energy we've got. We do have more energy, when you consider all of the resources, than any other country in the world.

While the President is busy out there deriding America for using too much energy, we make the world safer; we make the world more peaceable; we make the environment cleaner. When manufacturers leave America and go to other places in the world, they pollute four to 10 times more in most of the places that those manufacturers are going to. If you really care about the environment, then keep them here. Many of them are union jobs. You'd think the unions would embrace what we're trying to do rather than what the President is doing, but I understand loyalty runs deep.

We've got health care that has been rammed down the throats of Americans. The majority didn't want it. The elections revealed that in November of 2010. All of the polls revealed that throughout 2009 and 2010. We got it forced upon us when, really, what this government does best is play referee. It makes sure everybody is playing fair and playing by the rules. The problem is, when we become a player, when we become a coach and the referee, we're terrible at all three. When we get so involved in owning part of Wall Street that we're not watching what's going on, you have things like Madoff ripping people off right and left. We should be the referees, making sure everybody plays fairly—not the players, not the coaches, but the referees. The government, Federal Government especially, is a terrible coach when trying to tell people how to make a business work.

The best thing that could happen is if we get insurance companies out of the health care management business that they're in now. They're really not in the insurance business anymore; they're in the health management business. If we don't get them back into the insurance business and out of managing our lives and our health, then they'll be out of business, and the government will take over it all just as ObamaCare anticipates. That's where it's all headed. If we don't get the Federal Government out of being a player and a coach and a referee in health care, then the government will ultimately be the only player and coach

and referee, and that does not bode well for Americans.

We have a chance now, for the first time since the sixties, since Medicare was thought up, to allow our seniors to take control of their own health care and to give them the resources to do it. There would be nothing like a real test: Medicare here. If you want Medicare, have it just the way it is or we'll buy you health care, a private insurance policy; and we'll be referees and make sure they pay fair. We'll make it a high-deductible policy because those are so much cheaper. Then we'll give you cash in a health savings account that will be enough to cover the amount of your deductible each year.

In the end, it will be cheaper, and it will give people the dignity and patience—the control—of their health care so they don't have to beg the Federal Government, so they don't have to beg this board that ObamaCare has set up, so they don't have to beg some insurance company—please, please, let me have this treatment. You'll have insurance; you'll have the money to cover the high deductible; and we will move people into being in charge of their own lives, because the alternative is rather grim.

But let's be clear: this government wants to control people's lives. As soon as ObamaCare were to be fully operational, then the Federal Government has every right to tell people what they can eat; to tell people what medicines they can have; to tell people when they won't get that pacemaker, as the President told a lady at the White House during a town hall.

Maybe it's time we tell people like your mom, who would have 10 extra years of life with a pacemaker, you don't get the pacemaker—just take a pain pill. If we don't get this turned around, the government will have every right to tell you what to eat, what to drink, how much you have to exercise, what you can and can't do.

Our freedoms will be gone.

□ 1430

I've got a great quote here from one of the Founders, a man named Thomas Jefferson:

> If people let the government decide what foods they eat and what medicines they take, their bodies will soon be in as sorry a state as are the souls of those who live under tyranny.

Those that say: Gee, I want to have unlimited sex, and I want the government to pay for it. Somebody's got to. I want the government controlling my life. People that feel like they need the government telling them what to do whatever it is, whatever aspect of life.

Sam Adams is given credit as being one of the most influential Founders in giving us this great Nation:

> If ye love wealth better than liberty, the tranquility of servitude better than the animating contest of freedom, go home from us in peace. We ask not your counsels or arms. Crouch down and lick the hands which feed you. May your chains set lightly upon you, and may posterity forget that ye were our countrymen.

Now, once the government has the right to control everybody's health care, it will have the right to tell you what freedoms it will recognize and you can practice and which you can't. That's why one of the reasons ObamaCare is so objectionable. It's the government intrusion into so many areas of our lives.

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 of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

We're not supposed to make a law prohibiting the free exercise of religion. ObamaCare does that. It gives this government the power to say: You know what? People ought to be able to get abortions paid for by the government, which means the taxpayers pay for it. They ought to be able to get contraceptives as they wish. So never mind the fact that right now if there is somebody in America that needs contraceptives, they can be obtained, plenty of sources, still the President feels the need to intrude upon religious belief and say: Folks, you can't practice this belief. If you believe abortion is murder, it's murder of an unborn child, well, I will tell you what we'll do. We'll just say your money doesn't go for abortions.

Yet in ObamaCare, it's very clear there will be clinics, there will be policies that will provide abortions, and people that pay into policies, those policies insure across the board and they will cover that. And money is fungible; it will be used for abortions; it will be used for contraceptives, even though there are people putting in money to the system that object and feel they are violating their religious beliefs.

So it struck me that the President recently found time to apologize to someone who had been up here on the Hill testifying, but he never found time to apologize to those whom he told: You cannot practice your religious beliefs. Oh, yes, he tried to make an accommodation for a church and a hospital, but Catholics that have these closely held beliefs—I'm a Baptist, but, good grief, if you're going to tell a Catholic they can't practice their religion because, as some in this body have said, a majority think you shouldn't, you're going to tell people they can't practice their religious beliefs? For heaven's sake, at least give them an apology. But not so, no apology there. So I thought, well, maybe it would be helpful to track exactly what deserves apology and what doesn't.

Well, we remember when the President first came into office, the first thing he did was take what a lot of people refer to as the apology tour. He went around the world apologizing for America's arrogance toward countries where we had Americans buried who gave their last full measure of devotion to free those countries. But the President found time. Do they get an apology or no apology? Yes, you got an apology.

All right. There were Bush policies that our President said—toward countries that we actually give a tremendous amount of money to but who vote against us over half the time in the U.N. Do they get an apology? Bingo. He found time to give them an apology.

The family of Border Patrol Agent Brian Terry, murdered by an Operation Fast and Furious gun that our government forced to be sold to criminals, well, well, no time for an apology. They don't get one.

The CIA enhanced interrogation that saved lives and led to finding Osama bin Laden, we do have time to apologize to them. They get one. All right.

Detaining terrorists who killed or conspired to kill Americans at Guantanamo, even though there hasn't been a single incident of waterboarding or torturing of any kind remotely at Guantanamo, even though when they throw feces or urine on our guards, we will take away 2 hours of their movie watching, still, they get an apology from this White House.

The accidental 2012 burning of these Korans that were desecrated by the writing of detainees, yes, they got an apology.

The families of the American soldiers who were killed after President Obama said he ''calmed things down'' by apologizing to Afghanistan. No, didn't get an apology. No apology there. Our own soldiers, but, no, no apology.

Death of two Pakistani soldiers in Pakistan and the death of four other Pakistanis in 2010 when a plane, we were told, made a mistake. Yes, Pakistanis, they get apology; but Americans don't, Pakistanis do.

The President's support for the Ground Zero mosque at 2010 White House Iftar dinner opposed by most Americans, including 9/11 survivors, most Americans didn't want a mosque at Ground Zero. The President said it was a matter of religious freedom. So, basically, the word ''apology'' I don't believe was used, but it was an apology. We believe in them being allowed to do that, even though it offends most Americans and victims' families, yes, yes. They were at the White House hearing how sorry he was that Americans opposed that.

Comments in 2011 that Israel should return to its 1967 borders that would have subjected it to relentless attacks and vulnerability, as Prime Minister Netanyahu explained, no, Israel doesn't get one. No apology for Israel.

His good friends Bill Ayers and Bernadine Dohrn, the first people to have a fundraiser at their house for him, they were part of a radical left-wing group, Weather Underground, detonated a bomb at the Pentagon in 1972. And we know there are still people serving in the military that were

around when the Pentagon was attacked by his biggest, earliest supporters. They don't get an apology. No apology there.

Ordering many Christians to violate their religious beliefs and pay for abortion, drugs, and contraceptives, no, no apology there. Violates your religious beliefs; too bad, no apology.

Comments by President Obama and President Sarkozy in 2011 at the G–20 summit where they belittled Prime Minister Netanyahu. He's Israeli. No apology for that.

□ 1440

Comments made by Rush Limbaugh in his radio program about pro-abortion activist and Georgetown law student Sandra Fluke, yes, the President found time for that apology.

The President's support for not allowing nurses to save babies that were born alive after a botched abortion, we've heard from some of those—at least one of those nurses—how brokenhearted they were sitting there and being forced to watch a baby die. No apology for those folks.

Attendance for 20 years at Trinity United Church of Christ where radical pastor Reverend Jeremiah Wright used racial and anti-Semitic terms, inflammatory rhetoric and insulting comments about Hillary Clinton from his pastor—I believe the comment was he could no more disown that fine gentleman, which he later did. No apology for anybody offended by that.

And inflammatory and indecent comments of one of President Obama's biggest supporters, Bill Maher, regarding Sarah Palin and MICHELE BACHMANN, tens of times worse than anything Rush Limbaugh would have ever dreamed of saying. That's right, no apology for that.

So I think it helps to chronicle exactly what deserves an apology from the White House these days, you know, just so we know where policies lie and where this President stands and with whom he stands.

And with that, Madam Speaker, I yield back the balance of my time.

PUBLIC POLICY ISSUES

The SPEAKER pro tempore (Ms. HAYWORTH). Under the Speaker's announced policy of January 5, 2011, the Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 30 minutes.

Ms. JACKSON LEE of Texas. Madam Speaker, I yield to the distinguished gentleman from Indiana (Mr. BURTON).

CONGRATULATING JOE QUATTRONE

Mr. BURTON of Indiana. I thank my colleague from Texas, and I would like to say that she is a pleasure to travel with. She is a real gentlelady.

The reason I take the floor for just a couple of minutes is one of our dearest friends in the Capitol is a fellow named Joe Quattrone. He is a barber down in the House barber shop, and on March 1 he celebrated 42 years cutting hair in the Capitol of the United States. He came to the United States when he was 18 years old from Italy. He said he has lived the American Dream, and he's one of the nicest people that I think you'll ever meet.

Everybody who has ever worked with him or had their hair cut by Joe understands that he is a very caring person and one that they respect. He has cut the hair of every Speaker of the House except two—NANCY PELOSI, and I don't think she goes to the men's barber shop; and JOHN BOEHNER, the current Speaker. And I'm going to talk to Speaker BOEHNER as soon as we get back from break and get him down there so Joe can say he's cut every Speaker's hair since he has been a barber at the House barber shop.

He has cut the hair of Vice Presidents, Presidents, the President of Italy, the Secretary of Transportation, ambassadors, Governors, admirals, Chairman of the Joint Chiefs of Staff; but his favorite person, besides me, is Tip O'Neill, the Speaker of the House when Tip was the Speaker sometime back.

He worked before he came here at Andrews Air Force Base and the Pentagon.

I would just like to say to Joe the Barber, because I'm going to give him a copy of this floor statement, Madam Speaker, that he has been a credit to the institution of Congress. He is liked by everybody who has ever been in his chair, and I just want to congratulate him on 42 years of working here in the Capitol. And I don't think anybody has ever complained about him. He's really a nice guy. He started March 1, 1970, and he's here now 42 years later.

I just say Joe, congratulations. I'll be down to see you in 2 weeks.

Ms. JACKSON LEE of Texas. I was very happy to yield to the gentleman, and I indicated to you in the spirit of bipartisanship, although I've not had the privilege of having Joe cut my hair, let me congratulate Joe the Barber because he is the epitome of a public servant. He has worked for this august institution for 42 years, and I'm very proud to say that he can claim that he has cut the hair of all of our Speakers. And I don't think our Speaker, who has outstanding Italian heritage, our former Speaker, Speaker PELOSI, would in any way shy away from congratulating this distinguished gentleman who came to this country and literally is a walking, if you will, American Dream.

So I want to congratulate you, Joe the Barber, on behalf of a bipartisan Congress and join my colleague, Mr. BURTON, in congratulating you for your service. You are truly a public servant, an inspiration to all of your family members, and we wish you a long life.

Again, congratulations for 42 years to Joe the Barber.

With that, I will continue my remarks and thank the Speaker.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Ms. JACKSON LEE of Texas. Madam Speaker, I look forward to addressing these very important issues to you, and certainly we want to make sure that we address questions.

In the coming weeks, we will be discussing the attributes of the Affordable Care Act, and I will look forward to coming to the floor of the House and again acknowledging how much money the Affordable Care Act, the health care act, has in fact saved this Nation: how it has preserved Medicare, how we focus on medical education, medical school education, medical providers' education, how we have talked about issues dealing with health care disparities, and in particular how we have expanded the community health clinics that have saved lives, how we have worked on issues dealing with children's health care, how we have provided access to health care for many, many people.

That allows me, or calls upon me, to again follow up to again distinguish the Georgetown law student who spoke before Members of Congress who got in the crosshairs of a commentary that was not very flattering. I just want to distinguish the commentary that came against the Georgetown law student from comments that will be made by entertainers and others across the Nation in the course of their comedic work.

The question about the Georgetown law student, Madam Speaker, was that she was called before Members of Congress to speak. She was not speaking on a television program or an interview. She was actually called by Members of Congress to testify to the question of access of health care to women.

And I will tell you that right now documentation shows that women who are 24 years old and above, their health plans today cost 84 percent more than a male similarly situated. So we know without health insurance how devastating it would be for women not to have health insurance.

Many of the Planned Parenthood family clinics and others are focused on health care. We want to have a firewall, as Planned Parenthood has, and that is that the firewall is that access to health care is a distinguishable factor of their service, and that's what this young woman was speaking about, the importance of access to health care.

It was in the course of that testimony that made her a victim of public ridicule. That's why I believe President Obama appropriately acknowledged the right of a citizen to petition his or her government and that if they do so, they should not be subject to public ridicule. There lies the basis of the President of the United States calling this Georgetown law school student. And I applaud that because no matter how high you are, the highest office in

the land, the Commander in Chief, isn't it appropriate, isn't it befitting of an individual who represents all of the people of the United States to have the humanity to be able to call people, citizens, families, when they are at their lowest ebb, when they have been in the course of public service or they have been in a position of presenting their public case to the United States Congress or even to the President of the United States of America.

□ 1450

I hope that we, no matter what our position and station in life, particularly those of us who hold roles in the most powerful lawmaking body of the world, the United States Congress—the highest office is considered the Commander in Chief, also the leader of the free world—that we would have the capacity to offer an apology to someone who has felt offended.

I want to move into an apology that I want to offer, and that is to the families in my district whose loved ones have been buried in our veterans' cemetery in Houston, off of Veterans' Memorial, who have now faced this tragic circumstance of having headstones misplaced or moved. I don't think there should be any tolerance for that. I believe that when an individual takes an oath to serve in the United States military, for those who, through God's grace, are able to return from battlefields, who are able to retire out of the military as veterans, that we owe them a great deal of respect for their benefits. And then to those families who experience a fallen loved one, either in battle or that they ultimately die as a veteran of the United States military, they should expect that the sacredness of their burial be respected.

I will be visiting our cemetery in Houston, Texas, and asking, Can we not get it right? Can we not fix the problem that moves headstones, that has misplaced headstones and mislabeled headstones? I frankly believe that our men and women in the United States military deserve better, and I'm going to ask for better and insist on that.

I have been working over the last couple of weeks meeting with a very prominent Syrian American in my district, having met with him and others in months past on this whole question of Syria. Just last week, I presented a letter to the representative of the Syrian Embassy demanding that President Assad resign and step down from office, demanding that the Red Cross be allowed, at that time, to come in and provide humanitarian relief, demanding that women and children be protected and taken to safe places so they could receive health care and food, and, at that time, asking for the respectful removal of the deceased, the bodies of the two fallen Western reporters and the others that have been wounded.

Some progress has been made. In the immediate hours of that visit, we saw that the Red Cross and the Red Crescent were able to come in, or the International Red Cross. Then shortly thereafter we saw that Syrian forces were bombing the humanitarian relief efforts. And we heard an interview from one of the Western reporters that clearly indicated that the two reporters that died were actually murdered, because the Syrian forces actually targeted the location where they were, where journalists were. Everyone knows that there is an effort to maintain a firewall or respect for journalists no matter where they are, on a battlefield or in the area. It's known where they are allegedly trying to be in a safe place, and then you directly bomb that area, then you know that there's certainly basis for someone, an interview that took place on CNN that indicated that they thought it was direct murder. However we define it, we know that there is enormous loss of life.

I want to just say that having had the privilege of serving on the Foreign Affairs Committee, now a ranking member on the Subcommittee on Homeland Security, having served on that committee for a number of years since 9/11, the tragedy of 9/11, having gone to a number of war zones, from Bosnia to Kosovo, Afghanistan, Iraq, having gone to Mumbai right after the horrific terrorist bombing, and knowing what conflicts around the world mean in terms of either sending our military personnel, or even after we engage. If you look at the NATO engagement, which included the United States and Libya, there are many who will say right now, look at the confusion. But I think it's important to understand that the intent of the NATO allies was to stop the brutality.

The aftermath we would want to be better. We would want there to not be the conflict that is going on, the tribal conflict, the instability of the Libyan Government as we speak. To be very truthful with you, of course we don't want that to be happening. But no one took to the NATO alliance or took to the air to bomb Libya in agreement in a coalition to create confusion afterward. The call and the response was to stop what was the apparent slaughter and the killing of Libyan citizens en masse.

We know it is not perfect now. Iraq is not perfect, frankly, and we made it worse by going into Iraq because at that time there was not that kind of immediate conflict. But that was the basis for Libya.

Now we have a situation where the argument is that Syria is too complicated, in the region that it's in, the impact of a direct hit is too complicated. Today, I am calling upon the very body that was established at the very end of the 1940s after we ended World War II, another horrific and heinous world conflict which we did not expect, based upon historical perspectives when many argued that World War I was the ''War to End All Wars,'' and, of course, that did not happen, and we've had conflicts and wars since.

But right now, the brutality of violence against the Syrian people, the desperation of killing children in the streets, of slaughtering babies and of not allowing the wounded to get health care, calls upon the world to respond. And I think it is very clear that it is complex enough that a direct attack by the United States, as the administration has acknowledged, would not be appropriate. A direct attack, a direct hit by the United States may not get the results that we would like. But there is no doubt that we cannot leave in good conscience this Congress without someone calling for an immediate response and relief from the United Nations, which was organized to draw together world support.

Whether it is appropriate for U.N. peacekeepers, whether it is appropriate for the U.N., working with some of the Arab States out of the Arab League, it is absolutely ludicrous, tragic, disastrous, and heinous for us to watch night after night the violence that is going on against the Syrian people.

One may argue that there is violence everywhere. But it is a call upon our humanitarian position in the world to be able to call out for assistance. So, today, I am calling for actions by the United Nations in establishing or reaching out for a coalition that would provide military response. What does that mean? Providing weapons, if you will, so that those individuals who are defending themselves against slaughter—let's be very clear. These individuals are trying to defend themselves against slaughter, one city after another is under direct attack by the Syrian national forces, ordered by President Assad, who refuses to leave, and no one has been able to make him leave. The violence and the bloodshed continues on and on and on and on.

So I don't think that we can stand and do nothing. I have already indicated I fully understand that a direct hit by the United States would not be the appropriate direction to take. But that does not leave us helpless, and it does not leave the United Nations helpless. And as a Member of Congress who has supported the United Nations over and over again for the value of its presence in terms of a world force, to insist upon some coming together of nations to the Secretary-General—don't shame yourself with inaction. Don't shame the United Nations with inaction by not calling upon those who have resources in the region to be able to prevent those rebels, or those who are defending themselves, or those men and young boys who are defending themselves, who are picking up sticks and whatever they are using, from being slaughtered in the streets, from having amputated legs, from having no ability to be able to attend to the wounded.

□ 1500

Today, March 8, it is imperative that you begin to assess the violent situation and you stop this slaughter now.

As we leave to work in the districts, I will be pushing back on this issue,

continuing to push back to the United Nations, asking the Arab League for their help through different states to provide this care.

How do I put a backdrop on this? This happens to be the week in which we commemorate what we call, in this Nation, Bloody Sunday. For many who don't understand that date, it was yesterday. It was the day that those individuals who were pleading for the right to vote in this country—similar to the concept of democracy and freedom, in a different way, in a different era, the Syrians are saying that they are oppressed by this regime. But in the day that we were in the midst of civil rights, there were regions and places and people that could not vote in this country; and so citizens from all backgrounds took to Selma, Alabama, and proceeded nonviolently after being violently pushed back and, in essence, bloodied, came back and walked peaceably over that bridge in Selma, Alabama, which was commemorated last Sunday, but the actual date was this Wednesday. I will be commemorating it Houston, Texas, on this Sunday, March 11.

But the concept simply was, when people felt that they were oppressed, in this Nation they found a way to find relief through a nonviolent approach. Ultimately, as those who are historians will know, we passed, in a bipartisan way, with the signature of President Lyndon Baines Johnson, both the 1964 Civil Rights Act and the 1965 Voting Rights Act, which I maintain today is a protector of every citizen's right to vote no matter what your racial background, where you live. The Voting Rights Act simply says: One person, one vote. We protect you. We protect America. We believe in voting.

We have since tried to expand that to ensure that there are election laws that don't stop people or oppress people from voting, and any number of things, like voter IDs, when there is no fraud. Where people have a registration card and have lived in the community, we should be allowing citizens to vote.

But I put that in the context, because now this is 2012, and I think Americans feel with some, if you will—how shall I call it?—some mishaps and laws that probably don't work, that we can vote. Well, just think of a society that feels that they can't speak, that they cannot act upon a free government. Just think of that kind of society. And then you want to petition your government, and what happens? What happens, you're slaughtered. You're slaughtered.

There is no peaceable marching, because if you studied Syria, you will know that they started peaceably marching. What happened? The Syrian forces came and attacked them with weaponry and with violence. They killed them, plain and simple, when they were marching for freedom.

So I would ask that we, again, not allow this to happen. I will proceed with my petitioning to the United Nations. I will be prayerful as well, because as we stand here today, I will assure you that there are those in Syria that are dying as I am on this floor today, that there are those that are losing their lives, that they are being attacked by the Syrian national forces who are killing people in the street. I don't think that we can allow that to occur anymore in this month when we celebrate Women's History Month and the fact that we've celebrated some of the women peacemakers. Right now, today, women are being wounded, women are being hurt, their children are being hurt in Syria.

I want to thank the Speaker for yielding this time and allowing me to call upon the good graces of the international family to be able to lift up the souls and the spirits and the lives of the Syrian people.

As you reflect on this, let me just say, when you thought there was no hope—and you can look at the Arab Spring, although governments are not perfect and we are struggling for these governments, such as Egypt and others, to establish themselves, who would have ever thought that individuals could have brought about a change in Egypt and Tunisia and Libya? Who would have ever thought that democracy would be raising its head? As difficult as it is, don't give up on the Syrian people. Don't give up on those children, those babies, those young men, those men and those families. Don't give up on Syria, and don't stand by idly while bloodshed continues and Syrians are slaughtered in the street.

I look forward to a final relief and a lifting of our humanitarian spirit as we, as a Nation, celebrate the democracy and the freedom in which we are able to live.

I yield back the balance of my time.

COMMUNICATION FROM DISTRICT REPRESENTATIVE, THE HONORABLE SHELLEY BERKLEY, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Jan Churchill, District Representative, the Honorable SHELLEY BERKLEY, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, February 24, 2012.

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

DEAR MR. SPEAKER: This is to notify you formally pursuant to Rule VIII of the Rules of the House of Representatives that I have been served with a subpoena, issued by the Las Vegas Justice Court, for witness testimony.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and rights of the House.

Sincerely,

JAN CHURCHILL,
District Representative.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

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

ADJOURNMENT

Ms. JACKSON LEE of Texas. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 5 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, March 9, 2012, at 11 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

5217. A letter from the Secretary, Commodity Futures Trading Commission, transmitting the Commission's ''Major'' final rule — Business Conduct Standards for Swap Dealers and Major Swap Participants With Counterparties (RIN: 3038-AD25) received February 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5218. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Fluopyram; Pesticide Tolerances [EPA-HQ-OPP-2009-0364; FRL-9336-9] received February 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5219. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Metaflumizone; Pesticide Tolerances [EPA-HQ-OPP-2008-0168; FRL-9333-4] received February 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5220. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Mevinphos; Order Revoking Tolerances [EPA-HQ-OPP-2010-0423; FRL-9338-3] received February 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5221. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Flazasulfuron; Pesticide Tolerances [EPA-HQ-OPP-2010-0494; FRL-8883-1] received February 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5222. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's ''Major'' final rule — Investment Adviser Performance Compensation [Release No. IA-3372; File No. S7-17-11] (RIN: 3235-AK71) received February 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5223. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Designation of Hazardous Substances; Designation, Reportable Quantities, and Notification [EPA-HQ-SFUND-2011-0965; FRL-9635-9] received February 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5224. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the Hawaii State Implementation Plan [EPA-R09-OAR-

2012-0082; FRL-9634-1] received February 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5225. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's ''Major'' final rule — Revisions to Federal Implementation Plans To Reduce Interstate Transport of Fine Particulate Matter and Ozone [EPA-HQ-OAR-2009-0491; FRL-9631-8] (RIN: 2060-AR22) received February 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5226. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's ''Major'' final rule — Revisions to Federal Implementation Plans to Reduce Interstate Transport of Fine Particulate Matter and Ozone; Part II [EPA-HQ-OAR-2009-0491; FRL-9632-8] (RIN: 2060-AR35) received February 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5227. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-319, ''Uniform Collaborative Law Act of 2012''; to the Committee on Oversight and Government Reform.

5228. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-320, ''District of Columbia Public Schools and Public Charter School Student Residency Fraud Prevention Amendment Act of 2012''; to the Committee on Oversight and Government Reform.

5229. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Clarification of Policy Regarding 14 CFR part 135 Approved Training Programs [Docket No.: FAA-2011-1397] received February 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5230. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Enstrom Helicopter Corporation Helicopters [Docket No.: FAA-2011-1382; Directorate Identifier 2011-SW-053-AD; Amendment 39-16900; AD 2011-26-10] (RIN: 2120-AA64) received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5231. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2011-0996; Directorate Identifier 2011-NM-068-AD; Amendment 39-16899; AD 2011-26-09] (RIN: 2120-AA64) received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5232. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Lockheed Martin Corporation/Lockheed Martin Aeronautics Company Airplanes [Docket No.: FAA-2011-0919; Directorate Identifier 2010-NM-088-AD; Amendment 39-16903; AD 2011-27-02] (RIN: 2120-AA64) received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5233. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company (GE) GE90-110B1 and GE90-115B Turbofan Engines [Docket No.: FAA-2011-0278; Directorate Identifier 2010-NE-10-AD; Amendment 39-16901; AD 2011-26-11] (RIN: 2120-AA64) received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5234. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Continental Motors, Inc. (CMI) Reciprocating Engines [Docket No.: FAA-2011-1341; Directorate Identifier 2011-NE-41-AD; Amendment 39-16891; AD 2011-25-51] (RIN: 2120-AA64) received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5235. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; International Aero Engines Turbofan Engines [Docket No.: FAA-2010-0494; Directorate Identifier 2010-NE-20-AD; Amendment 39-16884; AD 2011-25-08] (RIN: 2120-AA64) received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5236. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Thielert Aircraft Engines GmbH Reciprocating Engines [Docket No.: FAA-2009-0948; Directorate Identifier 2009-NE-30-AD; Amendment 39-16906; AD 2010-06-12R1] (RIN: 2120-AA64) received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5237. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Turbomeca Turboshaft Engines [Docket No.: FAA-2010-0904; Directorate Identifier 2010-NE-33-AD; Amendment 39-16902; AD 2011-27-01] (RIN: 2120-AA64) received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5238. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Hawker Beechcraft Corporation Airplanes Equipped with a Certain Supplemental Type Certificate (STC) [Docket No.: FAA-2011-1420; Directorate Identifier 2011-CE-035-AD; Amendment 39-16905; AD 2011-27-04] (RIN: 2120-AA64) received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

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. SMITH of Texas: Committee on the Judiciary. H.R. 3992. A bill 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 (Rept. 112–410). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 1741. A bill to authorize the Secretary of Homeland Security and the Secretary of State to refuse or revoke visas to aliens if in the security or foreign policy interests of the United States, to require the Secretary of Homeland Security to review visa applications before adjudication, to provide for immediate dissemination of visa revocation information, and for other purposes; with an amendment (Rept. 112–411, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Homeland Security discharged from further consideration. H.R. 1741 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. HALL (for himself, Mr. DAVIS of Illinois, and Mr. COLE):

H.R. 4165. A bill to amend title XVIII of the Social Security Act to cover screening computed tomography colonography as a colorectal cancer screening test under the Medicare program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DOGGETT (for himself, Mr. ELLISON, Mr. KEATING, Mr. QUIGLEY, and Mr. MCDERMOTT):

H.R. 4166. A bill to amend the Toxic Substances Control Act to prohibit the manufacture, processing, distribution in commerce, and use of coal tar sealants, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BARROW:

H.R. 4167. A bill to amend the Internal Revenue Code of 1986 to allow employers a refundable credit for increasing employment; to the Committee on Ways and Means.

By Mr. GUINTA (for himself, Mr. BASS of New Hampshire, Mr. OWENS, Mr. RYAN of Ohio, Mr. MICHAUD, and Mr. TURNER of New York):

H.R. 4168. A bill to direct the American Battle Monuments Commission to provide for the ongoing maintenance of Clark Veterans Cemetery in the Philippines; to the Committee on Veterans' Affairs.

By Mr. MCGOVERN (for himself, Mr. WOLF, Mr. CAPUANO, Ms. LEE of California, Mr. MILLER of North Carolina, Mr. OLVER, and Ms. JACKSON LEE of Texas):

H.R. 4169. A bill to require the development of a comprehensive strategy to end serious human rights violations in Sudan, to create incentives for governments and persons to end support of and assistance to the Government of Sudan, to reinvigorate genuinely comprehensive peace efforts in Sudan, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, Oversight and Government Reform, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CLARKE of Michigan:

H.R. 4170. A bill to increase purchasing power, strengthen economic recovery, and restore fairness in financing higher education in the United States through student loan forgiveness, caps on interest rates on Federal student loans, and refinancing opportunities for private borrowers, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Foreign Affairs, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BROUN of Georgia (for himself, Mr. WALBERG, Mrs. BACHMANN, Mr. KINGSTON, Mr. GINGREY of Georgia, Mr. HARRIS, and Mr. PETERSON):

H.R. 4171. A bill to amend the Lacey Act Amendments of 1981 to repeal certain provisions relating to criminal penalties and violations of foreign laws, and for other purposes; to the Committee on Natural Resources.

By Mr. HECK:

H.R. 4172. A bill to authorize the Secretary of Housing and Urban Development to insure mortgages that provide former homeowners who are a reasonable credit risk a second chance at homeownership; to the Committee on Financial Services.

By Ms. LEE of California (for herself, Mr. JONES, Mr. CONYERS, Ms. WOOLSEY, Mr. KUCINICH, Ms. WATERS, Mr. STARK, Mr. ELLISON, Mr. FILNER, and Ms. JACKSON LEE of Texas):

H.R. 4173. A bill to direct the President of the United States to appoint a high-level United States representative or special envoy for Iran for the purpose of ensuring that the United States pursues all diplomatic avenues to prevent Iran from acquiring a nuclear weapon, to avoid a war with Iran, and for other purposes; to the Committee on Foreign Affairs.

By Mrs. ELLMERS:

H.R. 4174. A bill to amend the Transportation Equity Act for the 21st Century with respect to the Interstate System Reconstruction and Rehabilitation Pilot Program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. DENT (for himself and Mr. ANDREWS):

H.R. 4175. A bill to amend the Employee Retirement Income Security Act of 1974 and the Public Health Service Act to provide parity under group health plans and group health insurance coverage for the provision of benefits for prosthetics and custom orthotics and benefits for other medical and surgical services; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SOUTHERLAND:

H.R. 4176. A bill to amend title XVI of the Social Security Act to clarify that the value of certain funeral and burial arrangements are not to be considered available resources under the supplemental security income program; to the Committee on Ways and Means.

By Mr. SCHILLING (for himself, Mr. ALTMIRE, and Mr. DAVIS of Kentucky):

H.R. 4177. A bill to amend title 10, United States Code, to provide equity between regular and reserve component members of the Armed Forces in the computation of disability retired pay for members wounded in action; to the Committee on Armed Services.

By Mr. TURNER of Ohio (for himself, Mr. BROOKS, Mr. LAMBORN, Mr. FRANKS of Arizona, Mr. FORBES, Mr. FLEMING, Mr. REHBERG, and Mr. MILLER of Florida):

H.R. 4178. A bill to strengthen the strategic force posture of the United States by ensuring the safety, security, reliability, and credibility of the nuclear weapons stockpile; 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 Mr. SHERMAN (for himself and Ms. ROS-LEHTINEN):

H.R. 4179. A bill to strengthen the multilateral sanctions regime with respect to Iran, to expand sanctions relating to the energy sector of Iran, the proliferation of weapons of mass destruction by Iran, and human rights abuses in Iran, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, the Judiciary, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRADY of Texas (for himself, Mr. PENCE, Mr. GARRETT, Mr. PETRI, Mr. ROKITA, Mr. FLORES, Mr. KINGSTON, Mr. MULVANEY, Mr. FLAKE, Mr. LANKFORD, Mr. PITTS, Mr. FRANKS of Arizona, Mr. FLEMING, Mr. GOWDY, Mr. BURGESS, Mrs. LUMMIS, Mr. WALSH of Illinois, Mr. RIBBLE, Mr. DUNCAN of South Carolina, Mr. JONES, Mr. COLE, Mr. LAMBORN, Mr. PEARCE, Mr. MANZULLO, Mr. MCCLINTOCK, and Mr. SULLIVAN):

H.R. 4180. A bill to amend the Federal Reserve Act to improve the functioning and transparency of the Board of Governors of the Federal Reserve System and the Federal Open Market Committee, and for other purposes; to the Committee on Financial Services.

By Mr. ANDREWS:

H.R. 4181. A bill to amend title 9, United States Code, to exclude employment contracts and employment disputes from such title; to the Committee on the Judiciary.

By Mr. GOHMERT (for himself, Mr. BARTON of Texas, Mrs. HARTZLER, Mr. PITTS, Mrs. BACHMANN, Mrs. SCHMIDT, Mr. STUTZMAN, Mr. WOODALL, Mr. CHABOT, Mr. FLEMING, Mr. CULBERSON, Mr. SCALISE, Mr. ROE of Tennessee, Mr. FLEISCHMANN, Mr. HUNTER, Mr. FORBES, Mr. FRANKS of Arizona, Mr. HARRIS, Mr. CAMPBELL, Mr. HUELSKAMP, Mr. NUNNELEE, Mr. FLORES, Mr. BRADY of Texas, Mr. RIBBLE, Mrs. LUMMIS, Mr. LANKFORD, Mr. NEUGEBAUER, and Mr. COLE):

H.R. 4182. A bill to direct the Architect of the Capitol to acquire and place a historical plaque to be permanently displayed in National Statuary Hall recognizing the seven decades of Christian church services being held in the Capitol from 1800 to 1868, which included attendees James Madison and Thomas Jefferson; to the Committee on House Administration.

By Mr. ISRAEL (for himself, Mr. CLYBURN, and Mr. LARSON of Connecticut):

H.R. 4183. A bill to change the date for regularly scheduled Federal elections and establish polling place hours; to the Committee on House Administration.

By Mr. LANGEVIN:

H.R. 4184. A bill to amend title 10, United States Code, to require contractors and subcontractors working on military construction projects to comply with licensing requirements for employees working at the project location; to the Committee on Armed Services.

By Ms. MATSUI (for herself and Mrs. CAPPS):

H.R. 4185. A bill to direct the Administrator of the Small Business Administration to establish a loan guarantee program to assist small business concerns that manufacture clean energy technologies in the United States, and for other purposes; to the Committee on Small Business.

By Mr. NUGENT:

H.R. 4186. A bill to amend title 5, United States Code, to eliminate the provision of law preventing certain State and local employees from seeking elective office, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. PEARCE:

H.R. 4187. A bill to direct the Secretary of the Interior to place certain lands in trust for the Zuni Tribe and Navajo Nation and for other purposes; to the Committee on Natural Resources.

By Mr. ROSS of Florida (for himself, Mrs. ADAMS, and Mr. RIBBLE):

H.R. 4188. A bill to reduce the discretionary spending limit for the Department of Defense for fiscal year 2013 by an amount equal to the amount obligated by the Department in fiscal year 2012 to provide recreational facilities to Guantanamo detainees; to the Committee on the Budget, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RYAN of Ohio:

H.R. 4189. A bill to require the Secretary of Defense to provide an annual certification that all programming on the American Forces Radio and Television Service represents the best-faith efforts by the Department of Defense to provide programming for members of the Armed Forces and their families that communicates the policies, priorities, programs, goals, and initiatives of the Department while avoiding airing programming that exhibits values contrary to the values of the Armed Forces and the United States; to the Committee on Armed Services.

By Mr. SCHIFF:

H.R. 4190. A bill to enhance criminal penalties for straw purchasers of firearms; to the Committee on the Judiciary.

By Mr. SCHRADER (for himself and Mr. CHABOT):

H.R. 4191. A bill to amend the Federal Credit Union Act and the Small Business Act to improve small business lending, improve cooperation between the National Credit Union Administration and the Small Business Administration, and for other purposes; to the Committee on Small Business, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Washington (for himself, Mr. BERMAN, Mr. DUNCAN of Tennessee, Mr. ANDREWS, Ms. BORDALLO, Mr. CRITZ, Mr. LARSEN of Washington, Ms. PINGREE of Maine, Mr. GEORGE MILLER of California, Mr. JOHNSON of Georgia, Mrs. DAVIS of California, Mr. REYES, Ms. SPEIER, Mr. FILNER, Mr. RUSH, Mr. COURTNEY, Mr. CAPUANO, Mr. FARR, Mr. JOHNSON of Illinois, Mr. MORAN, Mr. WAXMAN, Mr. TONKO, Mr. PRICE of North Carolina, Ms. HAHN, Mr. HASTINGS of Florida, Mr. CARNAHAN, Mr. WELCH, Mr. MCGOVERN, Mr. MCDERMOTT, Mr. MICHAUD, Mr. HIGGINS, Mr. HOLT, Mrs. CAPPS, Ms. MCCOLLUM, Ms. HIRONO, Mr. DOGGETT, and Mr. INSLEE):

H.R. 4192. A bill to amend the National Defense Authorization Act for Fiscal Year 2012 to provide for the trial of covered persons detained in the United States pursuant to the Authorization for Use of Military Force and to repeal the requirement for military custody; 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 Mr. STIVERS:

H.R. 4193. A bill to provide that there shall be no net increase in the acres of certain Federal land under the jurisdiction of the Bureau of Land Management, the National Park Service, the U.S. Fish and Wildlife

Service, or the Forest Service unless the Federal budget is balanced for the year in which the land would be purchased; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska:

H.R. 4194. A bill to amend the Alaska Native Claims Settlement Act to provide that Alexander Creek, Alaska, is and shall be recognized as an eligible Native village under that Act, and for other purposes; to the Committee on Natural Resources.

By Mr. REHBERG:

H. Res. 578. A resolution supporting the goals and ideals of National Right to Keep and Bear Arms Week; to the Committee on Oversight and Government Reform.

By Ms. HERRERA BEUTLER (for herself, Mr. HASTINGS of Washington, Mrs. MCMORRIS RODGERS, Mr. DICKS, and Mr. LARSEN of Washington):

H. Res. 579. A resolution expressing the sense of the House of Representatives regarding hydroelectric power; to the Committee on Energy and Commerce.

By Mr. QUIGLEY:

H. Res. 580. A resolution to prohibit the use of the Members' Representational Allowance for air travel expenses of any individual unless the individual provides an itemized description of the expenses, including the specific flight number, and uses a credit card provided by the House of Representatives to pay for the expenses; to the Committee on House Administration.

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. HALL:

H.R. 4165.

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

Article I, Section 8, Clause 1, U.S. Constitution.

By Mr. DOGGETT:

H.R. 4166.

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

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. BARROW:

H.R. 4167.

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

The constitutional authority on which this bill rests is Clause 1 of Section 8 of Article I of the Constitution of the United States.

By Mr. GUINTA:

H.R. 4168.

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

per Article 1 Section 8

By Mr. MCGOVERN:

H.R. 4169.

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

Article I, Section 8, Clause 18—And Article I, Section 8, Clause 3

By Mr. CLARKE of Michigan:

H.R. 4170.

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

Article I, Section 8, Clause 1 of the Constitution.

By Mr. BROUN of Georgia:

H.R. 4171.

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

Article I, Section 8, Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. HECK:

H.R. 4172.

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

Section 8, Article 1

By Ms. LEE of California:

H.R. 4173.

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

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mrs. ELLMERS:

H.R. 4174.

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

clause 3 of section 8 of article I of the Constitution—To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. DENT:

H.R. 4175.

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

Article I, Section 8 of the U.S. Constitution.

By Mr. SOUTHERLAND:

H.R. 4176.

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

Section. 8. Clause 1 of the Constitution: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. SCHILLING:

H.R. 4177.

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

Pursuant to the power granted to Congress under Article I, Section 8, Clauses 12, 13, 14, and 16 of the United States Constitution the bill is authorized by Congress' power over the care of the Armed Forces.

By Mr. TURNER of Ohio:

H.R. 4178.

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

The constitutional authority on which this bill rests is the power of Congress ''to provide for the common Defence'', ''to raise and support Armies'', ''to provide and maintain a Navy'' and ''to make Rules for the Government and Regulation of the land and naval Forces'' as enumerated in Article I, section 8 of the United States Constitution.

By Mr. SHERMAN:

H.R. 4179.

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

Article 1, Section 8

By Mr. BRADY of Texas:

H.R. 4180.

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

The United States Constitution provides the legal foundation for the Federal Reserve in Article I, Section 8, Clause 5, which give Congress the power ''to coin money [and] regulate the value thereof,'' and Clause 18, which gives Congress the power to make laws ''necessary and proper for carrying [out] the foregoing powers.''

For a more thorough legal brief on power of the federal government to charter a central bank, see Alexander Hamilton, ''Opinion on the Constitutionality of a National Bank'' in Alexander Hamilton: Writings (New York: Literary Classics, 2001), pp. 613–646.

By Mr. ANDREWS:

H.R. 4181.

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

Article I, Section 8, Clause 3.

By Mr. GOHMERT:

H.R. 4182.

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

Article I, Section 8, Clause 17, providing Congress with exclusive jurisdiction over the District of Columbia.

Article I, Section 8, Clause 18, providing Congress with the authority to enact legislation necessary to execute one of its enumerated powers, such as Article I, Section 8, Clause 17.

By Mr. ISRAEL:

H.R. 4183.

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

Article I, Section 4, Clause 1 of the United States Constitution.

By Mr. LANGEVIN:

H.R. 4184.

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

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

By Ms. MATSUI:

H.R. 4185.

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

Article 1, Section 8, Clause 3

By Mr. NUGENT:

H.R. 4186.

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

Amendment I to the United States Constitution, which states ''Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.''

By Mr. PEARCE:

H.R. 4187.

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

Article 1, Section 8, Clause 3 of the Constitution of the United States grants Congress the power to enact this law.

By Mr. ROSS of Florida:

H.R. 4188.

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

Article 1, Section 9, Clause 7 of the Constitution; ''No money shall be drawn from the Treasury, but in Consequence of Appropriations made by law, and a regular Statement and Account of Receipts and Expenditures of all public Money shall be published from time to time.''

By Mr. RYAN of Ohio:

H.R. 4189.

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

The attached legislation is based upon the following Section 8 statement:

To make all Laws which shall be necesswy and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof

By Mr. SCHIFF:

H.R. 4190.

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

The Straw Purchaser Penalty Enhancement Act is constitutionally authorized

under Article I, Section 8, Clause 18, the Necessary and Proper Clause. The Necessary and Proper Clause supports the expansion of congressional authority beyond the explicit authorities that are directly discernible from the text. Additionally, the Preamble to the Constitution provides support of the authority to enact legislation to promote the General Welfare.

By Mr. SCHRADER:

H.R. 4191.

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

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. SMITH of Washington:

H.R. 4192.

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

Section 8 of Article I of the Constitution, and Amendments IV and V to the Constitution.

By Mr. STIVERS:

H.R. 4193.

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

Article IV, Section 3 of the Constitution of the United States grants Congress the authority to enact this bill.

By Mr. YOUNG of Alaska:

H.R. 4194.

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

Article I, Section 8, Clause 3

ADDITIONAL SPONSORS

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

H.R. 66: Mrs. CAPPS.

H.R. 104: Mr. LARSEN of Washington.

H.R. 192: Ms. MOORE.

H.R. 300: Mr. CARNAHAN.

H.R. 385: Ms. NORTON and Mr. KUCINICH.

H.R. 420: Mr. MANZULLO.

H.R. 459: Mr. HINOJOSA and Mr. NUNNELEE.

H.R. 645: Mr. MANZULLO.

H.R. 683: Mr. GENE GREEN of Texas.

H.R. 726: Ms. BONAMICI.

H.R. 787: Mr. RIBBLE.

H.R. 870: Mr. SIRES.

H.R. 891: Mr. KIND.

H.R. 893: Mr. LANCE, Mr. MCGOVERN, Mr. ROTHMAN of New Jersey, and Ms. HERRERA BEUTLER.

H.R. 931: Mrs. LUMMIS and Mr. WALSH of Illinois.

H.R. 941: Mr. GENE GREEN of Texas, Mr. BOREN, and Mr. FRANK of Massachusetts.

H.R. 1092: Ms. CHU.

H.R. 1116: Ms. BONAMICI.

H.R. 1204: Mrs. LOWEY.

H.R. 1332: Mr. BISHOP of Utah and Mr. KINZINGER of Illinois.

H.R. 1339: Ms. BORDALLO, Mr. GRIFFIN of Arkansas, Mr. REYES, Mr. LARSEN of Washington, Mr. CRITZ, Mr. ANDREWS, and Mr. MCINTYRE.

H.R. 1386: Mr. LOBIONDO.

H.R. 1404: Mr. DEFAZIO.

H.R. 1537: Mr. SARBANES, Mr. HINOJOSA, and Ms. BONAMICI.

H.R. 1549: Mr. KING of New York.

H.R. 1578: Mr. TIERNEY, Mr. DOYLE, and Mr. SMITH of Washington.

H.R. 1612: Mr. FILNER.

H.R. 1639: Mr. BRALEY of Iowa.

H.R. 1648: Mr. BISHOP of Georgia, Mr. FATTAH, Mr. LYNCH, Mr. SCHRADER, and Ms. ROS-LEHTINEN.

H.R. 1704: Mr. LATHAM and Mr. WALDEN.

H.R. 2159: Mr. SCHIFF and Mr. INSLEE.

H.R. 2179: Mr. SHERMAN and Mr. MEEHAN.

H.R. 2187: Mr. MCGOVERN.

H.R. 2206: Mr. ROE of Tennessee.

H.R. 2238: Mr. FORTENBERRY.

H.R. 2245: Mr. BRALEY of Iowa.

H.R. 2310: Ms. BONAMICI.

H.R. 2328: Mr. FILNER.

H.R. 2364: Mr. GRIJALVA, Mr. BISHOP of New York, Mr. FILNER, Mr. CAPUANO, Mr. ACKERMAN, Mr. SCHIFF, Mr. FATTAH, Mr. ELLISON, and Mr. INSLEE.

H.R. 2524: Mr. ELLISON.

H.R. 2555: Mr. GUTIERREZ.

H.R. 2669: Ms. CHU, Mr. CICILLINE, Mr. CAPUANO, Mr. CLARKE of Michigan, Mr. KEATING, Mr. OLVER and Mr. LIPINSKI.

H.R. 2717: Mr. TIERNEY.

H.R. 2738: Mr. GRIJALVA.

H.R. 2875: Mr. RAHALL.

H.R. 2938: Ms. MCCOLLUM.

H.R. 2948: Mr. QUIGLEY.

H.R. 2957: Ms. LEE of California, Mr. TOWNS, Mr. HONDA, Mr. ENGEL, Mr. POLIS, Mr. ELLISON, and Mr. STARK.

H.R. 2960: Mr. PIERLUISI.

H.R. 2969: Mr. MCCOTTER and Mr. BISHOP of Georgia.

H.R. 2980: Mrs. NAPOLITANO and Mr. CARNAHAN.

H.R. 3057: Mr. COOPER.

H.R. 3059: Ms. TSONGAS and Mr. ANDREWS.

H.R. 3118: Ms. FOXX.

H.R. 3164: Mr. MCNERNEY.

H.R. 3236: Mr. LIPINSKI and Mr. COURTNEY.

H.R. 3264: Mr. HENSARLING.

H.R. 3269: Mr. RENACCI.

H.R. 3283: Ms. SEWELL.

H.R. 3308: Mr. QUAYLE.

H.R. 3319: Mr. GOSAR.

H.R. 3353: Mr. GRIJALVA.

H.R. 3399: Mr. COOPER.

H.R. 3418: Mr. RANGEL.

H.R. 3461: Mr. SHULER, Mr. BILIRAKIS, Mr. ROONEY, Mr. QUIGLEY Mr. RIVERA, and Mr. LATTA.

H.R. 3485: Ms. CASTOR of Florida and Mr. INSLEE.

H.R. 3522: Ms. MOORE and Ms. CHU.

H.R. 3523: Mr. JOHNSON of Ohio, Mr. SMITH of Nebraska, and Mr. CRAWFORD.

H.R. 3627: Mr. LANCE.

H.R. 3653: Ms. BASS of California, Mr. NADLER, Mr. KUCINICH, Mr. TIERNEY, Mr. HONDA, and Mr. CARNAHAN.

H.R. 3662: Mrs. BACHMANN, Mr. BARLETTA, Mr. NEUGEBAUER, Mr. NUGENT, Mr. ALEXANDER, and Mr. KINZINGER of Illinois.

H.R. 3676: Mr. FLEMING.

H.R. 3713: Mr. BARLETTA.

H.R. 3783: Mr. MCCOTTER and Mr. MULVANEY.

H.R. 3790: Mr. MCGOVERN, Mrs. CAPPS, Mr. ALTMIRE, Mr. TOWNS, Mr. COHEN, and Mr. ROSS of Arkansas.

H.R. 3798: Ms. HAHN, Mrs. MALONEY, Ms. CHU, Mr. BURTON of Indiana, Mr. GRIMM, Mr. MCKEON, Mr. HOLT, Mr. PASCRELL, Mr. SHERMAN, Mr. BLUMENAUER, Mr. DEFAZIO, Mr. TIERNEY, and Mr. CAPUANO.

H.R. 3820: Mr. BISHOP of New York.

H.R. 3839: Mr. RANGEL.

H.R. 3875: Mr. RUSH and Ms. BALDWIN.

H.R. 3903: Mr. PRICE of North Carolina and Mr. OLVER.

H.R. 3904: Mr. JONES.

H.R. 3905: Mr. SABLAN.

H.R. 3974: Ms. CLARKE of New York.

H.R. 3981: Mr. COLE and Mr. BOREN.

H.R. 4010: Mr. PALLONE, Ms. RICHARDSON, Mr. HIGGINS, and Ms. FUDGE.

H.R. 4040: Ms. BERKLEY, Mr. BISHOP of New York, Mr. BONNER, Mr. BRALEY of Iowa, Ms. BROWN of Florida, Mrs. CAPPS, Ms. CASTOR of Florida, Ms. CHU, Mr. CICILLINE, Mr. COSTELLO, Mrs. DAVIS of California, Mr. DEFAZIO, Ms. DELAURO, Mr. DICKS, Mr. DINGELL, Mr. DOGGETT, Mr. DREIER, Mr. ELLISON, Ms. ESHOO, Mr. GARAMENDI, Ms. HAHN, Mr. HALL, Mr. HEINRICH, Mr. HERGER, Mr. HASTINGS of Florida, Mr. HINCHEY, Ms. JACKSON LEE of Texas, Mr. JOHNSON of Georgia, Mr. JOHNSON of Illinois, Mr. LARSEN of Washington, Mr. LEVIN, Mr. LEWIS of Georgia, Mr. LIPINSKI, Mr. MCCLINTOCK, Ms. MCCOLLUM, Mr. MORAN, Mr. MURPHY of Connecticut, Mr. PETERSON, Mr. PIERLUISI, Mr. POLIS, Mr. ROYCE, Mr. RYAN of Wisconsin, Mr. SABLAN, Mr. SERRANO, Ms. SEWELL, Mr. SMITH of Washington, Ms. SPEIER, Ms. VELÁZQUEZ, Ms. WASSERMAN SCHULTZ, and Mr. WOLF.

H.R. 4077: Mr. CONNOLLY of Virginia.

H.R. 4083: Mr. RANGEL.

H.R. 4089: Mr. KLINE.

H.R. 4094: Mr. WITTMAN.

H.R. 4103: Mr. LOBIONDO.

H.R. 4104: Mr. STIVERS, Mr. LONG, Mr. SCHILLING, Mr. FINCHER, Mrs. BLACK, Mr. FITZPATRICK, Mr. HURT, Mr. HUIZENGA of Michigan, Mr. DUFFY, Mr. LUETKEMEYER, Mr. WESTMORELAND, Mr. CLEAVER, Mr. BACHUS, Mr. FRANK of Massachusetts, Mr. PERLMUTTER, Mr. DONNELLY of Indiana, Mr. CANSECO, Ms. WATERS, Mrs. CAPITO, Mrs. BIGGERT, Mr. HENSARLING, Mr. POSEY, Mr. AL GREEN of Texas, Mr. DAVID SCOTT of Georgia, Mr. WATT, Mrs. MALONEY, Ms. HAYWORTH, Mr. NEUGEBAUER, Mr. BACA, Mr. DOLD, Mr. CARNEY, Mr. QUIGLEY Mr. KELLY, Mr. WEBSTER, Mr. BUCSHON, Mr. OWENS, Mr. GIBBS, Mr. LATOURETTE, Mr. SHULER, and Mr. TIBERI.

H.R. 4106: Ms. WOOLSEY.

H.R. 4117: Mr. COLE.

H.R. 4120: Mrs. CAPPS, Mr. LANCE, Mrs. MALONEY, and Mr. ROTHMAN of New Jersey.

H.R. 4122: Mr. GALLEGLY.

H.R. 4125: Mr. LAMBORN and Mr. MILLER of Florida.

H.R. 4134: Mrs. ELLMERS.

H.R. 4135: Mr. MCGOVERN.

H.R. 4153: Mr. GIBBS and Mr. THOMPSON of Pennsylvania.

H.R. 4160: Mr. CULBERSON, Mr. DUNCAN of South Carolina, Mr. GOWDY, Mr. FLEMING, Mr. WALSH of Illinois, Mr. HARRIS, Mr. NEUGEBAUER, Mr. RIBBLE, Mr. FRANKS of Arizona, Mr. MANZULLO, Mr. FLORES, Mr. BURTON of Indiana, Mrs. LUMMIS, and Mr. MULVANEY.

H.J. Res. 13: Mr. AMODEI and Mr. PETERSON.

H.J. Res. 103: Mr. MICA.

H. Res. 490: Mr. PRICE of Georgia, Mr. SAM JOHNSON of Texas, Mr. SOUTHERLAND, Mr. BISHOP of Utah, and Mrs. BACHMANN.

H. Res. 503: Mr. ROSS of Florida.

H. Res. 526: Mr. MILLER of Florida, Mr. MEEKS, and Mr. DUFFY.

H. Res. 560: Mr. CONNOLLY of Virginia, Mr. OLSON, Mr. RANGEL, Mr. ROTHMAN of New Jersey, and Mr. BISHOP of New York.

H. Res. 564: Mr. RANGEL, Mr. COHEN, Mr. JOHNSON of Georgia, Mrs. MALONEY, and Mr. HINCHEY.

H. Res. 568: Ms. JACKSON LEE of Texas, Mr. HURT, Mr. GOWDY, Mr. SULLIVAN, Mr. OLSON, Mr. ROSS of Florida, Mr. SOUTHERLAND, Mr. FLORES, Mr. SCALISE, Mr. CAMPBELL, Mr. NADLER, Mrs. MCCARTHY of New York, and Mrs. MCMORRIS RODGERS.

H. Res. 573: Ms. JACKSON LEE of Texas, Ms. SLAUGHTER, and Mr. HINOJOSA.

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PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, SECOND SESSION

Vol. 158 WASHINGTON, THURSDAY, MARCH 8, 2012 No. 38

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

PRAYER

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

Let us pray.

Eternal spirit, You are our strength and song. Who is like You, majestic in holiness and wondrous in mighty deeds? Give our Senators this day understanding minds to legislate responsibly. As they seek to govern in a way worthy of Your goodness, guide them by the light of Your truth. Infuse them with Your perfect peace as they keep their minds focused on You. May they overcome cynicism with civility in their relationships and work.

O Lord, we wait for You and acknowledge that You alone are sovereign. Amen.

PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 8, 2012.

To the Senate:

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

DANIEL K. INOUYE,
President pro tempore.

Mr. UDALL of New Mexico thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will be in a period of morning business for an hour—The majority will control the first half, Republicans the final half. Following morning business, the Senate will resume consideration of the surface transportation bill.

As most know, late last night we reached an agreement to move forward on the highway bill. Under the order that has been issued, I can schedule those votes anytime after consultation with the Republican leader, so we have some 30 votes to complete today. We will see how this works. I think we will have the first vote about 2:15 today and start working through these amendments.

There is not going to be a lot of debate, so if anybody wants to speak on these amendments they better come over after the morning business hour and start telling people how they feel about some amendments, because there is not going to be a lot of time during the voting on the amendments.

MEASURE PLACED ON THE CALENDAR—S. 2173

Mr. REID. Mr. President, I believe S. 2173 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The assistant legislative clerk read as follows:

A bill (S. 2173) to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

Mr. REID. Mr. President, I object to any further proceedings with respect to this bill.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar.

RECOGNITION OF THE MINORITY LEADER

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

SURFACE TRANSPORTATION ACT

Mr. MCCONNELL. Mr. President, last night the two parties reached an agreement on amendments to the highway bill. As the majority leader will indicate shortly, or may already have before I came to the floor, we will be able to move forward on that later today.

I am also happy to report there are a number of strong, very strong, job-creating measures in the mix. One that stands out is Senator HOEVEN's amendment on the Keystone XL Pipeline, that massive private sector project that will create 20,000 jobs almost immediately.

Most Americans strongly support building the pipeline and, of course, the significant number of construction jobs that would come along with it. It is incomprehensible to me that the President of the United States, as I read, is actually lobbying against the Keystone Pipeline amendment. There is a report this morning that the President is personally making phone calls to Democratic Senators he thinks might vote for the amendment, asking them not to. Frankly, it is hard to comprehend how completely out of touch he is on this issue.

Think about it. At a moment when millions are out of work, gas prices are

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

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literally skyrocketing, and the Middle East is in turmoil, we have a President who is up making phone calls trying to block a pipeline here at home. It is almost unbelievable. What we are seeing in Congress this week is a study in contrasts. On the one hand, you have a Republican-controlled House that is about to pass a bipartisan jobs bill that would help entrepreneurs and innovators by getting Washington out of the way, and today we have a Democratic-controlled Senate trying to line up votes against an amendment that would create jobs, and a Democratic President lobbying against the biggest private sector job creation project in our country.

We have an opportunity to work together to create jobs. We can do that with these amendments and we can do that by taking up the bipartisan jobs bill the House will pass later today.

Let me say a word about that. The bipartisan jobs bill the House will pass later today is supported by the President. It is ready to go. I hope that once it gets over to the Senate we will simply take it up and pass it. It is an example of a measure supported by Republicans and Democrats and the President that we believe will clear the House with a very large majority. I think the sooner we pass that here in the Senate and send it down to the President for signature, the better.

I yield the floor.

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

SURFACE TRANSPORTATION ACT

Mr. REID. Mr. President, I was reminded this morning as I came to the floor about an old standard political joke. When I looked at my papers I had here, my outline of what I was going to say, I was missing a page. That is what the Republican leader and I were joking about here this morning. That is why he went first, because I didn't have my speech. The old political joke, as we have all heard many times—this politician was giving a speech and he is flipping through his pages and he is in the midst of giving it. After he gets wound up in his speech, he is going through the speech and he is waving his hands and shouting and he comes to the third or fourth page of his speech and it says: ''You are on your own, you SOB.'' His speechwriter had had enough of him.

But that is not what happened here today. Phoebe prepared the speech for me and I left a part of it in my office.

I am pleased to say Democrats and Republicans reached an agreement to advance the highway bill that has been before this body for a month. It is a bipartisan bill. As I have said here over this past month, this is a piece of legislation that was prepared the way legislation should be prepared. A very conservative Member, JIM INHOFE from Oklahoma, and a very liberal Member, BARBARA BOXER, managed this bill. They have worked very hard.

Just a little side note; as we were struggling, trying to come up with these amendments, I was happy to hear from BARBARA BOXER. She said to me privately: I have talked to Senator INHOFE and he thinks, as we are coming to this agreement, this is not what should be done.

That was important to me in reaching consensus on how we move forward on this bill. As I have said many times, not everything we do this year should be a big fight. We should be able to move things forward without waiting for a month to get things done. This bill is truly indicative of how we have to get these done and why I appreciate the cooperation of Senators BOXER and INHOFE.

We have a dilapidated system of highways. We have 70,000—I am not misspeaking, not 7,000—70,000 bridges in America that are in dire need of repair—or replacement even. Twenty percent, 1 out of every 5 miles of your roads in America are not up to safety standards. Thousands of pedestrians are killed because they relied on unsafe sidewalks or nonexisting sidewalks.

Every day millions of Americans—a disproportionate number who are low income, minority, disabled, or old—are forced to rely on overcrowded mass transit systems, straining to meet the demands of a growing ridership. America's crumbling infrastructure is a terrible drain on our economy.

A number of years ago when my wife and I took a few days off around Christmas in southern California, rather than fly back I thought why don't we drive back to Las Vegas. We did that. This was a couple of years ago. I hadn't done it in a long time. I–15, this famous road, was jammed. We came to complete stops on a number of occasions coming back from San Diego to Las Vegas. Think about that, a complete stop. There were trucks on that road. Drivers were being paid for their time on the road. The cargo they were hauling needed to get someplace. It is not only someone wanting to take a vacation, coming to Las Vegas; it is what it does to commerce to have these roads that are in a state of disrepair. So this crumbling infrastructure certainly is a drag on our economy.

But rebuilding this infrastructure will have the opposite effect. Investing in our transportation system will save or create almost 3 million jobs. This legislation has to be completed before the end of this month or we have no way of collecting the taxes; when you buy a gallon of gasoline, that funds what we need to do here to repair our roads, bridges, et cetera.

This is not some wild program invented in the last few months here in Washington. This is a program that was initiated by President Eisenhower. This week I received a letter from an organization called I Make America. It is a group of more than 850 businesses and 20,000 individuals who support this transportation bill. Many people across this country, some in this Chamber, would write off the rest of this Congress, but I am not going to do that. We have a lot more to do and we need to get it done. When we complete our work, we need to look back and say what has happened that is good.

''There is no single piece of legislation now before Congress that will do more to create American jobs and sharpen our global competitiveness'' than this legislation said Dennis Slater on behalf of I Make America, the program I just talked about.

We need to push this bill over the finish line and I think the finish line is now in sight. This is one of the most important pieces of legislation we can consider. I indicated earlier why. But even as I recognize the bipartisanship that made this progress possible, I will sound a note of caution. Eighty-five Senators voted to begin on this legislation. Only a handful—it wasn't 15, because we had absent Senators that day—said we should not begin voting on it. Yet it has taken a month to begin voting on the amendments. Republican leaders have wasted weeks of the Senate's time directing this valuable jobs bill to extract purely political votes on unrelated matters, completely unrelated matters. Weeks were wasted on this vital legislation with an iconic attack on women's health.

I suggest to the Republican leader who just left the floor, if it takes more than a month to pass a noncontroversial, bipartisan bill that is supported by almost 90 Senators, how can we ever expect to get anything more done?

We have to. We have much more to do. Americans are not satisfied with the glacial pace of this body and neither am I. Americans are tired of delay tactics and obstructions and so am I. People across the country and in this Chamber would write off this Congress and say we have done enough. I am not going to do that.

When we complete this legislation on the Transportation bill, we have other work to do. We have a score of judges who are waiting, some of whom have been waiting since last year. We have to do something about the post office. The Postal Service in America has changed. People don't pay their bills the way they used to; they don't send letters the way they used to. We have to reorganize the post office. We have to do that.

We had a demonstration in the classified briefing room to talk about what is going on in America and what could go on in America with bringing down our country. The demonstration last night dealt with electricity, but it could be banking. It could be our hospitals. We have to recognize that we now have new enemies in the world, not enemies who are flying airplanes and dropping bombs and shooting us with bullets, but they are prepared to do something that is so damaging to our economy, and we were given that illustration last night.

We have a cybersecurity bill we have to bring to the floor, which is another

bipartisan bill. Senator LIEBERMAN and Senator COLLINS, an Independent and Republican, have acknowledged they want to bring this bill forward, and they have it done, so we will bring it to the floor. We have all our Appropriations bills, and we have to do those. So we have a lot to do to accomplish even a fraction of our to-do list, and it is going to take more cooperation and less conflict. Not everything has to be a knock-down, drag-out fight as it was on this highway bill. To think we wasted 3 weeks on a matter dealing with the health of women in America, but we did. So we stand ready to work with our Republican colleagues.

The Republican leader mentioned the small business jobs bill. We have been trying to do one for a long time. We are going to do a small business jobs bill. The House bill is not perfect. We are glad it is moving forward, and we are going to try to do something here to match so we can get it to conference and get this done.

I am hopeful that when Democrats reach across the aisle, we will find willing partners on the other side for a change.

I thank the Chair. I ask that the Chair announce the business of the day.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period of morning business for 1 hour, 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 and the Republicans controlling the second half.

The Senator from Washington.

INTERNATIONAL WOMEN'S DAY

Mrs. MURRAY. Mr. President, I come to the floor to join my colleagues to mark International Women's Day. This day, which across the globe is celebrated in many different ways, is, at its core, a day to reflect on the achievements of women in politics, business, and society. It is a day to reflect on what a woman's role was in the not-so-distant past and to celebrate how far we have come. But, unfortunately, on this International Women's Day in the year 2012, we cannot celebrate the progress we have made without also acknowledging the unsettling truth that that progress is under threat.

Today a shadow has been cast over this day of celebration by efforts to turn back the clock in Washington, DC, and across the country, efforts we all must fight against. Only 1 week ago in the Senate, we had a debate on the ability for women across this country to access contraceptives. It is a debate most women believed was settled half a century ago and one we had all hoped was in the past. However, in a scene that was eerily reminiscent of half a century ago, last week one woman brave enough to come forward and give voice to the importance of birth control was targeted. First, her story of a friend's battle with ovarian cancer was purposely left out of a House hearing on women's health. Then, as we have all heard, she was scorned and ridiculed by a rightwing pundit.

It was a galvanizing and eye-opening moment for millions of women in our country. It was a reminder that some still see women as easy targets, and it awakened many women to the fact that the gains we are meant to celebrate on a day such as today could easily be lost to political strategy that preys on women.

For many of those who watched the last few weeks play out, it may have seemed an isolated incident. It could appear to some as a sudden and swift effort by some Republicans—who thankfully have been blocked for the time being—but that is not case. The truth is, women's access to care has rarely been at greater risk. From the moment they came into power, the Republicans in the House of Representatives have been waging a war on women's health.

If you don't believe me, look at the very first bills they introduced when they arrived. They campaigned across the country in the last election on a platform of jobs and the economy, but the first three bills they introduced when they got here were direct attacks on women's health. The very first one, H.R. 1, would have totally eliminated title X funding for family planning and teen pregnancy prevention. The amendment also included defunding Planned Parenthood and cutting off support for the millions of women who count on it. Another one of their bills would have permanently codified the Hyde amendment and the DC abortion ban.

Finally, they introduced a bill that would have rolled back every single one of the gains we made for women in the health care reform bill. That Republican bill would have removed the caps on out-of-pocket expenses that literally protect women from losing their homes or their life savings if they get sick. It would have ended the ban on lifetime limits on coverage, which is so important to everyone. It would have allowed insurance companies to once again discriminate against women by charging them higher premiums than men or even denying women care because of so-called preexisting conditions they had, such as pregnancy. It would have rolled back the guarantee of insurance companies' coverage of contraceptives.

Republicans have shown they will go to just about any length to limit access to women's care, even shutting down the Federal Government. That may seem extreme to all, but that is exactly what happened 1 year ago when Republicans nearly shut down the Federal Government over a rider that was yet another attempt to go after title X and Planned Parenthood. I remember sitting in those meetings late at night, after months of negotiations over the numbers in the budget, astonished that Republicans were willing to throw all those negotiations away over one issue, and that was their attack on women's health.

The attack on women's rights is not just taking place in the Nation's Capital. In State after State across the country, legislators bent on putting politics between women and their health care are undoing years of important work. A recently enacted law in Texas not only strips women of their rights but of their dignity. It is a law about which Nicholas Kristof of the New York Times recently wrote a column.

I ask unanimous consent to have the article written by Nicholas Kristof, ''When States Abuse Women,'' printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mrs. MURRAY. It is a law that all women across the country should be insulted by and outraged over. Today, nearly 40 years after Roe v. Wade was passed, a woman in Texas who seeks an abortion—one of the most difficult choices a woman and her family can face—is not met with compassion and care but with humiliation, and that is because they have passed a law by Republicans that she is now subjected, against her will, to a vaginal ultrasound. Then she is instructed to listen to a fetal heartbeat, watch the ultrasound and numerous other State-mandated hurdles and then she has to go home and wait 24 hours before she can access a health care procedure that was made a right for women four decades ago.

One would think that after 2 years spent railing against any government involvement in health care, Republicans would not want the State to dictate procedures a doctor must perform on a woman, whether she wants them or not, but then you would be confused because, clearly, when it comes to women and their health care choices, these Republicans are willing to do whatever it takes for them to call the shots—not the women, not their doctors, not their families. The sad part is other States across the country are now contemplating similar laws.

So the threats to women's health care are very real and they are growing. We saw it on a panel on contraceptives in the House that didn't include a woman on the panel. We saw it in a young woman being called horrible names for telling the stories of a friend

in need. We see it in Republican efforts to allow an employer to dictate whether a woman has access to contraceptives, and we are seeing it in State laws across the country aimed at stripping women of their rights and more.

So on this International Women's Day, we celebrate our gains with the clear understanding that they must always be defended, and we join with women everywhere to make sure that progress is not reversed.

EXHIBIT 1

[The New York Times, Mar. 3, 2012]

WHEN STATES ABUSE WOMEN

(By Nicholas D. Kristof)

Here's what a woman in Texas now faces if she seeks an abortion.

Under a new law that took effect three weeks ago with the strong backing of Gov. Rick Perry, she first must typically endure an ultrasound probe inserted into her vagina. Then she listens to the audio thumping of the fetal heartbeat and watches the fetus on an ultrasound screen.

She must listen to a doctor explain the body parts and internal organs of the fetus as they're shown on the monitor. She signs a document saying that she understands all this, and it is placed in her medical files. Finally, she goes home and must wait 24 hours before returning to get the abortion.

''It's state-sanctioned abuse,'' said Dr. Curtis Boyd, a Texas physician who provides abortions. ''It borders on a definition of rape. Many states describe rape as putting any object into an orifice against a person's will. Well, that's what this is. A woman is coerced to do this, just as I'm coerced.''

''The state of Texas is waging war on women and their families,'' Dr. Boyd added. ''The new law is demeaning and disrespectful to the women of Texas, and insulting to the doctors and nurses who care for them.''

That law is part of a war over women's health being fought around the country—and in much of the country, women are losing. State by state, legislatures are creating new obstacles to abortions and are treating women in ways that are patronizing and humiliating.

Twenty states now require abortion providers to conduct ultrasounds first in some situations, according to the Guttmacher Institute, a research organization. The new Texas law is the most extreme to take effect so far, but similar laws have been passed in North Carolina and Oklahoma and are on hold pending legal battles.

Alabama, Kentucky, Rhode Island and Mississippi are also considering Texas-style legislation bordering on state-sanctioned rape. And what else do you call it when states mandate invasive probes in women's bodies?

''If you look up the term rape, that's what it is: the penetration of the vagina without the woman's consent,'' said Linda Coleman, an Alabama state senator who is fighting the proposal in her state. ''As a woman, I am livid and outraged.''

States put in place a record number of new restrictions on abortions last year, Guttmacher says. It counts 92 new curbs in 24 states.

''It was a debacle,'' Elizabeth Nash, who manages state issues for Guttmacher, told me. ''It's been awful. Last year was unbelievable. We've never seen anything like it.''

Yes, there have been a few victories for women. The notorious Virginia proposal that would have required vaginal ultrasounds before an abortion was modified to require only abdominal ultrasounds.

Yet over all, the pattern has been retrograde: humiliating obstacles to abortions, cuts in family-planning programs, and limits on comprehensive sex education in schools.

If Texas legislators wanted to reduce abortions, the obvious approach would be to reduce unwanted pregnancies. The small proportion of women and girls who aren't using contraceptives account for half of all abortions in America, according to Guttmacher. Yet Texas has some of the weakest sex-education programs in the nation, and last year it cut spending for family planning by 66 percent.

The new Texas law was passed last year but was held up because of a lawsuit by the Center for Reproductive Rights. In a scathing opinion, Judge Sam Sparks of Federal District Court described the law as ''an attempt by the Texas legislature to discourage women from exercising their constitutional rights.'' In the end, the courts upheld the law, and it took effect last month.

It requires abortion providers to give women a list of crisis pregnancy centers where, in theory, they can get unbiased counseling and in some cases ultrasounds. In fact, these centers are often set up to ensnare pregnant women and shame them or hound them if they are considering abortions.

''They are traps for women, set up by the state of Texas,'' Dr. Boyd said.

The law then requires the physician to go over a politicized list of so-called dangers of abortion, like ''the risks of infection and hemorrhage'' and ''the possibility of increased risk of breast cancer.'' Then there is the mandated ultrasound, which in the first trimester normally means a vaginal ultrasound. Doctors sometimes seek vaginal ultrasounds before an abortion, with the patient's consent, but it's different when the state forces women to undergo the procedure.

The best formulation on this topic was Bill Clinton's, that abortion should be ''safe, legal and rare.'' Achieving that isn't easy, and there is no silver bullet to reduce unwanted pregnancies. But family planning and comprehensive sex education are a surer path than demeaning vulnerable women with state-sanctioned abuse and humiliation.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

Mr. CARDIN. Mr. President, I thank Senator MURRAY for her comments, and I concur in her observations. What we have seen on women's health care issues in this body is how some are trying to turn the clock back on the progress we have made. I was listening to my colleague talk about ultrasounds. Virginia just enacted an ultrasound bill this week. The Governor signed it into law, so this is spreading to other States. We talk about big government, but the government mandating ultrasounds for pregnant women? This is outrageous and something that on International Women's Day, it is right that we bring this to the attention of our colleagues. We have seen the same type of action taken against family planning, contraceptives, those who want to repeal Roe v. Wade. We have to stand strong with women and women's health care issues as we in America lead the international community.

Around the world, International Women's Day is an occasion to honor and praise women for their accomplishments. On this International Women's Day, I stand with my colleagues to celebrate women who are making a difference both in America and around the world, in countries where they lead in the fight for justice, equality, and fairness for all women. All of us, women and men alike, can help by supporting women's efforts to claim their legal rights, live free from violence, earn a decent income, get an education, grow food for their families, and make their voices heard in their communities and beyond.

I believe in the power of women to change the world and to help them hasten that change. U.S. international assistance policies should address and remove barriers between women, women's rights, and economic empowerment. Empowering women is one of the most critical tools in our toolbox to fight poverty and injustice. Integrating the unique needs of women into our domestic and international policies is critical. As chairman of the Foreign Relations Subcommittee on International Development and Foreign Assistance, Economic Affairs, and International Environmental Protection, I can attest that this must be the bedrock of our foreign assistance programming if it is to be successful.

I defy anyone's assertion that women's empowerment should take a backseat to so-called more important priorities. Decades of research and experience prove that when women are able to be fully engaged in society and hold decisionmaking power, they are more likely to invest their income in food, clean water, education, and health care for their children. This creates a positive cycle change that lifts entire families and communities and nations out of poverty. Simply put, when women succeed, we all do.

Accordingly, I was very pleased by last week's release of the new USAID ''Policy on Gender Equality and Female Empowerment,'' which makes integrating gender and including women and girls central to all U.S. international assistance. This policy, which updates guidelines that were over 30 years old, recognizes that the integration of women and girls is basic to effective international assistance across all sectors such as food, security, health, climate change, science, technology, economic growth, democracy and governance and humanitarian assistance. It aims to increase the capacity of women and girls and decrease inequality between genders and also decrease gender-based violence. This new policy is as welcomed as it is necessary. As Secretary Clinton declared earlier this year:

> Achieving our objectives for global development will demand accelerated efforts to achieve gender equality and women's empowerment. Otherwise, peace and prosperity will have their own glass ceiling.

Unfortunately, as we know, there are still places this glass ceiling exists and there are major obstacles to women. Worldwide, one in three women will experience some form of violence in her

lifetime. Women and girls in emergencies, conflict settings, and natural disasters often face extreme violence, including being forced to exchange sex for food. The World Health Organization has reported that up to 70 percent of women in some countries describe having been victims of domestic violence at some stage in their lives.

The United States has the potential to be a true leader in preventing and responding to violence against women and girls—an issue that is inextricably linked to U.S. diplomacy, development, and national security goals.

What many people fail to realize is that violence against women and girls is both a major consequence and cause of poverty. Violence and poverty go hand in hand. Violence prevents women and girls from getting an education, going to work, and earning the income they need to lift their families out of poverty. We know that one in three women will be the victim of sexual abuse in her lifetime. But we also know that women have the potential to lift their families and communities out of poverty.

Violence against women and girls is an extreme human rights violation, a public health epidemic, and a barrier to solving severe challenges such as extreme poverty, HIV/AIDS, and conflict. It devastates the lives of millions of women and girls—in peacetime and in conflict—and knows no national and cultural barriers.

Today let's reaffirm our commitment to end gender-based discrimination in all forms, to end violence against women and girls worldwide, and to encourage the people of the United States to observe International Women's Day. On this day and every day, I am proud to stand in support of women across America and worldwide.

Investing in and focusing on empowering women and girls is one of the most efficient uses of our foreign assistance dollars and one of the best ways to make the world more peaceful and prosperous. As Secretary of State Clinton pointed out more than 15 years ago, ''Women's rights are human rights''—and nothing is more fundamental, in my opinion.

With that, Mr. President, I yield the floor.

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

Mrs. SHAHEEN. Mr. President, I am very pleased to join my colleagues Senator CARDIN and, earlier, Senator MURRAY this morning in commemorating International Women's Day. It is a day observed around the world, and it celebrates the economic, political, and social achievement of women—past, present, and future. It is a day that recognizes the obstacles women still face in the struggle for equal rights and equal opportunities.

One year ago today, I, along with a group of bipartisan Senators, introduced and passed a resolution in the Senate recognizing the significance of the 100th anniversary of International Women's Day. Today is the 101st anniversary and, as is the centennial milestone before it, it is a testament to the dedication and determination of women and men around the world to address gender inequality for the good of all people.

There are more than 3.3 billion women in the world today. Across the globe, women are participating in the political, social, and economic life of their communities in an unprecedented fashion, playing a critical role in providing and caring for their families, contributing substantially to the growth of economies, and advancing food security for their communities.

Yesterday I had the wonderful, humbling, and inspiring opportunity to recognize and celebrate the 10 recipients of the 2012 State Department International Women of Courage Award. This prestigious award, which is the only award in the State Department given only to women, annually recognizes women who have shown exceptional courage and leadership in advocating for women's rights and empowerment around the globe, often at significant risk to themselves. These award winners, including activists in the Sudan and Saudi Arabia, politicians in Turkey and Afghanistan, and representatives from six other countries, are truly remarkable and inspirational women.

I ask unanimous consent to have all of their names and brief bios printed in the RECORD so that they are properly recognized by the Senate.

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

AFGHANISTAN

Maryam Durani—Director, Khadija Kubra Women's Association for Culture, Kandahar Provincial Council Member.

Award Citation: ''For striving to give a voice to women through the power of the media, government, and civil society, despite innumerable security and societal challenges.''

Bio: Kandahar Province is among Afghanistan's most conservative and most dangerous—but that has not stopped Maryam Durani from speaking out for the rights of Afghan women and girls. As a member of Kandahar's Provincial Council, director of the non-profit Khadija Kubra Women's Association for Culture, and owner and manager of the only local, female-focused radio station, she is both a leader and a role model for women throughout Afghanistan. A true woman of courage, Ms. Durani has survived multiple attacks on her life, including a suicide attack in 2009 that resulted in serious injury. Although she continues to face regular threats, she is undeterred in her mission to promote basic civil rights for all Afghans.

BRAZIL

Major Pricilla de Oliveira Azevedo—General Coordinator for Strategic Programs, Rio de Janeiro State Secretariat of Public Security, and Major of Rio State Military Police.

Award Citation: ''For courageous and dedicated service to Rio State's innovative ''Favela Pacification Program'' as the first female commander of a Pacification Police Unit (community police station), and as coordinator of UPPs in the State Security Secretariat, where she is integrating previously marginalized populations into the larger Rio de Janeiro community.''

Bio: Pricilla de Oliveira Azevedo is a military police officer, currently working as General Coordinator of Strategic Programs for the ''Police Pacification Units'' (UPPs), Rio de Janeiro State Secretariat of Public Security's renowned ''favela'' (slum) pacification program. Major Azevedo joined the Rio de Janeiro Military police in 1998 and, following her graduation in 2000, started working in police battalions and street repression operations. In 2007, Major Azevedo demonstrated extreme courage and commitment to her duties by successfully arresting a gang of criminals who had kidnapped her.

As a result of her courage and success, the Rio de Janeiro State Secretary for Security invited her to head the first UPP in Rio de Janeiro, in the ''favela'' of Santa Marta, a position she occupied between 2008 to 2010. In this capacity, she commanded 125 military police officers in an area with 9,000 inhabitants and a very low human development index. During her two years in Santa Marta, Major Azevedo shut down drug dealing operations in the favela, established conflict mediation models, worked with state and local government institutions to improve garbage collection and health care, broadened education and technical training opportunities, and developed a successful community arts and crafts fair.

In 2009, Rio de Janeiro Mayor Eduardo Paes invited Major Pricilla to become a member of the Brazilian delegation in the 2016 Olympics Announcement in Copenhagen. In the same year she completed training on Koban community policing techniques, and participated in a citizen safety training in Israel. Major Azevedo is currently completing her law degree in Estácio de Sá University.

Major Azevedo is the most senior female officer in the UPP program, and the first woman to occupy a strategic position in the Rio de Janeiro State Secretariat of Security's Superintendence of Operational Planning. She has received honor awards from the city councils of Rio de Janeiro, Tanguá and Itaboraí. She is also a recipient of the United Nations Brazilian Force's 50th Anniversary Medal. In 2009, Veja Magazine gave Major Pricilla Azevedo the Rio de Janeiro Personality of the Year Award, with the title of ''Defender of the City''.

BURMA

Zin Mar Aung—Democracy Activist.

Award Citation: ''For championing democracy, strengthening civil society, and empowering individuals to contribute meaningfully to the political transformation of Burma.''

Bio: Zin Mar Aung is a former political prisoner, imprisoned for eleven years because of her political activism. She has dedicated her life to promdting democracy, women's empowerment, and conflict resolution in Burma. Following her involvement in the 1996 and 1998 pro-democracy student uprisings and subsequent imprisonment, Zin Mar Aung established a cultural impact studies group to promote the idea that democracy is compatible with Asian culture. She also created and leads a self-help association for female ex-political prisoners and a school of political science in Rangoon, all of which teach and empower others in Burma's changing but still challenging environment for civil society and democracy activists. She is co-founder of RAINFALL, a women's empowerment group; and is currently spearheading an organization to raise awareness of issues affecting ethnic minorities in conflict areas.

COLOMBIA

Jineth Bedoya Lima—Journalist and Spokeswoman of the ''Rape and Other Violence: Take my Body Out of the War'' Campaign.

Award Citation: ''For her unfailing courage, determination, and perseverance fighting for justice and speaking out on behalf of victims of sexual violence in Colombia.''

Bio: Throughout her 15-year career as an investigative journalist, Jineth Bedoya has consistently sought out tough assignments, despite knowing the risks it could entail. In 2000, she began to uncover an arms smuggling network between government security forces and imprisoned paramilitaries in a maximum security prison. On May 25, 2000, as she arrived at the prison to interview a key paramilitary member, unknown men grabbed Jineth, threw her into a vehicle, drugged her, and drove her to a farm several hours outside Bogota. There, the men repeatedly raped her, bound her, and left her in a garbage dump at the side of a road where a taxi driver discovered her later that evening. As the men raped her, they told her, ''Pay attention. We are sending a message to the press in Colombia.'' Since this horrifying incident nearly 12 years ago, Jineth has continued her work as an investigative journalist while pushing for justice in her own case and other unsolved cases of sexual violence. Jineth has become an inspiration not only for female journalists, but for all women who are demanding justice in their own cases. Since September 2009, she has served as spokeswoman of Oxfam's campaign, ''Rape and Other Violence: Take my Body out of the War.'' She now appears in TV ads denouncing sexual violence as part of the campaign and has used her journalistic influence to draw more attention to the issues of sexual violence and impunity.

LIBYA

Hana Elhebshi—Freelance Activist.

Award Citation: ''For courageous advancement of the cause of freedom of expression and promotion of women's rights during times of conflict and transition in Libya.''

Bio: Ms. Hana El Hebshi is a 26-year-old Libyan architect who, during the long months of the Libyan revolution, became a symbol of solidarity and a model of courage to many across the country. Working under the pseudonym ''Numidia,'' a reference to the ancient Berber kingdom and to her own Berber heritage, Hana contributed greatly to proper documentation of the violence and tumult of the revolution. She also became a symbol of hope to the Libyan people that the world was aware of the suffering they were enduring and that hope was on the way.

Thanks to her contribution to freedom of expression and advancing women's rights, she became a real symbol for the Libyan women's contribution to the revolution.

Post revolution, Hana, in addition to her work as an architect, will continue to play a leadership role in women's empowerment in Libya.

MALDIVES

Aneesa Ahmed—Founder Member and Chairperson, Hope for Women NGO.

Award Citation: ''For courageous advocacy for women's rights and protection from domestic violence.''

Bio: Aneesa Ahmed stands out as a staunch advocate for ending gender-based violence in Maldives. While serving as Deputy Minister of Women's Affairs, Ms. Ahmed raised the issue of domestic violence at a time when the subject was taboo in Maldives. As a member of the National Women's Council, she held focus group discussions and worked with a local NGO to produce a series of short documentary films on domestic violence that had a profound impact on altering public views of domestic violence. In 2009, Ms. Ahmed played an instrumental role in organizing a coalition of NGOs and individuals who are advocating pioneering legislation on domestic violence that is currently before the Maldivian parliament. After leaving government service, she founded the NGO ''Hope for Women'' and began conducting interactive sessions on gender-based violence with high school students, Maldives Police Services, and other frontline workers. When religious scholars began identifying female circumcision as a Sunnah in Islam on national radio, Ms. Ahmed asked the government to intervene, and gave an interview to a local news channel about the harmful effects of female circumcision. By openly discussing issues like domestic violence and female circumcision, and conducting awareness workshops through Hope for Women NGO, Ms. Ahmed plays a key role in bringing these issues into the public discourse and pressing the government to take action.

PAKISTAN

Shad Begum—Executive Director, Anjuman Behbood-e-Khawateen Talash.

Award Citation: ''For fearlessly championing Pakistani women's political and economic rights and empowering the disadvantaged and oppressed.''

Bio: Shad Begum is a courageous human rights activist and leader who has changed the political context for women in the extremely conservative district of Dir. Khyber Pakhtunkhwa. As founder and executive director of Anjuman Behbood-e-Khawateen Talash (the Union of Women's Welfare), Ms. Shad provides political training, microcredit, primary education, and health services to women in the most conservative areas of Pakistan. Ms. Shad not only empowered the women of Dir to vote and run for office, but she herself ran and won local District Councilor seats in the 2001 and 2005 elections, going against local conservatives who tried to ban female participation. Despite numerous direct threats to her life and her family, including recent calls for suicide attacks against her by local extremists, Ms. Shad continues to work out of Peshawar to improve the lives of women in the communities of Khyber Pakhtunkhwa.

SAUDI ARABIA

Samar Badawi—Human Rights Activist, Monitor of Human Rights in Saudi Arabia.

Award Citation: ''For demonstrating significant courage in her activism while becoming a champion in the struggle for women's suffrage and legal rights in Saudi Arabia.''

Bio: In one of the world's most restrictive environments for women, Samar Badawi is a powerful voice for two of the most significant issues facing Saudi women: women's suffrage and the guardianship system, under which women cannot marry, work, or travel outside the country without the permission of a guardian (male relative). In a landmark case, Badawi was the first woman to sue her guardian (her father) for abusing the legal system and preventing her from marrying the suitor of her choice. Badawi is also the first woman to file a lawsuit against the government demanding the right for women to vote and participate in municipal elections. She launched an online campaign to encourage other Saudi women to file similar suits. The efforts of activists like Badawi helped encourage a royal decree allowing women to vote and run for office in future municipal elections, and to be appointed to the Consultative Council.

SUDAN

Hawa Abdallah Mohammed Salih—Human Rights Activist.

Award Citation: ''For giving a voice to the women and children of Darfur and her fearless advocacy for the rights of all marginalized Darfuris.''

Bio: Hailing from North Darfur, Hawa and her family were forced to flee their home village in 2003 due to fighting between Darfuri rebels and gonrnwt forces. As a result, she spent much of her young adult life in Abu Shouk internally displaced persons (IDP) camp in El Fasher, North Darfur, where she emerged as a prominent human rights activist. After graduating from the University of El Fasher, she worked on issues of human rights, rule of law, and governance with the United Nations Development Program (UNDP) and assisted various NGOs working on human rights. Hawa became a voice for the IDPs, speaking out about human rights abuses and advocating for women's and children's rights in the IDP camps. For her advocacy, Hawa has been persecuted and detained on multiple occasions by the Government of Sudan. As a result, she was forced to flee Sudan in 2011. In spite of the personal harassment and political challenges that she has faced, Hawa hopes to return to her homeland to continue defending the rights of Darfuris, and in particular the rights of women and children.

TURKEY

Safak Pavey—Member of Parliament, Turkish General National Assembly.

Award Citation: ''For her personal dignity and courage not only in overcoming physical disabilities, but also emerging as an effective local and global champion of the rights of women, minority groups, refugees and disabled persons.''

Bio: Safak Pavey, the first disabled woman elected to the Turkish Parliament, has demonstrated great personal dignity in overcoming physical obstacles each and every day, while locally and globally championing the rights of vulnerable populations, including refugees and disabled persons. Whether working in extreme conditions for the United Nations High Commission on Refugees (UNHCR) in the Middle East, South Asia and Africa, or acting as a lightning rod to spark the UN Interagency Support Group for the Convention on the Rights of Persons with Disabilities, Pavey has sought to turn her disability into strength on a global level. Undaunted by her own challenges, she is also an agent of change at home. Pavey endeavored to foster acceptance for the Armenian community in Turkey, and is one of a small number of non-Armenians who wrote for the Armenian Turkish newspaper, Agos. After winning a seat in the Turkish parliament in June 2011, Pavey is continuing to empower and give voice to disabled persons, women, and minority populations.

Mrs. SHAHEEN. This morning I wish to pick just one of these amazing women and tell her story.

Shad Begum is the executive director of the Union of Women's Welfare in one of the most extremely conservative districts in all of Pakistan. As the founder and executive director of the program the Union of Women's Welfare, she provides political training, microcredit, primary education, and health services to women throughout her community. She not only encouraged others to run for office, she herself ran for a district counselor seat in 2001 and 2005, winning the seat against local conservatives who tried to ban

women from participating. Despite numerous threats to her life and her family, including calls for suicide attacks against her by local extremists, she continues to work to improve the lives of women throughout Pakistan.

Ms. Shad is one of 10 remarkable women the State Department honored this year. Every one of these 10 stories is inspirational, but they also represent literally millions of women around the globe who are out there fighting and suffering to be heard. There are countless women who don't receive the recognition they deserve and who continue to be silenced by persecution and harassment. Today we recognize, honor, and celebrate all of those nameless, faceless women around the world who are continuing the fight.

Far too many women remain excluded from full participation in society, to the detriment of their communities, their countries, and the world. Although strides have been made in recent decades, women across the globe continue to face significant obstacles in all aspects of their lives, including the denial of basic human rights, discrimination, and gender-based violence. According to the World Bank, women make up 70 percent of all individuals living in poverty. Women account for 64 percent of the adults worldwide who lack basic literacy skills. Women continue to remain vastly underrepresented in national and local governments around the world.

So there is no doubt that we have a lot of work to do, but all of society benefits when women are more fully integrated into their communities and their villages around the world. In the words of President Obama, ''Our common prosperity will be advanced by allowing all humanity—men and women—to reach their full potential.''

As we reflect on the past, present, and future achievements of women, I believe it is important to recognize the vital and untapped resource that women represent for our world. The ability of women to realize their full potential is critical to the ability of a nation to achieve strong and lasting economic growth, political and social stability, and enhanced security for all its people.

Thank you very much, Mr. President. I yield the floor and note the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

Mr. ISAKSON. 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.

Mr. ISAKSON. Mr. President, I would also like to ask the permission of the Chair to display this box during my remarks.

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

Mr. ISAKSON. Thank you, Mr. President.

100TH ANNIVERSARY OF THE GIRL SCOUTS OF AMERICA

Mr. ISAKSON. Mr. President, I am proud to stand here today on International Women's Day, the 8th day of March, 2012, to pay tribute to women around the world but also to acknowledge that women around the world, on Monday, March 12, will celebrate the 100th anniversary of the founding of the Girl Scouts of America, founded in Savannah, GA, a beautiful town, by a wonderful Georgia lady, Juliette Gordon Low. Girl Scouts around the world will be celebrating the founding of that great organization, which has had a positive effect on women around the world.

Each of us right now is well aware of the Girl Scouts because of boxes like this box the Acting President pro tempore gave me permission to display, which is what is left of a box of Thin Mints. The Girl Scouts sell boxes of cookies this time of year to raise money for their operations around the world. I eat far too many of them. They are good. They are good for me, they are good for America, and they are good for the Girl Scouts and the fundraising they do.

The Girl Scouts is an organization of leadership, developing women for the future. While only 17 percent of this body are women, almost all of them were Girl Scouts. Almost all women of business were Girl Scouts. And almost all women who were in Girl Scouts pay tribute to the Girl Scouts of America and the contribution they have made to their lives. There are 3.2 million active Girl Scouts in America today, and there are 50 million Girl Scout alumni in America. That has a tremendous impact on all that is right about America.

The Girl Scouts have been pacesetters. Dr. Martin Luther King, Jr., a native of my city of Atlanta and a native of our State that Juliette Low was from, cited the Girl Scouts of America as ''a force for desegregation'' during the troubled times of the 1950s and 1960s. The Girl Scouts were at the forefront of integration and leadership for youth.

The Girl Scouts of America also pledge themselves and they make a promise, which I would like to read.

On my honor, I will try:
To serve God and my country,
To help people at all times,
And to live by the Girl Scout law.

Which reads:

I will do my best to be
honest and fair,
friendly and helpful,
considerate and caring,
courageous and strong, and
responsible for what I say and do,
and to respect myself and others,
respect authority,
use resources wisely,
make the world a better place, and
be a sister to every Girl Scout.

That is not a motto just for the Girl Scouts but one that would serve us all well in this body.

So on this International Women's Day on March 8, I would like to acknowledge that on Monday, when we are not here, around the world women will celebrate the founding of the Girl Scouts of America, and the 3.2 million Girl Scouts in America today will be building for the future the Acting President pro tempore and I work for today in this body, the U.S. Senate.

I yield back the remainder of my time and suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

Mr. CORKER. 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.

SURFACE TRANSPORATION ACT

Mr. CORKER. Mr. President, later today I will be down on the floor to offer a budget point of order on the highway bill. I have been down here several times over the course of the last several days.

I think most in this body—a large majority of people in this body—have been a part of encouraging us to, in a very bipartisan way, solve the budget problems we have in this country. There were 64 of us—32 on each side of the aisle—who signed a letter to the President encouraging him to really adopt some of the principles that were laid out in Bowles-Simpson. After that, there was a very large number of Senators on both sides of the aisle who signed a letter to the supercommittee asking them to go big and really deal in a serious way with the budget issues, the deficit issues with which our country is dealing.

I have been down here multiple times talking about the various oddities in this bill. What is getting ready to happen in this bill is that we are actually, over the next 2 years, going to create a $10 billion to $11 billion deficit. Because of the various gimmickry we use, we are figuring out ways to get around that. One of the budget gimmicks we are using in the bill is that we are going to spend the money over a 2-year period but pay for it over a 10-year period—2 years worth of spending, 10 years worth of revenues.

I think the Acting President pro tempore was here during the period of time we had the health care debate in our Nation, and many of the folks on my side of the aisle, rightfully so, were concerned about the health care bill because there were 6 years' worth of costs and 10 years' worth of revenues, and a lot of people thought that was a budget gimmick. Candidly, many of my friends on the other side of the aisle, while they may have supported the

bill, were also concerned about those same types of gimmicks being used in the health care bill, and it caused them concern.

My point is, in a bipartisan way, we have tried to deal with our budget deficits in this country. I notice the Senator from Illinois just stepped on the floor. He has been a major player in those initiatives. What we did last year was we passed something called the Budget Control Act. We did so in order to raise the debt ceiling and to accomplish discipline in this body so that over the next 2 years we established overall caps on spending.

This bill, believe it or not—here we are in March, with a very popular bill, which speaks to the fact, to me, that it is the kind of bill that many of us would think, if you really want to pass a highway bill, you would prioritize it higher than other spending, that it is the kind of situation that, in a bipartisan way, we would come together and say: OK, we really want to see infrastructure spending in this country, so let's make this of higher priority than other spending.

That is not what we are doing. Believe it or not, this Senate—which has talked big about deficit spending, written lots of letters, had lots of meetings—what this Senate is getting ready to do with this bill is violate the Budget Control Act that we passed last year trying to show the American people we had at least a modicum of discipline.

Let me say it one more time. This highway bill, in March of this year—I think we passed the Budget Control Act last August, in the early part of August, to demonstrate to the American people that this Senate, this Congress had the discipline to put caps on spending over the next 2 years to begin the process of addressing deficit reduction. What we are going to do, if we pass this highway bill, as laid out, is violate that budget cap right now.

I want everybody in this body to know that I plan to offer a budget point of order. I hope at least all of those 64 Senators—32 on each side—would join me in opposing breaking the Budget Control Act we just put in place in an effort to demonstrate to the American people and, candidly, to the world that buys our Treasury bonds that we have the ability, the discipline to deal with the fiscal issues we have in our Nation.

Mr. President, I know we have the distinguished Senator from Texas in the Chamber, who was to speak exactly right now. I yield the floor and thank the Acting President pro tempore for the time.

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

Mr. CORNYN. Mr. President, what is the regular order?

The ACTING PRESIDENT pro tempore. The Senate is currently in morning business, with 20 minutes 16 seconds remaining on the Republican side.

Mr. CORNYN. I thank the Acting President pro tempore.

GASOLINE PRICES

Mr. CORNYN. Mr. President, I come to the floor to express my concerns on behalf of the 26 million constituents I have in Texas about the rising gas prices and the administration's failure to take reasonable and rational and practical steps to help ease the pain Americans are feeling at the gas pump.

Just think about it. We know unemployment is unacceptably high and intractable, notwithstanding our private sector economy's best efforts to grow and to create jobs. So we know people are out of work. We know many of them are unable to pay their mortgages and are literally losing their homes to foreclosure. Those who are fortunate enough to have jobs are experiencing higher prices when it comes to food, when it comes to health care, notwithstanding the passage of the Patient Protection and Affordable Care Act, of which the President said the average family would save $2,500 in health care premiums. Last year alone, there was almost a double-digit increase in the cost of health care for most American families.

Now, to add insult to injury, we have higher gas prices, which are crowding out other spending and lowering the standard of living for American families who are struggling with the slow economic recovery we are experiencing.

The average price of gasoline in the United States has more than doubled since the week of the inauguration of President Obama in January 2009. In January 2009 a gallon of regular gas was $1.89. Today it averages $3.79 a gallon. The Associated Press reports that the average American household spent $4,155 filling up at the pump in 2011. That is the annual cost of gasoline for a typical U.S. household.

I remember arguments—passionate arguments—about the payroll tax holiday and the President holding press conference after press conference saying, if we would just pass the payroll tax holiday, then families would have $40 more a month spending money in their pockets. Well, higher gas prices have wiped that out and more.

Gasoline costs now amount to 8.4 percent of the median household income—8.4 percent. I am not telling anybody something they do not already know and they have not already felt, that they have not already experienced. Everyone has experienced the higher prices. This is the highest price for gasoline since 1981 when costs soared because of another crisis in the Middle East.

Weeks ago President Obama said there is very little he could do about high gas prices in the short term. I tell you, it is good he made those comments in Miami, FL, and not Midland, TX, because Texans know that greater domestic energy production would help reduce oil prices and, therefore, reduce gasoline prices. Roughly 70 percent of the price of gasoline is the price of oil from which gasoline is refined. You know, sometimes I feel as though in Washington, DC, we are operating in a parallel universe that has very little in common with the rest of the country. And here it is—not to mix my metaphors—ships passing in the night. But the fact is, the laws of supply and demand cannot be suspended by the Congress or the President of the United States. President Obama used to agree with that.

Last March, for example, he said producing more oil in America would help lower oil prices. Well, lipservice will not produce lower oil prices, but, yes, producing more oil will because the greater the supply—we know the laws of economics say, demand being the same, greater supply will lower prices. The fact is, there is greater demand all around the world, not just in the United States, as economies are growing in China, in India, and Brazil and places such as that.

To add insult to injury, this administration has adopted policies that have directly conflicted with the goal of lowering oil and gasoline prices. I do not know how to reach any other conclusion but to say it appears to me that the administration has intentionally enacted policies that will raise gasoline prices. I know they will deny that. They will say it is not true. But I do not know any other explanation.

Let me provide the evidence that leads me to that conclusion and perhaps you will agree. Today we learned that President Obama has been busy calling Senators on the other side of the aisle and asking them to vote against an amendment being offered by Senator HOEVEN of North Dakota that would allow the Keystone XL Pipeline project to move forward—the President, on the phone calling Senators saying: Vote against the Keystone XL Pipeline amendment offered by Senator HOEVEN.

The President has previously said there is not a single morning he wakes up that he does not think about creating jobs. But, apparently, he woke up today thinking about how to lobby against jobs because the Keystone Pipeline, in addition to providing an additional supply of crude oil from the tar sands in Canada that would be transported to the United States, would be turned into gasoline in places such as Port Arthur, TX—apparently, the President got up and thought: How can I obstruct additional supply? How can I destroy the jobs that would be created, which is directly contrary to what he professed he does when he wakes up each morning thinking about how to create new jobs.

The Keystone XL Pipeline is a $7 billion private investment that will create 20,000 jobs in construction and manufacturing alone. It will add tens of thousands of additional jobs throughout the economy in other sectors that will support the pipeline construction.

This is kind of personal for me and my constituents in Texas because we

are an energy-producing State. We actually think that is good because it has created a lot of jobs. It has allowed us to weather this recession. People have voted with their feet, and they have moved from other parts of the country to Texas because that is where the jobs are so they can provide for their families and they can try to achieve the American dream.

Texas as a whole provides more than one-quarter of America's total refining capacity. Last month, when the subject of the Keystone Pipeline was very much in the news, I visited with a number of refinery workers in Port Arthur, TX, who expressed concern about the future of their livelihood. These constituents of mine in Port Arthur, TX, could care less about the politics in Washington, DC—who wins, who loses, the sort of stuff that seems to facilitate an obsession inside the beltway. But they were particularly upset—not just Republicans but Democrats, Independents, unaffiliated folks. They were particularly upset with the Obama administration's rejection of the permit for the Keystone XL Pipeline which, as I said, would terminate in the Port Arthur region and allow our State to refine an extra 700,000 barrels of oil each day and turn it into gasoline and other refined products that would increase the supply and thus, according to the laws of economics, have a tendency to bring prices down as we increase supply.

President Obama's behind-the-scenes maneuvers, this crusade, is the starkest reminder yet. He is the only thing standing between this country and more jobs and energy security. I regret to reach that conclusion, but I do not know of any other reasonable conclusion to raise.

Rather than asking Saudi Arabia and other OPEC countries to produce more oil in a region where our troops have been deployed for 10 years or more, is it any coincidence that in the oil-producing regions of the world that we depend upon for oil, where our American troops have fought and some have made the ultimate sacrifice to protect our country, to protect our economy, to protect our way of life, that there have been some in this Chamber who have suggested we ought to go, hat in hand, to Saudi Arabia, and say: Will you please open the spigot a little wider? Will you please supply us more oil so we do not have to do it in America? You can do it for us, and we can buy it from you.

Well, I believe this administration should work closely with our partners in Canada, a friendly country where we do not have to worry about a disruption of supply because if the Iranian threat to block the Strait of Hormuz comes to pass, 20 percent of the world's oil supply passes through the Strait of Hormuz. You know what that would do to prices, not to mention other consequences which are entirely negative.

Canada is a reliable and geographically secure trading partner. Their oil exports are insulated from the potential supply disruptions in the Middle East. Rather than demonizing oil and gas companies that employ millions of hard-working Americans, while wagering more taxpayer dollars on boondoggles such as Solyndra, the Obama administration should take its regulatory boot off the necks of our domestic energy producers.

As I said, this is personal for me and my constituents because Texans are proud that our State remains the leading U.S. producer of oil and gas. As I stated, it is what has helped us grow and create an awful lot of jobs for which people are grateful. We know for a scientific fact that America has just begun to tap the potential of its vast resources. According to the Congressional Research Service, our country has more recoverable energy resources than Canada, China, and Saudi Arabia combined.

As American Enterprise Institute scholar Kenneth Green has noted, the Outer Continental Shelf of the United States alone contains enough oil to fuel 85 million cars for 35 years. Yet more than 97 percent of that territory is not under lease as a result of Obama administration policies. Expanding access to Federal onshore and offshore lands, eliminating permit delays in the issuance of leases could help reduce polices and strengthen our energy security while creating jobs and boosting revenue to the local, State, and Federal Government that would help us close our budget gap.

Unfortunately, the Obama administration's proposed offshore oil and natural gas leasing plan for 2012 to 2017 eliminates—eliminates—50 percent of lease sales provided for in the previous plan and imposes a moratorium on developing energy from 14 billion barrels of oil and 55 trillion cubic feet of natural gas in the Atlantic and Pacific Oceans. The moratorium on the natural resource rich Gulf of Mexico and persistent delays in permits for shallow and deepwater leases could result in a 19-percent decrease in production in 2012—a 19-percent decrease in production.

So we are not only talking about keeping the production static, we are talking about actually decreasing supply as a result of Federal administration policies. Decreasing supply will have the inevitable effect of raising gasoline prices as that happens, and then there is the regulatory impact. Everywhere I go in my State, and as I talk to people around the country—they come to visit us in the Capitol. If they are in the private sector, they say the biggest threat to their ability to start a new business or grow existing businesses and create jobs is regulatory overreach.

We know during the last election the voters gave us divided government. They made it harder for the Obama administration to single-handedly pass policies such as the President's health care bill, such as the stimulus, such as Dodd-Frank on a partisan basis. So we got divided government. What we did not get is an ability to stop the regulatory overreach of executive branch agencies.

If the President is serious about looking for every single area that we can make an impact on gas prices, as he pledged in Miami, he must reverse the regulatory overreach of the last 3 years. The U.S. Chamber of Commerce reports that the Environmental Protection Agency alone is moving forward with 31 major economic rules and 172 major policy changes. That is not something Congress is legislating. That is what the EPA is doing on its own because they are an executive branch administrative agency. But they are going to have a negative impact on our energy supply. The Chamber of Commerce rightly calls this an unprecedented level of regulatory action. It has a chilling effect not only on energy production, it has a chilling effect on jobs, something we need more than anything else as our economy struggles to recover.

Even as gas prices have approached $4 a gallon, the Environmental Protection Agency has proposed a tier 3 rule to cut air emissions from fuels in light-duty vehicles. This rule alone would force refiners of oil to gasoline to make dramatic changes in the way they do business.

A recent study concluded the rule would increase the cost of manufacturing gasoline by 12 to 25 cents per gallon. So as high as they are now, once this rule goes into effect, the price we pay at the pump could go from 12 to 25 cents higher.

It could also inflate the refiners' operating costs by $5 billion to $13 billion annually and lead to a 7- to 14-percent reduction in gas supplies from U.S. refineries and force as many as seven U.S. refineries to shut down.

We have already seen recent reports of a number of refineries on the East Coast that produce gasoline in America shutting down because they cannot do business economically under this regulatory burden. Beyond the tier 3 rule, the American energy producers are deeply worried about the EPA's proposed greenhouse gas regulations which will serve as an energy tax on consumers. They are also worried, as if that wasn't enough, about the agency's new source performance standards and its boiler maximum achievable control technology rule.

I know a lot of this sounds arcane and is not something people talk about over the kitchen table. But each one of these cumulatively have had a negative impact on the gasoline prices that are directly harming American families in their pocketbooks, lowering their standard of living and making it harder to get by even as they struggle with the slow economic recovery.

Collectively, if we were to have a moratorium on these regulations at least until we begin to see unemployment come down and the economy

grow, gas prices come down—collectively, these regulations will put more U.S. refineries out of business and will lead to ever higher gasoline prices at the pump. Conversely, if we were to have a temporary moratorium, it would provide much needed relief to hard-working American families.

If that weren't enough, the U.S. Fish and Wildlife Service has been very active as well. I mentioned Midland, TX, which is part of the historic Permian Basin, which is a huge source of oil and gas production. Thanks to new technology and innovation, it is experiencing a second boom and creating lots of jobs and a lot of American energy. What a surprise it was when the U.S. Fish and Wildlife Service announced its intention to list the sand dune lizard—a 5-inch lizard in the Permian Basin—as an endangered species without adequate investigation of the science. It threatened the jobs of nearly 27,000 Texans in the Permian Basin, which is home to more than one-fifth of the top 100 oilfields in America.

Looking at all of the evidence on energy prices, it is hard to come to any conclusion other than that higher energy prices are part of President Obama's plan. He talks about green energy and green jobs. Those are great, but they only supply a low single-digit percentage of our energy needs. We have to produce American energy, our oil and gas reserves.

President Obama's policies have intentionally elevated the price of gasoline to the detriment of the American consumer. One of the things we can do is pass this Keystone XL Pipeline amendment. It will eventually provide 700,000 barrels a day of oil from Canada to be refined in America, creating jobs and creating more supply, which will have a beneficial impact on gasoline prices, notwithstanding the other policies I have mentioned this morning.

I hope my colleagues will support Senator HOEVEN's amendment. I certainly will. I would love to hear the contrary argument. Unfortunately, we hear nothing but crickets when we start talking about all of the beneficial effects of this policy.

I invite my colleagues who might not come from an energy-producing State to go on the Internet and Google or use Bing or whatever search engine they use and type in ''U.S. oil and gas pipelines'' and look at the picture that comes up. They will be astonished, perhaps, to see all of the pipelines that are operating safely, without the public knowing about it, providing the oil and gas and other refined products we need in order to keep our economy growing. This pipeline is not a threat to the environment because we have adequate safeguards in place, and have for a long time.

Mr. President, I yield the floor.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

MOVING AHEAD FOR PROGRESS IN THE 21ST CENTURY ACT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 1813, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 1813) to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

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

Mr. WARNER. Mr. President, I will follow up on the comments of the Senator from Texas on an issue that we will be voting on this afternoon, I understand, regarding the construction of the so-called Keystone Pipeline.

I have been somewhat frustrated by the debate around this issue. Unfortunately, I think we are going to be confronted again with kind of a bifurcated choice that doesn't get to the possibility of us actually putting into place a comprehensive energy policy that will remove this Nation's dependence upon foreign oil and start to look at the ability over the longer haul to bring down the price at the pump and make sure we are truly a participant in the opportunities of a glowing, multifaceted energy policy going forward.

I support the construction of the Keystone Pipeline. I believe we need to have an energy policy that has an ''all-of-the-above'' approach. I do believe there are appropriate regulatory reviews that need to be made. I also, frankly, think any construction of the Keystone Pipeline should take into consideration the very serious environmental considerations that particularly affect the State of Nebraska, and there will need to be a route for this pipeline that would avoid that potential environmental damage.

However, because of the way this process is being laid out, I will not be voting for the Keystone amendment today because by making this a straight up-or-down issue, without taking advantage of the opportunity to put together the beginnings of an energy package, we are missing a great opportunity.

As I have mentioned, if we are truly serious about energy security, and if we are truly serious about reducing our dependence upon foreign oil, I believe we need an energy policy that has an ''all-of-the-above'' approach. Yes, that means more domestic oil and gas. But it means when we have an opportunity in an issue of controversy such as this regarding Keystone, we could have taken this opportunity to include a rational approach with appropriate environmental reviews to get to, I believe, a positive answer on Keystone but also link that with other energy policies that would make sense.

I know the Presiding Officer has in his State a number of wind facilities and solar facilities. Unfortunately, those areas that need, as well, to be part of our energy mix—the tax treatment that allows those projects to move forward have been put in limbo because of the failure of Congress to extend the so-called tax provisions, or tax extenders, on a going-forward basis. Wind projects all across the country—in fact, I was visiting with some folks right before coming to the floor, and they have a variety of wind projects that are stopped dead in their tracks because of the uncertainty regarding whether Congress will act.

The ability to get the Keystone Pipeline passed, in combination with passing, as well, the extension of these appropriate renewable energy tax credits could have built the kind of bipartisan consensus around energy policy that would be needed. I also believe the lowest hanging fruit in terms of how we save and can have a rational energy policy in this country means a much greater involvement with energy conservation. There is a very strong bipartisan energy conservation bill, the Shaheen-Portman bill, that could have been included in this package as well.

I think if we are going to get serious about reducing our dependence upon foreign oil, if we are going to make sure we give the American taxpayers a vision that in the future we are going to see the ability to reduce our dependence upon foreign oil that results in higher gas prices, we actually could have put together around this Keystone proposal a true compromise, a bipartisan consensus that would have included construction of Keystone, with the appropriate environmental reviews, with making sure those key areas of Nebraska are protected, with the inclusion of the energy tax cuts and provisions that we do on an annual basis, and that we continue to allow wind, solar, and other renewable energy production to continue, and a meaningful energy conservation bill—the Shaheen-Portman bill.

I believe those three policies linked together would have resulted in a vote that would have been overwhelmingly bipartisan and would have been a demonstration to the American people that we are going to get out of our respective fox holes and put the beginnings of a truly comprehensive energy policy in place.

Unfortunately, I don't think we are going to have that happen. We are going to have a straight up-or-down vote on Keystone that dismisses any of the appropriate review processes and doesn't bring in the issues around the so-called energy tax extenders or the conservation bipartisan legislation that was put together by Senator SHAHEEN and Senator PORTMAN. Instead of getting a more comprehensive vote this afternoon, which I believe would have passed overwhelmingly, we are going to end up with one more vote that will, for the most part, break down on partisan lines. I am disappointed in that.

I do believe we need construction of the Keystone Pipeline. I believe we need meaningful energy conservation legislation and meaningful tax policy that promotes renewable energy

around solar, wind, and biomass. Unfortunately, we are going to miss the opportunity today to send that strong signal of a comprehensive ''all-of-the-above'' energy policy that would actually move this Nation forward.

I know my friend, the Senator from Texas, is no longer here. I would have loved to have been able to support a comprehensive package that would have allowed the Keystone effort to move forward in conjunction with these other efforts. Unfortunately, that will not happen. Perhaps later in the year we will have the ability to cobble together something that includes more of an ''all-of-the-above'' energy policy and we can actually get about the business of making sure we have a national energy policy.

But there is no silver bullet. We were going to need to make sure we take advantage of all of the energy resources we have in this country—oil, gas, offshore oil, nuclear, and appropriate revenue sharing with States—such as my State of Virginia—and energy conservation and renewables as well. The sooner we get to that debate, the sooner we can build the bipartisan coalitions that will allow that kind of policy to move forward.

With that, I yield the floor and suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. BROWN of Ohio). Without objection, it is so ordered.

AMENDMENT NO. 1535

Mr. VITTER. Mr. President, I call up my amendment No. 1535 which is at the desk, and I ask it be reported by number.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Louisiana [Mr. VITTER] proposes an amendment numbered 1535.

The amendment is as follows:

(Purpose: To provide for an extension of the Draft Proposed Outer Continental Shelf Oil and Gas Leasing Program 2010–2015)

On page __, between lines __ and __, insert the following:

SEC. __. EXTENSION OF LEASING PROGRAM.

(a) IN GENERAL.—The Draft Proposed Outer Continental Shelf Oil and Gas Leasing Program 2010–2015 issued by the Secretary of the Interior (referred to in this section as the ''Secretary'') under section 18 of the Outer Continental Shelf Lands Act (43 U.S.C. 1344) shall be considered to be the final oil and gas leasing program under that section for the period of fiscal years 2013 through 2018.

(b) FINAL ENVIRONMENTAL IMPACT STATEMENT.—The Secretary is considered to have issued a final environmental impact statement for the program applicable to the period described in section (a) in accordance with all requirements under section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)).

Mr. VITTER. Mr. President, amendment No. 1535, the Vitter amendment, is very simple and straightforward, and it goes to an awfully important issue. It goes to the issue of the price of energy, particularly the price of gasoline at the pump. There will be a vote today on this amendment. In fact, it will be the first vote we take this afternoon.

The amendment is very simple. It would allow us to go back to the previous lease plan for the Outer Continental Shelf, replacing the current Obama administration lease plan which cuts that previous plan in half and moves us in the wrong direction in terms of producing our abundance of domestic energy, including oil and natural gas.

Everybody is concerned about the rising price of oil at the pump. It is on the rise again. It is significantly increasing. And that hits middle and lower class families right in their pocketbooks, right where it hurts, and it is particularly harmful in a down economy. We are struggling to get out of this recession, we are trying to mount a recovery, we are trying to make positive things happen, and these increasing prices at the pump are hitting at the worst possible time.

What can we do about it? Well, there are a lot of things we can do, but certainly increasing supply, including domestic supply, is one major, positive thing we can do. We know that 88 percent of the price of an average gallon of gasoline is attributable to the cost of crude oil and taxes—88 percent. That only leaves 12 percent that is refining, marketing, and distribution. And, by the way, that 12 percent also includes the compliance cost for a host of mandates required by statutes and regulations related to refining, marketing, and distribution. So again, the huge bulk of that price represents the price of crude oil as well as taxes.

I could argue forcefully and present a lot of data that taxes on oil and gas are actually too high, but I don't expect a majority of this Senate to listen. So what we are left with as a way to impact those rising prices at the pump is to find more, develop more, increase supply, and that brings the price down worldwide. And we can do that starting right here at home.

Most Americans don't realize it, because of Federal policy, but the United States is the most energy-rich country in the world, bar none. When you look at all of our energy resources, certainly including oil and gas, the United States is the most energy rich, and we are far richer, by a long shot, in terms of those total energy resources, than any Middle Eastern country, such as Saudi Arabia. The only other country that comes close is Russia, and they are well behind.

The problem is the United States is also the only country in the world that puts about 90 percent of those resources off limits and says no, under current Federal law, under the current Obama administration lease plan, to drilling off the east coast, no to drilling off the west coast, no to production of energy in the eastern gulf—at least as of now—no to most things offshore Alaska, no to ANWR—the Alaska National Wildlife Refuge—and increasingly this administration wants to say no and wants to put up hurdles and blockages on lands where a lot of energy production is happening because of enormous shale finds and relatively new technology.

One major thing we can do to affect the price at the pump in the right direction—which would be to lower it—is to say yes instead of no to developing more of our domestic energy. Unfortunately, in the last several years, under President Obama, we have been moving in the opposite direction. We have been moving away from that production.

An excellent example is the Outer Continental Shelf. This first chart I will put up is the last lease plan—prior to the Obama administration—that was actually beginning to say yes in a significant way. This was the result of the outcry from the public—the appropriate outcry after the summer of 2008—the last time prices at the pump spiked so significantly. People said, wait a minute. Why aren't we producing more at home? Washington finally responded to that, and through this lease plan we were saying yes more and more. We were saying yes—green light—on the east coast; yes, do more in the gulf; yes, green light off the west coast; yes, do more in offshore Alaska.

Unfortunately, that came to a screeching halt under the Obama administration. One of the first energy actions this administration took—President Obama and Secretary of the Interior Salazar—was to very quickly cancel this lease plan. Once they took office, they scrapped this. Then they studied it for quite a while, with no lease plan in sight. Finally, several months ago, they announced and put forward their own lease plan—the first under the Obama administration. And what a difference an election makes. What a difference a change in administration makes. All of a sudden the green lights became red lights again. We reverted to the old policy of moratoria on production again and the answer, again, was no, no, no, no. No, off the east coast; no, for now, in the eastern gulf; no, offshore Alaska; no, off the west coast—no, no, no, no.

This plan is only half as much as the prior 5-year lease plan. So instead of moving in a positive direction, accessing more of our energy, including in the Outer Continental Shelf, we are backing up, we are turning around, and we are turning our backs on the needs of the American people. Again, we are saying no, no, no, no.

The Vitter amendment, No. 1535, would reverse that. It would say yes. It would say, no, this plan isn't a good idea. Let's go back to the prior 5-year lease plan. Let's develop, explore, and produce U.S. energy in a responsible way. Again, we are the single most energy-rich country in the world, bar

none. We have enormous resources, including offshore, including oil and gas. But we are the only country in the world that says no, no, no, no, and that puts over 90 percent of those resources off limits.

This amendment will begin to change that. This amendment will reverse that mistaken policy. In so doing, it would significantly increase the supply of oil where we can control it most—right here at home. And when everything else stays the same—you increase supply, demand is the same—what happens? Price goes down. That is the first law of economics.

So let's say yes. Let's say yes to good, reliable U.S. energy, let's say yes to increased energy independence by doing more for ourselves right here at home, and let's say yes to great American jobs. Because that is also what this amendment would produce—jobs. And by definition these jobs can't be outsourced. You can't take good U.S. energy jobs and ship them to China or India. You can't do that, by definition.

Let's also say yes to this amendment because it would help with deficit and debt reduction. This increased activity would do what? It would produce significant Federal revenue. The Federal revenue or royalty on domestic energy production is the second biggest source of revenue to the Federal Government, second only to the Federal income tax.

Let's say yes. Let's do something about the rising price at the pump, and let's take control of our own destiny. Please support amendment No. 1535. As I said, I urge all of our colleagues to support this important amendment—Democrats and Republicans. It will be the first amendment vote we take this afternoon.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I am going to speak against the Vitter amendment because I think it is a huge danger to our economy, and I will explain why. It is a huge overreach by the Federal Government into the ability of States to determine if they want a recreation industry, if they want a fishing industry, if they want a tourist industry. So I will speak more about it.

Before I do that, I want to let people know where we are. Thanks to the extraordinary patience of our majority leader, HARRY REID, today, we finally have a path forward to the transportation bill. And normally I would name lots of other people—yes, we have all been involved—but Senator HARRY REID is extraordinary.

He sat in his office last night, 7, 8, 9, 10, I was calling him finding out what was happening. I was calling the great staff he has, working with my staff and Senator INHOFE's staff, whom I have grown to respect so much. Given all the issues that are facing us, we all knew that having a transportation bill is critical. We do debate very fiercely on lots of things, and we are going to see that this morning. But when it comes to infrastructure, we have found common ground with most of our Republican friends.

I do wish to say, those who tune in to this debate are going to be a bit confused because they are going to hear debates on amendments that are not about highways, bridges, roads. They are not going to hear too much about that for a while. Why is that? Because the Senate is the Senate is the Senate. We tried very hard to limit the debate to relevant amendments, but we were thwarted a couple times. We couldn't get the 60 votes, pretty much party line; colleagues wanted to have votes on very controversial amendments, which I do not think are going to pass, but we will find out. One of them is the amendment offered by Senator VITTER of Louisiana.

This amendment would essentially take the drilling plan that was released in the last few days of the Bush administration and would open for drilling entire new areas on the Atlantic, Pacific, the eastern Gulf of Mexico, and Bristol Bay. The fact is, since that plan was offered, we have to understand we are drilling more now than ever before. We have four times the number of rigs out there. We are now exporting oil.

Does everyone agree we want more oil? I want more oil. I want it to stay in America. But I don't want to endanger entire economies by saying to our friends in the States: Uncle Sam says to forget about their fishing industry, forget about their tourist industry, forget about all the restaurants and the hotels and everybody else who depends on it.

I can tell you, in my State, tourism is one of the biggest industries we have and the beauty of our State and the beauty of our coast is what draws so many people there. So this heavy-handed amendment says we don't care what you think, we are going to just open everything.

In 2006, this body passed the Gulf of Mexico Energy and Security Act. I know my friend from Florida is on the floor. That act offered 8.3 million acres for drilling in the central and eastern gulf planning areas in exchange for protecting Florida's coast until 2022. We will see, if this were to pass, lease sale No. 220 off the coast of Virginia go forward, despite concerns that this will interfere with the Navy's and NASA's activities in the region. The Vitter amendment requires drilling in Bristol Bay, one of the world's richest fishing grounds, which supports a commercial fishery worth $2 billion a year.

Let's be clear, America. We have 2 percent of the world's proven oil supplies and we use 20 percent of the world's energy. So we can't drill our way out of this. What one can do, if one votes for Vitter, is maybe feel they are doing something, but we are destroying whole areas of our Nation that are so dependent upon the beauty of our coastline.

On top of it all, this amendment would waive environmental review of this entire plan—no environmental review. So nobody in the country would know what lies ahead.

Look, we don't need any more giveaways to Big Oil. They are having raging profits even at the height of the recession, raging profits, billions of dollars. Here is the point. They are sitting on 50 million acres of onshore and offshore leases they have yet to drill upon.

Let me repeat that. Senator VITTER wants to open huge swaths of the coastline to Big Oil companies that are making record profits, the price of gas is soaring, and they are sitting on 50 million acres of land, onshore and offshore leases they have yet to drill upon. They have done nothing with more than 70 percent of the offshore acres and nearly 60 percent of the onshore acres in which they currently hold leases. When they had a chance to bid on more lease sales, they only bid on 5 to 6 percent of those offshore acres in 2009 and 2010. So they are not taking advantage of the leases they hold. But Senator VITTER wants to open huge swaths, waive all environmental review, put at risk how many jobs in California alone—400,000 fishing and recreation—400,000 jobs. That is larger than some of our tiny States—well, maybe a little bit smaller. I think one of our States has about 500,000. This is 400,000 jobs, folks. We have to defeat this.

It is a great bumper sticker. ''Drill, Baby, Drill'' is a great bumper sticker. But I could write another one that says, ''Keep the Oil Here in America,'' and they are exporting the oil. We are exporting oil. We are going to have more of that debate when we come to the Keystone Pipeline.

Here is the deal. The Vitter amendment is a giveaway to Big Oil. They made a combined $137 billion in profits last year. The American consumer doesn't see a dime of savings at the pump. It would do nothing to lower gas prices. It would encourage them to continue to sit on their assets, and that is what I think this is about. They list their assets in their yearly report to their shareholders, and those assets have value. So they just show them year after year and they never drill. In reward for that, we are going to give them even more assets they can brag about.

I am going to put again into facts what I said before: Domestic oil production under President Obama is up. There are 1,272 active oil rigs in the United States right now, more than four times the amount than in 2009. In 2010, for the first time in 13 years, imported oil accounted for less than 50 percent of the oil consumed in America.

Why is this happening? It is happening for many different reasons; one is we are drilling more and we are doing it in a sensible way, not destroying areas that need to be protected and jobs that need to be protected but in a wise way, in the regular order, in the

regular process. But also, we are driving more fuel-efficient vehicles. That is extremely important because I already told everyone, we can't drill our way out of this mess with only 2 percent of the supply, using 20 percent of the world's energy. It is a tilt. It is a mismatch. So we have to have more fuel-efficient cars. Of course, our President led the way on that, and Detroit has rebounded because of this President and those in this Senate and House who voted to assure they wouldn't go bankrupt.

The truth is, the Vitter amendment is dangerous. It is very dangerous. If he wanted to come here with an amendment that had any hope of passing, in my opinion, why doesn't he go after the speculators on Wall Street who are driving up prices? The CFTC Commissioner, Bart Chilton, has calculated that consumers pay an additional $7 to $15 on each tank of gas due to oil speculation. So if one wants to come and do something we could all support, come with an amendment that says the oil companies should drill on the lands they already have leases on; that we are very willing to open more acres that make sense, with the understanding that oil will stay here. We will work to stop the speculation on Wall Street that is driving up prices. Frankly, I think if we see this continued upswing in prices, my belief is we should go to the Strategic Petroleum Reserve, which has been done time and time again under Republican and Democratic Presidents, and we have seen the salutary impact on gas prices. They go down at least one time was 10 cents—I remember 10 cents a gallon right away. One time they stabilized the prices. So we have seen it happen before. That is why we have a Strategic Petroleum Reserve.

So one wants to come with a balanced plan and talk about how the oil companies have to drill on lands they have, how we support drilling where it makes sense and doesn't put people out of work who are in the recreation and tourism and fishing industry, go after the speculation on Wall Street, and tap the Strategic Petroleum Reserve, which is 97 percent full, if it looks like we can't get a handle on these prices. That is a plan, in addition to which we should continue to give tax credits and tax writeoffs to those people who buy fuel-efficient vehicles. I would love to see an added benefit for those made in America.

Vitter should be defeated. It is very controversial. It doesn't help us at all, and it would only pad the paychecks of the oil companies.

Mr. NELSON of Florida. Mr. President, will the Senator from California yield.

Mrs. BOXER. Yes, I would.

The PRESIDING OFFICER. The senior Senator from Florida is recognized.

Mr. NELSON of Florida. I just wish to underscore the statement of the Senator from California with regard to the Outer Continental Shelf and point out that the Vitter amendment would allow drilling in the one place on the Outer Continental Shelf that is off-limits in law; that is, the Gulf of Mexico off Florida.

There are several reasons that was passed in a bipartisan way with my colleague Senator Mel Martinez back in 2005. In the first place, there is no oil out there of any appreciable amount. The Senator has already pointed out there are 50 million acres under lease that are not drilled. Well, 30 million of those acres under lease that have not been drilled are in the Gulf of Mexico, where the oil is, in the central and western gulf. There is very little oil and gas in the eastern Gulf of Mexico. Why? Because Mother Nature had those sediments coming for millions of years down the Mississippi River, and then the Earth's crust compacted for millions of years and made that oil and the oil is where the sediments were.

It is not out there and the oil companies know that and that is why they have 37 million acres under lease and only 7 million in the Gulf of Mexico are drilled, are producing of the 37 million acres.

That ought to be prima facie evidence of why we don't need to go in the Gulf of Mexico off Florida. But there is more. Didn't we have some lessons from the BP oilspill 2 years ago of what happens to tourism when oil comes up on the beach? It came very little on the Florida beaches, thank the good Lord, but the tourists thought the beaches were covered. So that tourist season on our gulf coast beaches was a bust from the Alabama-Florida line all the way down the west coast of Florida. We get down to Clearwater Beach, St. Petersburg Beach, lo and behold, they had a devastating dropoff of tourists who didn't come to those hotels and those restaurants and all those ancillary businesses. Part of what we have been doing with the BP money is trying to make people whole for all the income they lost. That ought to be reason enough. But there is another reason, and this is where people often are so surprised when I tell them.

The Gulf of Mexico off Florida is the largest testing and training area for the U.S. military in the world. This Senator from Florida has two letters from two successive Secretaries of State—by the way, both Republican—Secretary Rumsfeld and Secretary Gates, that say we can't put oil drilling and oil-related activities in the Gulf of Mexico off Florida in the test and training range, which in effect is the Gulf of Mexico off Florida.

I just wanted to bolster the Senator's statements about why we have to vote down this Vitter amendment.

Mrs. BOXER. I was just going to suggest that Senator NELSON continue with the time because I do not need any more time at this point. So please continue.

AMENDMENT NO. 1822

(Purpose: To provide for the restoration of the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, and coastal wetlands of Gulf Coast States and to provide funding for the Land and Water Conservation Fund)

Mr. NELSON of Florida. Mr. President, if I may be recognized, I want to point out that later on today we are going to have an amendment that is bipartisan. It is an amendment that, of its original filing with 10 Senators, 3 of them are Democrat and seven of them are Republican. It is called the RESTORE Act. What it does is when the fine is determined on BP because of the 5 million barrels of oil they spilled—the fine allocated according to the Water Pollution Act, which says that a fine will be levied upon anyone who spills a barrel of oil in public waters, and, of course, because of the enormous amount of oil that was spilled, this could be a very substantial fine, 5 million barrels of oil—once that fine is determined, then the question is how is it going to be allocated.

If nothing is done, only about $1.5 billion would go into the Oil Spill Liability Trust Fund. The rest of it is undeclared. Naturally, what the Gulf Coast Senators wanted to do was to have some of that money come back to restore the gulf—the critters, the water, and the people who are the ones who suffered as a result of the BP oilspill.

What we have worked out is a formula, that 20 percent of whatever the fine is would go back to the Oil Spill Liability Trust Fund and the remaining 80 percent would be allocated according to a formula devised by the National Gulf Restoration Council, appointed by the States and the Federal Government. It would go to make the environment of the gulf whole. It would go to help the economic development along the gulf that had suffered. And, very critically to this Senator, it would go to help research the long-term health effects on the gulf because there is no telling the effects. With all that oil sloshing around out there, we are already seeing enormous effects and we are going to be seeing that for years and years.

For example, there are two professors down at LSU with whom I visited who have been doing research on a little fish that roots around in the marshes to get its food. This little fish, called killifish—it is about the size of a silver dollar—they took that little fish and took slices of its gills, put them under a microscope, and have shown dramatic results in fish that live in the marshes where the oil penetrated, such as Barataria Bay, where it is all mixed up down into the sediment, and then taking samples of the killifish that came from marshes where not much oil hit. The dramatic result shows that these little fish do not reproduce. The ones that are there are stunted in their growth. They have all kinds of aberrations in their actual biological makeup. This spells bad news for the future of the gulf.

It is one of the amendments to the transportation bill. It is about five down on the list. Hopefully we will vote on it this afternoon. With seven Republican Senators being the sponsors of the original legislation, we are going to have this up. I plead with Senators, if you are concerned that you do not want all this money that is being fined as a result of the spill in the gulf—if you want it to go elsewhere in the country, I plead for you to recognize if you were in our shoes what you would want. But acknowledging that you want some of the money—because we had to get a pay-for, and the pay-for is not controversial, yet it produces about $1.5 billion additional—that can go to the Land and Water Conservation Fund. The pay-for is something that the Senate has extended every year, a portion that was passed back in 2004 having to do with the World Trade Organization.

It is a very complicated thing. Each year the Senate has put that in abeyance for another year. That is our pay-for, to put it in abeyance for the ninth year of the 10 years that this provision is to be in effect. What it does is it produces about $1.5 billion for the Land and Water Conservation Fund so that it will have an effect for those concerned outside of the area of the Gulf of Mexico.

As you know, the Deepwater Horizon oilspill was right at 5 million barrels. It coated the beaches. It seeped into the wetlands. It kept fishermen at the dock during one of the busiest fishing seasons. It killed wildlife. It kept the tourists away from the gulf. The long-term impacts are not known because there is still a lot of oil out there at 5,000 feet, on the floor of the Gulf of Mexico. The fish and the wildlife that were not immediately killed are showing the signs of damage, as I have indicated with the killifish.

The gulf residents and the communities continue to suffer. In the Senate today, we have a chance to take a step to make the gulf coast whole again. As a sign of solidarity for the gulf, of the five Gulf Coast States that collectively have two Democratic Senators and eight Republican Senators, all but one Senator of those five States signed as a sponsor of the bill. It is bipartisan. This commonsense legislation is supported by so many people who looked at this: National Environmental Policy Act groups, sportsmen, chambers of commerce, academic institutions, local governments, the business community. Today's vote is going to be a huge step toward making sure that the fine that is going to be imposed upon BP, however much it is, ends up in the local communities that were harmed by BP's oilspill; otherwise, the money is going to end up in the Federal Treasury, and there is no telling, then, where it is going to be spent.

The RESTORE Act amendment provides funding to each Gulf State for ecosystem restoration and economic recovery. It also creates a Federal-State council responsible for developing and executing a holistic plan to increase the resiliency of the gulf ecosystem. Why were baby dolphins dying in record numbers? We don't know. We have to find out. We have to test these results for years to come.

The amendment is also going to ensure that each Gulf State would come up with a State plan that is consistent with the Federal-State council plan.

Finally, this bill sets aside funding for science, specifically dedicating funding for data collection for our fisheries, for our wildlife, for long-term observation and monitoring, and sets up centers of excellence to carry out research on the gulf for years to come.

But there is also a national component in this bill. It creates a set-aside funding for an endowment for the oceans, an endowment for the Great Lakes, so in addition to restoring the gulf where the harm occurred, we can better protect all of our coasts from environmental harm. It provides substantial investments in the Land and Water Conservation Fund, which I mentioned, which protects and conserves land in each and every State in this Union.

I believe our people, the whole of America, deserve a healthy and productive gulf too, and the civil fines that are going to be assessed to BP can ensure that.

I wish to share with my colleagues a vision for a restored Gulf of Mexico. One of the lessons we learned—and we learned it too late—is that we do not have sufficient understanding of the gulf ecosystem. We know that one-third of our domestic seafood comes from the gulf waters but we did not have a clear picture on the biological status of two-thirds of the federally managed fish stocks that call the gulf home, so it is important that some of these fines go toward dedicated, long-term science about the gulf ecosystem.

That was one of the main things I wanted to get into the RESTORE Act, because of the obvious implications for the long term. A restored gulf is one in which clean water that is free from algae blooms and free from tar mats, is home to oyster reefs and fish habitat and sea grass beds, where charters ferry tourists from hotels to pristine beaches and then on out to the productive fishing spots. An integral part of the restoration is to shore up the coastal communities that were hardest hit by the economic impacts of the oilspill. It is going to take a substantial investment to achieve those goals.

The gulf cannot wait. The rigid partisanship that has sometimes gridlocked this body has given way to a spirit of strong collaboration and bipartisanship in this Senate when it comes to the RESTORE Act.

I thank all the cosponsors of the amendment and the cosponsors of the RESTORE Act, and I urge and plead with our colleagues to support this amendment. It is right for the gulf. It is right for the country.

I call up my amendment, No. 1822, which is at the desk, and ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report the amendment by number.

The assistant legislative clerk read as follows:

The Senator from Florida [Mr. NELSON] for himself, Mr. SHELBY, and Ms. LANDRIEU, proposes an amendment numbered 1822.

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

Mr. NELSON of Florida. I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

AMENDMENT NO. 1660

(Purpose: To provide additional time for the Administrator of the Environmental Protection Agency to issue achievable standards for industrial, commercial, and institutional boilers, process heaters, and incinerators)

Ms. COLLINS. Mr. President, I call up my amendment numbered 1660, which is at the desk, and ask that it be reported.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Maine [Ms. COLLINS], for herself, Mr. ALEXANDER, and Mr. TOOMEY, proposes an amendment numbered 1660.

(The text of the amendment is printed in the RECORD of Wednesday, February 15, 2012, under ''Text of Amendments.'')

Ms. COLLINS. Mr. President, I rise today to offer amendment No. 1660, the EPA Regulatory Relief Act, to the highway reauthorization bill. I am very pleased to have Senator ALEXANDER, Senator PRYOR, Senator TOOMEY, Senator LANDRIEU, and Senator MCCASKILL joining me as cosponsors of this amendment.

Last year I introduced the EPA Regulatory Relief Act (S. 1392) to provide the Environmental Protection Agency with the time the Agency itself said it needed to rewrite the proposed Boiler MACT rules to better serve the public interest and to protect vulnerable manufacturing jobs. That legislation had the support of 41 of my colleagues on both sides of the aisle, and a nearly identical bill passed the House of Representatives with bipartisan support this fall.

The EPA Regulatory Relief Act is straightforward. It will help ensure that the final Boiler MACT regulations will be achievable and affordable and that manufacturers will have adequate time to bring their facilities into compliance, thus preserving jobs. We hear over and over again that the top priority of the Senate should be to create an environment where jobs are created and preserved. Well, this amendment is all about saving jobs.

Since the EPA proposed these new Boiler MACT regulations in April of 2010, there has been widespread bipartisan concern over the cost of the implementation and potential job losses.

It has been our shared goal to ensure that the final rules crafted by the EPA protect public health and the environment, while preventing the loss of thousands of jobs we can ill afford to lose. Enactment of this legislation is necessary to protect and to grow America's manufacturing workforce. This is all about jobs.

We have urged the EPA to set emission standards based on real-world capabilities of the best performing boilers currently available. After all, that is what Boiler MACT is supposed to be all about. Unfortunately, the EPA did not begin its rulemaking with that goal in mind, and the consequences are so serious. The forest products industry is the lifeblood of many small, rural communities in my State of Maine and many others; therefore, I am alarmed by a study commissioned by the American Forest and Paper Association which found that implementing the EPA rules as originally drafted could cause 36 pulp and paper mills around the country to close, putting more than 20,000 Americans out of work. That is 18 percent of the workforce in just this one manufacturing sector.

Mr. President, you may have heard that the EPA has revised its rules, and it has. But despite these revisions, the Boiler MACT rules remain an issue of great concern to manufacturers across the country and to many of my constituents. With the reconsideration process, the EPA has taken some initial steps, but they are not even close to sufficient. The Agency's reproposed rules still do not address the serious and real threat to factories and mills that will be most directly affected. The revised rules are still estimated to cost billions of dollars and thousands of jobs. Regions across this Nation already struggling with the decline in manufacturing would be the hardest hit. Furthermore, a recent court ruling has created even more uncertainty and confusion, and it has increased the pressure on EPA to just rush through these rules without careful consideration.

Legislative action is needed to ensure achievable and affordable rules, to allow adequate compliance time, and to reduce the risk to industries posed by the pending litigation, which has created so much uncertainty that manufacturers are telling me they are putting any job expansions on hold. Enactment of the EPA Regulatory Relief Act remains the best way to provide the time the EPA says it needs to develop and implement Boiler MACT rules that will deliver the intended benefits to public health and our environment without devastating our economy. There is no need for a choice—it is not the environment versus jobs. With carefully crafted regulations, we can protect the environment and preserve jobs.

There are several factors that reinforce the continuing need for this legislation.

First, the overall capital cost to manufacturers of the Boiler MACT rules remains a staggering $14 billion and threatens more than 200,000 critically needed, good jobs. Think about that. The revised rules have an estimated cost of $14 billion, and 200,000 jobs would be lost.

Second, following the January 9 court decision that overturned the EPA's stay of the March 2011 rules—and this was a stay that the EPA, to its credit, requested but unfortunately was denied—businesses are facing serious and ongoing legal and regulatory uncertainty.

Third, the revised rules still do not allow companies adequate time to comply with the new standards and install the required equipment.

Fourth, important biomass materials are still not listed as fuels. That makes no sense at all. We are trying to reduce the use of fossil fuels. We should be encouraging the use of biomass in boilers. In fact, the Department of Energy is doing just that while the EPA is doing the opposite through these rules. It makes no sense to force mills to use fossil fuels while landfilling renewable biomass material. That makes no sense whatsoever.

Finally, the EPA's current schedule for finalizing the rules is inadequate for fully analyzing the comments and data that will be received during the comment period. The EPA recognizes that, and that is why it asked for this stay.

So I would ask of my colleagues, do not be deceived by the EPA's hollow promises that somehow, some way, everything will be fixed and that we don't need this legislation. The fact is that the EPA regulations are a moving target. Who knows what they ultimately will propose? Some of the materials of the biomass boilers are still being considered as solid waste and treated as an incinerator with far more costly and onerous regulations, but then again, this is the same EPA that initially proposed that we no longer treat biomass and wood as carbon neutral, overturning years of treating wood as carbon neutral. That makes no sense either. Under tremendous pressure, the EPA finally backed off on that for 3 years, but we don't know what is going to happen.

Let me say that the EPA does perform some vital functions in helping to protect public health by ensuring that the air we breathe is clean and the water we drink is safe. I have opposed many attempts to delay or overturn EPA regulations, but we need to make sure that as EPA issues new regulations, it does not create so many roadblocks to economic growth that it discourages private investment, which is the key to maintaining and creating jobs. We need to make sure the EPA both protects the environment and protects our economy and does not impose billions of dollars of new costs on manufacturers, leading to an estimated loss of hundreds of thousands of jobs in manufacturing at a time when our economy can least afford it and when there are alternatives.

I am not saying there should not be Boiler MACT regulations. I am saying we need more time for the EPA to get it right, to work with the industry, to get real-life emission standards. I am saying we need more time for compliance so that we are not imposing these huge costs at a time when our manufacturers are struggling and thus jeopardizing jobs.

A coalition of 380 companies and organizations—I don't think I have ever offered an amendment with more support. And this has so many companies so upset about what this is going to do to the much needed jobs they are providing. There are 380 companies and organizations, including the National Federation of Independent Business, the U.S. Chamber of Commerce, the National Association of Manufacturers, and the American Forest and Paper Association, and those are just a few of the 380 companies and organizations that have called for passage of my amendment. The members of this coalition are committed to working with the EPA, to being good stewards and supporting the development and implementation of achievable Boiler MACT rules, not rules that don't classify biomass, that force people to use fossil fuels instead of biomass. How is that good for our environment? It is essential that the EPA produce final rules that are guided by the same commitment.

The EPA is making progress in reducing the costs and coming up with a more practical approach to the Boiler MACT rules, but we have no idea where they are going to end up. They are a moving target, and we have had promises not fulfilled by the EPA before.

I believe we can achieve the health benefits we all desire. And I know we are going to hear on the floor that somehow I am trying to harm children or delay health benefits, and that is not true. I am trying to allow the time the EPA says it needs to get this right. We can achieve health benefits we desire without putting thousands of people out of work and stifling the economic recovery. The bipartisan dilemma that is before us will help ensure that result, and I urge my colleagues to join me in supporting this commonsense amendment to preserve jobs and strengthen our environmental protections.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, just for the people who are watching this debate, we are talking about the Transportation bill. We are talking about preserving the jobs that go with that, 1.8 million jobs, and an additional 1 million that will be created. But we are hearing a debate about whether we should roll back a proposed rule that controls the following poisons: mercury, arsenic, lead, chromium, benzene, and toxic soot, just to name a few.

If anyone believes all this legislation is about is delay, then they don't know because this amendment, which has been called the EPA Regulatory Relief Act, would forever change the current standards allowed for mercury, arsenic, lead, chromium, benzene, toxic soot, and other dangerous pollutants. So it not only delays a rule that is critical—and I will tell my colleagues the numbers of lives that will be saved because of it—but it changes the standards for these toxins forever.

I don't know about the Senator from Maine, but I have never had one constituent come up to me and say: Senator BOXER, there is one thing you can do for me. I beg you. Increase the arsenic in the air. I need more mercury. Oh, I am desperately in need of more benzene, chromium, and lead.

I have never heard one say: I am willing to risk the fact that my grandchild, who is going to be born in a few months—I am willing to risk the fact that they may have brain damage. Oh, repeal the Clean Air Act. Repeal the rules.

I hope we will vote down this amendment. This amendment is described as being nothing but a delay when it actually changes the standards for the most poisonous pollution known to humankind. Instead of the EPA Regulatory Relief Act, I would call it the Increased Poisonous Pollution in America Act.

My friend read names supporting her amendment. Let me tell my colleagues who opposes it—people from her own State: the National Association of County and City Health Officials; the American Lung Association; the American Public Health Association; the American Thoracic Society; and the Asthma and Algae Foundation of America. That is just a partial list.

We need to vote this down. My friend makes a number of points about biomass—and we have the great Senator from Oregon here who actually took this issue on in the beginning, and he is going to have some time to talk about it—and resolved a lot of our problems with this. He is to be credited for a compromise with EPA that will work.

I just want to say—and everything I say is fact; it is peer-reviewed fact—these toxins cause cancer, heart disease, and premature death.

The Senator from Maine said all this amendment does is give EPA another year because they are not ready anyway.

I ask unanimous consent to have printed in the RECORD a letter from the EPA saying they are ready by spring.

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

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY,
Washington, DC, March 5, 2012.

Hon. RON WYDEN,
U.S. Senate, Washington, DC.

DEAR SENATOR WYDEN: Thank you for your continuing interest in the air toxics standards for boilers. We are currently in the process of developing final standards and responding to additional, useful information we received during the public comment period on the reconsidered standards we proposed last December. We intend to finalize the standards this spring. In the proposal, EPA proposed to ''reset'' the three year compliance clock to give entities the full amount of time available under the Clean Air Act upon finalization of the rule, and, subject to the formal rulemaking process, expects to do so in the final rule. The Act also gives state and local permitting authorities the ability to provide up to a one-year extension of that deadline, on a case-by-case basis, as necessary, for the installation of controls.

While EPA believes facilities can meet compliance requirements within the four years described above, I commit to you that EPA will handle each situation on a case-by-case basis, and work with facilities to determine the appropriate response and resolution. We have authority available to us to resolve concerns that might arise at individual facilities as long as appropriate and timely steps are being taken towards compliance.

Additionally, as required by the Clean Air Act, we proposed and will finalize air toxic standards for boilers based on real-life data that industry has provided to us about the level of emissions from their facilities. As EPA reviews the public comments and data as we finalize these standards, we will pay close attention to their achievability. We intend to set standards that can be met by plants operating in the real world.

Again, thank you for your continued attention to this matter. It is important to ensure that we achieve these key public health standards in a way that is sensitive to legitimate needs of business interests. If you have additional questions, please feel free to contact me or have your staff contact Arvin Ganesan, Associate Administrator for Congressional and Intergovernmental Relations at (202) 564–5200.

Sincerely,

LISA P. JACKSON.

Mrs. BOXER. My friend says EPA needs more time. They have had 20 years—20 years—on this in terms of regulating these pollutants.

Senator CARPER from Delaware, who is a very moderate Member of this body, has stood in front of our caucus and made a passionate plea: We don't need any more delays. We need action, and we need wise action. EPA has said they will work with our States, State by State; they will work with the polluters, polluter by polluter. Because of the leadership of the Senator from Oregon, they have written letters to many of us who are concerned saying they will work on this.

I am not going to talk too long because I want to leave time for my friend, but I must put in the RECORD the following facts: If we vote for the Collins amendment and if it were to become the law, A, it doesn't belong on a transportation bill. We should be debating the Clean Air Act for weeks on end if we are going to start repealing standards for these pollutants. So just on that issue alone we should vote against it. If it were to pass, which I don't believe it will, 300,000 newborns each year may well have increased risk of learning disabilities from toxic mercury exposure in the womb.

We know because of peer-reviewed science, if this were to pass and we would not have this rule go into effect, for every year it is delayed we would see 8,100 premature deaths, 5,100 heart attacks per year, and 52,000 cases of aggravated asthma. I wish to show my colleagues a picture of what it looks like when a child has asthma. What does it look like when a child has asthma and they are gasping for air? Too many of our children have asthma. I don't know about my colleagues, but when I go to the schools I ask the kids: How many of you have asthma or know someone who has asthma? About 50 percent of the kids raise their hands. I suggest my colleagues do that.

This is our legacy—these kids. They are who we live for. They are why we are here, to make life better for them.

People say we are going to save jobs. First of all, let me tell my colleagues something: If you had a heart attack that you didn't need to have, you are not going to be working. I think there are also 400,000 lost workdays per year—scientifically peer-reviewed. If this is delayed, for every year—and it has been 20 years in the making, control of these pollutants—400,000 lost workdays per year.

Here is another fact: We talk about the cost. Yes, it will cost $1.5 billion per year to clean up this poison. The annual benefits are $67 billion. I would say to my friends, that is a heck of a good ratio—a good ratio.

I ask unanimous consent to have printed in the RECORD a letter from the American Boiler Manufacturers Association.

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

ABMA,
Vienna, VA, January 27, 2012.

Re Manufacturer Opposition to the EPA Regulatory Relief Act of 2011.

TO MEMBERS OF THE UNITED STATES SENATE: In the considered technical judgment of the American Boiler Manufacturers Association (ABMA), and contrary to popular talking points distributed by those less interested in their technical practicality and more interested in killing them outright, the Industrial Boiler MACT Reconsideration Rules proposed by EPA in December 2011 are technically achievable by real-world boilers—the only kind of boiler and combustion equipment the ABMA membership designs and makes.

Compliance can be achieved using existing, state-of-the-art, technologically-advanced and fuel-flexible products along with innovatively-designed and engineered application solutions to meet the exigent needs of a host of varied individual boiler facilities.

And, contrary to what some too-frequently-cited, yet flawed and discredited [Congressional Research Service, 7–5700, www.crs.gov, R41459], studies would have you believe, these proposed rules are not job-killers—in fact, for the boiler, combustion, pollution-control and for other compliance-related industries, they will be job generators; clearly lob generators for those small businesses on main streets across this country that install, repair and tune-up boilers and boiler systems.

As for compliance resources, please be confident that the U.S. boiler and combustion equipment industry—with decades of experience and expertise in meeting tough, state,

local, regional and national air-quality codes, standards and regulations with innovative, and real-world design solutions—stands ready and able right now to help those affected by these rules to comply with them in a timely and affordable manner. Arguments that there are insufficient resources available for use in compliance within the time period specified by the rules are specious and uninformed in the extreme. In fact, delay in rule finalization, as envisioned by the EPA Regulatory Relief Act of 2011, will only exacerbate future compliance issues and costs; labor and materials costs and availability are currently stable and domestic boiler and combustion equipment manufacturing capacity is available now to service the full range of compliance options available under the new, more flexible rules as proposed by EPA in December. My manufacturer and supplier members make things and they make them here in the United States—providing high-wage jobs and contributing to tax bases across this country—in states like California, Connecticut, Georgia, Illinois, Indiana, Kansas, Kentucky, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, and Wisconsin—and they are prepared to meet any compliance challenge that these or any other air quality rules might generate (alone or in tandem)—affordably, and well within any arbitrary compliance time frame.

Any small number of remaining technical issues can be well addressed and resolved by stakeholders and EPA during the new, currently on-going 60-day public review and comment period provided by EPA's December 2011 Reconsideration proposals. At this point in time and after more than a decade of information gathering, proposal, and debate, there is no reason for Congressional intervention or for Congressionally-mandated delay in the existing, on-going rulemaking process. Besides fostering continued unreasonable uncertainty, additional delay at this point will only serve as a disincentive to stakeholders to promptly address remaining issues.

Therefore, with over 100 small-business domestic manufacturer and supplier members, the American Boiler Manufacturers Association (ABMA)—the companies that actually design, manufacture and supply the commercial, institutional, industrial boilers and combustion equipment in question—strongly urges you to oppose S. 1392 and H.R. 2250, the EPA Regulatory Relief Act of 2011—or any similar legislation—and to resist adding the language of either as part of any payroll tax holiday extension, tax-extender or as part of any appropriations bills coming before the Senate this year We encourage you to let the existing rulemaking process within EPA as envisioned by the December-proposed Reconsideration Rules go forward without Congressional interference.

Further delays in the rulemaking process—as mandated by S. 1392 and H.R. 2250—will not result in improved rules or insulate the rules from future litigation; further delay of 15 or more months only means continued uncertainty and will yield no new jobs, no economic growth, no cleaner air or any more affordable ultimate compliance options than are now feasible and readily available from existing sources.

The types of clean, efficient, fuel-flexible, affordable and technologically-advanced products and equipment that can be supplied by the U.S. boiler manufacturing industry are critically important for long-term public health, environmental quality and business stability.

Don't let the Preoccupation by some with the inadequacies of past rulemaking efforts lead you into delaying the current December initiated rulemaking process—propsals and a process that provide a flexible, affordable, and achievable pathway to air quality, greater efficiency and the types of long-term boiler room upgrades and modernizations that will lead to sustainable competiveness and bottom line stability.

[For a list of the membership of the American Boiler Manufacturers Association and their respective products and services, go to http://boilermactfacts.com, and for questions, please contact me directly via email at randy@abma.com or at 703/356–7172.]

Sincerely,

W. RANDALL RAWSON,
President/Chief Executive Officer.

Mrs. BOXER. The letter from ABMA strongly says the following: ''We urge Senators to oppose the EPA Regulatory Relief Act.''

This is business. This is American business, made in America. The American Boiler Manufacturers Association: ''We encourage Senators to vote it down.''

I have that letter, and that is what they say. My friend from Maine said it is not technically feasible to clean up these poisons. They said anyone who tells you it is not technically achievable by real world boilers ''doesn't know what they are talking about.'' This is not me speaking. I didn't say that. This is what the American Boiler Manufacturers Association said.

So everywhere we look, when it comes to this vote, it says: Vote no, vote no, vote no. At a minimum, we should do no harm to our people's health. We have it in our hands now to stop a permanent rollback not just of the rule—that is a delay—but a permanent rollback of standards for the most poisonous pollutants there are: chromium, arsenic, mercury, lead, benzene, toxic soot. I would say all the arguments we have heard do not hold water.

In closing, let me say this: The polls on this are as clear as they can be. The people want us to get out of the way and allow the Environmental Protection Agency to do its work. Lisa Jackson is not a radical person. She is one of the most—how can I say—she is a coalition-building type of person. She is someone who reaches out. When Senator WYDEN called her and said he was very upset about the way this rule was going, she sat down with him and, I think, rose to the occasion. When other Senators met with her—and I was in the room with several—she said: We can deal with your problems.

So let's vote no. This rollback of the Clean Air Act standards for the most poisonous pollutants doesn't belong on this bill. There is no way it belongs on this bill. That is No. 1.

No. 2, it is opposed by every health entity we know. It is opposed by our local county health officials and city health officials. I would say to my colleagues, when we look at the polls, it is opposed by 70 percent of the American people. That is the last poll I saw. They want to be able to breathe clean air. They know their people suffer when the air is filled with soot, and particularly toxic soot, which results in devastation for our families in very, very, very large numbers.

Thank you very much, Mr. President. I hope we will vote no on the Collins amendment.

Ms. MIKULSKI. Mr. President, I come to the floor today to fight for a paper company in western Maryland called Luke Mill. I am fighting for the jobs it creates in western Maryland, and I am fighting to make sure its workers have a government on their side.

I have worked with the leadership at Luke Mill for decades. It is one of the last large employers in western Maryland. These jobs provide good wages and good benefits for Maryland workers and their families. When it was owned by the Luke family, I was in frequent contact with John Luke about challenges the company was facing. We talked about ways the Federal Government could help his business and where it should just stay out of the way.

When unfair trade practices of China were threatening the viability of Luke Mill and the jobs of its workers, I was on the side of Luke Mill. I contacted the Department of Commerce and represented Luke Mill before the International Trade Commission to make sure China and other countries had to play by the rules in trade. As a result, we saved the jobs of American workers who were threatened by an uneven trade playing field.

When the management at Luke Mill called me about EPA's Boiler MACT rule, I took their concerns to the highest levels of EPA. Luke Mill told me that the regulations were too expensive to implement companies needed more time to comply and EPA needed to use accurate data to set emissions standards.

I heard these concerns and took them directly to EPA Administrator Lisa Jackson. Here is what we accomplished: No. 1, EPA produced more targeted emissions limits under the regulation; No. 2, EPA reduced the cost of compliance for businesses by 50 percent; and No. 3, companies could have as much as 4 years to comply.

EPA's compromise rule is not perfect, but it is significantly better than the first draft. From the day I heard about EPA's Boiler MACT rule, my priorities have been the same. I am fighting to protect the jobs in western Maryland, and I am working with EPA to reach a compromise that gives flexibility to businesses to comply without abandoning my environmental principles. But I also will not abandon western Maryland or the jobs that depend on Luke Mill's viability.

I will continue to fight for American jobs and the viability of American business.

I yield the floor.

The PRESIDING OFFICER (Mrs. HAGAN). The Senator from Oklahoma.

AMENDMENT NO. 1738

Mr. COBURN. Madam President, I ask that the pending amendment be set aside to call up amendment No. 1738.

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

The clerk will report.

The bill clerk read as follows:

The Senator from Oklahoma [Mr. COBURN] proposes an amendment numbered 1738.

Mr. COBURN. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To prevent the creation of duplicative and overlapping Federal programs)

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).

Mr. COBURN. Madam President, the CBO just announced this morning that February was the largest deficit month in this country. We have run $690 billion worth of deficits through the first 4½ months of this fiscal year. We will have a $1.6 trillion deficit.

This amendment the Senate has voted on before passed with 64 votes the last time it was voted on. It is a very simple, straightforward amendment.

Before I get into the details of this amendment—we need a highway bill. Everybody agrees with that. This is the Senate, and the right to offer amendments has been secured, finally, after 2 weeks of negotiation.

Where are we as a country? I think it is interesting to look back from fiscal years 2011 to 2001. In 2001 the total bill for the Federal Government was $1.86 trillion. It is now almost $3.61 trillion. In 2001 we had a surplus. Now we have a $1.3 trillion to $1.6 trillion deficit coming into this year. I think the American people would like to see us do something about that. Yet, at every turn, on every occasion, we have not risen to the challenge of creating an environment where jobs can flourish. One of the reasons is the Federal Government is squeezing the jobs out of the economy by taking such a large segment of them.

This amendment is very straightforward and very simple. The GAO, through two reports now—one released just this last month and a second in a series of three which will become annual—has told Congress where the problems are. The problems are in continuing to do the same thing in multiple programs and multiple agencies. They have outlined billions, hundreds of billions—I can calculate at least $100 billion worth of duplication that they have outlined and said we didn't do anything about it last year when they gave us the first report. Now they are giving us another report that has probably another $30 billion or $40 billion worth of savings for the American people because of duplication.

So this amendment asks—it is very straightforward—it asks OMB to look at the GAO reports and give recommendations to us on what they would recommend that allows the executive branch to participate in terms of $10 billion worth of savings this year on duplication.

Why is that possible? Here is why it is possible. And this is just a small sample of what GAO has told us. We have 209 different programs spending $4 billion through eight different agencies to encourage science, technology, engineering, and math education in the United States. Can anybody in this body defend the fact that we have 209 different programs? No. Nobody will even stand and defend it.

So we ought to be able to—there is nothing wrong with us wanting to encourage that, incentivize that, help create that, because we know that is for a higher powered workforce in the future. But 209 programs? Why wouldn't we streamline it?

We have 200 separate crime prevention programs. As a matter of fact, the GAO said you have enough duplication just in the Department of Justice programs—they spent $30 billion over the last 9½ years—that if you would eliminate that duplication, you would find billions to save.

How do you get rid of a $1.6 trillion deficit? The way you get rid of it is a million here, a billion there, $10 billion here, $15 billion there, a billion here. What this amendment would do is save us $10 billion this year through smart government. It does not question the motivation. It does not even question whether it is our authority. But it says: Let's do this.

The Senate voted 64 to 36 when this was brought up in April of last year—the same amendment. They thought it was a good idea. The reason they voted for it was because it was fresh on their minds, what the GAO had told us.

Let's take some others.

The Surface Transportation Program. Here we have the highway bill. They did, thankfully, eliminate a few programs. We still are going to have 100 programs involved in surface transportation even when this highway bill is completed. We did not do what we needed to do. We can do better and we can save money. Even if the same amount of money gets out to the American public, the administrative cost will shrink dramatically.

Private sector green buildings. We have 94 separate programs, 16 different agencies to incentivize green buildings, and not one of them has ever been tested to see if it has an effect, whether it is positive, whether it is efficient, whether it is effective—not one. Never. Why would we have 94 separate programs for green buildings?

We have 88 different economic development programs. Why? Nobody can answer the question ''Why?'' As a matter of fact, 2 months ago, I offered an amendment on this floor that asked of us to have the CRS tell us before we pass a new bill whether we are adding another duplicative program. Because that was a rule change, it required 67 votes, and 40 of my colleagues on the other side of the aisle said: We do not want to know whether we are creating another duplicative program, so it only got 60 votes. It required 67 and, therefore, we are not doing it.

So we are going to ignore the brains, we are going to ignore the knowledge, and we are going to continue to produce and create duplicate programs.

Teacher quality. This is one of my favorites. We have 82 separate teacher training programs run by the Federal Government, not for Federal teachers, for State teachers.

Eighty-two separate programs, and not one of them has been tested to see if it is effective or efficient, whether it has value, whether we actually get anything out of it, whether there is some teacher improvement coming out of it—and that is run from seven different agencies.

First of all, why would you have any teacher programs other than at the Department of Education? Yet we have 82. Nobody can tell me why. Nobody will stand on the floor and defend the fact that we have 82. Because they realize it is the height of stupidity. It is stupid to do multiple programs in multiple directions and waste the overhead. We are not talking about not sending money.

We have 47 job training programs. We are in the midst of releasing a report on all the job training programs as to

how they affect Oklahoma, and I will tell you it is not a pretty picture.

There is so much waste, so much ineffectiveness through those 47 different job training programs. We are spending $19 billion of Americans' money every year and we are not getting a billion dollars' worth of benefit out of it. But nobody wants to do the hard work, nobody wants to stand and defend those 47 job training programs, but nobody wants to eliminate them either.

We have a real problem. This is a first step, a first amendment, where we can make this bill—by the way, we are having trouble paying for the highway bill. We are going to pay for it—2 years' worth of highway spending—with 10 years' worth of reductions. This amendment alone, if we pass it, will pay for the highway bill differential between the trust fund and what the EPW Committee says we ought to be spending on highways—this amendment alone.

So when somebody comes down and says they are not going to vote for us to eliminate duplication, you have to ask why. Why is it we would not want to eliminate duplication? Why is it we would not want to become efficient and effective in terms of how we spend not our money but our children's money? Because 40 cents—38 cents this year—of every $1 we spend we are tacking on to a decreased standard of living for our children in everything we do.

So tell me why somebody would not want to get rid of some of the duplication, would not want to do the commonsense thing that every one of the rest of us in our own personal lives does, all our State governments do, all our personal businesses and all our public companies are doing: doing more with less every year? The easiest way to do that is to consolidate and eliminate duplication.

So when you see the vote today, if it does not get 60 votes, what should the American people learn from that? Here is what they should learn: It is not about gridlock. It is not about partisanship. It is about incompetence and a lack of thoughtful consideration for the people who will follow us. This is easy stuff to do. We have hard stuff we have to do in our country. We are going to be making tons of hard decisions over the next 2 or 3 years. Everyone in this body knows it. They will keep kicking the can down the road, hoping they do not have to be involved with the very tough decisions we are going to have to make. This is the easy one. This is easy.

I would ask my colleagues to consider this. If you voted for it in April of 2011, I would appreciate your vote again. If you do not vote for it, I would ask you to reconsider why you are here. Are you here to perpetuate waste? Are you here to perpetuate incompetence? Are you here to protect some constituency's little small program that does not work yet wastes your children's future? This is an easy amendment to vote for.

Mr. MCCAIN. Madam President, today I come to the floor to speak in support of Coburn amendment, No. 1738, which I cosponsor. This common sense amendment would require the Office of Management and Budget—OMB—and the executive branch agencies to reduce at least $10 billion by eliminating, consolidating, or streamlining government programs and agencies with duplicative and overlapping missions.

Thankfully, the Government Accountability Office—GAO—has given Congress and the administration a blueprint to reduce duplication and eliminate failing programs by releasing two detailed reports that highlight 132 areas within the Federal Government that are duplicative and if consolidated could save billions. With our Nation facing a $15.4 trillion debt, eliminating inefficiency and waste in the Federal Government to save taxpayer dollars is absolutely imperative and the American people expect us to do so.

In the most recent report issued by GAO on February 28, 2012, they identified 32 areas of duplication, overlap and fragmentation throughout the Federal Government, as well as 19 additional areas of cost-saving and revenue-enhancement opportunities in Federal programs, agencies, offices and initiatives. Of the 32 areas highlighted in the report, GAO identifies 10 dealing specifically with the Department of Defense, which include Electronic Warfare programs, Unmanned Aircraft Systems, Counter-Improvised Explosive Device Efforts, Defense Language and Culture Training, Stabilization, Reconstruction, and Humanitarian Assistance Efforts, Health Research Funding, Military and Veterans Health Care, Information Technology Investment Management, Space Launch Contract Costs, and Science, Technology, Engineering, and Mathematics Education—STEM.

In addition to the 10 defense areas mentioned above, GAO also highlights 6 areas where the Defense Department could reduce its operating costs or increase revenue collections for the Treasury.

With new, emerging threats to national security arising every day, the funding needed to support major defense priorities is declining. For this reason, in my view, the Department must implement each of GAO's recommendations in this report. Also, implementing these recommendations may reduce the need for ''catastrophic'' defense cuts required under ''sequestration''—precipitated by Congress' failure to enact $1.2 trillion in deficit reduction under the Budget Control Act of 2011.

I intend to send a letter to Secretary of Defense Panetta asking him to tell me how the Department plans to address these vitally important recommendations. I will continue to monitor the Department's implementation efforts and will take necessary steps, including legislative action where appropriate, to ensure their implementation.

The Federal Government wastes billions a year on programs with duplicative and overlapping missions. Congress and the administration must ensure that the findings in the two GAO reports do not go to waste. Congress should insist that they are implemented to reduce spending and eliminate duplicative and failing programs. I urge my colleagues to support the Coburn's amendment No. 1738.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

AMENDMENT NO. 1660

Mr. WYDEN. Madam President, we had a discussion, a very important discussion—I know the Presiding Officer cares a great deal about this topic, as well as Senator COLLINS and also Senator BOXER—on this issue about boilers. I want to be clear about what is at issue in this debate.

The debate about boilers stems from the fact that the EPA did not originally get the boiler rules right. The agency admitted they did not get them right, and the agency said they needed 15 months to fix the boiler rules. But the courts said the agency could not have the time. They said that EPA could have 30 days to fix the rules.

As colleagues have said, this debate has gone on for so long there is no way it is going to be turned around in 30 days. So I joined in the legislation to give the EPA 15 months to rewrite the rules so as to protect good-paying jobs and communities that are affected by the boiler rules, while ensuring the health of our people and the protection of our environment.

That was 15 months ago. EPA got the time it said it needed to rewrite the rules, and the new final rules will be out within 90 days. I wish to outline for the Senate what the new rules will do.

First, the new rules, as proposed in the legislation, change what constitutes solid waste so that boiler fuels, for example, that are wood waste can be used for fuels such as biomass; and waste from steel mills, as another example, can be used as a fuel, as they are today, rather than to be regulated out of existence as a fuel source.

Second, as proposed in the legislation, the new rules will create an open-to-the-public list of what can and cannot be burned in a boiler. This is going to provide important predictability and certainty to American industry, and it will provide new accountability to our communities. All across the United States, folks are going to be able to know, as a result of these new rules, what can and cannot be actually burned in a boiler.

Third, again, just like the legislation, the rules address the fact that because EPA was unable to get the rules right at the outset, more time is needed for compliance.

I know the distinguished Presiding Officer has been interested in this issue as well: the question of compliance and

the time that would be provided for industries to meet the standards.

In the final rule, the compliance clock is reset with a rule providing additional time for industry to comply. This is like what was in the original legislation. So industry will have 4 years to comply, and Administrator Jackson stated in writing that she will assist any hard-hit community, any company facing extra duress in terms of complying. Administrator Jackson has indicated on a case-by-case basis she will provide additional time to help those communities and to help those companies.

Madam President, I ask unanimous consent that the Administrator's letter to me be printed in the RECORD.

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

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY,
Washington, DC, March 5, 2012.

Hon. RON WYDEN,
U.S. Senate,
Washington, DC.

DEAR SENATOR WYDEN: Thank you for your continuing interest in the air toxics standards for boilers. We are currently in the process of developing final standards and responding to additional, useful information we received during the public comment period on the reconsidered standards we proposed last December. We intend to finalize the standards this spring. In the proposal, EPA proposed to ''reset'' the three year compliance clock to give entities the full amount of time available under the Clean Air Act upon finalization of the rule, and, subject to the formal rulemaking process, expects to do so in the final rule. The Act also gives state and local permitting authorities the ability to provide up to a one-year extension of that deadline, on a case-by-case basis, as necessary, for the installation of controls.

While EPA believes facilities can meet compliance requirements within the four years described above, I commit to you that EPA will handle each situation on a case-by-case basis, and work with facilities to determine the appropriate response and resolution. We have authority available to us to resolve concerns that might arise at individual facilities as long as appropriate and timely steps are being taken towards compliance.

Additionally, as required by the Clean Air Act, we proposed and will finalize air toxic standards for boilers based on real-life data that industry has provided to us about the level of emissions from their facilities. As EPA reviews the public comments and data as we finalize these standards, we will pay close attention to their achievability. We intend to set standards that can be met by plants operating in the real world.

Again, thank you for your continued attention to this matter. It is important to ensure that we achieve these key public health standards in a way that is sensitive to legitimate needs of business interests. If you have additional questions, please feel free to contact me or have your staff contact Arvin Ganesan, Associate Administrator for Congressional and Intergovernmental Relations at (202) 564–5200.

Sincerely,

LISA P. JACKSON.

Mr. WYDEN. I want to address the discussion we heard from our colleagues, particularly Senator COLLINS and Senator BOXER, on the key point.

The changes I have described—the fact that we have made the rules changes so that so many of these materials will be treated as fuels, which is important in timber country that I and the distinguished Presiding Officer represent; the fact that we have this new process that provides predictability and certainty about what can be burned in a boiler; the fact that there is the additional time—all of this, in my view, has been spurred by the legislation introduced by the Senator from Maine, Ms. COLLINS. We ought to make no mistake about it. The important rules changes I have outlined this morning that I think are going to provide certainty and predictability to our businesses—while at the same time protecting the health of our people, the environment of our country—have been spurred because Senator COLLINS was willing to pick up the challenge and address this issue.

These new rules are going to finally take effect in less than 90 days. But the question I would ask Senators is, who knows what will happen to these important rules that are just about ready for implementation if, in effect, we say, as the amendment does, let's go back to the beginning and talk about addressing this again over 15 months?

If the amendment passes, and the EPA is told—as I have been advised under the text of the amendment—to take another 15 months, in my view, what would happen is, the agency would go back to spending this additional time working to try to get to the point where we are today.

That, in my view, just does not add up. It does not add up for the industries that have been concerned about this. It does not add up for the communities. It does not add up for the health of our people and the protection of our environment.

Let me close with this. Having been involved in the legislation, No. 1, having tried to make clear this afternoon that these important rules, in my view, have been spurred by the legislation Senator COLLINS has talked about, I wished to state that I intend, and I know others in the Senate will do as well, to watchdog the rules that will be out shortly every step of the way to ensure that they are fully implemented, to hold the Environmental Protection Agency to the commitments that have been made in these rules that are forthcoming, and to ensure that all our communities—all our communities—can see that finally this issue is being addressed and it is being addressed in a way that makes sense for the jobs we are going to need in our communities and to the public health and the environment.

I hope colleagues will look finally at the letter Administrator Jackson has sent me. I think it addresses, in particular, the timetable so many Senators have been concerned about. I have tried to outline some of the other issues that I think are critical, particularly the fact that we have the changes in the definition of solid waste that is so important. A whole host of materials have been added to that list of fuels. That means we can protect the jobs that stem from countries that use—the products that use these materials and at the same time protect the environment.

So this makes sense from the standpoint of a realistic rule on what constitutes a fuel, openness and transparency, because the American people will see what actually can be burned in a boiler. To me—and Senator BOXER has touched on this question of the years that have already gone into this effort—Administrator Jackson, in my view, has gone to substantial lengths to address this timetable that industry has been so concerned about.

In fact, I think it is fair to say that when I add what she has committed to, it is almost the same timetable as in her original legislation. So why in the world would we want to set aside those rules and go back again to the period of starting a new 15-month clock, only to see, in my view, that after those additional 15 months, we would be back to the place we are today, in terms of the rules that will be shortly implemented.

I urge the Senate to reject the amendment. We are going to continue to watchdog this issue until these rules are fully implemented.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, I am very happy to see we are making progress. I still continue to believe that these controversial amendments did not have to be on this bill. But having said that, we have our agreement. So our understanding is, I want for all Senators to say our hope is to begin voting sometime around the 2 to 2:30 timeframe and to do a great number of votes at that time, maybe as many as 8, 9, 10 votes.

We are waiting for people to come to the floor to speak on different amendments. We expect that Senator HOEVEN will be here shortly to call up amendment No. 1537. We urge him to do that.

Senator MERKLEY wants to speak on the underlying bill. Senator CORKER wants to speak for 10 minutes at approximately 12:45. Senator INOUYE would like to address us for 10 minutes about one. Senator LAUTENBERG wants to speak about the environmental amendments about 1:15, and Senator LANDRIEU wants to talk about a number of things but particularly the RESTORE Act, I would assume, at 1:15. Senator SANDERS wants to speak on the issue of Keystone. Senator DURBIN also has some comments he wanted to make.

So I would urge colleagues, if you wish to speak before we start voting, now would be a very good time. We hope you will come over here. We are making progress. This has been a very convoluted process, a very difficult process to satisfy everyone. Of course, we cannot satisfy everyone. But Senator INHOFE and I, when we wrote the

bill originally, knew he would not get everything he wanted and I certainly would not get what I wanted. We had to find those sweet spots where we could come together. That is what happened. The other committees did a wonderful job in doing the same: The Banking Committee, unanimous in their part of this bill; Commerce had some bumps, but they resolved those bumps in the road and now they are bipartisan; Finance Committee, that is a tough one. They had to raise funds to put into the trust fund. The trust fund needs some more dollars in it.

I see Senator HOEVEN is here. I am so delighted that he is here to lay down his amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

AMENDMENT NO. 1537

Mr. HOEVEN. Madam President, I am waiting for my associate who has some charts, but I certainly can proceed at this point. I am here to speak in regard to my amendment No. 1537, which is at the desk. I ask unanimous consent that it be reported by number.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from North Dakota [Mr. HOEVEN], for himself, Mr. LUGAR, Mr. VITTER, Mr. MCCONNELL, Mr. JOHANNS, and Mr. HATCH, proposes an amendment numbered 1537.

The amendment is as follows:

(Purpose: To approve the Keystone XL pipeline project and provide for environmental protection and government oversight)

On page 469, after line 22, add the following:

SEC. ___. APPROVAL OF KEYSTONE XL PIPELINE PROJECT.

(a) APPROVAL OF CROSS-BORDER FACILITIES.—

(1) IN GENERAL.—In accordance with section 8 of article 1 of the Constitution (delegating to Congress the power to regulate commerce with foreign nations), TransCanada Keystone Pipeline, L.P. is authorized to construct, connect, operate, and maintain pipeline facilities, subject to subsection (c), for the import of crude oil and other hydrocarbons at the United States-Canada Border at Phillips County, Montana, in accordance with the application filed with the Department of State on September 19, 2008 (as supplemented and amended).

(2) PERMIT.—Notwithstanding any other provision of law, no permit pursuant to Executive Order 13337 (3 U.S.C. 301 note) or any other similar Executive Order regulating construction, connection, operation, or maintenance of facilities at the borders of the United States, and no additional environmental impact statement, shall be required for TransCanada Keystone Pipeline, L.P. to construct, connect, operate, and maintain the facilities described in paragraph (1).

(b) CONSTRUCTION AND OPERATION OF KEYSTONE XL PIPELINE IN UNITED STATES.—

(1) IN GENERAL.—The final environmental impact statement issued by the Department of State on August 26, 2011, shall be considered to satisfy all requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and any other provision of law that requires Federal agency consultation or review with respect to the cross-border facilities described in subsection (a)(1) and the related facilities in the United States described in the application filed with the Department of State on September 19, 2008 (as supplemented and amended).

(2) PERMITS.—Any Federal permit or authorization issued before the date of enactment of this Act for the cross-border facilities described in subsection (a)(1), and the related facilities in the United States described in the application filed with the Department of State on September 19, 2008 (as supplemented and amended), shall remain in effect.

(c) CONDITIONS.—In constructing, connecting, operating, and maintaining the cross-border facilities described in subsection (a)(1) and related facilities in the United States described in the application filed with the Department of State on September 19, 2008 (as supplemented and amended), TransCanada Keystone Pipeline, L.P. shall comply with the following conditions:

(1) TransCanada Keystone Pipeline, L.P. shall comply with all applicable Federal and State laws (including regulations) and all applicable industrial codes regarding the construction, connection, operation, and maintenance of the facilities.

(2) Except as provided in subsection (a)(2), TransCanada Keystone Pipeline, L.P. shall comply with all requisite permits from Canadian authorities and applicable Federal, State, and local government agencies in the United States.

(3) TransCanada Keystone Pipeline, L.P. shall take all appropriate measures to prevent or mitigate any adverse environmental impact or disruption of historic properties in connection with the construction, connection, operation, and maintenance of the facilities.

(4) The construction, connection, operation, and maintenance of the facilities shall be—

(A) in all material respects, similar to that described in—

(i) the application filed with the Department of State on September 19, 2008 (as supplemented and amended); and

(ii) the final environmental impact statement described in subsection (b)(1); and

(B) carried out in accordance with—

(i) the construction, mitigation, and reclamation measures agreed to for the project in the construction mitigation and reclamation plan contained in appendix B of the final environmental impact statement described in subsection (b)(1);

(ii) the special conditions agreed to between the owners and operators of the project and the Administrator of the Pipeline and Hazardous Materials Safety Administration of the Department of Transportation, as contained in appendix U of the final environmental impact statement;

(iii) the measures identified in appendix H of the final environmental impact statement, if the modified route submitted by the State of Nebraska to the Secretary of State crosses the Sand Hills region; and

(iv) the stipulations identified in appendix S of the final environmental impact statement.

(d) ROUTE IN NEBRASKA.—

(1) IN GENERAL.—Any route and construction, mitigation, and reclamation measures for the project in the State of Nebraska that is identified by the State of Nebraska and submitted to the Secretary of State under this section is considered sufficient for the purposes of this section.

(2) PROHIBITION.—Construction of the facilities in the United States described in the application filed with the Department of State on September 19, 2008 (as supplemented and amended), shall not commence in the State of Nebraska until the date on which the Secretary of State receives a route for the project in the State of Nebraska that is identified by the State of Nebraska.

(3) RECEIPT.—On the date of receipt of the route described in paragraph (1) by the Secretary of State, the route for the project within the State of Nebraska under this section shall supersede the route for the project in the State specified in the application filed with the Department of State on September 19, 2008 (including supplements and amendments).

(4) COOPERATION.—Not later than 30 days after the date on which the State of Nebraska submits a request to the Secretary of State or any appropriate Federal official, the Secretary of State or Federal official shall provide assistance that is consistent with the law of the State of Nebraska.

(e) ADMINISTRATION.—

(1) IN GENERAL.—Any action taken to carry out this section (including the modification of any route under subsection (d)) shall not constitute a major Federal action under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(2) STATE SITING AUTHORITY.—Nothing in this section alters any provision of State law relating to the siting of pipelines.

(3) PRIVATE PROPERTY.—Nothing in this section alters any Federal, State, or local process or condition in effect on the date of enactment of this Act that is necessary to secure access from an owner of private property to construct the project.

(f) FEDERAL JUDICIAL REVIEW.—The cross-border facilities described in subsection (a)(1), and the related facilities in the United States described in the application filed with the Department of State on September 19, 2008 (as supplemented and amended), that are approved by this section, and any permit, right-of-way, or other action taken to construct or complete the project pursuant to Federal law, shall only be subject to judicial review on direct appeal to the United States Court of Appeals for the District of Columbia Circuit.

Mr. HOEVEN. This is an amendment that would provide for approval of the Keystone Pipeline project. Congress has, under the commerce clause of the Constitution, express authority to regulate commerce with foreign countries. That provides the very clear constitutional authority for Congress to approve the Keystone Pipeline project. That is something we absolutely need to do.

Today there will be a very clear choice. There will be a very clear choice for the Members of the Senate. Make no mistake, I do not want to leave any doubt. This is a clear choice. My amendment provides that the Keystone Pipeline project will move forward, authorized by Congress. It is very clear that all the protections, all the environmental protections are incorporated, as has been provided over 3½ years—3½ years this project has been under review by the EPA, by the Department of State, by this administration. They have gone through not one but two environmental impact statement processes.

They have met all the environmental requirements. Our legislation incorporates all that and in addition provides whatever time is necessary for rerouting the pipeline through the State of Nebraska. Here is a schematic of the project. The one issue in terms of the

routing was through the State of Nebraska. This legislation provides whatever time is necessary for the Nebraska Department of Environmental Quality to work with State, to work with EPA, and reroute the pipeline through the State of Nebraska.

So my point is, we incorporate all necessary environmental safeguards into the project. But it authorizes that the project, after 3½ years, can go forward. So I would like to talk for just a minute about why that is so important. Because there is another amendment, an alternative that has been presented by Senator WYDEN. That amendment—let me be clear. That amendment will block this project. That amendment will block this project. Let there be no confusion.

The Hoeven-Lugar-Vitter amendment will advance the project. The amendment that is being put forward by my esteemed colleague Senator WYDEN as a Democratic alternative, that will block the project. This is a clear choice. Nobody should be confused.

Gas prices. This chart is a few days old. So it is a little bit behind the curve. But since this administration took office, gas prices have gone from $1.85 a gallon—more than doubled—to $3.70 a gallon. This is a little bit old, so the national average is actually higher. The last time I checked it was $3.76 a gallon, going up. So it is probably higher than that today. That is from AAA.

The projections are that gasoline prices will be $4 a gallon by Memorial Day and possibly more than $5 a gallon later this summer. That means every American is paying that at the pump. They are paying that at the pump. That is affecting our American consumers. That is affecting our businesses. That is affecting our economy.

What is the administration doing about it? What is Congress doing about it? The Obama administration has said, when it comes to energy, we are going to have an all-of-the-above strategy. I agree with that. We should have an all-of-the-above strategy. But the point is, we cannot just say it. We have to do it. We cannot just say it. We have to do it. The administration, at this point, not only are they just saying it and not doing it, they are, in fact, blocking it. I am giving you as clear an example as I can think of. I do not know how it could be any clearer that they are blocking energy development in our country.

This pipeline project would bring 830,000 barrels a day of crude oil to our country. That is more than 700,000 barrels a day from Canada. That is more than 100,000 barrels a day from my home State of North Dakota and our sister State Montana—830,000 barrels a day of product coming to our refineries.

The administration has said no to this project. They continue to say no to the project. They have approved this portion of it. That does not bring one single drop of product to our country. So I do not know. They are kind of confused about exactly what they are doing, but they continue to block this project. So that means 830,000 barrels a day that we have to get from the Middle East. Everybody knows what is going on in the Middle East. They have incredible turmoil. They have incredible tension in the Middle East. Iran may close the Strait of Hormuz; they have threatened to do that. As a result, crude oil prices continue to go up and consumers continue to pay more at the pump.

So in the face of all that, in the face of real hardship to working Americans, the administration is saying no to this project. They are saying no to my home State of North Dakota. They are saying no to Montana. They are saying, no, we are not going to allow them to build this project that gets that product to market and no to Canada, saying we are not going to allow them to bring that oil into the United States, instead they are going to have to send it to China and we are going to get oil from the Middle East and our consumers are going to continue to pay higher prices.

Again, make no mistake. This choice today is a choice. It is a choice whether we vote for an amendment to move forward with this project or whether we vote for an amendment to block the project. Again, there should be no confusion about that.

Why would the administration hold up this project? Why in the world, with gas prices we know going to $4, maybe $5 a gallon, why in the world would anyone oppose the project? The opponents have put forward three arguments. So let's go through them. Let's go through them and see if they hold water. Let's see if they pass muster. Let's see if they make sense.

The first argument is that somehow this pipeline is going to leak.

Now here is the route. Somehow we will build this pipeline that is going to leak. But we built a sister project that is working just fine. There have been no underground leaks in that project. While building it, there were minimal leaks as they put it together, and that was in the normal course of construction. But there have been no other ground leaks from this sister pipeline. It is working fine. So why would this one be a big concern about leaking? It doesn't make much sense.

If you don't buy that, just look at this chart and the network of pipelines in this country that carries oil and gas. There are thousands of pipelines, millions of miles of pipeline right now operating in this country right through the very region through which the Keystone XL Pipeline would pass. But somehow this one is a problem and these thousands are not? That is a reason to say no, after 3½ years? Come on. That doesn't pass anybody's test, and it doesn't make any sense.

The second argument that has been put forward is that the crude oil will come from Canada, and it will be then exported to China; we won't use it in the United States; and it won't help with gas prices. For starters, let's use some common sense on that one. I am pretty sure if we don't build the pipeline, it is for sure going to China. That is just flat-out common sense, for starters.

Even beyond that, the Department of Energy for this administration did a study in June of last year. In that study, they said the oil will be used in this country, and it will—not ''may'' but ''will''—lower gas prices on the east coast, the gulf coast, and in the Midwest. I had Secretary Chu in front of me at one of our hearings, and he acknowledged that, in fact, that is what the Department of Energy of this administration provided—that the product will be used here, that we are going to need more crude, and it will lower gas prices. Of course, that just stands to reason, doesn't it? If we are importing 30 percent of our oil from the Middle East today, obviously, we are going to continue to need crude from outside our borders.

Let's go to the third argument I have heard against the pipeline project, which is that Canada should not produce oil in the Canadian oil sands. The reason: Greenhouse gas emissions are 6 percent higher than conventional, and that the excavating process has a negative impact on the boreal forest.

Let's deal with the real situation, the current situation. The current situation is that 80 percent of the development in the Canadian oil sands is in situ—80 percent. What does that mean? That means drilling—not excavating but drilling—like we do in the United States. So you have about the same footprint in gas emissions as conventional drilling. Those arguments don't hold muster.

Here we are faced with a very clear choice. Do we go ahead and get oil from our closest friends and trading partner, Canada, or say no to them and have them send it to China? Do we reduce our dependence on Middle Eastern oil and reduce the price of gas for hard-working American consumers? How about national security? Would you rather rely on oil from the Middle East or from Canada? Would you rather have oil produced here, in North Dakota, Montana, and in Canada, or would you rather get it from the Middle East?

I know how Americans will answer that question. I am looking forward to seeing how the Senate answers that question and how the administration answers that question.

Again, this is a clear choice. These amendments are clear. They are not similar. One is for the project; the other is against the project. The amendment that my esteemed colleague has put forward, the Democrat alternative, will block the project. It says after 3½ years of study, start over. After 3½ years of studying this project, start over.

What does that mean? Another 3½ years before we build it or another 5

years? How long do we have to study vital infrastructure projects before we can build them?

Do you think that might be one of the problems with our economy? Do you think that might be one of the problems with energy development? That is where it starts, by saying: TransCanada, start over, after 3½ years.

Then it adds additional impediments. What are they? Well, it says, for starters, none of the crude and none of the refined product can be exported from this country—not one drop. We cannot export any of it. The reality is there are refined products that we don't even use in this country. You can't. They are some of the coking products, and so on and so forth. There isn't demand or we cannot use them. If the refineries cannot sell them, they have to recoup that revenue stream. How? When they sell gasoline and diesel in our country. That pushes gasoline prices higher when they are already going higher by the day. Does that make sense to anybody? I don't think so.

Another impediment in the legislation is that not one penny of the inputs can come from outside the United States, even though 75 percent of the steel and 90 percent of all of the other materials in this multibillion-dollar project, paid for by private enterprise—75 percent of the steel and 90 percent of the other inputs come from North America. But that is not good enough. We are going to say every single penny of the inputs has to be bought in the United States. Of course, the companies cannot do that because they have already bought a lot of the steel and other materials. It is just a way to block the project.

Think about that absurd level of protectionism. Are we really going to grow our economy, create a lot of good jobs with that kind of protectionism? We cannot import anything and we cannot export anything, we are going to grow and expand and diversify this American economy and put people to work, and we are going to raise income with that approach? I don't think so.

Again, I go back to where I started. We have a clear choice to make, a very clear choice. We can stand with the people of America, stand with the workers, with the families, with the small business, and we can work to grow our economy and create jobs, and we can work to strengthen our national security or we can choose to say: No, we are going to continue to rely on oil from the Middle East. We are not going to increase supply, and we are not only going to turn down Canada, we are going to turn down our States such as North Dakota and Montana and say we would rather get that oil from the Middle East.

Today we have a clear choice about building a better energy future for our country, more jobs, and more security. I ask my colleagues to vote for the amendment I have put forward, to move the Keystone Pipeline project authority forward so they can advance the project, and vote against the amendment offered as a Democratic alternative, which will block the project.

The PRESIDING OFFICER. The Senator from Oregon.

AMENDMENT NO. 1817

Mr. WYDEN. Madam President, I have filed an alternative to the amendment offered by my friend from North Dakota. I ask unanimous consent to call up amendment No. 1817.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Oregon [Mr. WYDEN] proposes an amendment numbered 1817.

The amendment is as follows:

(Purpose: To ensure the expeditious processing of Keystone XL permit applications consistent with current law, prohibit the export of crude oil produced in Canada and transported by the Keystone XL pipeline and related facilities unless the prohibition is waived by the President, and require the use of United States iron, steel, and manufactured goods in the construction of the Keystone XL pipeline and related facilities with certain exceptions)

At the end of subtitle E of title I of division A, add the following:

SEC. ____. KEYSTONE XL PIPELINE.

(a) ADMINISTRATION.—

(1) IN GENERAL.—Except as otherwise specifically provided in this section, nothing in this section affects any applicable Federal requirements in connection with the Keystone XL pipeline (including facilities for the import of crude oil and other hydrocarbons at the United States-Canada Border at Phillips County, Montana).

(2) EXPEDITIOUS ANALYSES AND PERMIT DECISIONS.—In evaluating any new permit applications that may be submitted related to the Keystone XL pipeline and facilities described in paragraph (1) or in carrying out the activities described in this section, the President or a designee of the President shall—

(A) act as expeditiously as practicable and, to the maximum extent practicable and consistent with current law, use existing analyses relating to those pipeline and facilities, including the environmental impact statement issued by the Department of State regarding the Keystone XL pipeline on August 26, 2011; and

(B) issue a decision on any permit application not later than 90 days after the date on which all analyses and other actions required by current law and applicable Executive Orders are completed.

(b) PROHIBITION ON EXPORTS.—

(1) IN GENERAL.—Subject to paragraph (2), no crude oil produced in Canada and transported by the Keystone XL pipeline or facilities described in subsection (a)(1), or petroleum products derived from the crude oil, may be exported from the United States.

(2) WAIVERS.—The President may grant a waiver from the application of paragraph (1) if the President—

(A) determines that the waiver is necessary as the result of—

(i) national security; or

(ii) a natural or manmade disaster; or

(B) makes an express finding that the exports described in paragraph (1)—

(i) will not diminish the total quantity or quality of petroleum available in the United States; and

(ii) are in the national interest of the United States.

(c) USE OF UNITED STATES IRON, STEEL, AND MANUFACTURED GOODS.—

(1) IN GENERAL.—Subject to paragraphs (2) through (4), the construction, connection, operation, or maintenance of the Keystone XL pipeline and facilities described in subsection (a)(1) shall not be permitted unless all of the iron, steel, and manufactured goods used for the pipeline and facilities are produced in the United States.

(2) NONAPPLICATION.—Paragraph (1) shall not apply if the President or a delegate finds that—

(A) applying paragraph (1) would be inconsistent with the public interest;

(B) iron, steel, and the applicable manufactured goods are not produced in the United States in sufficient and reasonably available quantities with a satisfactory quality; or

(C) inclusion of iron, steel, and manufactured goods produced in the United States will increase the cost of the overall pipeline and facilities by more than 25 percent.

(3) RATIONALE.—If the President or a delegate determines that it is necessary to waive the application of paragraph (1) based on a finding under paragraph (2), the President or delegate shall publish in the Federal Register a detailed written justification for the waiver.

(4) INTERNATIONAL AGREEMENTS.—This subsection shall be applied in a manner consistent with United States obligations under international agreements.

Mr. WYDEN. Madam President, I yield the floor at this time.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. CORKER. Madam President, I rise to speak about the highway bill. I want to start by first thanking the chairmen and ranking members of the EPW Committee, the Commerce Committee, and the Banking Committee, all of whom worked to put in place some reforms this bill reflects. There is a component of this bill, though, where work has not been done in a satisfactory manner, and that is actually paying for this bill.

The Senator from North Carolina, who is in the chair, has been involved in many discussions about deficit reduction. We have had, ad nauseam, meetings about how to get our spending under control. Last year, after Erskine Bowles, from her State, and Alan Simpson came together with the Bowles-Simpson report, there was a pretty big effort in this body to try to adopt the principles laid out therein. As a matter of fact, 32 Republicans and 32 Democrats sent a letter to the President asking him to embrace those principles.

Later on there was another effort by a supercommittee that was put in place. Numbers of people on both sides of the aisle wrote letters asking that this supercommittee do something outstanding for our country and reduce the deficit by $4 trillion, if possible.

My point is that there has been a lot of bipartisan effort toward reducing the deficit. Yet the only thing we have done thus far—the only thing that had any meat on it at all was the Budget Control Act, which was passed on August 2. The Budget Control Act was passed in a trade, if you will. At that time, the country's debt was beyond the debt ceiling that was allowed by law. So in order to raise the debt ceiling, there was an agreement reached by

this body to lower the amount of spending that was going to take place over the next 2 years by an equal amount.

We passed on August 2 of last year the Budget Control Act. That act laid out specifically what we were supposed to do to be responsible in reducing our spending. Again, this is something that was passed in a very bipartisan way.

As part of that process, because we have not passed a budget in some time, there was a budget resolution—there was a deeming process that was put into place as part of the Budget Control Act. Chairman CONRAD laid that down right after the fact, and we are governed by that deemed resolution in this body.

Unbelievably, we have this very popular program. The highway bill is something people on both sides of the aisle strongly support. I want to see a highway bill. I was the mayor of a city, and I understand and know how important highway infrastructure and transit spending is to this country. Unbelievably, with a very highly supported bill, what this body is doing is already violating the spending levels that were deemed by virtue of the Budget Control Act passing and a budget resolution that came thereafter.

What I say is that this body already—7 months after this Nation, and actually the world, watched as we wrestled with our debt ceiling—they watched us pass the Budget Control Act. They knew it had a deeming process that took place, where a budget resolution was deemed. We are already in violation of that.

All I am doing is asking the Members of this body—so many of us, in a bipartisan way, have risen and said we have to do these things to get our spending under control, to control deficits. So many of us took tremendous heat in voting for this debt ceiling that took place last August. Yet to this body, in passing a very popular bill that we would think would cause us to want to prioritize and say: OK, we do need to spend money on highways, so therefore let's spend less on something else, this is a very important piece of legislation. I thank the chairman of the EPW Committee for the reforms that have been put in place and the way their committee worked in a bipartisan way. These comments this morning have nothing to do with the work the EPW Committee did.

The fact is, we are not paying for this piece of legislation in the appropriate way, per the guidelines we laid down as a part of the process put in place by the Budget Control Act. To me, that is absolutely irresponsible, especially when you look at the spending levels that are above that deemed budget resolution. So at this time I want to offer a point of order. I know the chairman is back, and I have been filibustering slightly until she got here.

Madam President, the pending measure, S. 1813, as amended, will exceed the aggregate level of budget authority and outlays for fiscal year 2012 as set out in the most recent budget resolution deemed by the Budget Control Act of 2011; therefore, I raise a point of order under section 311(a)2(a) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER (Mrs. MCCASKILL). The Senator from California.

Mrs. BOXER. Madam President, with great respect to my friend, and I appreciate his opinion on this, this bill is paid for. It is paid for through the highway trust fund, and it is paid for through bipartisan work in the Finance Committee, which has worked overtime to come up with a plan to ensure this trust fund has enough in it to support the work we need to do to fix our bridges and our highways and to support 1.8 million jobs and more than 11,000 businesses out there, as well as the real possibility of creating an additional 1 million jobs with an enhanced program we call TIFIA, which leverages Federal funds.

So, Madam President, with due respect but pursuant to section 904 of the Congressional Budget Act of 1974, the waiver provisions of applicable budget resolutions, and section 4(g)(3) of the Statutory Pay-As-You-Go Act of 2010, I move to waive all applicable sections of those acts and applicable budget resolutions for purposes of the pending amendment, and I ask for the yeas and nays.

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

The yeas and nays are ordered.

Mrs. BOXER. Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

AMENDMENT NO. 1785

Mr. INOUYE. Madam President, the amendment of the junior Senator from Tennessee would lower the nondefense discretionary cap established in the Budget Control Act by $20 billion in order to offset transfers from the general fund necessary to replenish the highway trust fund. This amendment is a clear violation of the Budget Control Act we agreed on less than a year ago. In simple terms, the amendment would impose a 4-percent cut to nondefense discretionary spending in order to pay for a shortfall in mandatory spending.

I wish to remind my colleagues that discretionary spending will rise at a rate less than the rate of inflation over the next decade, and that is according to CBO. Mandatory spending, on the other hand, is slated to rise at three times the rate of inflation. Clearly, if there is a desire to offset one area of mandatory spending, the place to find such an offset should be on the very same mandatory side of the spending ledger.

In an op-ed published in the Washington Post yesterday, Senator CORKER said that finding an offset for the highway trust fund was a small step toward fiscal responsibility and that we should all support this amendment. But in the opening portion of the editorial, the Senator noted the solid bipartisan support in the Senate for a balanced approach to real deficit reduction. This balanced approach would include revenues, mandatory spending, and discretionary spending.

I agree with the Senator that only a balanced approach would truly solve our long-term challenges. Yet, in this amendment, what do we find? Cuts. Nothing but cuts to nondefense discretionary spending. No revenues, no mandatory spending, just the same approach we have seen again and again from our Republican colleagues—cut discretionary now, and we will do other things at a time to be determined later. Even the Ryan budget did nothing to Social Security or Medicare for 10 years. But the cuts to discretionary spending and to Medicaid Programs that save the lives of hundreds of thousands of elderly and children living in poverty took effect immediately, not in 10 years. And that is the approach of this amendment.

Clearly, there was an opportunity here to present a balanced approach. The Senator could have proposed modest cuts to spending, with increased revenue and changes in the rules that would lead to a fully funded highway trust fund for years to come. But that would require hard work and compromise, and this amendment requires neither.

Across-the-board cuts to discretionary spending are easy. This amendment is one page. Change one number, and that is it—we can all go home and say what a great job we have done cutting down. But the truth is, when it comes time to implement these cuts, agencies will be forced to look at reductions in force, at deferring desperately needed maintenance and repairs, and if you were considering upgrading your technology to better serve the American people, you can forget about it. Four percent is no small matter, coming on top of flat budgets for the past 2 years and with no increase for inflation or population growth.

As with so many amendments we have seen this past year, nondefense spending is again targeted not because it is good policy but because it is an easy policy. As I have done on each of these past occasions, I once again urge my colleagues to reject these unreasonable and reckless cuts and to vote no on the Corker amendment.

Madam President, if I may, I would like to speak on another amendment.

AMENDMENT NO. 1738

Madam President, in September of 2011, this Senate rejected an amendment very similar to the one offered today by the junior Senator from Oklahoma. At that time, Members saw this amendment as a backdoor attempt to remove more from discretionary accounts than had been agreed through the deficit reduction deal. Nothing has changed in the intervening 6 months, and we should again reject this amendment for the same reason: It violates

the deficit reduction agreement reached last fall.

Senator COBURN claims that the purpose of this amendment is to reduce duplicative programs. In reality, the amendment would require a $10 billion reduction in existing discretionary caps regardless of whether there is actually $10 billion in discretionary savings from consolidating duplicative programs that can be identified only by the OMB. Further, the $10 billion figure is completely arbitrary and almost certainly will not be reached. In fact, there is no methodology or specificity that verifies that there is, in fact, $10 billion in discretionary savings to be found.

The Senator's amendment cites two reports from the Government Accountability Office—the GAO—on how programs that may be duplicative or somewhat duplicative could be streamlined or eliminated. What the Senator fails to mention is that the GAO, in its recent report, notes that on 81 issues it raised last year, the Congress or the executive branch has begun to respond to all but 17 of the issues raised. This amendment also ignores the fact that the majority of the items on which no action has been taken are unrelated to discretionary spending but cover revenues and mandatory spending.

Moreover, in reviewing the details of the tens of billions that GAO indicates might be saved by eliminating duplication, it is apparent in those areas in which GAO has provided somewhat auditable estimates that the bulk of the savings are in three categories. These categories are raising revenues, cutting mandatory spending, and cutting defense. For example, 18 recommendations in 2 reports would come by cutting defense programs, including military retirement, health care, and military compensation. Furthermore, $2.5 billion in annual savings would come from Social Security and at least $10 billion from eliminating tax expenditures or making other changes to the Tax Code.

Madam President, my colleagues on the other side have not demonstrated any zeal for cutting defense or raising revenues. Frankly, neither side has expressed much willingness to cut mandatory spending. Instead of targeting tax increases or mandatory spending, this amendment once again goes after the easy target, which is domestic discretionary spending—the same target that is attacked time after time even though it only represents 15 percent of Federal spending.

So we have once again an amendment offered by the Senator from Oklahoma which has become a familiar pattern in the Senate. On its face, the amendment might seem to have some value, but the details of the amendment show that the amendment is a Trojan horse—a disguise with a goal of indiscriminate cutting of discretionary spending without any real base or justification. In other words, this is simply another attempt to circumvent the deal we reached less than a year ago on spending cuts for fiscal year 2013. Understanding that Senator COBURN doesn't believe those cuts went deep enough into discretionary spending, I and many of my colleagues believe they went too far. But in the end, a deal is a deal. We must honor the agreement reached by leadership and signed into law by the President. Is it really in the best interests of the American people or this institution to force vote after vote on discretionary spending levels because one side did not get everything they wanted in the Budget Control Act?

Clearly, the duplicate programs targeted in this amendment are merely the frosting on the cake of spending cuts to any number of programs of which the Senator does not approve. But let's be clear—the objective here is not better government, it is cutting discretionary funding to programs that Congress supports, hiding under the guise of good government.

Setting aside the real intent of this amendment, the irony of the Coburn amendment is that the amendment itself is redundant and duplicative of existing rescission authority which has been in the law since 1974, the Congressional Budget and Impoundment Control Act of 1974. This act has been successful in addressing this very situation.

Setting aside this irony, the problem with this amendment is that by circumventing a well-thought-out process that recognizes the checks and balances between the executive branch and the legislative branch, it simply turns over all decisionmaking in terms of which programs are duplicative to the Office of Management and Budget with absolutely no deference to Congress and the programs authorized by Congress.

The Senator from Oklahoma is constant in his efforts to weaken Congress's power by shifting our responsibilities to the executive branch, and I will remain constant in pointing out to my colleagues why this is a bad idea. The power of the purse is the single most important check on the power of the executive branch. Every time we chip away at that power, we chip away at the Founding Fathers' vision of how our government should operate. In addition, we are also disregarding our accountability to the American public. The Congress should be held accountable for the tax dollars we appropriate and the tax dollars we rescind.

In closing, we should reject this amendment because it makes no sense to reinvent the wheel—and in this case, an inferior one—when we are trying to address duplication in government missions. And we should reject it because it violates the spirit, if not the letter, of the Budget Control Act which was signed into law just 8 months ago. Finally, we should oppose this amendment because it fails to attack the real culprits of our economic woes—revenues and mandatory spending. Therefore, I urge a ''no'' vote on the Coburn amendment.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, I ask unanimous consent that there be 2 minutes equally divided prior to each vote; that all after the first vote be 10-minute votes; that the Baucus amendment relative to rural schools be listed as No. 1825; further, that if a budget point of order is raised against the underlying bill and a motion to waive the budget point of order is made, I ask unanimous consent that the vote on the motion to waive occur today within the sequence of votes this afternoon at a time to be determined by the majority leader after consultation with the Republican leader; that the time until 2 p.m. be equally divided between the two leaders or their designees; finally, that Senators on the majority side be permitted to speak for up to 5 minutes each, and they would be in this order: LAUTENBERG, LANDRIEU, WYDEN, STABENOW, and MERKLEY.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Indiana is recognized.

INDIANA TORNADOES

Mr. LUGAR. Madam President, I rise today in support of American jobs and national security.

First, I would like to take a moment to express my condolences to families who have lost loved ones in the tornadoes that struck Indiana and other States on March 2.

Last weekend Senator COATS and I toured the damaged areas of southern Indiana and met with people who are dedicated to a full recovery from total devastation. I wish to pay special tribute to advanced preparedness by the schools and many others that prevented an even greater loss of life. Also, our gratitude goes out to the first responders who are doing amazing work, in some cases while facing their own devastating circumstances.

I am returning this weekend to encourage the continuing progress toward recovery, and I am working closely with Governor Daniels and other State officials to coordinate Federal assistance that is appropriate given the level of devastation.

AMENDMENT NO. 1537

Madam President, I rise in support of American jobs and national security in a very strong way and to encourage my colleagues to support the Keystone XL Pipeline amendment I have offered with Senators HOEVEN, VITTER, and others. The Hoeven-Lugar-Vitter amendment No. 1537 mirrors legislation that 46 Senators from both parties have cosponsored. Let me give special thanks to JOHN HOEVEN for his partnership and his leadership in this effort.

My own advocacy for the Keystone XL pipeline derives from its benefits for national security, job creation, and economic growth. Keystone XL will reduce our vulnerability to oil market

manipulation by unfriendly foreign regimes, thereby giving our military and diplomats more flexibility in addressing national security priorities such as stopping Iran's nuclear weapons capability. Keystone XL will create thousands of private sector American jobs almost immediately and without taxpayer subsidy. The more than 7 billion private sector dollars invested for Keystone XL will benefit American workers far beyond those installing the pipeline.

Moreover, analysis from the Department of Energy just last year found that oil supplies coming via Keystone XL would most likely lower gas prices.

President Obama's denial of the Keystone XL pipeline permit is not in the national interest. Americans are screaming for more affordable oil supplies. The irony is that Democratic Senate leadership is calling for more oil from Saudi Arabia even as they continue to oppose oil from Canada.

The Obama Administration's failure to approve Keystone XL detrimentally impacts Americans today. If the State Department had conducted its review in a timely manner of 18 to 24 months, the southern half of Keystone XL would already have been in operation, relieving the bottleneck currently keeping more affordable U.S. oil away from consumers. The remainder of Keystone XL would have been in operation any day now, so today's markets, tighter from supply reductions in Iran and Sudan, would have had reliable sources online soon. We should not delay needed market liquidity any longer.

The Democratic alternative to our legislation would add more delay to American jobs, enable a large government overreach into private industry decisions, and jeopardize the jobs of American refinery workers.

It is not the normal course of events that Congress would be acting on a single private sector project. As ranking member of the Senate Foreign Relations Committee, for months I encouraged timely evaluation of this the project on the merits, even while sharing my own support for its completion. Historically, pipeline applications have been treated in a technocratic matter by both Republican and Democratic administrations. For that reason, Congress has not generally been compelled to assert its constitutional authority over border crossings for oil pipelines as we have for bridges, ports, and immigration.

Regrettably, actions by the Obama Administration to first delay and then deny the Keystone XL application point to election year politics overwhelming the need for objective consideration of the national interest.

In that circumstance, last December 89 Senators voted to pass into law the Lugar-Hoeven-Vitter legislation, S. 1932, which required President Obama to conclude more than 3 years of analysis. In other words, we tried to give President Obama a chance to finish the job. Immediately upon passage, the White House complained that they did not have sufficient time to make a decision. In reality, the Obama Administration issued a Final Environmental Impact Statement on August 26, 2011, and pondered the Keystone XL application for 1,217 days before rejecting it in January.

The lengthy delay in permitting Keystone XL is incongruous with our country's dire need to diversify oil sources and promote job creation. The first Keystone pipeline's permit was granted in 693 days. The Obama Administration approved the Alberta Clipper permit after an 829 day review.

Incredibly, even after 1,217 days the Obama Administration still was unable to determine the national interest, even at this time when oil markets are the tightest they have been in years, gas prices are soaring, and unemployment remains at 8.3%.

The only reason that has been given for delay is that the Keystone XL route through Nebraska is being shifted to avoid some sensitive areas. Benefiting from the diligent efforts of Senator JOHANNS and his staff, the Hoeven-Lugar-Vitter amendment protects that state process, giving Nebraskans all the time they need while not unduly holding up construction in other states. The Federal government need not tell Nebraskans where to put the pipeline on their territory; our legislation trusts Nebraskans to do what is best for Nebraska.

Mr. President, it may surprise some colleagues to learn that it is not the Federal government's role to decide when an oil pipeline should be built or where it will be placed. The primary Federal role is to ensure safety and environmental standards are met. Our legislation contains safety and environmental requirements in excess of current law and already endorsed by 89 Senators in December. With our bill, Keystone XL would be perhaps the most advanced oil pipeline in the country.

It is only by virtue of crossing our international border with Canada that Keystone XL came into the unfortunate situation of requiring Presidential permission. Our legislation removes the need for an international border-crossing permit for Keystone XL, which currently is required only by Executive Order and not U.S. law. The pipeline could enter the United States at Phillips County, Montana, and nowhere else. In doing so, it recognizes not only that trade in reliable and affordable oil with our closest economic and strategic ally is in the national interest, it also recognizes that in large part the U.S. and Canadian energy systems are integrated to our mutual advantage.

The Hoeven-Lugar-Vitter bill resets evaluation and permitting for all portions of the pipeline to where it was before November 11, 2011, when the President announced he would delay a decision for more than a year until after the 2012 election. The Final Environmental Impact Statement issued by the State Department would be reinstated, along with associated Federal permissions. Keystone XL would still be required to go through regular order in receiving permits that it had not received prior to that date, including from the Army Corps of Engineers and Bureau of Land Management.

Importantly, our legislation recognizes the vital role of individual states in approving oil pipelines. Keystone XL must have all State permissions required by the States that it proposes to cross. That also applies to eminent domain, which is the jurisdiction of the States when it comes to oil pipelines.

I recognize that there is opposition to Keystone XL among certain segments of the environmental community. I take these concerns seriously. That is why our legislation contains perhaps the strongest environmental and safety safeguards for a pipeline ever put into U.S. law. It reflects work of the State Department, the Transportation Department, and other Agencies that identified expansive and specific requirements for pipeline construction and operation. TransCanada has pledged to follow those guidelines, which would have the force of law through our legislation.

In the course of debate we will likely hear a number of Democratic colleagues attest their support for pipelines and for Keystone XL in particular. Surely more will profess their concern for the thousands of workers that would earn incomes with Keystone XL, as well as for the numerous unions that support them. I have no doubt that many Senators, regardless of party affiliation, share those sentiments. Yet, sentiments mean little if in the next breath they oppose reasonable legislation we have offered to make it happen, namely the Hoeven-Lugar-Vitter bill.

I understand that there can be reasonable questions, even concerns on a project of this size. I, along with Senator HOEVEN and other cosponsors, have repeatedly offered to Democratic colleagues to hear any genuine concerns with our legislation and to negotiate changes that would earn their votes. Those offers have been refused. Instead, the Democratic leadership has offered a last minute side-by-side amendment that would add more delay, jeopardize the prospect of any Keystone XL jobs being created, and undermine the job prospects of American refinery workers.

I am hopeful that Democratic colleagues will join me in supporting jobs and energy security by voting in favor the Hoeven-Lugar-Vitter amendment. Voting against the Hoeven-Lugar-Vitter amendment while simultaneously refusing to negotiate is a vote against Keystone XL, against the private sector jobs it will produce, against the chance it brings for lower gasoline prices, and against the relief it can provide from our dangerous dependence on

oil from the Middle East and Venezuela.

Mr. President, in my judgment, there is no doubt that the Keystone XL pipeline would benefit United States national security, energy reliability, economic growth, and job creation. It would be the most advanced pipeline in the United States, thus minimizing environmental risks.

United States dependence on foreign oil is one of our foremost national security vulnerabilities. Iran's threat to shatter global economic recovery and splinter allied opposition to their nuclear weapons program by using their oil exports as leverage is just the most visible example today. The dollars we use to buy oil from autocratic regimes complicate our own national security policies by entrenching corruption, financing regional aggression and repression, and inflating Defense Department costs. Crude oil from Canada, North Dakota, and Montana delivered by Keystone XL will replace a substantial part of future imports of heavy oil from Venezuela and the Middle East.

The less we are directly dependent on oil from unstable and unfriendly regimes, the more flexibility we will have in diplomatic and defense options. Consider, for example, some of the flashpoints in oil-rich countries over the more than three years that the Obama Administration examined the Keystone XL pipeline application: Iran threats against Israel, the Strait of Hormuz, and the U.S. Navy; Venezuelan antagonism; war in Libya; hostilities in Iraq; a stalemate in Sudan; unrest in Russia; the Arab Spring; strained relations with Saudi Arabia; violence in Nigeria; and the ongoing threat of terrorism against energy infrastructure.

In contrast, the only uncertainty in oil trade with Canada has been the U.S. indecision over Keystone XL. This delay has caused the Canadian government to openly question whether the U.S. is a reliable market and whether it should devote new oil capacity to supplying China's voracious appetite for energy.

No single project or policy is a cure-all, but having more independence from unstable regimes will give more options to avoid being drawn into oil-driven conflicts and to diplomatically advance national security objectives. For example, among the most significant challenges to enforcing strong sanctions on Iranian oil is concern over high gas prices driven by a weakening global supply margin. More than 3 years of bureaucratic delay on Keystone XL means that the Obama Administration has prevented Keystone XL oil from helping Americans hit by high gas prices today. Approval now would send a strong signal to markets of coming supply, and with our legislation, Keystone XL would be in place to help address future emergencies.

Having built-in first access to Canadian crude via pipeline is a strategic and economic advantage when global oil markets are under threat of shortage, as powerfully illustrated by Iranian threats against 20 percent of world oil that traverses the Strait of Hormuz.

The global oil market has fundamentally changed. Booming demand by China, India, and other emerging economies is quickly absorbing new supplies. Old oil fields are running low and new ones are expensive and harder to find. World markets are likely to remain tight for the foreseeable future, which means that supply disruptions due to political, terrorist, or weather events can lead to shortages much more easily than in the past. Tight global oil markets will invite threats to supplies for years to come, whether by Iran or other hostile actors. Having oil flow to the United States, instead of to China, via Keystone XL would give Americans the benefits of first access in times of trouble.

In Indiana job creation is the number one priority. The situation is urgent for families struck by our 9 percent unemployment rate, and many more are underemployed. Having the private sector willing to inject more than $7 billion into the economy for the Keystone XL pipeline is a tremendous vehicle for putting people back to work, and it will have a multiplier effect for economic growth. Moreover, it is estimated that approximately 90 percent of the money Americans send to Canada for imports is returned to the United States, thereby encouraging more trade beyond the energy sector.

Keystone XL is perhaps the largest private infrastructure project available for construction almost immediately. It is expected to directly create 20,000 jobs, particularly in the hard-hit construction and manufacturing sectors. In addition, tens—if not hundreds—of thousands of other American workers will have their jobs bolstered through the supply chain. Many of these are small American businesses that manufacture specialty parts or provide services.

Already Hoosiers working at Koontz-Wagner in South Bend, IN, have benefited from some of the $800 million that has already been spent for Keystone XL supplies. As a subcontractor for Siemens, Koontz-Wagner last week finished the last of 78 equipment shelters for Keystone XL. The largest of the shelters measures 62 feet long, 14 feet wide, and weighs about 8,500 pounds. Manufacture of the 78 units for Keystone XL generated 140,000 ''man hours'' of work, allowing 50–60 new employees to be hired. It is the single largest contract for that company in South Bend. The people of Koontz-Wagner are fortunate that they are an early contractor. Meanwhile, thousands of additional workers are waiting for their chance.

Other Indiana firms stand to benefit from the Keystone XL pipeline. I visited Endress+Hauser in Greenwood where they already have manufactured $600,000 worth of flow and temperature devices, Caterpillar in Lafayette where they manufacture the engines for the heavy equipment developing the oil sands, and Fairfield Manufacturing in Lafayette where they manufacture large gears and other components of the Caterpillar machines, in addition to other industrial machinery.

More than 2,400 American companies in 49 States, including over 100 in Indiana, supply goods and services for oil sands development and transport, according to industry estimates. Virtually all of these American companies stand to benefit from robust trade with Canada, and stand to lose from Canada turning its trade preferences toward Asia.

An important testament to the job-creating opportunities of Keystone XL is the strong support of several unions, such as the AFL–CIO Building and Construction Trades Department, United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the U.S. & Canada, International Union of Operating Engineers, Laborers' International Union of North America, International Brotherhood of Teamsters, and the International Brotherhood of Electrical Workers.

Private sector job creation must be our top domestic priority. Some argue that the estimate of 20,000 new jobs from Keystone XL construction is too high even while they admit that many thousands of new jobs will be created. Even a smaller number of new private sector jobs are important gains during this time of 8.3 percent unemployment nationally and 9 percent in Indiana. Whether it is a pipeline, a road, or a house, it is the nature of the construction industry that jobs created are temporary in the sense that once a single project finishes, another needs to take its place. A benefit of a project as large as Keystone XL is that the temporary employment is actually quite long and desperately needed by workers and their families.

Keystone XL is privately financed. No taxpayer money is needed to bring these jobs—all that is needed is for government to get out of the way.

In my judgment, further delaying these benefits is not in the national interest. With the firm go-ahead offered by our legislation, Americans can get to work almost immediately in manufacturing goods and in building the pipeline.

Kicking the can down the road is not simply a delay in construction. Delay opens more rounds of duplicative review with no definite conclusion that the pipeline will be built. Meanwhile, the Government of Canada is racing ahead with plans to export crude to China. Recent high-level agreements between Canada and China demonstrate no reluctance for oil trade through Puget Sound and across the Pacific.

The national imperative to reduce dependence on foreign oil from adversarial and unreliable regimes is not a partisan issue. Increased development

of domestic energy resources, including domestic oil, alternative liquid fuels from biomass and coal, and innovation for fuel efficiency and electrification are all needed. I have offered my Practical Energy Plan, REFRESH farm bill, and Open Fuels Standard with Senator CANTWELL to aid in those efforts. My legislation, if implemented, would reduce our need for foreign oil by 6.3 million barrels per day by 2030—more than two-thirds of current imports.

It is ultimately the expected resilience of higher average global oil prices and technological breakthroughs that will determine the success of alternatives, not the presence of oil pipelines. We must be realistic: Even with rapid improvement in alternatives and efficiency innovations, oil will continue to be an important part of our economy, and oil from domestic sources and reliable neighbors will be more affordable and secure than far-flung imports.

Even if we achieve domestic production and efficiency goals, we cannot afford to ignore the source of our foreign oil. Canada is our most reliable and safest oil trading partner. The Keystone XL Pipeline alone could virtually eliminate the need for oil from Venezuela. Even if in the future we do not ourselves consume all the Canadian oil imported, having that crude in the U.S. system would give us tremendous flexibility to deal with supply shortages caused by conflict, political manipulation, terrorism, or natural disaster.

But perversely, opponents of the pipeline have thrown up a series of canards against the project to distract from the overwhelming arguments in favor of it. One such canard is that Keystone XL is intended to use American soil to convey Canadian oil to markets abroad. The facts are otherwise. The United States is a huge net importer of crude oil about 9 million barrels every day. It is that reality that has perverted our national security policy for decades. Analysis from the Department of Energy finds the likelihood of crude exports from Keystone XL to be extremely low because U.S. refinery capacity for heavy oil is expected to exceed supply from Canada and because transport of oil via Keystone XL, then tanker would be considerably more expensive than domestic Canadian export options.

Overall U.S. exports of refined products are running at an unusually high 15 percent of total production because America's struggling economy has sapped domestic demand, and those export levels likely will shrink again as the economy gains steam. Simply put, we are keeping some of America's 108,000 refinery workers, including about 2,245 in Indiana, employed by selling at home and overseas.

Moreover, it is especially curious that the prospect of even a small amount of exports manufactured at U.S. refineries comes under scrutiny since President Obama has identified the doubling of U.S. exports as a goal. According to the Department of Commerce, the President already has the authority to prohibit petroleum exports if he deems it to be in the national interest.

In my view, exporting a small percentage of refined products to maintain refinery capacity is not a problem to be solved. In the event of a global energy crisis, exports from U.S. Gulf refineries could quickly be diverted back to American gas pumps, providing that their source is a secure supply from the U.S. or Canada, not overseas.

Even as Democrats seek to block the prospect of even a small amount of manufactured petroleum products from being exported, they are also arguing to block the import of products through ''domestic content'' mandates. The Keystone XL Pipeline is a private project and does not receive taxpayer subsidy. The Federal Government has no place in making procurement decisions of private companies. According to TransCanada, of the expected total procurement for Keystone XL, 98 percent is already under contract. In other words, a domestic content requirement may force it to violate existing contracts.

In the end, the most vigorous opposition to Keystone XL is not over the pipeline itself; it is against further development of the Canadian oil sands in an effort to stem greenhouse gas emissions. In considering this issue, it is important to understand that extensive investment in coking capacity at U.S. refineries means that oil from the oil sands will mostly replace other heavy oil, such as that from Venezuela.

But more to the point, there is no doubt that Canada will continue to develop the oil sands regardless of U.S. decisionmaking on Keystone XL. The Canadians have already spent billions of dollars developing this resource, which they see as an essential national asset and job producer. The value of this asset will increase over time as the growth in global populations and living standards increases the demand for oil. Shipping the oil to the Canadian Pacific or Arctic coasts and onward via tanker for sale to China would compound environmental risks, while denying our country the strategic and economic benefits associated with oil sands production.

The strong majority of American people agree with our support for the Keystone XL Pipeline. Polling by Rasmussen and United Technologies/National Journal clearly indicates that a majority of Americans support the Keystone XL Pipeline. The Pew Research Center released a poll on February 23, 2012, that found 66 percent of people who have heard about Keystone XL support its approval, while just 23 percent oppose. These findings are reinforced by the dozens of Hoosier citizens, mayors, and retired service personnel who have written in favor of Keystone XL and the Indiana State Senate that voted in unanimous support.

America's overdependence on oil imports from unstable and hostile regimes endangers our national security and puts our warfighters and civilian personnel at risk. It also worsens our national budget situation, as we spend billions of dollars to ensure safe passage of oil around the world. But today we have a dramatic opportunity to change that energy and national security equation by building the Keystone XL Pipeline to bring oil from Canada, our good friend, to North Dakota and Montana and then to the gulf refineries.

Better yet, building Keystone XL, a private sector project, will create thousands of American jobs now. Job creation is the No. 1 issue in our Nation. The Keystone XL Pipeline is the country's largest shovel-ready infrastructure project. President Obama had the opportunity to create thousands of new jobs right away, plus bolster job prospects for thousands more throughout the manufacturing supply chain, such as our Hoosiers firms Endress+Hauser, Koontz-Wagner, and Caterpillar. Allowing $7 billion of private economic activity should be a no-brainer.

Incredibly, even after reviewing Keystone XL for 1,217 days and in the midst of Iranian threats against global oil supplies and the U.S. Navy, President Obama caved to pressure from extreme environmentalists by rejecting Keystone XL jobs and security. The President ignored analysis from his own Department of Energy that said oil supplies coming via Keystone XL would most likely lower gas prices.

President Obama's rejection of Keystone XL implicitly says that the administration prefers to send billions of dollars to unfriendly regimes rather than expand trade with Canada. It says that Democratic leadership prefers going hat-in-hand seeking more oil from Saudi Arabia rather than taking control of our energy future. It is incomprehensible. No objective standard of U.S. national security interest could justify such a decision.

I recognize there is opposition to Keystone XL among certain segments of the environmental community, and I take those efforts and concerns seriously. That is why our legislation contains perhaps the strongest environmental and safety safeguards for a pipeline ever put into U.S. law. It ensures that the Federal Government will not interfere with individual property rights or tell Nebraskans what to do in their own State.

Opponents believe that by blocking the pipeline, they will stop development of the oil sands in Alberta. That is a false hope. There is no doubt that Canada will continue to develop the oil sands regardless of U.S. decisionmaking on Keystone XL. The Government of Canada is racing ahead with plans to export crude to China. Recent high-level agreements between Canada and China demonstrate no reluctance for oil trade through the Puget Sound and across the Pacific.

Others say we should encourage alternatives to oil, and greater fuel efficiency, and I agree with that, but even under the most optimistic scenarios, oil will continue to be an important part of our economy, and oil from domestic sources and reliable neighbors will be more affordable and secure than far-flung imports.

Crude oil from Keystone XL will replace heavy oil imports from Venezuela and the Middle East. The less we depend on oil from adversarial and unreliable regimes, the more protection Americans will have from price spikes and shortages and the more flexibility we will have in diplomatic and defense options in oil-rich lands.

Finally, let me say that Politico reports that President Obama is so anti-Keystone that he is personally calling Senators to oppose our bill. The Democratic alternative aligns with President Obama's rejection of Keystone XL and is a massive overreach into the private sector. Senator WYDEN's bill would ultimately hurt the workers it claims to help and would penalize America's 108,000 refinery workers directly.

In sum, the Keystone XL Pipeline will create thousands of private sector jobs, and it will help protect the national security interests of the United States. It comes at no taxpayer expense, and it will strengthen vital ties with our ally Canada. I urge my colleagues to support the Hoeven-Lugar-Vitter Keystone XL amendment.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Madam President, I rise to speak against three Republican amendments that pose a grave threat to our health, our children, and our environment.

The first seeks to delay and weaken new EPA standards that would reduce the pollution produced by industrial boilers. These boilers emit dozens of toxins, including lead, which reduces children's intelligence levels, and dioxins, which can cause birth defects. Boilers also release mercury, which is brain poison for children. And I ask my colleagues here to just think for a moment how lucky you are if all of your children are healthy and feeling good.

Under the Republican amendment, polluters will have at least 6 additional years to continue releasing life-threatening toxins into our air. We have already waited far too long to see the health benefits these standards would achieve. Back in 1990, both parties came together in Congress and told the EPA to set new pollution standards by the year 2000. If we delay these standards another 6 years, our country will suffer as many as 28,000 premature deaths. We will also see 17,000 heart attacks and more than 180,000 asthma attacks.

This amendment would also fundamentally weaken the Clean Air Act. It forces the EPA to set the least burdensome standards for industry. Imagine that. Instead of reducing toxins our children breathe, this amendment orders the EPA to reduce the burden on polluters. Under this amendment, children lose and polluters win, and that is inexcusable.

I also wish to express my strong opposition to Senator HOEVEN's Keystone XL amendment, which is nothing more than a rubberstamp for a project that poses serious risks to our environment and public safety.

The Keystone XL Pipeline will be one of the largest pipelines outside of Russia and China. It will be 1,700 miles long, cut through six States, and carry nearly 1 million barrels of tar sands oil each day. Make no mistake, the Keystone Pipeline is not ready for approval.

The fact is, the people have a right to know the facts about projects like this. This is one of the reasons I wrote the Pipeline Safety Act, which President Obama signed into law in January. This law requires the Transportation Secretary to determine whether we need better rules for the movement of tar sands oil, which is thicker and more corrosive than conventional oil.

Keep in mind, the existing Keystone Pipeline has had 12 oilspills in its first year of operation. So before we take a shot in the dark, let's get the facts about Keystone XL.

Finally, I want to express my strong opposition to a Vitter amendment to vastly expand offshore drilling in this country. I will not stand by while Republicans put New Jersey's coast in the hands of oil companies. Tourism, fishing, and other coastal activities generate $50 billion a year in New Jersey and support a half million jobs. Just like with the Keystone Pipeline, the oil industry is telling us don't worry about the risks posed by offshore drilling. They say: Trust us; everything will be fine. But we know how empty the oil industry's promises are.

In 1989, before the Valdez spill in Alaska, Exxon told us their oil tankers were safe. Two years ago, BP insisted it could handle an oilspill in the Gulf of Mexico. That is fresh in our memories. We should not forget it.

We do not need any more empty assurances from the industry. We need to defeat these amendments and pass a clean transportation bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

AMENDMENT NO. 1826

(Purpose: Of a perfecting nature)

Mr. ROBERTS. Madam President, I ask unanimous consent to set aside the pending amendment and call up my amendment No. 1826.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Kansas [Mr. ROBERTS] proposes an amendment numbered 1826.

Mr. ROBERTS. Madam President, I ask unanimous consent the reading of the amendment be dispensed with.

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

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

Mr. ROBERTS. Madam President, I rise today to ask for support for my amendment to promote progrowth energy and tax policy, and especially consistency for the remainder of this year.

My amendment addresses a significant tax policy concern. Within the Tax Code there is a long list of provisions simply known as tax extenders. Some might ask why I am offering an amendment on tax extenders to a bill dealing with the Federal highway program. In a nutshell, here is why: These provisions are used by millions of families, individuals, and business taxpayers. But these provisions expired over 2 months ago, causing utter chaos in regard to—well, really, what it caused was the lawyer-CPA full employment act. At present, the Senate leadership has no plans to consider these expired tax provisions. That is not right.

The base of this amendment includes most if not all of the expired energy tax incentives addressed in the amendment offered by my friends on the other side of the aisle. It is your amendment. In my amendment, however, we increase these energy production incentives. With spiking gas prices hammering families and businesses, this is precisely, it seems to me, the time to have a policy which will increase our supply of energy.

To begin with, addressing the oil supply issues, my amendment would cut redtape and open more Federal land for more oil and gas exploration and drilling. We are all painfully aware of the President's rejection of the Keystone XL Pipeline application. My amendment gives our Canadian neighbors the green light to send energy our way.

Let me now briefly describe the amendment. This amendment extends popular and much needed tax relief ranging from tax deductions for families sending kids to college to the adoption tax credit. By supporting my amendment today, we can provide much needed tax relief and certainty to millions of families and businesses for the remainder of this year.

I highlight this point because uncertainty in business and personal financial planning is something I think all of us hear about daily when we go back home and then come back here. Let's take a look at the deductibility of college tuition. This is a benefit for families who send their kids to college. By definition, this benefit goes to middle-income families. A lot of these folks are not low-income, so their kids do not qualify for Pell grants, but they are not high-income either. A lot of these folks are paying significant Federal, State, and local taxes and they get no help in defraying the high cost of their kids' college education. This tax deduction would make this consistent just for this year. This helps

families by increasing access to higher education. This deduction ran out last year, and if we don't act these families will continue to face a tax increase.

Another very important expired provision is the deductibility of State and local sales taxes. Over 10.3 million Americans are paying more in taxes because this provision has expired.

On the business side, my amendment would address expiring business provisions, including the research and development tax credit and tax incentives for leasehold improvements and restaurant depreciation. It also extends enhanced small business expensing. Many small businesses use this benefit to buy equipment on an efficient aftertax basis. It is good for small business. It is good for small business workers. It is good for our Nation's economic growth.

The amendment closes a tax loophole that ensures that taxpayers claiming the refundable child tax credit provide proper identification on their tax returns.

Finally, this amendment includes a special deficit reduction trust fund. The trust fund would contain the savings from the energy production incentives, the refundable child tax credit provision, and an extension of the existing Federal employee pay freeze.

In summary, this amendment does not add to the deficit. It contains robust energy production incentives and restores expired individual and business tax relief provisions. Most of all, it promotes economic growth and provides much needed consistency as these tax extenders simply do not exist at the present time, and only for this year. Everybody knows in 2013 we have the obligation and responsibility to dig into a tax reform plan that will certainly serve to put our Nation in much better shape in regard to tax policy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

AMENDMENT NO. 1822

Ms. LANDRIEU. Madam President, let me begin by thanking the almost 15 Members of this body who have been working on this very important legislation for almost 2 years, since the Deepwater Horizon tragedy. I particularly want to thank Senator SHELBY, who has been the lead on the Republican side, for cosponsoring this important and significant environmental and economic recovery of the gulf coast. We could not have done it without Senator VITTER and Senator SESSIONS, who were on the authorizing committee where this bill came out with almost unanimous support. I think we didn't get two votes in the committee. Everyone else, Republican and Democrat, was supportive.

I particularly thank Senator WHITEHOUSE, who led the effort on the Democratic side, as we have shaped, with his help, for the gulf coast, which is represented in this bill, a way to invest in our oceans by smartly using some of the interest earnings. Of course, we would not be here on the floor without the extraordinary leadership of Senator BOXER from California, whose coast gets virtually no benefit from the RESTORE Act as it was originally introduced, but she was willing to step up because she knows how important the gulf coast is to the United States.

Let me first remind people what this accident looked like. It has been 2 years, but we remember the horror that we saw on our televisions for months about the largest environmental accident in the history of our country—5 million barrels of oil spilled along the coast of Louisiana, Mississippi, Alabama, and seeped onto the coast of Florida and caused economic damage in Texas. Let me tell you, 600 miles of the gulf coastline were oiled, and 86,000 square miles of waters were closed to fishing, causing a $2.5 billion loss to the fishing industry. We still have concerns about what that industry will look like.

The U.S. Travel Association estimated a $23 billion impact to tourism across the gulf coast. So although Texas did not technically get any oil, they had an impact along their coast with the tourism decline.

Every commission, independent commission—Secretary of the Navy Commission, the President's commission, the independent commissions have all advocated that the proper response of the Federal Government is not to take this penalty money and stuff it in the General Treasury but, rather, to take a significant portion—our bill says 80 percent—and send it back to the gulf coast where our people have great needs, both economically and environmentally.

This is the time to act. Louisiana has lost 1,900 square miles since 1930. If we were the size of Rhode Island—we are not, we are bigger, but if we were, we would not have 50 States anymore; we would only have 49 because, as the Senator from California knows, we have already lost the size of Rhode Island. This is a national tragedy, not just for the 4.5 million people who live in our State.

But I would like to put into the record for the few minutes that I have that we contribute $3 trillion to the national economy every year. The Gulf Coast States represent 17 percent of the GDP. Nearly 50 percent of the oil and gas that we consume every day in States all over this country comes from the gulf coast.

We contribute $8 to $10 billion directly every year. All we are asking in the RESTORE Act—let's put that up here—is to fund, direct 80 percent of the penalty money that BP is going to pay—taxpayers are not paying this. This does not come out of any program. It does not come out of any education program, any other program. It is going to be paid for by BP. Let's do justice to the gulf coast, America's energy coast and, might I say, the coast that produces the most vibrant fisheries, the coast that supports, proudly, ecotourism, the coast that revels in clean beaches.

Please give us the resources we need to restore this great coast. Again, I thank Senator BAUCUS and Senator BINGAMAN, who have joined now with supporters of this because we have added a portion to the fund, just for 2 years, the Land and Water Conservation Fund, for the entire country. We will be sending money to the gulf coast, creating an oceans trust fund, and fully funding the Land and Water Conservation Fund for 2 years.

I think it is a balanced bill; it is a fair bill. Again, to the chairman of the committee, Senator BOXER, I cannot tell the Senator how much we appreciate her extraordinary leadership.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, I ask for 30 seconds before we turn to Senator VITTER. I want to say to the Senator from Louisiana and her colleague, Senator VITTER, what an honor it has been for me to work with them. Senator LANDRIEU is the most passionate person I have ever met when it comes to fighting for her State. What her State went through was a disaster manyfold. I was there. I saw it.

Senator VITTER on the committee was eloquent in pointing out the problems. Senator SESSIONS worked hard on the committee as well. Every Democrat supported them.

I would only say to my colleagues who may be watching this debate: Please vote yes. We need 60 votes. This is going to take funding from BP directly to fix up the areas they wrecked. It is not costing the taxpayers any money. Because of the negotiations, every State will now benefit if it has a coastline.

I was honored to do it. I was excited we got this out of our committee. But we do not have forever. We have to take care of this today. Vote aye. This is bipartisan.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Madam President, I certainly join with my two colleagues and others in strong, passionate support of the RESTORE Act amendment. As has been mentioned, that will be an upcoming vote, the fifth vote in line once we start voting very shortly. This approach of dedicating any percent of the Clean Water Act fines just from the BP disaster to gulf coast restoration is widely supported on a bipartisan basis. The Obama administration strongly supports it, outside groups who have looked at the devastation in the gulf strongly support it all across the spectrum. This has been a concept that has been building for months, and there is strong and widespread support for this 80-percent dedication. That is reflected in the fact that the RESTORE amendment is a bipartisan push, a bipartisan bill, and now a bipartisan floor amendment. As MARY LANDRIEU and Senator

BOXER mentioned, it had almost unanimous support coming out of the Environment and Public Works Committee. The cosponsors are fully bipartisan, so I urge all Members to join together in this effort.

This is completely deficit neutral. We have an offset built into the bill such that this bill does not increase the deficit in any way, shape, or form. Let me point out, the money we are using, as has been said, would not exist but for the BP disaster. There are fines paid by BP and others, so that money did not exist before the disaster, and yet we still offset that full amount with an offset. In essence, we are lowering the deficit compared to what it would have been but for the disaster and before that revenue created only by the disaster.

In addition, built into the bill in this latest version is significant funding for the Land and Water Conservation Fund which has significant bipartisan support in the Senate. Again, all of that is fully offset so we are not increasing the deficit in any way, shape, or form. This is an offset that has been approved and used before, again, on a bipartisan basis. One of those previous votes using this same offset passed 98 to 0.

I urge all Members of the Senate, Democrats and Republicans, to come together and please do the gulf coast right and do the Nation right in terms of this vitally important effort.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, the Senator from North Dakota earlier offered a proposal to develop the Keystone Pipeline. I rise to speak on the alternative this afternoon. The alternative ensures expedited approval of the pipeline once the current environmental requirements are met. The alternative ensures that the thousands of jobs associated with building the pipeline go to the workers of the United States. The alternative says there is to be a ban on the export of all Canadian crude oil transported on the Keystone XL Pipeline. Obviously there may be some exceptions, and we have worked out a process to waive that. But if this oil is intended for Americans, then the export restrictions we offer in this amendment ought to be very clear, and that is the heart of the concern reflected by the backers of this amendment.

We believe there is substantial evidence on the RECORD that this oil will be for the export market. According to the TransCanada application to the Canadian Government, the Canadian oil companies expect to reap as much as $3.9 billion more in annual revenues from the higher prices they can tap once the oil reaches the gulf coast. Once it reaches the gulf coast, it competes at the same prices as other oil supplies on the global market. It will be extremely lucrative for the company and the incentives clearly are for the export market, and that is why the TransCanada application to the Canadian Government even admits that.

The fact is U.S. gulf coast refineries are already responsible for 75 percent of U.S. refined products and those exports are rising rapidly. Gulf coast refineries also have a cost advantage over struggling refineries along the east coast, and in effect the Keystone XL Pipeline can accelerate that advantage and likely accelerate the closure of east coast refining capacity. Less east coast refining capacity means higher gasoline and heating and oil prices for our country.

Perversely, according to a separate report we received from the Energy Information Agency, closure of east coast refineries could result in more imports of gasoline and other petroleum products, some possibly from as far away as India. That is particularly perverse because this is the first time since 1949 when we have actually seen exports of a number of our refined products, such as gasoline, have that dramatic change compared to previous years when we were always importing so many of those energy resources.

So contrary to the assertion by the pipeline backers, more supply from Canada does not automatically mean more U.S. supply and lower prices for U.S. consumers, especially when the evidence indicates that that supply is going to be hardwired by the pipeline and world prices and world markets once it reaches the Gulf of Mexico.

I simply say to Senators: This debate has always been about domestic energy security. That is the centerpiece of the argument that was made by my distinguished friend from North Dakota, and we have heard on television commercials for weeks and weeks. The argument is to build this pipeline, the energy is going to go for Americans. This amendment guarantees that will be the case. In effect, this amendment puts teeth behind all of the debate that this energy is going to be for the American consumer.

I think the evidence shows, particularly as you look at how you are going to see refineries bypassed in the Midwest, that it is going to go to the gulf ports and you are going to see this energy used in the export market. That may be good for the Chinese, but the evidence could indicate it would produce higher prices for Americans. In fact, this trend with respect to putting the export of American energy on auto pilot—assuming that it is automatically good—is something I think we ought to look at more carefully. In this amendment we make it clear we want to protect American workers, American consumers, and we are going to have expedited approval of the pipeline.

The only point I would make is the Secure Rural Schools legislation—which we are going to be voting in a few minutes—has always been bipartisan. I have been working with Chairman BAUCUS to ensure that it remains bipartisan. I hope colleagues will keep faith with rural communities, and when it comes up for a vote here in a few minutes, support the Baucus amendment and our rural schools and law enforcement and road programs that are a lifeline to those rural communities.

The PRESIDING OFFICER. The Senator from Georgia.

GIRL SCOUTS 100TH ANNIVERSARY

Mr. CHAMBLISS. Madam President, I rise for a very special honor to be given to the Girl Scouts of the United States of America on their 100th anniversary. One hundred years ago in Savannah, GA, Juliette Gordon Low brought together a group of 18 girls from very different backgrounds to give them opportunities to develop physically, mentally, and spiritually. From that meeting, Ms. Low came to recognize the need for an organization that would help girls develop self-reliance and resourcefulness in the face of a changing society, and in their future roles as professional women.

From that modest single troop in Savannah, Ms. Low's vision has grown into the largest organization for girls in the world, with 3.2 million Girl Scouts and more than 50 million Girl Scout alumnae. Despite their growth, the Girl Scouts of today have stayed true to Ms. Low's vision, focusing on topics such as leadership, science and technology, business and economic literacy, and outdoor and environmental awareness. It is admirable that the Girl Scouts throughout their 100-year history of supporting women's leadership have truly been a voice for all girls regardless of background.

As Girl Scouts, young women develop their leadership potential through activities that enable them to discover and develop their values and skills, and to take action to make a difference in the world. And while we all know about the beloved American institution that is the Girl Scout cookie sale, it is not just about the cookies. Scouting also provides girls with the skills and self-confidence to become leaders in their own lives.

Girl Scouts have an impressive record of success. Former Girl Scouts make up a majority of women who have served in Congress, and 53 percent of all women business owners are former Girl Scouts.

We are fortunate that the guidance and opportunities that Girl Scouts have provided during the last 100 years will remain for the next generation of women leaders for Georgia as well as for the United States.

Madam President, I ask our colleagues to join me in congratulating the Girl Scouts of the United States of America, founded in the great State of Georgia, on 100 years of supporting female leadership.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

AMENDMENT NO. 1825

Mr. MERKLEY. Madam President, I rise to address the Baucus amendment

that maintains the core Federal commitment to our timber counties through the Secure Rural Schools and the Payment in Lieu of Taxes Programs.

Let me give you a sense of what this is all about. This is equivalent to a farmer who is told by the Federal Government: We have a new set of rules, and you cannot grow crops on your farm any longer, but we are going to substitute payments that you would otherwise receive. Well, the farmer doesn't like it. He would rather grow crops, but what can he do? Then along comes the government a few years later and says: You know what. You cannot grow crops and you are not going to get compensated for our rules that tell you you cannot grow crops. And, of course, that is outrageous. That is like a taking of property, and yet that is exactly the situation that exists for our timber counties in terms of lands affected by the Secure Rural Schools Program.

The timber harvest cannot proceed in its original method, and the compensation is not guaranteed to be in place, so we have to fix that. We have to make sure the Federal Government abides by the deals it has struck. This deal is essential to rural timber counties throughout our Nation. It is essential to so many counties in Oregon.

Five years ago when my colleague Senator WYDEN was working to make sure this commitment was upheld, I was in the role of a speaker, and in that role I organized the delegation of Democrats and Republicans to go out and talk with our county leaders, and there was such mystification about the fact that the Federal Government was not going to stand by the deal it had struck. Today, through the amendment that Senator BAUCUS, Senator WYDEN, and others have been working to put forward, we have the chance to make sure that the word of the Federal Government is good. That is why we need to pass this amendment.

I wish to tell you that we are going to put forward an amendment that secured the word of the government for a good long time to come but, unfortunately, it is only a minimalist, 1-year agreement, but that is what we have before us and that is what we must do.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. At 2 o'clock we are going to start the votes on a mass number of amendments. The first one will be on the Outer Continental Shelf. It is my understanding that I have the right to start the voting at 2 o'clock; is that right?

The PRESIDING OFFICER. The Senator is correct.

Mr. REID. Madam President, everyone should know—staffs, alert your Senators—the first vote will be 15 minutes, with 5 minutes for people to get here. After that, we will have 10-minute votes. I ask unanimous consent that all subsequent votes be 10 minutes and the first one 15 minutes.

The PRESIDING OFFICER. Without objection, all subsequent votes will be 10 minutes.

Mr. REID. Madam President, we are going to enforce that. We have 30 votes to get through today. It is going to be a lot of work on the clerks to do this, but Senators should stay here rather than wander off and do other things; otherwise, they are subject to missing votes. I want to make sure everyone understands that. The only time we would deviate from that is with votes that are separated with one or two minutes. Usually we have to take a little longer time on that to make sure there are no mistakes. But other than that, we will whip through these votes as quickly as we can.

Has the hour of 2 o'clock arrived yet, Madam Chair?

The PRESIDING OFFICER. The Senator is correct.

AMENDMENT NO. 1535

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided on the Vitter amendment.

Who yields time?

The Senator from California.

Mrs. BOXER. Madam President, in my one minute, I hope we are going to vote down this antijobs amendment that threatens our coastal economies. Many of our coastal States treasure their coasts, and they are an economic engine of growth because the tourists come there. We have recreation. We have the fishing industry. Therefore, it is very important that we vote this down because this amendment is a big brother amendment. It tells the States what they have to do, what they must do, even if their value is to protect those coastal-related economies.

We have 2 percent of the proven oil supplies in the world and we use 20 percent of the world's energy. So we all know we can't drill our way out of this. Yet the Senator from Louisiana wants to open every area of our State to drilling when the oil companies are sitting on more than 50 million acres. It is a giveaway to big oil. We should go after the oil speculators. If we want to bring down gas prices, let's do that. Let's vote down this bad amendment.

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

The question is on agreeing to the amendment.

Mrs. BOXER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: The Senator from Illinois (Mr. KIRK) and the Senator from South Dakota (Mr. THUNE).

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

The yeas and nays resulted—yeas 44, nays 54, as follows:

[Rollcall Vote No. 28 Leg.]

YEAS — 44

Alexander	Graham	McCain
Ayotte	Grassley	McConnell
Barrasso	Hatch	Moran
Blunt	Heller	Paul
Boozman	Hoeven	Portman
Burr	Hutchison	Risch
Chambliss	Inhofe	Roberts
Coats	Isakson	Rubio
Coburn	Johanns	Sessions
Cochran	Johnson (WI)	Shelby
Corker	Kyl	Toomey
Cornyn	Landrieu	Vitter
Crapo	Lee	Webb
DeMint	Lugar	Wicker
Enzi	Manchin	

NAYS — 54

Akaka	Franken	Murray
Baucus	Gillibrand	Nelson (NE)
Begich	Hagan	Nelson (FL)
Bennet	Harkin	Pryor
Bingaman	Inouye	Reed
Blumenthal	Johnson (SD)	Reid
Boxer	Kerry	Rockefeller
Brown (MA)	Klobuchar	Sanders
Brown (OH)	Kohl	Schumer
Cantwell	Lautenberg	Shaheen
Cardin	Leahy	Snowe
Carper	Levin	Stabenow
Casey	Lieberman	Tester
Collins	McCaskill	Udall (CO)
Conrad	Menendez	Udall (NM)
Coons	Merkley	Warner
Durbin	Mikulski	Whitehouse
Feinstein	Murkowski	Wyden

NOT VOTING — 2

Kirk	Thune

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

The PRESIDING OFFICER. The Senator from Maine.

CHANGE OF VOTE

Ms. COLLINS. Mr. President, on rollcall vote No. 28, I voted aye. It was my intention to vote no. Therefore, I ask unanimous consent that I be permitted to change my vote since it will not affect the outcome.

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

(The foregoing tally has been changed to reflect the above order.)

Ms. COLLINS. Mr. President, let me just explain very briefly. I was told that the amendment had been modified to accommodate concerns I have raised, and then the amendment was not so modified. So I wanted to put in that explanation to explain why the error was made.

The PRESIDING OFFICER. The Senator from Alaska.

CHANGE OF VOTE

Ms. MURKOWSKI. Mr. President, on roll call vote number 28, I too voted aye and it was my intention to vote no. I ask unanimous consent that I be permitted to change the vote since it will not affect the outcome.

It is for exactly the same reason that Senator COLLINS mentioned. It was our understanding in coming to the floor that the modification had been accepted, and it was not.

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

(The foregoing tally has been changed to reflect the above order.)

AMENDMENT NO. 1825

The PRESIDING OFFICER. There is now 2 minutes of debate, equally divided, prior to a vote in relation to the Baucus amendment No. 1825.

The Senator from Montana.

(Purpose: To reauthorize for 1 year the Secure Rural Schools and Community Self-Determination Act of 2000 and to provide full funding for the Payments in Lieu of Taxes program for 1 year, and for other purposes)

Mr. BAUCUS. Mr. President, I call up amendment No. 1825.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Montana [Mr. BAUCUS], for himself, Mr. BINGAMAN, Mr. WYDEN, Mr. MERKLEY, and Mr. TESTER, proposes an amendment numbered 1825.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. BAUCUS. Mr. President, I ask unanimous consent that Senators CRAPO and RISCH be added as cosponsors to this amendment.

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

Mr. BAUCUS. Mr. President, this is a very simple amendment. It compensates counties that have the lack of a private land base; that is, counties that do not have the ability to collect property taxes because of Federal land. This revenue goes to schools, it goes to jobs and roads. I might add, in the State of Oregon, 20 percent goes to highway spending. This is the highway bill. It has been supported strongly in the past by this body. The offset has been worked out.

I strongly urge my colleagues to support it. This is a good, solid program.

I yield the remainder of my time to my colleague from Oregon, Mr. WYDEN.

Mr. WYDEN. Mr. President, the Baucus amendment is a lifeline for rural America, particularly for the West and the South, where the Federal Government owns so much of our land. This money is absolutely essential to keep school doors open, to keep cops out there protecting our people, and to provide for our roads program. This program has always been bipartisan since the days when our former colleague Senator Craig and I authored it.

I urge my colleagues to support Chairman BAUCUS on this amendment to provide a lifeline to rural America.

Mr. BINGAMAN. Mr. President, in 2008, Congress passed the Emergency Economic Stabilization Act of 2008, which established the Troubled Asset Relief Program. That act also included a historic 5-year program to fund two important programs that support rural counties across the country.

The county payments program included increased and more equitably distributed funding for the Secure Rural Schools and Community Self-Determination Act, which provides payments to more than 700 counties in 42 States for public roads, schools, and collaborative forest restoration projects. In addition and for the first time in many years it fully funded the Payments in Lieu of Taxes Program, which provides payments to 1,850 local governments in 49 States, the District of Columbia, Puerto Rico, Guam, and the Virgin Islands. Both programs have provided a life line for struggling rural counties around the country during the recent recession.

In October of 2011, I introduced the County Payment Reauthorization Act of 2011 to extend the benefits of the county payments programs we funded in 2008 for another 5 years. That bill, S. 1687, currently has 32 cosponsors, including 8 Republicans and an Independent. Congressman HEINRICH has introduced a companion measure in the House: H.R. 3599.

Today, I would like to express my support for Senator BAUCUS's amendment No. 1825 to extend funding for the two programs by 1 year. Many of us believe that a multiyear extension is critical to provide the budgetary certainty that our rural counties need, so it is unfortunate that we could not get sufficient bipartisan support to move forward with a multiyear extension.

In addition to important funding, the amendment would make a few improvements to the Secure Rural Schools and Community Self-Determination Act that we have developed on a bipartisan basis.

In fiscal year 2011, it appears that a number of counties in five States failed to submit elections by the date required by section 102(d)(3)(A) of the act. The result was that approximately $2.5 million in title II and III funding was returned to the Treasury, as required by the act. At least some of the counties had compelling reasons for failing to make a timely election, and the amendment provides $2.5 million to the Secretary of Agriculture to carry out projects in those counties consistent with the purpose of the authorized uses of title II project funds. Since some counties don't participate in title II projects, such projects would not be subject to other specific requirements of title II. However, they are intended to be carried out consistent with the spirit of title II, which emphasizes collaborative forest projects. Our expectation is that the Secretary will work closely and collaboratively with those counties in spending that money to further the purposes reflected in those counties' untimely elections.

To avoid such problems going forward, the amendment requires the Governor of each eligible State as opposed to each of the more than 700 counties to formally submit title I, II, and III elections for all of their eligible counties by no later than September 30 of each fiscal year. Our hope is that this change, along with improved outreach by the Forest Service, will result in timely elections for the remainder of the Secure Rural Schools Program.

Nevertheless, if a Governor does fail to submit an election for any county, the amendment provides that the county will be presumed to have elected to expend 80 percent of its funding through title I. As with the $2.5 million provided to the counties that missed the fiscal year 2011 deadline, the remainder of the county's payment would go to the Secretary concerned for the purpose of entering into and implementing cooperative agreements with willing Federal agencies, State and local governments, private and nonprofit entities, and landowners for protection, restoration, and enhancement of fish and wildlife habitat, and other resource objectives consistent with the purposes of the act on Federal land and on non-Federal land in the county where projects would benefit the resources on Federal land. Again, our expectation is that the Secretary will work closely and collaboratively with such counties and, where they exist, their resource advisory committees, in spending that money.

We also have added a provision to title II to permit resource advisory committees to expend not more than 10 percent of project funds on administrative expenses if they so choose. That amendment provides additional flexibility to allow the committees to operate more effectively and efficiently.

I would like to thank Senator BAUCUS for his leadership in putting together the necessary offsets for this important amendment and Senator MURKOWSKI for her cooperation in developing the authorizing provisions that are included in the amendment.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. CRAPO. I yield back our time.

The PRESIDING OFFICER. Time is yielded back.

The question is on agreeing to amendment No. 1825.

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from Illinois (Mr. KIRK) and the Senator from South Dakota (Mr. THUNE).

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

The result was announced—yeas 82, nays 16, as follows:

[Rollcall Vote No. 29 Leg.]

YEAS—82

Alexander	Brown (MA)	Crapo
Ayotte	Burr	Durbin
Barrasso	Cantwell	Enzi
Baucus	Casey	Feinstein
Begich	Chambliss	Franken
Bennet	Coats	Gillibrand
Bingaman	Cochran	Graham
Blumenthal	Collins	Grassley
Blunt	Conrad	Hagan
Boozman	Coons	Hatch
Boxer	Cornyn	Heller

Hoeven
Hutchison
Inhofe
Inouye
Isakson
Johanns
Johnson (SD)
Kerry
Klobuchar
Kohl
Landrieu
Lautenberg
Leahy
Lee
Levin
Lugar
Manchin
McCaskill
McConnell
Menendez
Merkley
Murkowski
Murray
Nelson (NE)
Nelson (FL)
Portman
Pryor
Reed
Reid
Risch
Roberts
Rockefeller
Rubio
Sanders
Schumer
Sessions
Shaheen
Shelby
Snowe
Stabenow
Tester
Udall (CO)
Udall (NM)
Vitter
Warner
Webb
Whitehouse
Wicker
Wyden

NAYS—16

Akaka
Brown (OH)
Cardin
Carper
Coburn
Corker
DeMint
Harkin
Johnson (WI)
Kyl
Lieberman
McCain
Mikulski
Moran
Paul
Toomey

NOT VOTING—2

Kirk
Thune

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is agreed to.

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

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

The motion to lay upon the table was agreed to.

AMENDMENT NO. 1660

The PRESIDING OFFICER. There is now 2 minutes of debate prior to a vote in relation to the Collins amendment No. 1660.

Mr. BAUCUS. Mr. President, I ask unanimous consent that Senator MURKOWSKI be added as a cosponsor to the preceding amendment.

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

The Senator from Maine is recognized.

Ms. COLLINS. Mr. President, this is a very modest bipartisan amendment. It simply gives the EPA more time to get these regulations right, and our struggling manufacturers will get more time to comply with them. It is a false choice to say that this is the environment versus the economy. We can have both.

If this amendment is not adopted and the current regulations go into effect, the estimates are that they will cost manufacturers $14 billion to comply, and we will lose 200,000 manufacturing jobs at a time when we can least afford it. All we are asking is for more time to get these regulations right.

I urge support for the amendment, and I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, what we do here makes a difference in people's lives. We have peer-reviewed studies that show if the Collins amendment passes and we go back to square one, we will see 8,100 premature deaths per year, 5,100 heart attacks per year, 52,000 cases of aggravated asthma, and—talk about jobs—400,000 lost workdays per year. Why is that? What the EPA is trying to do under the Clean Air Act is make sure we don't have too much arsenic in the air or too much chromium, lead, or mercury. These are devastating toxics, especially to our children.

The manufacturers of boilers say there will be many jobs created. I submit this letter for the RECORD. They say anyone who tells us otherwise is not a boiler manufacturer and doesn't know what they are talking about. Senator WYDEN, an original cosponsor, is off this bill because the EPA has worked with him and managed to answer his concerns.

Please vote no on this amendment.

Ms. COLLINS. 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 on agreeing to the amendment.

The clerk will call the roll.

The bill clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from Illinois (Mr. KIRK) and the Senator from South Dakota (Mr. THUNE).

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

The result was announced—yeas 52, nays 46, as follows:

[Rollcall Vote No. 30 Leg.]

YEAS—52

Alexander
Ayotte
Barrasso
Blunt
Boozman
Burr
Casey
Chambliss
Coats
Coburn
Cochran
Collins
Corker
Cornyn
Crapo
DeMint
Enzi
Graham
Grassley
Hatch
Heller
Hoeven
Hutchison
Inhofe
Isakson
Johanns
Johnson (WI)
Kohl
Kyl
Landrieu
Lee
Lugar
Manchin
McCain
McCaskill
McConnell
Moran
Murkowski
Nelson (NE)
Paul
Portman
Pryor
Risch
Roberts
Rubio
Sessions
Shelby
Snowe
Stabenow
Toomey
Vitter
Wicker

NAYS—46

Akaka
Baucus
Begich
Bennet
Bingaman
Blumenthal
Boxer
Brown (MA)
Brown (OH)
Cantwell
Cardin
Carper
Conrad
Coons
Durbin
Feinstein
Franken
Gillibrand
Hagan
Harkin
Inouye
Johnson (SD)
Kerry
Klobuchar
Lautenberg
Leahy
Levin
Lieberman
Menendez
Merkley
Mikulski
Murray
Nelson (FL)
Reed
Reid
Rockefeller
Sanders
Schumer
Shaheen
Tester
Udall (CO)
Udall (NM)
Warner
Webb
Whitehouse
Wyden

NOT VOTING—2

Kirk
Thune

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Mrs. BOXER. Mr. President, I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1738

There is now 2 minutes of debate equally divided prior to a vote in relation to the Coburn amendment No. 1738.

The Senator from Oklahoma.

Mr. COBURN. Mr. President, this amendment is very similar to an amendment we voted on in the small business bill which passed 64 to 30-something—I can't remember the exact number. It is very straightforward. We ask the OMB to look at the two most recent GAO reports, combine $10 billion worth of savings, and send back to us a recommendation so that we can, in fact, accomplish that purpose.

The GAO is showing us exactly where we need to go in terms of saving money. We are involving the executive branch in that. They also have other plans they are working on and on which I am trying to work with the administration.

If you want to pick up the difference between what we really need to do for infrastructure in this country, the best way to do it is to support this amendment and go for another $10 billion in infrastructure.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from Hawaii.

Mr. INOUYE. Madam President, last September we rightly rejected a Coburn amendment not much different from this one. Senator COBURN claims that the purpose of this amendment is to reduce duplication, but in reality it would just give a $10 billion reduction in discretionary caps regardless of whether there actually is $10 billion in discretionary savings. In addition, there is an existing rescission authority in place, thus making this amendment on reducing duplication redundant.

This amendment is a backdoor attempt to lower discretionary spending caps agreed to by the Budget Control Act. So we should not violate the BCA, and I urge a ''no'' vote.

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

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

The question is on agreeing to the amendment.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from Illinois (Mr. KIRK) and the Senator from South Dakota (Mr. THUNE).

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

The result was announced—yeas 52, nays 46, as follows:

[Rollcall Vote No. 31 Leg.]

YEAS—52

Alexander
Ayotte
Barrasso
Baucus
Blunt
Boozman
Brown (MA)
Burr
Chambliss
Coats
Coburn
Cochran
Collins
Corker
Cornyn
Crapo
DeMint
Enzi
Graham
Grassley
Hatch
Heller
Hoeven
Hutchison
Inhofe
Isakson
Johanns

Johnson (WI)
Klobuchar
Kyl
Lee
Lugar
Manchin
McCain
McCaskill
McConnell
Moran
Murkowski
Nelson (NE)
Paul
Portman
Risch
Roberts
Rubio
Sessions
Shelby
Snowe
Stabenow
Tester
Toomey
Vitter
Wicker

NAYS—46

Akaka
Begich
Bennet
Bingaman
Blumenthal
Boxer
Brown (OH)
Cantwell
Cardin
Carper
Casey
Conrad
Coons
Durbin
Feinstein
Franken
Gillibrand
Hagan
Harkin
Inouye
Johnson (SD)
Kerry
Kohl
Landrieu
Lautenberg
Leahy
Levin
Lieberman
Menendez
Merkley
Mikulski
Murray
Nelson (FL)
Pryor
Reed
Reid
Rockefeller
Sanders
Schumer
Shaheen
Udall (CO)
Udall (NM)
Warner
Webb
Whitehouse
Wyden

NOT VOTING—2

Kirk
Thune

The PRESIDING OFFICER (Mrs. SHAHEEN). Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

AMENDMENT NO. 1822

The PRESIDING OFFICER. Under the previous order, there is now 2 minutes of debate, equally divided, prior to a vote in relation to the Nelson-Shelby-Landrieu amendment No. 1822.

The Senator from Florida.

Mr. NELSON of Florida. Madam President, we are going to divide 1 minute; 15 seconds here, 15 seconds there, and 30 seconds for Senator SHELBY.

I will just say this is the BP fine money to come back and restore the Gulf of Mexico and people who earn their living from the gulf.

Ms. LANDRIEU. Madam President, this money will be shared with all the States. It is appropriate new money paid by BP—not taxpayer money—to the Gulf.

Let me thank Senators BOXER, WHITEHOUSE, and BAUCUS for their extraordinary help on our side and thank Senator SHELBY.

I don't know if Senator VITTER wants to say a word.

Mr. VITTER. Madam President, I urge support of this amendment. It is bipartisan.

This concept is supported by multiple outside groups, as well as the administration, and it is fully offset. It does not increase the deficit.

The PRESIDING OFFICER. Who yields time in opposition?

Mr. REID. I yield back all time.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mrs. BOXER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from Illinois (Mr. KIRK) and the Senator from South Dakota (Mr. THUNE).

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

The result was announced—yeas 76, nays 22, as follows:

[Rollcall Vote No. 32 Leg.]

YEAS—76

Akaka
Alexander
Ayotte
Baucus
Begich
Bennet
Bingaman
Blumenthal
Blunt
Boozman
Boxer
Brown (MA)
Brown (OH)
Cantwell
Cardin
Carper
Casey
Chambliss
Cochran
Collins
Conrad
Coons
Cornyn
Crapo
Durbin
Feinstein
Franken
Gillibrand
Hagan
Harkin
Hoeven
Hutchison
Inhofe
Inouye
Isakson
Johnson (SD)
Kerry
Klobuchar
Kohl
Landrieu
Lautenberg
Leahy
Levin
Lieberman
Manchin
McCaskill
Menendez
Merkley
Mikulski
Moran
Murkowski
Murray
Nelson (NE)
Nelson (FL)
Portman
Pryor
Reed
Reid
Roberts
Rockefeller
Sanders
Schumer
Sessions
Shaheen
Shelby
Snowe
Stabenow
Tester
Udall (CO)
Udall (NM)
Vitter
Warner
Webb
Whitehouse
Wicker
Wyden

NAYS—22

Barrasso
Burr
Coats
Coburn
Corker
DeMint
Enzi
Graham
Grassley
Hatch
Heller
Johanns
Johnson (WI)
Kyl
Lee
Lugar
McCain
McConnell
Paul
Risch
Rubio
Toomey

NOT VOTING—2

Kirk
Thune

The PRESIDING OFFICER: Under the previous order requiring 60 votes for adoption of this amendment, the amendment is agreed to.

Mrs. BOXER. Madam President, I move to reconsider the vote by which the amendment was agreed to.

Ms. LANDRIEU. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1817

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote on amendment No. 1817, offered by the Senator from Oregon, Mr. WYDEN.

The Senator from Oregon.

Mr. WYDEN. Madam President, this amendment ensures that the Keystone Pipeline is built by American workers using American steel; that our priority is reasonably priced energy for American families and American businesses, rather than their Chinese competitors. It contains an expedited approval process so that when air and water and environmental laws are complied with, the pipeline application must be approved within 90 days. Put simply, when you build a pipeline that is 2,000 miles across the Nation, our challenge is to do it right.

Madam President, there are two alternatives. This one gives us a chance to do it right for our workers, our businesses, the well-being of all our communities. I urge my colleagues to support the amendment.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. I rise in opposition to this amendment. The Keystone XL Pipeline will bring more than 830,000 barrels a day of crude oil from Canada and also from States like mine, such as North Dakota and Montana. We need that crude oil rather than relying on the Middle East.

This is a vote to block the project. Make no mistake, this not only requires the TransCanada start-over, it says start over after 3½ years. What does that mean, another 3½ years before they can go forward? And it adds additional impediments to the project. With gasoline prices going up every day, we need more supply, we need it from Canada, we need it from North Dakota and Montana, not from the Middle East.

Please vote no on this amendment and yes on the next one, which will allow us to move forward for American workers, American consumers, for our businesses, for our economy, and for national security.

The PRESIDING OFFICER. All time has expired.

The question is on agreeing to amendment No. 1817.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from Illinois (Mr. KIRK) and the Senator from South Dakota (Mr. THUNE).

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

The result was announced—yeas 33, nays 65, as follows:

[Rollcall Vote No. 33 Leg.]

YEAS—33

Bingaman
Blumenthal
Boxer
Brown (OH)
Cantwell
Cardin
Carper
Conrad
Coons
Durbin
Feinstein
Franken
Harkin
Inouye
Johnson (SD)
Klobuchar
Kohl
Lautenberg
Levin
Lieberman
McCaskill
Menendez
Merkley
Mikulski
Murray
Nelson (FL)
Reid
Rockefeller
Schumer
Stabenow
Tester
Udall (NM)
Wyden

NAYS—65

Akaka
Alexander
Ayotte
Barrasso
Baucus
Begich
Bennet
Blunt
Boozman
Brown (MA)
Burr
Casey
Chambliss
Coats
Coburn
Cochran
Collins
Corker
Cornyn
Crapo
DeMint
Enzi
Gillibrand
Graham
Grassley
Hagan
Hatch
Heller
Hoeven
Hutchison
Inhofe
Isakson
Johanns
Johnson (WI)
Kerry
Kyl
Landrieu
Leahy
Lee
Lugar
Manchin
McCain
McConnell
Moran
Murkowski
Nelson (NE)
Paul
Portman
Pryor
Reed
Risch

Roberts	Shelby	Warner
Rubio	Snowe	Webb
Sanders	Toomey	Whitehouse
Sessions	Udall (CO)	Wicker
Shaheen	Vitter	

NOT VOTING—2

Kirk	Thune

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

The PRESIDING OFFICER. The Senator from Massachusetts.

CHANGE OF VOTE

Mr. KERRY. Mr. President, on rollcall vote No. 33, the Wyden amendment No. 1817, I mistakenly voted aye and meant to vote no. It will not change the outcome. I ask unanimous consent that my vote be reflected as a no.

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

(The foregoing tally has been changed to reflect the above order.)

AMENDMENT NO. 1537

The PRESIDING OFFICER. There is now 2 minutes of debate equally divided prior to a vote in relation to amendment No. 1537, offered by the Senator from North Dakota, Mr. HOEVEN.

The Senator from North Dakota.

Mr. HOEVEN. Madam President, I rise to speak in support of this amendment which would authorize the Keystone XL Pipeline project to move forward. It provides an authorization after more than 3½ years of study. It incorporates all of the safeguards that have been developed through the environmental impact statement process with both EPA and the Department of State, and it allows whatever time may be necessary for rerouting in Nebraska. So it addresses the concerns that have been raised as far as the environmental impact statement but authorizes the project to proceed.

This project will bring 830,000 barrels a day of crude to our refineries, as I mentioned earlier, not only from Canada but from my home State of North Dakota, as well as from Montana. This is about not only producing more energy both at home and with our closest friend and ally, Canada, but it is also about national security. It is about reducing our dependence on oil from the Middle East.

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

Mr. HOEVEN. I urge my colleagues' strong support for this amendment on behalf of American workers and consumers.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, I urge opposition to this amendment. I wish to outline just very briefly why.

First, under this amendment the oil is not going to be going to the United States. This oil is going to be going to the export market, and the TransCanada application to the Canadian Government showed this beyond any question. The Canadian oil companies expect to reap as much as $3.9 billion more in annual revenue from the higher prices they can tap once their oil reaches the gulf coast. It competes at the same price as other oil supplies on the global market—no protection for workers, no protection on the environment, and, I believe, higher prices for American businesses and American consumers.

I urge my colleagues to vote no on the amendment.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 1537.

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

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

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from Illinois (Mr. KIRK) and the Senator from South Dakota (Mr. THUNE).

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

The result was announced—yeas 56, nays 42, as follows:

[Rollcall Vote No. 34 Leg.]

YEAS—56

Alexander	DeMint	McCaskill
Ayotte	Enzi	McConnell
Barrasso	Graham	Moran
Baucus	Grassley	Murkowski
Begich	Hagan	Paul
Blunt	Hatch	Portman
Boozman	Heller	Pryor
Brown (MA)	Hoeven	Risch
Burr	Hutchison	Roberts
Casey	Inhofe	Rubio
Chambliss	Isakson	Sessions
Coats	Johanns	Shelby
Coburn	Johnson (WI)	Snowe
Cochran	Kyl	Tester
Collins	Landrieu	Toomey
Conrad	Lee	Vitter
Corker	Lugar	Webb
Cornyn	Manchin	Wicker
Crapo	McCain	

NAYS—42

Akaka	Harkin	Nelson (NE)
Bennet	Inouye	Nelson (FL)
Bingaman	Johnson (SD)	Reed
Blumenthal	Kerry	Reid
Boxer	Klobuchar	Rockefeller
Brown (OH)	Kohl	Sanders
Cantwell	Lautenberg	Schumer
Cardin	Leahy	Shaheen
Carper	Levin	Stabenow
Coons	Lieberman	Udall (CO)
Durbin	Menendez	Udall (NM)
Feinstein	Merkley	Warner
Franken	Mikulski	Whitehouse
Gillibrand	Murray	Wyden

NOT VOTING—2

Kirk	Thune

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, it is 4:15 p.m. We have a matter that I believe will be decided by voice in just a few minutes. This will be the last vote until Tuesday, when we finish this bill. I appreciate everyone's cooperation. I have talked before about how fortunate we are to have the two managers we have on this bill—Senators BOXER and INHOFE. They have done a remarkably good job.

We have a locked-in set of amendments now. There is no reason to work into the night. We have had a good week. We will have a good week next week, and I wish everyone a good break.

MOTION TO WAIVE

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate, equally divided, prior to the vote on the motion to waive all applicable budget points of order.

Mrs. BOXER. Mr. President, colleagues, we must waive the Budget Act in order to continue working on this bill. My friend from Tennessee will tell you otherwise. This bill is 100 percent paid for. The CBO score actually shows a $5 billion surplus over the next 10 years.

How is it paid for? I can tell you, my friend JIM INHOFE made sure it would be paid for, and we agreed on it. Through the highway trust fund, plus the bipartisan work of the Finance Committee, we have filled this trust fund to cover this bill.

Mr. President, 2.8 million jobs hang in the balance. All the work we did today hangs in the balance. We need 60 votes. So if one is for the Transportation bill, please vote aye so we can continue our work next week.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, let me first say I am a very strong supporter of a highway bill and of infrastructure but also believe we should have integrity as it relates to this issue of spending.

Last August, the world and the country watched as our Nation almost came to a halt, and we agreed, in order to raise the debt ceiling, we would pass the Budget Control Act, which puts strict limitations on spending for last year and this year. We are making a mockery of what happened during that time if we waive this Budget Control Act point of order that I have put in place.

Basically, what we have said—and we have had all kinds of Senators on both sides of the aisle who have focused on the deficit issue in good faith, but what we basically are saying is we cannot make it 7 months without violating the Budget Control Act which we put in place to create discipline in this body.

I urge a ''no'' vote on waiving this motion.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I ask unanimous consent for 30 seconds.

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

Mr. INHOFE. Mr. President, I have had rankings as the most conservative Member of this body many times, and I have often said there are two areas where I am a big spender: one is national defense, one is infrastructure.

We desperately need this bill. It is interesting to me that so many of my good friends—and they are friends, including the Senator from Tennessee—will vote as they did back in 2008 for $700 billion for a bailout and then something such as this comes up and somehow this is an excuse to kill the bill. You can kill the bill and we can go back and start all over again. I wish and I think the Finance Committee is going to come up with something that is going to allow us to get this done by the time we get into conference.

I urge my conservative friends particularly to go ahead and vote for the highway bill.

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

The Senator from Tennessee.

Mr. CORKER. Just 30 seconds.

The PRESIDING OFFICER. The time has expired.

The Senator asks for 30 seconds.

Without objection, it is so ordered.

Mr. CORKER. Mr. President, the fact is, the amount of money it would take to not have a budget point of order is so small that we ought to just offset discretionary caps for this year by the amount we are spending above that for this highway bill.

It is ludicrous that we cannot set priorities in a way that calls us to live within the Budget Control Act and break it within 7 months of passing it and break faith with the American people.

I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. I would note—

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

Mr. INHOFE. Mr. President, I ask unanimous consent for 10 seconds.

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

Mr. INHOFE. We do not have Senator THUNE here, who is doing a great job in the Finance Committee. Unfortunately, his mother died and he is not here. We would be able to sit down and solve this problem and not delay this bill. Right now it is set up so we can have a highway bill.

This could kill it. I hope folks will talk to their people at home. You cannot do it before this vote, but afterwards I might suggest you do that.

Mr. COBURN. 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 on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from Illinois (Mr. KIRK), the Senator from Kentucky (Mr. PAUL) and the Senator from South Dakota (Mr. THUNE).

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

The result was announced—yeas 66, nays 31, as follows:

[Rollcall Vote No. 35 Leg.]

YEAS—66

Akaka	Franken	Mikulski
Alexander	Gillibrand	Murray
Baucus	Hagan	Nelson (NE)
Begich	Harkin	Nelson (FL)
Bennet	Heller	Pryor
Bingaman	Hoeven	Reed
Blumenthal	Hutchison	Reid
Blunt	Inhofe	Rockefeller
Boozman	Inouye	Sanders
Boxer	Johnson (SD)	Schumer
Brown (MA)	Kerry	Shaheen
Brown (OH)	Klobuchar	Shelby
Cantwell	Kohl	Snowe
Cardin	Landrieu	Stabenow
Carper	Lautenberg	Tester
Casey	Leahy	Udall (CO)
Cochran	Levin	Udall (NM)
Collins	Lieberman	Vitter
Conrad	Manchin	Webb
Coons	McCaskill	Whitehouse
Durbin	Menendez	Wicker
Feinstein	Merkley	Wyden

NAYS—31

Ayotte	Graham	Moran
Barrasso	Grassley	Murkowski
Burr	Hatch	Portman
Chambliss	Isakson	Risch
Coats	Johanns	Roberts
Coburn	Johnson (WI)	Rubio
Corker	Kyl	Sessions
Cornyn	Lee	Toomey
Crapo	Lugar	Warner
DeMint	McCain	
Enzi	McConnell	

NOT VOTING—3

Kirk	Paul	Thune

The PRESIDING OFFICER. On this vote, the yeas are 66, the nays are 31. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to and the point of order fails.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I thank my colleagues. Most of them have gone, but I feel it is important that the RECORD reflect this last vote that we had. Basically, it was a vote to undo everything we worked so hard on all day. It was basically a backdoor way of killing the transportation bill—a bill that is fiscally responsible. It is at current levels plus inflation fully paid for. Senator INHOFE and I agreed at the outset in the EPW Committee we would only support a bill that was fully paid for.

I was honored that we got so many Republican votes on that. I am looking forward to next week when we get this done. I understand the Senator from Michigan has something he wants to get accomplished by a voice vote. I ask unanimous consent that he be able to explain that so that we can continue making progress, and then he will yield the floor to the Republican side.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Michigan.

AMENDMENT NO. 1818

Mr. LEVIN. Mr. President, the next item on the unanimous consent agreement is my amendment No. 1818. It is my understanding now that this amendment can be adopted by a voice vote. It has been cleared for that.

I ask unanimous consent to set aside the pending amendment and I call up my amendment No. 1818.

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

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN], for himself and Mr. CONRAD, proposes an amendment numbered 1818.

The amendment is as follows:

(Purpose: To authorize special measures against foreign jurisdictions, financial institutions, and others that significantly impede United States tax enforcement)

At the end, add the following:

TITLE _____—STOP TAX HAVEN ABUSE

SEC. _____. AUTHORIZING SPECIAL MEASURES AGAINST FOREIGN JURISDICTIONS, FINANCIAL INSTITUTIONS, AND OTHERS THAT SIGNIFICANTLY IMPEDE UNITED STATES TAX ENFORCEMENT.

Section 5318A of title 31, United States Code, is amended—

(1) by striking the section heading and inserting the following:

"§ 5318A. Special measures for jurisdictions, financial institutions, or international transactions that are of primary money laundering concern or significantly impede United States tax enforcement";

(2) in subsection (a), by striking the subsection heading and inserting the following:

"(a) SPECIAL MEASURES TO COUNTER MONEY LAUNDERING AND EFFORTS TO SIGNIFICANTLY IMPEDE UNITED STATES TAX ENFORCEMENT.—";

(3) in subsection (c)—

(A) by striking the subsection heading 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 SIGNIFICANTLY IMPEDING UNITED STATES TAX ENFORCEMENT.—"; and

(B) by inserting at the end of paragraph (2) thereof the following new subparagraph:

"(C) OTHER CONSIDERATIONS.—The fact that a jurisdiction or financial institution is cooperating with the United States on implementing the requirements specified in chapter 4 of the Internal Revenue Code of 1986 may be favorably considered in evaluating whether such jurisdiction or financial institution is significantly impeding United States tax enforcement.";

(4) in subsection (a)(1), by inserting "or is significantly 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:

"(B) in matters involving United States tax enforcement, shall consult with the Commissioner of the Internal Revenue, 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

significantly 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:

''(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 significantly 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.''; and

(8) in subsection (c)(1), by inserting ''or is significantly 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''.

Mr. LEVIN. Mr. President, this has been on the list for unanimous consent. I will let the Chair rule on this and see if there is something else. If not, I will speak for a few minutes afterward.

The PRESIDING OFFICER. Is there further debate on the amendment?

If not, the question is on agreeing to the amendment.

The amendment (No. 1818) was agreed to.

Mr. LEVIN. Mr. President, I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LEVIN. Mr. President, I will use 3 minutes to very briefly explain.

Under the PATRIOT Act, Congress gave the Treasury the power to take a range of measures against foreign financial institutions, or jurisdictions that are defined as being of primary money-laundering concerns.

The Levin-Conrad amendment just adopted would authorize the Treasury to impose the same types of measures on the same types of entities if Treasury finds them to be impeding U.S. tax enforcement. This amendment had been the subject of a bill for a number of years, and it comes out of the hearings of the Permanent Subcommittee on Investigations, which I chair. Those investigation show each year the United States loses tens of billions of dollars in tax revenue from people using offshore tax havens to dodge U.S. tax obligations, including through hidden accounts at tax haven banks. We issued a lengthy, bipartisan report in the subcommittee. We detailed case history involving tax haven banks that help thousands of U.S. clients dodge their U.S. taxes, banks that used a long list of secrecy tricks that make it nearly impossible for U.S. tax authorities to trace funds sent to them offshore.

Our amendment offers one provision from the Cut Unjustified Tax Loopholes Act, S. 2075, which Senator CONRAD and I introduced some weeks ago. I continue to hope and believe that momentum is building behind the idea of real tax reform and in support of legislation like the CUT Loopholes Act to comprehensively tackle the many tax loopholes that favor a few taxpayers over ordinary American taxpayers. Closing tax loopholes is critical to real deficit reduction, and restoring lost revenue that will allow us to cut the deficit without slashing important programs. With the threat of sequestration looming at the end of this year, it is more vital than ever that we find bipartisan agreement on closing tax loopholes.

Our amendment hopefully will advance that goal. The full CUT Loopholes Act attacks loopholes in two areas. First is closing offshore tax loopholes, a subject that the Permanent Subcommittee on Investigations, which I chair, has explored for years. Second is the stock-option loophole, a corporate tax giveaway that forces American taxpayers to subsidize corporations for the stock-options granted to their executives. The Levin-Conrad amendment takes one provision from the offshore portion of the CUT Loopholes Act.

Our amendment would give regulators a powerful tool to stop offshore tax havens and their financial institutions that impede U.S. tax enforcement from doing business in the United States. The Levin-Conrad amendment is modeled on the successful provision in the Patriot Act now used to combat foreign financial institutions and jurisdictions engaged in money laundering.

Under section 311 of the Patriot Act, Treasury can take a range of measures against foreign financial institutions or jurisdictions that it finds to be of ''primary money laundering concern.'' The Levin-Conrad amendment would authorize Treasury to impose the same types of measures on the same types of entities if Treasury finds them to be ''significantly impeding U.S. tax enforcement.'' Treasury could, for example, prohibit U.S. banks from accepting wire transfers or honoring credit cards from those foreign banks. The provision would not require Treasury to act; it would give Treasury the authority and discretion to take action against foreign jurisdictions or banks that are facilitating U.S. tax evasion and tax avoidance.

Over the last several days, we have worked with the administration and others to improve our amendment. We have made changes to clarify that it covers significant impediments to tax enforcement, and that foreign jurisdictions and financial institutions that are complying with the Foreign Account Tax Compliance Act will be viewed favorably with respect to their level of assistance with our tax enforcement efforts.

Each year, the United States loses an estimated $100 billion in tax revenue from U.S. taxpayers using offshore tax havens to dodge their U.S. tax obligations, including through hidden accounts at tax haven banks. My Subcommittee has held several hearings and issued a lengthy bipartisan report showing how some tax haven banks have used an array of abusive practices to help U.S. clients hide assets and income from Uncle Sam. We presented detailed case histories involving tax haven banks that helped thousands of U.S. clients dodge their U.S. taxes, banks that used a long list of secrecy tricks to make it nearly impossible for U.S. tax authorities to trace funds sent to them offshore. Those tricks included using code names for clients to disguise their identities; directing personnel to use pay phones instead of business phones to make it harder to trace calls back to the bank; providing bankers with encrypted computers when travelling to keep client information out of the reach of U.S. tax authorities; funneling money through offshore corporations to conceal incriminating wire transfers and make audits difficult; opening accounts in the names of offshore shell companies to hide the real owners; and providing bankers with counter-surveillance training to detect and deflect inquiries from government officials.

That kind of conduct, which actively facilitates tax evasion, amounts to a declaration of war by offshore secrecy jurisdictions against honest, hard-working taxpayers. It's time to fight

back and end the abuses inflicted on us by those tax havens. Congress took one step two years ago by requiring foreign banks with U.S investments to disclose accounts opened by U.S. persons or pay a hefty tax on their U.S. income. But that law doesn't apply to tax haven banks that avoid U.S. investments. The United States needs authority to take special measures against foreign banks that not only refuse to disclose accounts opened by their U.S. clients, but also significantly impede U.S. tax enforcement efforts. Our amendment would enable the United States to fight back by authorizing the Treasury to tell U.S. banks to stop doing business with those aiders and abettors of U.S. tax evasion.

According to the Joint Committee on Taxation, we could, by adopting this amendment, reduce the deficit by $900 million over 10 years. That is an indication of how closing just one of many loopholes can raise significant revenue. The CUT Loopholes Act would, conservatively, reduce the deficit by $155 billion over 10 years. And other tax loopholes not addressed in the CUT Loopholes Act, such as the carried-interest and blended-rate loopholes, offer additional opportunities for deficit reduction.

Mr. President, we face difficult choices in the months ahead. We all agree that we must reduce the deficit. But the American people also expect us to make sure that we are protecting national security, that parents can still send their kids to college, that our citizens still have health care, that we are repairing roads and bridges. We must do both—reduce the deficit and protect important priorities. But we cannot accomplish those twin goals unless we restore revenue lost in part to the gaping loopholes in our tax law. With this amendment, we can take a step down the path of closing abusive loopholes, and continue building momentum for the work we must to in the months ahead.

Mr. President, I thank Senator CONRAD, Senator WHITEHOUSE, and many others who cosponsored this amendment.

Mr. JOHNSON of South Dakota. Mr. President, I wish to note for the RECORD that I agree with Senator LEVIN on the need to address the problem of tax havens, and it is certainly true that the provision of the Bank Secrecy Act that he seeks to amend has been important in dealing with the matters for which it was intended jurisdictions of primary anti-money laundering concern—when it was made part of the PATRIOT Act.

However, neither I, as Banking Committee Chairman, nor other members of the Committee, were consulted by Senator LEVIN as this amendment was being developed, although the Bank Secrecy Act is clearly within the Committee's core jurisdiction. Consequently, Committee staff have not had adequate time to review and assess responsibly the amendment and its possible ramifications, and have had no chance to vet it with appropriate parts of the Treasury Department, including the Office of Terrorism and Financial Intelligence, and the Financial Crimes Enforcement Network, which administers the Bank Secrecy Act, with the Nation's tax administrators, with the Department of Justice, or with other interested parties. That is normally how changes to the Act are made.

Thus it is impossible for us fully to assess the implications of these major changes in the law, or to discern any unintended consequences that may arise from them. Making such significant changes should not be done on the fly, on the floor, without adequate consultation and an appropriate regular order process within the committee of jurisdiction. While I believe we should address the problem of tax havens, and I understand the urgency of finally, after 4 weeks, getting a unanimous consent agreement that allows this bill to move forward, I must also insist that we follow a careful, responsible, deliberative process when making major changes in areas of the law that are squarely within the jurisdiction of the Banking Committee.

As we move to conference on the transit bill, a conference on which I will play a significant role, I will make sure that we carefully vet this provision and assess whether this is in fact the best solution to the tax haven problem identified by Senator LEVIN, whether it works as it is intended to, and if so whether the provision requires any further amendment to make it as effective as possible.

Mr. LEVIN. Mr. President, I ask unanimous consent that the Merkley amendment relative to farm vehicles listed in the previous order be changed from No. 1653 to No. 1814.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 1669, AS MODIFIED

Mr. MCCAIN. Mr. President, I ask unanimous consent that the pending amendment be set aside and I call up amendment No. 1669, which is at the desk.

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

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN], for himself, Mr. REID, Mr. HELLER, and Mr. KYL, proposes an amendment numbered 1669, as modified.

The amendment is as follows:

(Purpose: To enhance the natural quiet and safety of airspace of the Grand Canyon National Park and for other purposes)

At the appropriate place, insert the following:

SEC. _____. AIRCRAFT NOISE ABATEMENT.

(a) IN GENERAL.—Section 3(b)(2) of Public Law 100–91 (16 U.S.C. 1a–1 note) is amended by adding at the end the following: ''The plan shall not apply to or otherwise affect the regulation of flights over the Grand Canyon at altitudes above the Special Flight Rules Area for the Grand Canyon in effect as of the date of the enactment of the MAP–21, or as subsequently modified by mutual agreement of the Secretary and the Administrator.''.

(b) SAVINGS PROVISIONS.—

(1) JURISDICTION OF NATIONAL AIRSPACE.—None of the recommendations required under section 3(b)(1) of Public Law 100–91 (16 U.S.C. 1a–1 note), including recommendations to raise the flight-free zone altitude ceilings, shall adversely affect the national airspace system, as determined by the Administrator of the Federal Aviation Administration. If the Administrator determines that implementing the recommendations would adversely affect the national airspace system, the Administrator shall consult with the Secretary of the Interior to eliminate the adverse effects.

(2) EFFECT OF NEPA DETERMINATIONS.—None of the environmental thresholds, analyses, impact determinations, or conditions prepared or used by the Secretary to develop recommendations regarding the substantial restoration of natural quiet and experience for the Grand Canyon National Park required under section 3(b)(1) of Public Law 100–91 shall have broader application or be given deference with respect to the Administrator's compliance with the National Environmental Policy Act for proposed aviation actions and decisions. Nothing in this section may be construed to limit the ability of the National Park Service to use its own methods of analysis and impact determinations for air tour management planning within its purview under the National Parks Air Tour Management Act of 2000 (title VIII of Public Law 106–181).

(c) CONVERSION TO QUIET TECHNOLOGY AIRCRAFT.—

(1) IN GENERAL.—Not later than 15 years after the date of the enactment of this Act, all commercial air tour aircraft operating in the Grand Canyon National Park Special Flight Rules Area shall be required to fully convert to quiet aircraft technology (as determined in accordance with regulations in effect on the day before the date of the enactment of this Act).

(2) CONVERSION INCENTIVES.—Not later than 60 days after the date of the enactment of this Act, the Secretary and the Administrator of the Federal Aviation Administration shall provide incentives for commercial air tour operators that convert to quiet aircraft technology (as determined in accordance with the regulations in effect on the day before the date of the enactment of this Act) before the date specified in paragraph (1), such as increasing the flight allocations for such operators on a net basis consistent with section 804(c) of the National Park Air Tours Management Act of 2000 (title VIII of Public Law 106–181), provided that the cumulative impact of such operations does not increase noise at Grand Canyon National Park.

The PRESIDING OFFICER. The Senator from Tennessee.

AMENDMENTS NOS. 1785 AND 1810, EN BLOC

Mr CORKER. Mr. President, I ask unanimous consent that amendments Nos. 1785 and 1810 be made pending en bloc.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Tennessee (Mr. CORKER) proposes amendments numbered 1785 and 1810, en bloc.

The amendments are as follows:

AMENDMENT NO. 1785

(Purpose: To lower the FY13 discretionary budget authority cap as set in the Balanced Budget and Emergency Deficit Control Act of 1985 by $20,000,000,000 in order to offset the general fund transfers to the Highway Trust Fund)

At the end of division D, add the following:

SEC. _____. DISCRETIONARY SPENDING CAP ADJUSTMENT FOR FISCAL YEAR 2013.

Paragraph (2)(A)(ii) of section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985(2 U.S.C. 901a) is amended by striking ''$501,000,000,000'' and inserting ''$481,000,000,000''.

AMENDMENT NO. 1810

Purpose: To ensure that the aggregate amount made available for transportation projects for a fiscal year does not exceed the estimated amount available for those projects in the Highway Trust Fund for the fiscal year)

At the end of subtitle E of title I of division A, add the following:

SEC. _____. LIMITATION ON EXPENDITURES.

Notwithstanding any other provision of law, if the Secretary determines for any fiscal year that the estimated governmental receipts required to carry out transportation programs and projects under this Act and amendments made by this Act (as projected by the Secretary of the Treasury) does not produce a positive balance in the Highway Trust Fund available for those programs and projects for the fiscal year, each amount made available for such a program or project shall be reduced by the pro rata percentage required to reduce the aggregate amount required to carry out those programs and projects to an amount equal to that available for those programs and projects in the Highway Trust Fund for the fiscal year.

The PRESIDING OFFICER. The Senator from Ohio.

AMENDMENTS NOS. 1736 AND 1742, EN BLOC

Mr. PORTMAN. Mr. President, I ask unanimous consent that the pending amendment be set aside and I call up amendments Nos. 1736 and 1742 and ask they be considered en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the amendments.

The legislative clerk read as follows:

The Senator from Ohio [Mr. PORTMAN] proposes amendments numbered 1736 and 1742, en bloc.

The amendment (No. 1742) is as follows:

(The amendment (No. 1736) is printed in the RECORD of Monday, February 27, 2012, under ''Text of Amendments.'')

AMENDMENT NO. 1742

(Purpose: To allow States to permit nonhighway uses in rest areas along any highway)

On page 469, after line 22, add the following:

SEC. 15_____. NONHIGHWAY USES IN REST AREAS.

(a) IN GENERAL.—A State may permit any nonhighway use in any rest area along any highway (as defined in section 101 of title 23, United States Code), including any commercial activity that does not impair the highway or interfere with the full use and safety of the highway.

(b) PRIVATE PARTIES.—A State may permit any private party to carry out a nonhighway use described in subsection (a).

(c) REVENUES GENERATED BY NONHIGHWAY USES.—A State may use any revenues generated by a nonhighway use described in subsection (a) to carry out any project (as defined in section 101 of title 23, United States Code).

Mr. PORTMAN. Mr. President, I encourage my colleagues to support these amendments. The first one gives the States the freedom to keep their gas taxes. For decades, Washington has collected State gas taxes through its highway program, taken its cut off the top, and then attached burdensome mandates to the funds before sending them back to the States.

It hasn't worked. Since 2008, the highway trust fund has been bailed out three times from the Treasury's general fund to the tune of about $35 billion. During that time, the Federal Government has required that 10 percent of all surface transportation funds be spent on wasteful ''enhancements,'' which has included archeological planning and research, transportation museums, and scenic ''beautification'' along highways, and so on.

The GAO has found that between 2004 and 2008, at a time when our bridges and roads have been in disrepair and have needed all the help they could get, the highway trust fund spent $78 billion on projects not related to the support of our Nation's network of highways and bridges.

With the economy struggling, we need to provide States with the ability to move quickly and innovatively to implement their transportation priorities instead of a one-size-fits-all solution from Washington.

Ohio's gas taxes should not be watered down, shouldn't be wasted by costly Federal mandates, regulations, and bureaucracies that Ohio doesn't think are necessary. Rather, States should have the freedom to use the revenue collected from highway users within their own States in the way the State sees fit to get more money into infrastructure.

This amendment will give States the freedom they need to do that, while ensuring that States maintain the current Interstate State Highway system in accordance with current standards. We need to pass this amendment today so that States can get back on track.

Let me give you an example I recently heard about over the weekend. This comes from Jeff Linkous, who is the Clinton County, OH, engineer. It is an example of how the Federal Government sometimes gets in the way and escalates the cost of projects.

Todds Fork there is a local stream. It is crossed by two roads, Prairie Road and Starbuck Road. For each of the roads, Clinton County has built a bridge over Todds Fork. The same firm designed both bridges. They are the same length, but there was one major difference. The bridge for Prairie Road was built using Federal money, while the bridge for Starbuck Road was built using Ohio funds.

According to Jeff Linkous, the federally funded bridge cost about 20 percent more than the State-funded bridge. I hear this all over the State, as I am sure my colleagues do as well. It took more time from design to bid, so it was more expensive and took more time, and was more costly in both respects.

The Federal project costs more in a lot of areas, including Federal bureaucracy, more environmental studies, more historical and archaeological studies, more right-of-way expenses, more design and review costs. The stakes have never been higher. The Federal Government cannot continue the current course of wasting our State's gas taxes.

Since the last transportation authorization bill, called SAFETY-LU, back in 2005, the outlays have exceeded revenues from the gas taxes every single year. We have to get back on a fiscally sustainable path, eliminate the waste, and allow the States the flexibility to maintain their roads, bridges, and highways. This amendment would do that. It is an opt-out, not a mandate. States could choose to opt out or not.

The second amendment also is a fiscally responsible one that helps the taxpayer. It lifts an antiquated one-size-fits-all government mandate that dates back to 1956, and it would allow the States the freedom to make their own decisions on how to manage their rest areas, which the Federal Government forces States to pay to maintain and improve.

The current approach would set up a patchwork of exemptions, acceptance, and special permits that allows some States to commercialize rest areas, while prohibiting other States from doing the same. Under this amendment, States would have the freedom to commercialize interstate and noninterstate rest areas, as long as they don't impair the highway or interfere with the full use and safety of the highway. At a time when America's core transportation infrastructure—highways, roads and bridges—needs all the help it can get, the Ohio Department of Transportation spends $15 million a year on rest area upkeep in Ohio alone. The high cost of maintaining and improving these rest areas is handcuffing the ability of Ohio and other States to spend more money on core infrastructure, roads and bridges.

This is a fiscally conservative protaxpayer amendment that would help States such as Ohio recover some of these losses or maybe even break even or maybe add some revenue, by allowing restaurants, gas stations, convenience stores, or other entities to lease spaces at rest areas. It is a commonsense approach that is supported by the American Association of State Highway and Transportation Officials and by a lot of the private sector as well.

This amendment is a way to give core infrastructure projects more funding, while enacting a proposal that actually helps the States to be able to make the decision. In Ohio alone, if you take out $50 million a year cost for rest areas and calculate it over the

next 20 years, that is $1 billion that could go into highway infrastructure.

This amendment doesn't direct or mandate States to commercialize rest areas or commercialize in any specific way. It leaves it up to the States, and it gives States the flexibility they want to be able to make their own decisions on how best to use those rest areas.

I urge colleagues to join me in voting to lift the Federal mandate and give States the freedom to develop their own underused and expensive rest areas.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

AMENDMENTS NOS. 1779, 1589, AND 1756, EN BLOC

Mr. COATS. Mr. President, I ask unanimous consent to set aside the pending amendment and call up amendment No. 1779 on behalf of Senator ALEXANDER, and amendments Nos. 1589 and 1756 on behalf of Senator DEMINT, en bloc.

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

The clerk will report the amendments, en bloc.

The legislative clerk read as follows:

The Senator from Indiana [Mr. COATS], for Mr. ALEXANDER, proposes an amendment numbered 1779, and, for Mr. DEMINT, amendments numbered 1589 and 1756, en bloc.

(The amendment (No. 1589) is printed in the RECORD of Tuesday, February 14, 2012, under ''Text of Amendments.'')

(The amendment (No. 1756) is printed in the RECORD of Wednesday, February 29, 2012, under ''Text of Amendments.'')

(The amendment (No. 1779) is printed in the RECORD of Monday, March 5, 2012, under ''Text of Amendments.'')

AMENDMENT NO. 1517

Mr. COATS. Mr. President, I now call up my amendment No. 1517, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Indiana [Mr. COATS] for himself and Mr. LUGAR, proposes an amendment numbered 1517.

The amendment is as follows:

(Purpose: To modify the apportionment formula to ensure that the percentage of apportioned funds received by a State is the same as the percentage of total gas taxes paid by the State)

In section 11005(a), in the amendment to section 104(c)(1) of title 23, United States Code, strike ''carry out section 134 shall be determined as follows'' and all that follows through subparagraph (B) and insert the following:

''carry out section 134 shall be a percentage of the total amount available for apportionment to all States that is equal to the proportion that—

''(A) the amount of gas taxes paid by the State for a fiscal year; bears to

''(B) the aggregate amount of gas taxes paid by all States for the fiscal year.

Mr. COATS. Mr. President, this amendment No. 1517 is of major significance to Indiana, as well as to a majority of the States across this country. Most people are familiar with the fact that when they pull up to the pump, they are not only paying for the cost of gas, they are paying the tax on the cost of that gas. The Federal tax on that gasoline pumped into the tank is then sent to Washington and put into a so-called Federal gas tax fund—a trust.

The word ''trust'' is somewhat of a misnomer because, like so many trusts that we create, it doesn't live up to its name. A trust means that it is safeguarded, and nobody else can touch it or use it. The trust fund was designed to collect taxes from the sale of gasoline at the Federal level and then, under a provision, return that tax back to the State.

The bottom line is that the majority of States in this country are not getting back what they put in. This amendment is designed to correct that flaw, or at least that current provision, in terms of the way the trust fund is operated. My colleague from Ohio, Senator PORTMAN, just announced an amendment that I think makes a great deal of sense. I intend to support that. This is somewhat of a similar amendment, except that what this requires is that a State receives its fair share of what it puts into the trust fund.

My State, like many across the Nation, draws the short end of the stick in terms of getting our money back, in that it turns the trust fund into a distribution fund, based upon the outdated formula and continuation of the broken earmark process. In reality, many States receive less than they put in. The interesting part of this is that there is a formula created by which an average of the amount of money spent by States is calculated, and States are rewarded on that basis, and the money is distributed on the basis of how that historical average is calculated. So States that have had very efficient Members of Congress creating earmarks and pouring more money into their States by earmarking end up with a higher historical average. As a result those States benefit now from the distribution from the trust fund to a greater degree. In fact, they are called the donee States because they receive more than what is put in from the donor States.

So those States that have taken more responsible fiscal measures in terms of how they spend their money and how they spend the taxpayers' dollars, such as the State of Indiana, end up being shortchanged simply because we have been more prudent in terms of how we spend our money. We haven't relied on earmarks over the years in Indiana, which under the current version of this bill would have raised our historical average. As a consequence we end up being a donor State donating more money to Washington than we receive in return.

The Senate has recently passed legislation to end the practice of earmarking. I think this is a very positive step forward. But we now have a Federal program that, in a sense, is calculated and based on the practice of past earmarking. So if we are serious about eliminating earmarking, we are also going to need to fix the formulas used in current programs that are rewarding States with more money than they deserve because these states received more earmarks in previous years. My amendment fixes this inequity and restores the trust fund to its original intent—to give taxpayer money back to them in the amount they deposited.

Under my amendment each State will get back what it put in out of the total available funds. It is a fairness issue and the trust fund is truly a trust fund. This amendment will send a message to the American people and the administration that Congress is serious about changing the culture in Washington. The American people have rejected earmarking, and it would be irresponsible for this institution to reward that practice under this highway bill.

So I urge my colleagues to support this important amendment. It takes a stand for fairness and fiscal integrity. It will be brought up on Tuesday. I urge my colleagues to support this both from the standpoint of fairness—which gives back to every State and every taxpayer the money a fair share of what they put into the trust fund as ending the practice of rewarding States that benefitted from earmarks and punishing those that have been fiscally prudent.

Mr. President, with that, I yield the floor.

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

AMENDMENT NO. 1540

Mr. BLUNT. Mr. President, I call up my amendment No. 1540, which is at the desk, and I ask unanimous consent that it be reported by number.

The PRESIDING OFFICER. Without objection, the clerk will report the amendment by number.

The assistant legislative clerk read as follows:

The Senator from Missouri [Mr. BLUNT], for himself and Mr. CASEY, proposes an amendment numbered 1540.

The amendment is as follows:

(Purpose: To modify the section relating to off-system bridges)

Beginning on page 94, strike line 6 and all that follows through page 95, line 7, and insert the following:

''(A) SET-ASIDE.—Of the amounts apportioned to a State for fiscal year 2012 and each fiscal year thereafter under this section, the State shall obligate for activities described in subsection (c)(2) for off-system bridges an amount that is not less than 15 percent of the amount of funds apportioned to the State for the highway bridge program for fiscal year 2009.

''(B) REDUCTION OF EXPENDITURES.—The Secretary, after consultation with State and local officials, may reduce the requirement for expenditures for off-system bridges under subparagraph (A) with respect to the State if the Secretary determines that the State has inadequate needs to justify the expenditure.

Mr. BLUNT. I thank the clerk for reporting.

Mr. President, this amendment deals with the whole issue of off-system bridges. These are bridges that are not part of the State system, are not part of the Federal system, but normally are run by county governments.

In our State, as in most States near or east of the Mississippi River, we have lots of counties. We have 115. They have large numbers of bridges, and for a number of years now they have benefited from 15 percent of the bridge funds that go to States. I think most of us, if we meet with county commissioners or those responsible for county government about their highway concerns, this would be an issue we have all heard about.

The Senator from Pennsylvania Mr. CASEY and I have introduced this amendment. It doesn't change current law. In fact, it just goes forward with current law in this bill. This bill would eliminate the requirement of States to give 15 percent to counties if counties have a use for it, and I think that would be a mistake. So I join Senator CASEY and others in hoping we are able to approve this amendment next week.

Mr. President, I also would like to speak on another amendment, an amendment that we apparently will not vote on; that is, amendment No. 1743. This is not at the desk, I don't think, at this moment, and it doesn't need to be read if it is. But I hope this is an issue that, as this Transportation bill progresses, we can continue to look at.

This is an amendment I have introduced with the Senator from South Carolina, Mr. DEMINT, and the Senator from Utah, Mr. LEE, on the commerce portion of the highway bill. Overall, almost every portion of this bill has gone through the open process of committee hearings, of markups, and now of floor time. The one part of this bill that hasn't had a committee markup or even a committee hearing in this Congress is the rail portion of the bill. In fact, the first time I saw this version of the bill was just a few weeks ago when the underlying bill was already pending and it was too late to have the normal process to look at what could happen and should happen as it relates to railroads.

As a member of the committee of jurisdiction, the Commerce Committee, I am concerned we haven't done our due diligence, and my amendment would simply strike this section of the bill in response to this closed process. I hope that is the final determination of this bill before it goes to the President's desk.

Since the Congress abolished the Interstate Commerce Commission in 1995, there has been no Federal licensing system for entry or exit of new rail passenger operators, only Federal requirements to ensure safety. That meant anybody who wanted to get into this business could, as long as they met the safety requirements. Currently, State transportation agencies increasingly use competitive bidding to choose a contract rail operator who can provide the best value. As a result, we are starting to see an actual competitive and robust rail passenger market with more than seven companies—which includes Amtrak but isn't limited to Amtrak—competing for these contracts.

Unfortunately, the language in the highway bill requires passenger rail operators, both public agencies and private businesses, to deal with an expensive and time-consuming licensing process in front of political employees at the Surface Transportation Board. However, this new regulation will not apply to Amtrak, putting its competitors at a distinct disadvantage. The bill, as it stands, would subject the passenger rail industry to an ever-changing political dynamic at the discretion of the Surface Transportation Board, likely resulting in a government-sanctioned passenger rail monopoly. The board would also hold broad veto powers to prevent a track-owning railroad to make agreements with any preferred operator other than Amtrak.

This bill would also require passenger rail operators to obtain a new board license every time a contract operator is replaced. This requirement appears to be aimed at preventing competitive selection of private sector contract operators, discouraging the replacement of operators through competitive bidding.

At a time when we are looking to promote private sector job creation, I believe this language is simply a step in the wrong direction. If this language becomes law, it will stifle any kind of private sector competition and job growth. The seven companies that have been formed in recent years and that compete actively against each other will no longer be doing that, and it will promote a government-run, taxpayer subsidized rail system.

My amendment would take this language out of the bill so that we could go through the normal process and decide if that is what we want. If the Congress, through the normal process, decides that is what we want to do, that is one thing. But putting it in a big bill without hearings—a bill we all believe to be important—is the wrong step.

The American Public Transportation Association, the American Association of State Highway and Transportation Officials, the National Railroad Construction and Maintenance Association, the United Brotherhood of Carpenters and Joiners of America all support this amendment.

We will not be voting on it next week. But I hope as this bill progresses toward what could be a signature by the President we at some point take another look at this part of the bill and decide if this is a step that is in the best interest of the country or of rail passengers now and in the future. I think the answer to that is no. I am prepared to live with whatever the answer is, if it is an answer we arrive at through the normal process.

I yield the floor.

Mr. REID. Mr. President, I ask unanimous consent that the vote changes entered by Senators MURKOWSKI and COLLINS reflect that the vote on the Vitter amendment was vote No. 28.

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

Mr. REID. Mr. President, I ask unanimous consent that on Tuesday, March 13, the Senate resume the sequence of votes remaining under the previous order at a time to be determined by the majority leader after consultation with the Republican leader, with all other provisions of the previous order remaining in effect.

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

MORNING BUSINESS

Mr. REID. Mr. President, I now ask unanimous consent that we proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

REMEMBERING DONALD E. GIRDLER

Mr. MCCONNELL. Mr. President, I rise today to pay tribute to a man who has spent his life working to help build a better Kentucky and a better United States of America. Mr. Donald E. Girdler of Pulaski County, KY, better known as simply ''Donnie,'' recently passed away. He was 63 years old.

Mr. Girdler was passionate about politics, and he made it his life's work. He entered the political arena when he first worked on the campaign of my good friend Congressman HAL ROGERS of Kentucky's Fifth Congressional District. Mr. Girdler had worked for HAL as a detective for 5 years before HAL, then a Commonwealth's attorney, decided to make a run at the U.S. House of Representatives. The political savvy and direction that Mr. Girdler would bring to the table would propel HAL ROGERS to victory.

There was a definite sense of gratitude from the Congressman for his trustworthy friend, Donnie Girdler. Mr. Girdler was at home in the world of politics and made connections in Washington, DC, that included becoming personally acquainted with five different Presidents of the United States and becoming personal friends with President George H.W. Bush and President George W. Bush.

Donnie went on to work for over a quarter of a century for Rogers before finally retiring and returning to offer his much sought after insight in local politics. He made friends in several southeastern Kentucky counties and helped many of them get elected to public office. Mr. Girdler became a distinguished political consultant for the Commonwealth of Kentucky because of his years of experience and, most importantly, his absolute love of public service.

Donald Girdler made an everlasting contribution to the world of Kentucky politics, and his motivation and innovation paved the way for others to get involved in their own way by bringing opportunities and jobs to the Pulaski County area. Donnie loved working in politics. He loved serving the public, but he was happiest when he was at his farmhouse in Nancy, KY, and he could fix up a pot of coffee and talk politics with his friends that would drop by from time to time.

At this time I would like to ask my colleagues in the Senate to join me in commemorating Donald E. Girdler, an individual whose hard work and upstanding character, combined with his talents and passion, have forever changed the climate of politics in the Commonwealth of Kentucky.

A news story highlighting the eventful life of Donnie Girdler was recently published in the Somerset, KY, area publication, the Commonwealth Journal.

I ask unanimous consent that said story be printed in the RECORD.

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

[From the Commonwealth Journal, Jan. 9, 2012]

POLITICAL ICON DONNIE GIRDLER DEAD AT 63

(By Bill Mardis)

A longtime aide to Congressman Hal Rogers and one of the Lake Cumberland area's most savvy political strategists has died.

Donnie Girdler's death Sunday ended a career that evolved through service in the military, local law enforcement, congressional front man, and political adviser to candidates and confidant to presidents. He was 63.

''As one who knew him for 37 years, I will say he was highly motivated,'' said Dan Venters, justice of the Kentucky Supreme Court.

''I have known Donnie Girdler as long as I have known anyone in Pulaski County,'' said Venters. ''When I first came here to work in (then) Commonwealth's Attorney Hal Rogers's office, Donnie was the first person I met. He was serving as Commonwealth's detective in Hal's office.

''There was something about us that bonded . . . he became one of my closest friends and confidants,'' said Venters.

Girdler worked for Congressman Rogers for more than a quarter of a century.

''Donnie was one of my closest advisers and served faithfully as a field representative for the Fifth Congressional District,'' said Rogers. ''As a retired member of the honorable U.S. Marine Corps and a former Commonwealth's detective, Donnie was a man of integrity and loyalty.

''With courage of conviction, Donnie played a key role in bringing various opportunities and projects to the region. But it was his passion for politics that many sought during campaigns. His political savvy and insight were invaluable to local, state and federal politicians. He was a true patriot and a true friend,'' said Rogers.

Girdler was a friend of presidents. He was personally acquainted with five presidents and was a friend of the two Bushes—George W. Bush and his father, George H.W. Bush. He worked in Bob Dole's presidential campaign and was a presidential elector for George W. Bush.

Locally, Girdler managed the successful campaign of Pulaski County Judge-Executive Barty Bullock and served as Bullock's deputy judge for a year and a half.

''I am very saddened by the recent passing of Donnie Girdler,'' Bullock said in a statement. ''I first met him when I ran for county judge-executive in 2006. As we worked and spent numerous hours together, we became very good friends.

''Since the onset of his illness we have not had as much communication as in the past, but I still think of our friendship fondly. I know that Donnie had many friends, and will be sadly missed by all who knew him,'' Bullock said.

A political consultant since leaving Congressman Rogers's office, Girdler developed close friendships with politicians and officeholders in wide areas, particularly in McCreary, Whitley, Clay and Knox counties.

Said Lori Hines, a political partner, ''He had a great insight into the human mind. He knew how people would react more than anyone I have ever known. He definitely was a people person. His voice was what defined him. People would stop at his farmhouse in Nancy, have a cup of coffee and talk politics,'' said Hines.

Girdler has been nominated as a member of the Republican Fifth District Hall of Fame. He will be inducted posthumously in March.

His body is at Pulaski Funeral Home where funeral arrangements are pending. A complete obituary will be in Wednesday's Commonwealth Journal.

ADDITIONAL STATEMENTS

REMEMBERING JOHN BROOKMAN PERRY

• Mr. BLUNT. Mr. President, I wish to honor the memory of a man whose life was dedicated to serving his community and protecting his fellow citizens. One year ago today, Deputy U.S. Marshal John Brookman Perry was killed in the line of duty while serving his country and community. Deputy Perry was assigned to the U.S. Marshals Eastern District of Missouri in St. Louis and was serving a warrant when he was fatally shot. Today we honor his memory and the sacrifices he made for all of us.

Deputy Perry was born on the west side of Chicago in Glen Ellyn, IL, and graduated from Southern Illinois University with a bachelor's degree in geology. He went to work for the Madison County probation office in Edwardsville, IL where he served for 16 years.

In 2001 he graduated from the U.S. Marshals Academy and went to work at the Superior Court of the District of Columbia. Deputy Perry returned to the Midwest in 2005 when he was assigned to the Eastern District in St. Louis. There, he served as a team leader on the fugitive task force and was the district's firearms instructor.

Deputy Perry came from a family dedicated to public service and was a natural fit for the U.S. Marshals Service. His brother, Bart Perry, has worked for the State of Illinois for over 25 years as a probation officer, and both his father and grandfather were Federal judges. His father served as a bankruptcy court judge and his grandfather was a former coal miner who became a district court judge. As a young boy, Deputy Perry was exposed to the Federal courts and became familiar with the U.S. Marshals Service and their work.

We should never forget the sacrifices that men like Deputy Perry and their families make daily to protect all of us. Our society depends on these dedicated individuals who risk their lives to protect the common good. I want to express my gratitude and thanks and ask the Senate to join me in remembering U.S. Deputy Marshal John Brookman Perry.•

MESSAGES FROM THE HOUSE

At 11:01 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2842. An act to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law, and for other purposes.

At 3:45 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3606. An act to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies.

The message also announced that pursuant to Executive Order No. 12131, and the order of the House of January 5, 2011, the Speaker appoints the following Members of the House of Representatives to the President's Export Council: Mr. REICHERT of Washington, Mr. GERLACH of Pennsylvania, Mr. TIBERI of Ohio, Ms. SUTTON of Ohio, and Ms. LINDA T. SÁNCHEZ of California.

MEASURES REFERRED

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

H.R. 2842. An act to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law, and for other purposes; to the Committee on Energy and Natural Resources.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 2173. A bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

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–5261. A communication from the Secretary of Energy, transmitting, proposed legislation to amend section 4306 of the Atomic Energy Defense Act, concerning the mixed oxide fuel fabrication facility (MOX facility) that is under construction at the Department of Energy's Savannah River Site in South Carolina; to the Committee on Energy and Natural Resources.

EC–5262. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Hawker Beechcraft Corporation Models 1900, 1900C, and 1900D Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0014)) received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5263. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; General Electric Company Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2011–0599)) received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5264. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Cirrus Design Corporation Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–1212)) received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5265. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; 328 Support Services GmbH Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–0995)) received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5266. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–0219)) received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5267. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2008–0415)) received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5268. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; SOCATA Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–1139)) received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5269. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Schempp-Hirth Flugzeugbau GmbH Gliders'' ((RIN2120–AA64) (Docket No. FAA–2011–1155)) received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5270. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pratt and Whitney Canada Turboprop Engines'' ((RIN2120–AA64) (Docket No. FAA–2011–1298)) received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5271. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; BRP–POWERTRAIN GmbH and Co KG Rotax Reciprocating Engines'' ((RIN2120–AA64) (Docket No. FAA–2011–1022)) received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5272. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0037)) received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5273. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter France Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2012–0005)) received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5274. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter France Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2012–0086)) received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5275. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Teledyne Continental Motors (TCM) and Rolls-Royce Motors Ltd. (R–RM) Series Reciprocating Engines'' ((RIN2120–AA64) (Docket No. FAA–2011–0085)) received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5276. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls-Royce plc (RR) RB211–524 Series Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2009–0162)) received in the Office of the President of the Senate on February 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5277. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Continental Motors, Inc. (CMI) Reciprocating Engines'' ((RIN2120–AA64) (Docket No. FAA–2011–1341)) received in the Office of the President of the Senate on February 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5278. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Seagoing Barges'' ((RIN1625–AB71) (Docket No. USCG–2011–0363)) received in the Office of the President of the Senate on February 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5279. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''International Anti-fouling System Certificate'' ((RIN1625–AB79) (Docket No. USCG–2011–0745)) received in the Office of the President of the Senate on February 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5280. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Isle of Wight (Sinepuxent) Bay, Ocean City, MD'' ((RIN1625–AA09) (Docket No. USCG–2011–0697)) received in the Office of the President of the Senate on February 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5281. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Neuse River, New Bern, NC'' ((RIN1625–AA09) (Docket No. USCG–2011–0974)) received in the Office of the President of the Senate on February 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5282. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Calcasieu River, Westlake, LA'' ((RIN1625–AA09) (Docket No. USCG–2011–1020)) received in the Office of the President of the Senate on February 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5283. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations; Seminole Hard Rock Winterfest Boat Parade, New River and Intracoastal Waterway, Fort Lauderdale, FL'' ((RIN1625–AA08) (Docket No. USCG–2011–1011)) received in the Office of the President of the Senate on February 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5284. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations; Key West World Championship, Atlantic Ocean; Key West, FL'' ((RIN1625–AA08) (Docket No. USCG–2011–0942)) received in the Office of the President of the Senate on February 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5285. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations; Orange Bowl International Youth Regatta, Biscayne Bay, Miami, FL'' ((RIN1625–AA08) (Docket No. USCG–2011–0994)) received in the Office of the President of the Senate on February 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5286. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zones; Captain of the Port Lake Michigan; Technical Amendment'' ((RIN1625–AA87) (Docket No. USCG–2011–0489)) received in the Office of the President of the Senate on February 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5287. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Container Crane Relocation, Cooper and Wando Rivers, Charleston, SC'' ((RIN1625–AA00) (Docket No. USCG–2011–1045)) received in the Office of the President of the Senate on February 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5288. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone and Regulated Navigation Area, Chicago Sanitary and Ship Canal, Romeoville, IL '' ((RIN1625–AA00) (Docket No. USCG–2011–1108)) received in the Office of the President of the Senate on February 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5289. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Art Gallery Party St. Pete 2011 Fireworks Display, Tampa Bay, St. Petersburg, FL'' ((RIN1625–AA00) (Docket No. USCG–2011–0774)) received in the Office of the President of the Senate on February 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5290. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Fourth Annual Chillounge Night St. Petersburg Fireworks Display, Tampa Bay, St. Petersburg, FL'' ((RIN1625–AA00) (Docket No. USCG–2011–0615)) received in the Office of the President of the Senate on February 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5291. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Temporary Change for Recurring Fireworks Display within the Fifth Coast Guard District, Wrightsville Beach, NC'' ((RIN1625–AA00) (Docket No. USCG–2011–0978)) received in the Office of the President of the Senate on February 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5292. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; 14-Mile Railroad Bridge Replacement, Mobile River, Mobile, AL'' ((RIN1625–AA00) (Docket No. USCG–2011–0969)) received in the Office of the President of the Senate on February 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5293. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; M/V DAVY CROCKETT, Columbia River'' ((RIN1625–AA00) (Docket No. USCG–2010–0939)) received in the Office of the President of the Senate on February 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5294. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; New Year's Eve Fireworks Displays within the Captain of the Port St. Petersburg Zone, FL'' ((RIN1625–AA00) (Docket No. USCG–2011–0958)) received in the Office of the President of the Senate on February 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5295. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Truman-Hobbs Alteration of the Elgin Joliet and Eastern Railroad Drawbridge; Illinois River, Morris, Illinois'' ((RIN1625–AA00) (Docket No. USCG–2011–1058)) received in the Office of the President of the Senate on February 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5296. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Fireworks Display, Potomac River, National Harbor Access Channel, MD'' ((RIN1625–AA00) (Docket No. USCG–2011–0976)) received in the Office of the President of the Senate on February 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5297. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Department of Defense Exercise, Hood Canal, Washington'' ((RIN1625–AA00) (Docket No. USCG–2011–1017)) received in the Office of the President of the Senate on February 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5298. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Trifloxystrobin; Pesticide Tolerances'' (FRL No. 9336–5) received in the Office of the President of the Senate on March 7, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5299. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Penthiopyrad; Pesticide Tolerances'' (FRL No. 9335–7) received in the Office of the President of the Senate on March 7, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5300. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Changes in Flood Determinations'' ((44 CFR Part 65) (Docket No. FEMA–2012–0003)) received in the Office of the President of the Senate on March 7, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–5301. 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 March 7, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–5302. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; State of Nevada; Revised Format for Materials Incorporated By Reference'' (FRL No. 9634–9) received in the Office of the President of the Senate on March 6, 2012; to the Committee on Environment and Public Works.

EC–5303. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; New York State Ozone Implementation Plan Revision'' (FRL No. 9645–4) received in the Office of the President of the Senate on March 7, 2012; to the Committee on Environment and Public Works.

EC–5304. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Texas: Final Authorization of State Hazardous Waste Management Program Revision'' (FRL No. 9643–7) received in the Office of the President of the Senate on March 6, 2012; to the Committee on Environment and Public Works.

EC–5305. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Volatile Organic Compound Emission Standards for Aerosol Coatings—Addition of Dimethyl Carbonate, Benzotrifluoride, and Hexamethyldisiloxane to Table of Reactivity Factors'' (FRL No. 9644–8) received in the Office of the President of the Senate on March 6, 2012; to the Committee on Environment and Public Works.

EC–5306. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Quality Assurance Requirements for Continuous Opacity Monitoring Systems at Stationary Sources'' (FRL No. 9643–9) received in the Office of the President of the Senate on March 7, 2012; to the Committee on Environment and Public Works.

EC–5307. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Effective Date for Water Quality Standards for the State of Florida's Lakes and Flowing Waters'' (FRL No. 9637–1) received in the Office of the President of the Senate on March 7, 2012; to the Committee on Environment and Public Works.

EC–5308. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Modification of Significant New Uses of Tris Carbamoyl Triazine; Technical Correction'' (FRL No. 9339–8) received in the Office of the President of the Senate on March 7, 2012; to the Committee on Environment and Public Works.

EC–5309. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, the Uniform Resource Locator (URL) for a report entitled ''Transmittal of Best Practices to Enhance Coordination in the RCRA Program''; to the Committee on Environment and Public Works.

EC–5310. A communication from the Director of the Regulatory Management Division,

Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans and Designations of Areas for Air Quality Planning Purposes; Georgia; Atlanta; Determination of Attainment by Applicable Attainment Date for the 1997 8-Hour Ozone Standards'' (FRL No. 9643–2) received in the Office of the President of the Senate on March 6, 2012; to the Committee on Environment and Public Works.

EC–5311. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans and Designations of Areas for Air Quality Planning Purposes; North Carolina and South Carolina; Charlotte; Determination of Attainment by Applicable Attainment Date for the 1997 8-Hour Ozone Standards'' (FRL No. 9643–3) received in the Office of the President of the Senate on March 6, 2012; to the Committee on Environment and Public Works.

EC–5312. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the California State Implementation Plan, South Coast Air Quality Management District'' (FRL No. 9626–6) received in the Office of the President of the Senate on March 6, 2012; to the Committee on Environment and Public Works.

EC–5313. A communication from District of Columbia Auditor, transmitting, pursuant to law, a report entitled, ''Sufficiency Review of the Reasonableness of the District of Columbia Water and Sewer Authority's (DC Water) Fiscal Year 2012 Revenue Estimate Totaling $426,416,477''; to the Committee on Homeland Security and Governmental Affairs.

EC–5314. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–320 ''District of Columbia Public Schools and Public Charter School Student Residency Fraud Prevention Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–5315. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–319 ''Uniform Collaborative Law Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–5316. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, an annual report on crime victims' rights; to the Committee on the Judiciary.

EC–5317. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report on the Department's activities during Calendar Year 2011 relative to the Equal Credit Opportunity Act; to the Committee on the Judiciary.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. LEAHY for the Committee on the Judiciary.

Jeffrey J. Helmick, of Ohio, to be United States District Judge for the Northern District of Ohio.

Patty Shwartz, of New Jersey, to be United States Circuit Judge for the Third Circuit.

Mary Geiger Lewis, of South Carolina, to be United States District Judge for the District of South Carolina.

Timothy S. Hillman, of Massachusetts, to be United States District Judge for the District of Massachusetts.

Thomas M. Harrigan, of New York, to be Deputy Administrator of Drug Enforcement.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. INHOFE:

S. 2174. A bill to exempt natural gas vehicles from certain maximum fuel economy increase standards, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. UDALL of Colorado:

S. 2175. A bill to amend the National Defense Authorization Act for Fiscal Year 2012 to provide for the trial of covered persons detained in the United States pursuant to the Authorization for Use of Military Force and to repeal the requirement for military custody; to the Committee on Armed Services.

By Mr. GRAHAM (for himself, Mr. MCCAIN, Mr. DEMINT, Mr. CHAMBLISS, and Mr. JOHNSON of Wisconsin):

S. 2176. A bill to amend the Nuclear Waste Policy Act of 1982 to require the President to certify that the Yucca Mountain site remains the designated site for the development of a repository for the disposal of high-level radioactive waste, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LUGAR:

S. 2177. A bill to strengthen the North Atlantic Treaty Organization; to the Committee on Foreign Relations.

By Mr. CARPER (for himself, Mr. PORTMAN, Mr. PRYOR, Mr. COBURN, and Mr. BEGICH):

S. 2178. A bill to require the Federal Government to expedite the sale of underutilized Federal real property; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WEBB (for himself, Mr. HARKIN, Mr. BROWN of Massachusetts, Mr. CARPER, and Mrs. MCCASKILL):

S. 2179. A bill to amend title 38, United States Code, to improve oversight of educational assistance provided under laws administered by the Secretary of Veterans Affairs and the Secretary of Defense, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BEGICH:

S. 2180. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit for professional school personnel in early childhood education, to expand the deduction for certain expenses of teachers to teachers in early childhood education, and to modify the credit for dependent care services; to the Committee on Finance.

By Mr. BEGICH:

S. 2181. A bill to amend the Higher Education Act of 1965 to provide for loan forgiveness for early childhood educators, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BEGICH:

S. 2182. A bill to establish a program to provide child care through public-private partnerships; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. WYDEN (for himself, Mr. LIEBERMAN, Mr. MENENDEZ, Mrs. GILLIBRAND, Mr. WHITEHOUSE, Mr. BLUMENTHAL, Mr. MERKLEY, Mr. BINGAMAN, and Mr. LAUTENBERG):

S. Res. 391. A resolution condemning violence by the Government of Syria against journalists, and expressing the sense of the Senate on freedom of the press in Syria; to the Committee on Foreign Relations.

By Mr. BROWN of Massachusetts (for himself, Mrs. FEINSTEIN, and Mr. KIRK):

S. Res. 392. A resolution urging the Republic of Turkey to safeguard its Christian heritage and to return confiscated church properties; to the Committee on Foreign Relations.

By Mr. BENNET (for himself, Mrs. MURRAY, Mr. BOOZMAN, Mr. MERKLEY, and Mr. HATCH):

S. Res. 393. A resolution designating March 11, 2012 as ''World Plumbing Day''; considered and agreed to.

ADDITIONAL COSPONSORS

S. 412

At the request of Mr. LEVIN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 412, a bill to ensure that amounts credited to the Harbor Maintenance Trust Fund are used for harbor maintenance.

S. 687

At the request of Mr. CORNYN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 687, a bill to amend the Internal Revenue Code of 1986 to permanently extend the 15-year recovery period for qualified leasehold improvement property, qualified restaurant property, and qualified retail improvement property.

S. 839

At the request of Ms. KLOBUCHAR, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 839, a bill to ban the sale of certain synthetic drugs.

S. 881

At the request of Ms. LANDRIEU, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 881, a bill to amend the Consumer Credit Protection Act to assure meaningful disclosures of the terms of rental-purchase agreements, including disclosures of all costs to consumers under such agreements, to provide substantive rights to consumers under such agreements, and for other purposes.

S. 922

At the request of Mrs. GILLIBRAND, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 922, a bill to amend the Workforce Investment Act of 1998 to authorize the Secretary of Labor to provide grants for Urban Jobs Programs, and for other purposes.

S. 1002

At the request of Mr. SCHUMER, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 1002, a bill to prohibit theft of medical products, and for other purposes.

S. 1086

At the request of Mr. HARKIN, the names of the Senator from Maryland (Ms. MIKULSKI) and the Senator from Alaska (Mr. BEGICH) were added as cosponsors of S. 1086, a bill to reauthorize the Special Olympics Sport and Empowerment Act of 2004, to provide assistance to Best Buddies to support the expansion and development of mentoring programs, and for other purposes.

S. 1148

At the request of Mrs. MURRAY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1148, a bill to amend title 38, United States Code, to improve the provision of assistance to homeless veterans, to improve the regulation of fiduciaries who represent individuals for purposes of receiving benefits under laws administered by the Secretary of Veterans Affairs, and for other purposes.

S. 1283

At the request of Mr. DURBIN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1283, a bill to amend the Family and Medical Leave Act of 1993 to permit leave to care for a same-sex spouse, domestic partner, parent-in-law, adult child, sibling, grandchild, or grandparent who has a serious health condition.

S. 1301

At the request of Mr. LEAHY, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1301, a bill to authorize appropriations for fiscal years 2012 through 2015 for the Trafficking Victims Protection Act of 2000, to enhance measures to combat trafficking in persons, and for other purposes.

S. 1673

At the request of Mr. AKAKA, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1673, a bill to establish the Office of Agriculture Inspection within the Department of Homeland Security, which shall be headed by the Assistant Commissioner for Agriculture Inspection, and for other purposes.

S. 1880

At the request of Mr. BARRASSO, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1880, a bill to repeal the health care law's job-killing health insurance tax.

S. 1884

At the request of Mr. DURBIN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor 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. 1915

At the request of Mr. JOHANNS, his name was added as a cosponsor of S. 1915, a bill to amend the Motor Carrier Safety Improvement Act of 1999 to provide clarification regarding the applicability of exemptions relating to the transportation of agricultural commodities and farm supplies, and for other purposes.

S. 1935

At the request of Mrs. HAGAN, the names of the Senator from Indiana (Mr. LUGAR) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 1935, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the 75th anniversary of the establishment of the March of Dimes Foundation.

S. 1956

At the request of Mr. THUNE, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 1956, a bill to prohibit operators of civil aircraft of the United States from participating in the European Union's emissions trading scheme, and for other purposes.

S. 2010

At the request of Mr. KERRY, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 2010, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 2027

At the request of Mr. BENNET, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2027, a bill to improve microfinance and microenterprise, and for other purposes.

S. 2103

At the request of Mr. LEE, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 2103, a bill to amend title 18, United States Code, to protect pain-capable unborn children in the District of Columbia, and for other purposes.

S. 2134

At the request of Mr. BLUMENTHAL, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2134, a bill to amend title 10, United States Code, to provide for certain requirements relating to the retirement, adoption, care, and recognition of military working dogs, and for other purposes.

S. 2150

At the request of Ms. SNOWE, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2150, a bill to amend title XVI of the Social Security Act to clarify that the value of certain funeral and burial arrangements are not to be considered available resources under the supplemental security income program.

S. 2156

At the request of Mr. BEGICH, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 2156, a bill to amend the Migratory Bird Hunting and Conservation Stamp Act to permit the Secretary of the Interior, in consultation with the Migratory Bird Conservation Commission, to set prices for Federal Migratory Bird Hunting and Conservation Stamps and make limited waivers of stamp requirements for certain users.

S. RES. 310

At the request of Ms. MIKULSKI, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. Res. 310, a resolution designating 2012 as the ''Year of the Girl'' and Congratulating Girl Scouts of the USA on its 100th anniversary.

AMENDMENT NO. 1589

At the request of Mr. DEMINT, the names of the Senator from Utah (Mr. LEE) and the Senator from Wisconsin (Mr. JOHNSON) were added as cosponsors of amendment No. 1589 proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

AMENDMENT NO. 1617

At the request of Mr. JOHANNS, his name was added as a cosponsor of amendment No. 1617 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. 1818

At the request of Mr. LEVIN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of amendment No. 1818 proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

AMENDMENT NO. 1822

At the request of Mr. BROWN of Massachusetts, his name was added as a cosponsor of amendment No. 1822 proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WEBB (for himself, Mr. HARKIN, Mr. BROWN of Massachusetts, Mr. CARPER, and Mrs. MCCASKILL):

S. 2179. A bill to amend title 38, United States Code, to improve oversight of educational assistance provided under laws administered by the Secretary of Veterans Affairs and the Secretary of Defense, and for other purposes; to the Committee on Veterans' Affairs.

Mr. WEBB. Mr. President, today, I am introducing The Military and Veterans Educational Reform Act of 2012. This bi-partisan bill will ensure that all educational institutions receiving

funding from the Post-9/11 GI Bill and Tuition Assistance educational programs are governed by the appropriate quality standards.

I am pleased to be joined in this initiative by Senators HARKIN, CARPER, MCCASKILL and Senator SCOTT BROWN.

I have been working on this legislation for several months. It includes many recommendations made by Veterans service organizations, military organizations and various GAO reports on the need to improve the accountability and oversight of educational institutions.

This past year marked the second-year anniversary of the implementation of the landmarks Post-9/11 G.I. Bill, which I introduced on my first day in office. I take pride in saying that we have been able to provide the proper investment in the future of those who, since 9/11, have given so much to this country.

History demonstrates clearly that well educated veterans not only have an easier transition and readjustment experience, but also boast higher income levels and enjoy a better quality of life.

Since 2009, more than 1.1 million servicemembers and veterans have applied to receive their new benefits and nearly 700,000 have received benefits under the Post-9/11 GI Bill.

For these reasons, I believe that we in the Congress need to do all we can to ensure that we are preserving the integrity of the greatest GI Bill our veterans and military members have ever had.

Concern with waste in the for-profit sector is not a new issue. If we look back in history, 5 years following the creation of the World War II GI Bill in 1944, we saw that more than 5,000 for-profit schools were created. Many of these schools had questionable outcomes and catered exclusively to veterans.

The World War II GI Bill was almost derailed because of the thousands of for-profit colleges created overnight targeting veterans. Due to the concern with the reported waste and abuse in the system, the Vietnam GI Bill tuition provision became a flat monthly stipend.

Recent data shows that 8 of the 10 largest recipients of Post-9/11 GI Bill benefits are for-profit institutions. Many of these schools have more than doubled the amount of Post-9/11 GI Bill dollars they received from 2009–2011.

The growth in this sector has been tremendous in the past couple of years. Between 1998 and 2008, for-profit schools grew 225 percent.

Last month, the Department of Defense released new data showing that for-profit colleges received half of all military tuition assistance dollars—$280 million out of $563 million spent last year on this program.

In 2009, the 15 publicly traded for-profit education companies spent $3.7 billion on marketing. A disproportionate share of this money is going to marketing and recruitment of veterans into poorly performing for-profit schools, and the results of the Veteran's Administration data on the GI Bill reflect this.

The problem is not necessarily the growth of the for-profit sector. There are some for-profit institutions that are providing our students a great education. But with huge Federal dollars being spent in this sector, we owe it to the taxpayers and to our veterans to carefully monitor and provide adequate oversight. Even more important, we owe it to the men and women who served that the GI benefits they have earned will not be lost or squandered on an education that fails to equip them with the skills and knowledge they need to be successful.

In light of these issues, I have introduced the Military and Veterans Educational Reform Act of 2012. My legislation requires schools participating in educational assistance programs through the Department of Veterans Affairs and the Department of Defense to meet the same educational standards currently required for other federal funding, such as the Pell Grant. This bill strengthens the responsibilities of the Department of Veterans Affairs and Department of Defense to assist individuals in making an informed decision to further their continued academic success.

This legislation will increase transparency of information about educational institutions, provide critical services to assist students in the decision-making process and throughout their career, and promote interagency information sharing by requiring all programs receiving funding from Tuition Assistance and Post-9/11 GI Bill be Title IV eligible. Title IV eligibility strengthens the requirements programs must meet in order to receive Federal funding.

By also increasing the transparency of educational institutions by requiring them to provide information to potential students on graduation rates, default rates, and other critical information to ensure that individuals have the information necessary in choosing the best academic program.

By expanding the training and outreach responsibilities of the State Approving Agencies by requiring them to conduct outreach activities to veterans and members of the Armed Forces, requiring State Approving Agencies to conduct audits of schools and to report those findings to the Secretary of Veterans Affairs.

By requiring that the Secretary of Veterans Affairs and the Secretary of Defense develop a centralized complaints process for individuals to report instances of misrepresentation, fraud, waste and abuse and other complaints against educational institutions.

By requiring that the Secretary of Veterans Affairs and the Secretary of Defense provide counseling to individuals before they use their benefits.

By increasing greater coordination between the Department of Veterans Affairs, the Department of Defense and the Department of Education by requiring information sharing among these agencies.

This is a bill that I hope both sides of the aisle will support. It not only aims at preserving the greatest educational benefits for our veterans and military students but it also ensures that our Federal dollars are being spent on quality education.

By Mr. BEGICH:

S. 2180. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit for professional school personnel in early childhood education, to expand the deduction for certain expenses of teachers to teachers in early childhood education, and to modify the credit for dependent care services; to the Committee on Finance.

Mr. President, today I rise to introduce a package of legislation, the Keep Investing in Developmental Success, KIDS, Act of 2012. These three early childhood bills will address access, quality and affordability in early education programs.

These bills, S. 2180, S. 2181, and S. 2182, are a step towards a commitment to effective early education programs. We all want America's kids ready to learn and ready to succeed when they enter school.

All the data shows early education is one of the strongest predictors of graduation.

The payoff is clear: every dollar invested in early education programs today returns $16 in better outcomes for individuals, families and communities. You can't find a better investment and the payoff is very clear when you see and talk to the kids who have gone through Head Start.

One snowy night about a month ago in Anchorage, I met with about 50 strongly committed Alaska educators to talk about how to improve our schools and prepare our students for the competitive 21st century economy.

From that conversation arose the idea for three bills I am introducing today.

First, we will amend the tax code to provide a tax credit for early childhood educators. The Tax Relief for Early Educators Act will expand the deductions for certain expenses for early childhood education and increase the child care tax credit so more parents can afford to put their children in quality early child development programs.

Right now, a family pays more than $1,400 a month for two young children. For most working families, that is not only a hardship, that is out of reach. Because employees of early childhood programs tend to earn low wages, we also will offer them a tax credit of up to $3,000 and expand the deduction for certain expenses to early childhood educators.

Second, we will create a new student loan forgiveness program for graduates of associate's or bachelor's programs in early education. The Preparing and Reinvesting in Early Education Act, or

PRE ED, will provide needed relief for early educators and encourage more to work with kids through age five. Well-trained educators providing quality early education to our children makes all the difference in a child's success.

Third, we need to reward companies offering onsite or near-site childcare with a company cost-share. We know it works for the company and for the employee—just look around our state.

In Alaska BP, Credit Union One and Fairbanks Memorial Hospital are great examples. They all offer quality onsite centers. They know it makes more productive employees.

The Child Care Public-Private Partnership Act will establish a program to provide child care through partnerships. Through new grant incentives for small and medium companies, we can help more Alaska companies do the same.

This package of bills, the KIDS Act, is not a new idea, and I appreciate my colleagues who have come before this body with similar proposals. However, this is the time to pass these bills—for working families struggling to make ends meet. Parents should have access to affordable, high-quality early care and learning services, early childhood educators should have liveable wages and benefits and business will be more productive.

In closing, let me say I feel very privileged to be involved with policy discussions and the formation of bills such as these. This is a bipartisan issue. I strongly encourage my colleagues to join me in cosponsoring these bills and I urge their quick action and approval.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 391—CONDEMNING VIOLENCE BY THE GOVERNMENT OF SYRIA AGAINST JOURNALISTS, AND EXPRESSING THE SENSE OF THE SENATE ON FREEDOM OF THE PRESS IN SYRIA

Mr. WYDEN (for himself, Mr. LIEBERMAN, Mr. MENENDEZ, Mrs. GILLIBRAND, Mr. WHITEHOUSE, Mr. BLUMENTHAL, Mr. MERKLEY, Mr. BINGAMAN, and Mr. LAUTENBERG) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 391

Whereas United Nations Security Council Resolution 1738 (2006) obliges states to ensure the safety of journalists in war zones;

Whereas, since the uprisings in Syria began in January 2011, the Government of Syria has denied entry to foreign journalists and arrested, abducted, beaten, tortured, and killed journalists, photographers, and bloggers to prevent the free flow of accurate information to the outside world;

Whereas restrictions imposed by the Government of Syria on media have made it extraordinarily difficult to verify death tolls and the exact nature and course of events within the country;

Whereas Syrian state media reports differ significantly from the few independent reports that make their way out of Syria;

Whereas Reporters Without Borders, an international nongovernmental organization that advocates freedom of the press and freedom of information, has listed Bashar al-Assad as a Predator of Freedom of the Press;

Whereas the League of Arab States called for the media to be allowed into Syria during its monitoring mission that was suspended indefinitely on January 28, 2012, due to the ''critical deterioration of the situation'' in Syria;

Whereas freelance journalist Ferzat Jarban was tortured and killed on November 19 or 20, 2011, after filming protests in Al-Qassir, Syria;

Whereas videographer Basil al-Sayed died on December 27, 2011, from a gunshot wound he suffered 5 days earlier at a checkpoint in the Baba Amr neighborhood in the city of Homs, Syria;

Whereas Shukri Abu al-Burghul of the state-owned daily Al Thawra and Radio Damascus died on January 3, 2012, in Damascus, Syria from a gunshot wound to the head he suffered four days earlier;

Whereas Gilles Jacquier, a correspondent with France 2 television, was killed in a grenade explosion on January 11, 2012, while covering demonstrations in the city of Homs;

Whereas freelance journalist Mazhar Tayyara, a videographer and photojournalist who contributed to Agence France-Presse and other international outlets, was killed by government forces' fire in the city of Homs on February 4, 2012;

Whereas New York Times correspondent Anthony Shadid died of an asthma attack on February 16, 2012, while attempting to leave Syria after reporting inside the country for a week, gathering information on the Free Syrian Army and other armed elements of the resistance to the government of President Bashar al-Assad;

Whereas freelance journalist Rami al-Sayed, who filmed videos of Syrian security forces' repressive acts, was killed on February 21, 2012, while covering the bombardment of the city of Homs by Government of Syria forces;

Whereas journalist Marie Colvin of the Sunday Times, a United States citizen, and freelance photojournalist Remi Ochlik were killed on February 22, 2012, after their makeshift press center in Homs was struck by rockets fired by Government of Syria forces;

Whereas, on February 22, 2012, Department of State Spokesman Mark Toner stated, ''[T]oday, we're also clearly deeply troubled and saddened by reports that American journalist Marie Colvin and French journalist Remi Ochlik were killed today in Homs as a result of the intense shelling, the ongoing intense shelling by the Syrian regime. . . . We, of course, extend our deepest condolences to their families and loved ones and just note that their sacrifice in chronicling the daily suffering of the people of Homs stands as a testament to journalism's highest standards.'';

Whereas 13 opposition activists in Syria were killed during a weeklong attempt to rescue 4 foreign journalists, 2 of whom were injured, who were trapped in Homs as a result of the bombardment by the Government of Syria that killed Marie Colvin and Remi Ochlik;

Whereas videographer Anas al-Tarsha, who documented unrest in the besieged city of Homs, was killed by a mortar round while filming the bombardment of the city's Qarabees district on February 24, 2012;

Whereas, from 1992 through 2010, zero journalists were killed in Syria according to the Committee to Protect Journalists; and

Whereas the Government of Syria has continued to arbitrarily arrest and detain prominent Syrian journalists and bloggers: Now, therefore, be it

Resolved, That the Senate—

(1) calls on the Government of Syria to immediately open the country up to independent and foreign journalists and immediately end its media blackout;

(2) condemns in the strongest possible terms the Government of Syria's abuse, intimidation, and violence towards journalists, videographers, and bloggers;

(3) calls on the Government of Syria to immediately release all journalists, videographers, and bloggers who have been detained, arrested, or imprisoned;

(4) pays tribute to the journalists who have lost their lives while reporting on the conflict in Syria;

(5) commends the bravery and courage of journalists who continue to operate in harm's way;

(6) supports the people of Syria seeking access to a free flow of accurate news and other forms of information;

(7) recognizes the critical role that technology plays in helping independent journalists report the facts on the ground;

(8) condemns all acts of censorship and other restrictions on freedom of the press, freedom of speech, and freedom of expression in Syria;

(9) strongly condemns all nations that assist or enable the Government of Syria's ongoing repression of the media; and

(10) reaffirms the centrality of press freedom to efforts by the United States Government to support democracy and promote good governance around the world.

SENATE RESOLUTION 392—URGING THE REPUBLIC OF TURKEY TO SAFEGUARD ITS CHRISTIAN HERITAGE AND TO RETURN CONFISCATED CHURCH PROPERTIES

Mr. BROWN of Massachusetts (for himself, Mrs. FEINSTEIN, and Mr. KIRK) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 392

Resolved, That it is the sense of the Senate that the Secretary of State, in all official contacts with officials and representatives of the Government of Turkey, should emphasize that the Government of Turkey should—

(1) end all forms of religious discrimination;

(2) allow the rightful church and lay owners of Christian church properties, without hindrance or restriction, to organize and administer prayer services, religious education, clerical training, appointments, and succession, religious community gatherings, social services, including ministry to the needs of the poor and infirm, and other religious activities;

(3) return to their rightful owners all Christian churches and other places of worship, monasteries, schools, hospitals, monuments, relics, holy sites, and other religious properties, including movable properties, such as artwork, manuscripts, vestments, vessels, and other artifacts; and

(4) allow the rightful Christian church and lay owners of Christian church properties, without hindrance or restriction, to preserve, reconstruct, and repair, as they see fit, all Christian churches and other places of worship, monasteries, schools, hospitals, monuments, relics, holy sites, and other religious properties within Turkey.

SENATE RESOLUTION 393—DESIGNATING MARCH 11, 2012 AS ''WORLD PLUMBING DAY''

Mr. BENNET (for himself, Mrs. MURRAY, Mr. BOOZMAN, Mr. MERKLEY, and Mr. HATCH) submitted the following resolution; which was considered and agreed to:

S. RES. 393

Whereas the industry of plumbing plays an important role in safeguarding the public health of the people of the United States and the world;

Whereas 884,000,000 people around the world do not have access to safe drinking water;

Whereas 2,600,000,000 people around the world live without adequate sanitation facilities;

Whereas the lack of sanitation is the largest cause of infection in the world;

Whereas in the developing world, 24,000 children under the age of 5 die every day from preventable causes, such as diarrhea contracted from unclean water;

Whereas safe and efficient plumbing helps save money and reduces future water supply costs and infrastructure costs;

Whereas the installation of modern plumbing systems must be accomplished in a specific, safe manner by trained professionals in order to prevent widespread disease, which can be crippling and deadly to the community;

Whereas the people of the United States rely on plumbing professionals to maintain, repair, and rebuild the aging water infrastructure of the United States;

Whereas Congress and plumbing professionals across the United States and the world are committed to safeguarding public health; and

Whereas the founding organization of World Plumbing Day, the World Plumbing Council, is currently being chaired by GP Russ Chaney, a United States citizen: Now, therefore, be it

Resolved, That the Senate designates March 11, 2012, as ''World Plumbing Day''.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1824. Mr. GRAHAM 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 1825. Mr. BAUCUS (for himself, Mr. BINGAMAN, Mr. WYDEN, Mr. MERKLEY, Mr. TESTER, Mr. CRAPO, Mr. RISCH, and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 1813, supra.

SA 1826. Mr. ROBERTS submitted an amendment intended to be proposed by him to the bill S. 1813, supra.

SA 1827. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1828. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1829. Mr. JOHANNS 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 1824. Mr. GRAHAM 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:

On page 792, strike line 20 and all that follows through page 793, line 2, and insert the following:

''(2) CLEAN FUEL VEHICLE.—The term 'clean fuel vehicle' means—

''(A) a passenger vehicle used to provide public transportation that the Administrator of the Environmental Protection Agency has certified sufficiently reduces energy consumption or reduces harmful emissions, including direct carbon emissions, when compared to a comparable standard vehicle; or

''(B) a zero emission bus used to provide public transportation.

On page 794, between lines 13 and 14, insert the following:

''(7) ZERO EMISSION BUS.—The term 'zero emission bus' means a clean fuel vehicle that produces no carbon or particulate matter.

On page 794, between lines 22 and 23, insert the following:

''(3) COMBINATION OF FUNDING SOURCES.—

''(A) COMBINATION PERMITTED.—A project carried out under this section may receive funding under section 5307, or any other provision of law.

''(B) GOVERNMENT SHARE.—Nothing in this paragraph may be construed to alter the Government share required under this section, section 5307, or any other provision of law.

On page 795, line 10, strike ''(f)'' and insert the following:

''(f) PRIORITY CONSIDERATION.—In making grants under this section, the Secretary shall give priority to projects relating to clean fuel buses that make greater reductions in energy consumption and harmful emissions, including direct carbon emissions, than comparable standard buses or other clean fuel buses.

''(g)

SA 1825. Mr. BAUCUS (for himself, Mr. BINGAMAN, Mr. WYDEN, Mr. MERKLEY, Mr. TESTER, Mr. CRAPO, Mr. RISCH, and Ms. MURKOWSKI) 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; as follows:

At the end of division D, insert the following:

TITLE IV—REAUTHORIZATION OF CERTAIN PROGRAMS

Subtitle A—Secure Rural Schools and Community Self-determination Program

SEC. 40401. SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION PROGRAM.

(a) AMENDMENTS.—The Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7101 et seq.) is amended—

(1) in section 3(11)—

(A) in subparagraph (A), by striking ''and'' after the semicolon at the end;

(B) in subparagraph (B)—

(i) by striking ''fiscal year 2009 and each fiscal year thereafter'' and inserting ''each of fiscal years 2009 through 2011''; and

(ii) by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(C) for fiscal year 2012 and each fiscal year thereafter, the amount that is equal to 95 percent of the full funding amount for the preceding fiscal year.'';

(2) in sections 101, 102, 203, 207, 208, 304, and 402, by striking ''2011'' each place it appears and inserting ''2012'';

(3) in section 102—

(A) by striking ''2008'' each place it appears and inserting ''2012'';

(B) in subsection (b)(2)(B), by inserting ''in 2012'' before '', the election''; and

(C) in subsection (d)—

(i) in paragraph (1)(A), by striking ''paragraph (3)(B)'' and inserting ''subparagraph (D)''; and

(ii) in paragraph (3)—

(I) by striking subparagraph (A) and inserting the following:

''(A) NOTIFICATION.—The Governor of each eligible State shall notify the Secretary concerned of an election by an eligible county under this subsection not later than September 30, 2012, and each September 30 thereafter for each succeeding fiscal year.'';

(II) by redesignating subparagraph (B) as subparagraph (D) and moving the subparagraph so as to appear at the end of paragraph (1) of subsection (d); and

(III) by inserting after subparagraph (A) the following:

''(B) FAILURE TO ELECT.—If the Governor of an eligible State fails to notify the Secretary concerned of the election for an eligible county by the date specified in subparagraph (A)—

''(i) the eligible county shall be considered to have elected to expend 80 percent of the funds in accordance with paragraph (1)(A); and

''(ii) the remainder shall be available to the Secretary concerned to carry out projects in the eligible county to further the purpose described in section 202(b).'';

(4) in section 103(d)(2), by striking ''fiscal year 2011'' and inserting ''each of fiscal years 2011 and 2012'';

(5) in section 202, by adding at the end the following:

''(c) ADMINISTRATIVE EXPENSES.—A resource advisory committee may, in accordance with section 203, propose to use not more than 10 percent of the project funds of an eligible county for any fiscal year for administrative expenses associated with operating the resource advisory committee under this title.'';

(6) in section 204(e)(3)(B)(iii), by striking ''and 2011'' and inserting ''through 2012'';

(7) in section 205(a)(4), by striking ''2006'' each place it appears and inserting ''2011'';

(8) in section 208(b), by striking ''2012'' and inserting ''2013'';

(9) in section 302(a)(2)(A), by inserting ''and'' after the semicolon; and

(10) in section 304(b), by striking ''2012'' and inserting ''2013''.

(b) FAILURE TO MAKE ELECTION.—For each county that failed to make an election for fiscal year 2011 in accordance with section 102(d)(3)(A) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112(d)(3)(A)), there shall be available to the Secretary of Agriculture to carry out projects to further the purpose described in section 202(b) of that Act (16 U.S.C. 7122(b)), from amounts in the Treasury not otherwise appropriated, the amount that is equal to 15 percent of the total share of the State payment that otherwise would have been made to the county under that Act for fiscal year 2011.

Subtitle B—Payment in Lieu of Taxes Program

SEC. 40411. PAYMENTS IN LIEU OF TAXES.

Section 6906 of title 31, United States Code, is amended by striking ''2012'' and inserting ''2013''.

Subtitle C—Offsets

SEC. 40421. TAX REPORTING FOR LIFE SETTLEMENT TRANSACTIONS.

(a) IN GENERAL.—Subpart B of part III of subchapter A of chapter 61 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

"SEC. 6050X. RETURNS RELATING TO CERTAIN LIFE INSURANCE CONTRACT TRANSACTIONS.

''(a) REQUIREMENT OF REPORTING OF CERTAIN PAYMENTS.—

''(1) IN GENERAL.—Every person who acquires a life insurance contract or any interest in a life insurance contract in a reportable policy sale during any taxable year shall make a return for such taxable year (at such time and in such manner as the Secretary shall prescribe) setting forth—

''(A) the name, address, and TIN of such person,

''(B) the name, address, and TIN of each recipient of payment in the reportable policy sale,

''(C) the date of such sale,

''(D) the name of the issuer of the life insurance contract sold and the policy number of such contract, and

''(E) the amount of each payment.

''(2) STATEMENT TO BE FURNISHED TO PERSONS WITH RESPECT TO WHOM INFORMATION IS REQUIRED.—Every person required to make a return under this subsection shall furnish to each person whose name is required to be set forth in such return a written statement showing—

''(A) the name, address, and phone number of the information contact of the person required to make such return, and

''(B) the information required to be shown on such return with respect to such person, except that in the case of an issuer of a life insurance contract, such statement is not required to include the information specified in paragraph (1)(E).

''(b) REQUIREMENT OF REPORTING OF SELLER'S BASIS IN LIFE INSURANCE CONTRACTS.—

''(1) IN GENERAL.—Upon receipt of the statement required under subsection (a)(2) or upon notice of a transfer of a life insurance contract to a foreign person, each issuer of a life insurance contract shall make a return (at such time and in such manner as the Secretary shall prescribe) setting forth—

''(A) the name, address, and TIN of the seller who transfers any interest in such contract in such sale,

''(B) the investment in the contract (as defined in section 72(e)(6)) with respect to such seller, and

''(C) the policy number of such contract.

''(2) STATEMENT TO BE FURNISHED TO PERSONS WITH RESPECT TO WHOM INFORMATION IS REQUIRED.—Every person required to make a return under this subsection shall furnish to each person whose name is required to be set forth in such return a written statement showing—

''(A) the name, address, and phone number of the information contact of the person required to make such return, and

''(B) the information required to be shown on such return with respect to each seller whose name is required to be set forth in such return.

''(c) REQUIREMENT OF REPORTING WITH RESPECT TO REPORTABLE DEATH BENEFITS.—

''(1) IN GENERAL.—Every person who makes a payment of reportable death benefits during any taxable year shall make a return for such taxable year (at such time and in such manner as the Secretary shall prescribe) setting forth—

''(A) the name, address, and TIN of the person making such payment,

''(B) the name, address, and TIN of each recipient of such payment,

''(C) the date of each such payment, and

''(D) the amount of each such payment.

''(2) STATEMENT TO BE FURNISHED TO PERSONS WITH RESPECT TO WHOM INFORMATION IS REQUIRED.—Every person required to make a return under this subsection shall furnish to each person whose name is required to be set forth in such return a written statement showing—

''(A) the name, address, and phone number of the information contact of the person required to make such return, and

''(B) the information required to be shown on such return with respect to each recipient of payment whose name is required to be set forth in such return.

''(d) DEFINITIONS.—For purposes of this section:

''(1) PAYMENT.—The term 'payment' means the amount of cash and the fair market value of any consideration transferred in a reportable policy sale.

''(2) REPORTABLE POLICY SALE.—The term 'reportable policy sale' has the meaning given such term in section 101(a)(3)(B).

''(3) ISSUER.—The term 'issuer' means any life insurance company that bears the risk with respect to a life insurance contract on the date any return or statement is required to be made under this section.

''(4) REPORTABLE DEATH BENEFITS.—The term 'reportable death benefits' means amounts paid by reason of the death of the insured under a life insurance contract that has been transferred in a reportable policy sale.''.

(b) CLERICAL AMENDMENT.—The table of sections for subpart B of part III of subchapter A of chapter 61 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 6050W the following new item:

''Sec. 6050X. Returns relating to certain life insurance contract transactions.''.

(c) CONFORMING AMENDMENTS.—

(1) Subsection (d) of section 6724 of the Internal Revenue Code of 1986 is amended—

(A) by striking ''or'' at the end of clause (xxiv) of paragraph (1)(B), by striking ''and'' at the end of clause (xxv) of such paragraph and inserting ''or'', and by inserting after such clause (xxv) the following new clause:

''(xxvi) section 6050X (relating to returns relating to certain life insurance contract transactions), and'', and

(B) by striking ''or'' at the end of subparagraph (GG) of paragraph (2), by striking the period at the end of subparagraph (HH) of such paragraph and inserting '', or'', and by inserting after such subparagraph (HH) the following new subparagraph:

''(II) subsection (a)(2), (b)(2), or (c)(2) of section 6050X (relating to returns relating to certain life insurance contract transactions).''.

(2) Section 6047 of such Code is amended—

(A) by redesignating subsection (g) as subsection (h),

(B) by inserting after subsection (f) the following new subsection:

''(g) INFORMATION RELATING TO LIFE INSURANCE CONTRACT TRANSACTIONS.—This section shall not apply to any information which is required to be reported under section 6050X.'', and

(C) by adding at the end of subsection (h), as so redesignated, the following new paragraph:

''(4) For provisions requiring reporting of information relating to certain life insurance contract transactions, see section 6050X.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to—

(1) reportable policy sales after December 31, 2012, and

(2) reportable death benefits paid after December 31, 2012.

SEC. 40422. CLARIFICATION OF TAX BASIS OF LIFE INSURANCE CONTRACTS.

(a) CLARIFICATION WITH RESPECT TO ADJUSTMENTS.—Paragraph (1) of section 1016(a) of the Internal Revenue Code of 1986 is amended by striking subparagraph (A) and all that follows and inserting the following:

''(A) for—

''(i) taxes or other carrying charges described in section 266; or

''(ii) expenditures described in section 173 (relating to circulation expenditures),

for which deductions have been taken by the taxpayer in determining taxable income for the taxable year or prior taxable years; or

''(B) for mortality, expense, or other reasonable charges incurred under an annuity or life insurance contract;''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to transactions entered into after August 25, 2009.

SEC. 40423. EXCEPTION TO TRANSFER FOR VALUABLE CONSIDERATION RULES.

(a) IN GENERAL.—Subsection (a) of section 101 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(3) EXCEPTION TO VALUABLE CONSIDERATION RULES FOR COMMERCIAL TRANSFERS.—

''(A) IN GENERAL.—The second sentence of paragraph (2) shall not apply in the case of a transfer of a life insurance contract, or any interest therein, which is a reportable policy sale.

''(B) REPORTABLE POLICY SALE.—For purposes of this paragraph, the term 'reportable policy sale' means the acquisition of an interest in a life insurance contract, directly or indirectly, if the acquirer has no substantial family, business, or financial relationship with the insured apart from the acquirer's interest in such life insurance contract. For purposes of the preceding sentence, the term 'indirectly' applies to the acquisition of an interest in a partnership, trust, or other entity that holds an interest in the life insurance contract.''.

(b) CONFORMING AMENDMENT.—Paragraph (1) of section 101(a) of the Internal Revenue Code of 1986 is amended by striking ''paragraph (2)'' and inserting ''paragraphs (2) and (3)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to transfers after December 31, 2012.

SEC. 40424. PHASED RETIREMENT AUTHORITY.

(a) CSRS.—Chapter 83 of title 5, United States Code, is amended—

(1) in section 8331—

(A) in paragraph (30) by striking ''and'' at the end;

(B) in paragraph (31) by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(32) 'Director' means the Director of the Office of Personnel Management.'';

(2) by inserting after section 8336 the following:

"§ 8336a. Phased retirement

''(a) For the purposes of this section—

''(1) the term 'composite retirement annuity' means the annuity computed when a phased retiree attains full retirement status;

''(2) the term 'full retirement status' means that a phased retiree has ceased employment and is entitled, upon application, to a composite retirement annuity;

''(3) the term 'phased employment' means the less-than-full-time employment of a phased retiree;

''(4) the term 'phased retiree' means a retirement-eligible employee who—

''(A) makes an election under subsection (b); and

''(B) has not entered full retirement status;

''(5) the term 'phased retirement annuity' means the annuity payable under this section before full retirement;

''(6) the term 'phased retirement percentage' means the percentage which, when added to the working percentage for a phased retiree, produces a sum of 100 percent;

''(7) the term 'phased retirement period' means the period beginning on the date on which an individual becomes entitled to receive a phased retirement annuity and ending on the date on which the individual dies or separates from phased employment;

''(8) the term 'phased retirement status' means that a phased retiree is concurrently employed in phased employment and eligible to receive a phased retirement annuity;

''(9) the term 'retirement-eligible employee'—

''(A) means an individual who, if the individual separated from the service, would meet the requirements for retirement under subsection (a) or (b) of section 8336; and

''(B) does not include—

''(i) an individual who, if the individual separated from the service, would meet the requirements for retirement under subsection (c), (e), (m), or (n) of section 8336; or

''(ii) a law enforcement officer, firefighter, nuclear materials courier, air traffic controller, customs and border protection officer, or member of the Capitol Police or Supreme Court Police; and

''(10) the term 'working percentage' means the percentage of full-time employment equal the quotient obtained by dividing—

''(A) the number of hours per pay period to be worked by a phased retiree as scheduled in accordance with subsection (b)(2); by

''(B) the number of hours per pay period to be worked by an employee serving in a comparable position on a full-time basis.

''(b)(1) With the concurrence of the head of the employing agency, and under regulations promulgated by the Director, a retirement-eligible employee who has been employed on a full time basis for not less than the 3-year period ending on the date on which the retirement-eligible employee makes an election under this subsection may elect to enter phased retirement status.

''(2)(A) Subject to subparagraph (B), at the time of entering phased retirement status, a phased retiree shall be appointed to a position for which the working percentage is 50 percent.

''(B) The Director may, by regulation, provide for working percentages different from the percentage specified under subparagraph (A), which shall be not less than 20 percent and not more than 80 percent.

''(C) The working percentage for a phased retiree may not be changed during the phased retiree's phased retirement period.

''(D)(i) Not less than 20 percent of the hours to be worked by a phased retiree shall consist of mentoring.

''(ii) The Director may, by regulation, provide for exceptions to the requirement under clause (i).

''(3) A phased retiree—

''(A) may not be employed in more than one position at any time; and

''(B) may transfer to another position in the same or a different agency, if the transfer does not result in a change in the working percentage.

''(4) A retirement-eligible employee may make only one election under this subsection during the retirement-eligible employee's lifetime.

''(5) A retirement-eligible employee who makes an election under this subsection may not make an election under section 8343a.

''(c)(1) Except as otherwise provided under this subsection, the phased retirement annuity for a phased retiree is the product obtained by multiplying—

''(A) the amount of an annuity computed under section 8339 that would have been payable to the phased retiree if, on the date on which the phased retiree enters phased retirement status, the phased retiree had separated from service and retired under section 8336(a) or (b); by

''(B) the phased retirement percentage for the phased retiree.

''(2) A phased retirement annuity shall be paid in addition to the basic pay for the position to which a phased retiree is appointed during phased employment.

''(3) A phased retirement annuity shall be adjusted in accordance with section 8340.

''(4)(A) A phased retirement annuity shall not be subject to reduction for any form of survivor annuity, shall not serve as the basis of the computation of any survivor annuity, and shall not be subject to any court order requiring a survivor annuity to be provided to any individual.

''(B) A phased retirement annuity shall be subject to a court order providing for division, allotment, assignment, execution, levy, attachment, garnishment, or other legal process on the same basis as other annuities.

''(5) Any reduction of a phased retirement annuity based on an election under section 8334(d)(2) shall be applied to the phased retirement annuity after computation under paragraph (1).

''(6)(A) Any deposit, or election of an actuarial annuity reduction in lieu of a deposit, for military service or for creditable civilian service for which retirement deductions were not made or refunded shall be made by a retirement-eligible employee at or before the time the retirement-eligible employee enters phased retirement status. No such deposit may be made, or actuarial adjustment in lieu thereof elected, at the time a phased retiree enters full retirement status.

''(B) Notwithstanding subparagraph (A), if a phased retiree does not make such a deposit and dies in service as a phased retiree, a survivor of the phased retiree shall have the same right to make such deposit as would have been available had the employee not entered phased retirement status and died in service.

''(C) If a phased retiree makes an election for an actuarial annuity reduction under section 8334(d)(2) and dies in service as a phased retiree, the amount of any deposit upon which such actuarial reduction shall have been based shall be deemed to have been fully paid.

''(7) A phased retirement annuity shall commence on the date on which a phased retiree enters phased employment.

''(8) No unused sick leave credit may be used in the computation of the phased retirement annuity.

''(d) All basic pay not in excess of the full-time rate of pay for the position to which a phased retiree is appointed shall be deemed to be basic pay for purposes of section 8334.

''(e) Under such procedures as the Director may prescribe, a phased retiree may elect to enter full retirement status at any time. Upon making such an election, a phased retiree shall be entitled to a composite retirement annuity.

''(f)(1) Except as provided otherwise under this subsection, a composite retirement annuity is a single annuity computed under regulations prescribed by the Director, equal to the sum of—

''(A) the amount of the phased retirement annuity as of the date of full retirement, before any reduction based on an election under section 8334(d)(2), and including any adjustments made under section 8340; and

''(B) the product obtained by multiplying—

''(i) the amount of an annuity computed under section 8339 that would have been payable at the time of full retirement if the individual had not elected a phased retirement and as if the individual was employed on a full-time basis in the position occupied during the phased retirement period and before any reduction for survivor annuity or reduction based on an election under section 8334(d)(2); by

''(ii) the working percentage.

''(2) After computing a composite retirement annuity under paragraph (1), the Director shall adjust the amount of the annuity for any applicable reductions for a survivor annuity and any previously elected actuarial reduction under section 8334(d)(2).

''(3) A composite retirement annuity shall be adjusted in accordance with section 8340, except that subsection (c)(1) of that section shall not apply.

''(4) In computing a composite retirement annuity under paragraph (1)(B)(i), the unused sick leave to the credit of a phased retiree at the time of entry into full retirement status shall be adjusted by dividing the number of hours of unused sick leave by the working percentage.

''(g)(1) Under such procedures and conditions as the Director may provide, and with the concurrence of the head of the employing agency, a phased retiree may elect to terminate phased retirement status and return to a full-time work schedule.

''(2) Upon entering a full-time work schedule based upon an election under paragraph (1), the phased retirement annuity of a phased retiree shall terminate.

''(3) After the termination of a phased retirement annuity under this subsection, the individual's rights under this subchapter shall be determined based on the law in effect at the time of any subsequent separation from service. For purposes of this subchapter or chapter 84, at time of the subsequent separation from service, the phased retirement period shall be treated as if it had been a period of part-time employment with the work schedule described in subsection (b)(2).

''(h) For purposes of section 8341—

''(1) the death of a phased retiree shall be deemed to be the death in service of an employee; and

''(2) the phased retirement period shall be deemed to have been a period of part-time employment with the work schedule described in subsection (b)(2).

''(i) Employment of a phased retiree shall not be deemed to be part-time career employment, as defined in section 3401(2).

''(j) A phased retiree is not eligible to apply for an annuity under section 8337.

''(k) For purposes of section 8341(h)(4), retirement shall be deemed to occur on the date on which a phased retiree enters into full retirement status.

''(l) For purposes of sections 8343 and 8351, and subchapter III of chapter 84, a phased retiree shall be deemed to be an employee.

''(m) A phased retiree is not subject to section 8344.

''(n) For purposes of chapter 87, a phased retiree shall be deemed to be receiving basic pay at the rate of a full-time employee in the position to which the phased retiree is appointed.''; and

(3) in the table of sections by inserting after the item relating to section 8336 the following:

''8336a. Phased retirement.''.

(b) FERS.—Chapter 84 of title 5, United States Code, is amended—

(1) by inserting after section 8412 the following new section:

''§ 8412a. Phased retirement

''(a) For the purposes of this section—

''(1) the term 'composite retirement annuity' means the annuity computed when a phased retiree attains full retirement status;

''(2) the term 'full retirement status' means that a phased retiree has ceased employment and is entitled, upon application, to a composite retirement annuity;

''(3) the term 'phased employment' means the less-than-full-time employment of a phased retiree;

''(4) the term 'phased retiree' means a retirement-eligible employee who—

''(A) makes an election under subsection (b); and

''(B) has not entered full retirement status;

''(5) the term 'phased retirement annuity' means the annuity payable under this section before full retirement;

''(6) the term 'phased retirement percentage' means the percentage which, when added to the working percentage for a phased retiree, produces a sum of 100 percent;

''(7) the term 'phased retirement period' means the period beginning on the date on which an individual becomes entitled to receive a phased retirement annuity and ending on the date on which the individual dies or separates from phased employment;

''(8) the term 'phased retirement status' means that a phased retiree is concurrently employed in phased employment and eligible to receive a phased retirement annuity;

''(9) the term 'retirement-eligible employee'—

''(A) means an individual who, if the individual separated from the service, would meet the requirements for retirement under subsection (a) or (b) of section 8412; and

''(B) does not include—

''(i) an individual who, if the individual separated from the service, would meet the requirements for retirement under subsection (d) or (e) of section 8412; or

''(ii) a law enforcement officer, firefighter, nuclear materials courier, air traffic controller, customs and border protection officer, or member of the Capitol Police or Supreme Court Police; and

''(10) the term 'working percentage' means the percentage of full-time employment equal to the quotient obtained by dividing—

''(A) the number of hours per pay period to be worked by a phased retiree as scheduled in accordance with subsection (b)(2); by

''(B) the number of hours per pay period to be worked by an employee serving in a comparable position on a full-time basis.

''(b)(1) With the concurrence of the head of the employing agency, and under regulations promulgated by the Director, a retirement-eligible employee who has been employed on a full time basis for not less than the 3-year period ending on the date on which the retirement-eligible employee makes an election under this subsection may elect to enter phased retirement status.

''(2)(A) Subject to subparagraph (B), at the time of entering phased retirement status, a phased retiree shall be appointed to a position for which the working percentage is 50 percent.

''(B) The Director may, by regulation, provide for working percentages different from the percentage specified under subparagraph (A), which shall be not less than 20 percent and not more than 80 percent.

''(C) The working percentage for a phased retiree may not be changed during the phased retiree's phased retirement period.

''(D)(i) Not less than 20 percent of the hours to be worked by a phased retiree shall consist of mentoring.

''(ii) The Director may, by regulation, provide for exceptions to the requirement under clause (i).

''(3) A phased retiree—

''(A) may not be employed in more than one position at any time; and

''(B) may transfer to another position in the same or a different agency, if the transfer does not result in a change in the working percentage.

''(4) A retirement-eligible employee may make only one election under this subsection during the retirement-eligible employee's lifetime.

''(5) A retirement-eligible employee who makes an election under this subsection may not make an election under section 8420a.

''(c)(1) Except as otherwise provided under this subsection, the phased retirement annuity for a phased retiree is the product obtained by multiplying—

''(A) the amount of an annuity computed under section 8415 that would have been payable to the phased retiree if, on the date on which the phased retiree enters phased retirement status, the phased retiree had separated from service and retired under section 8412 (a) or (b); by

''(B) the phased retirement percentage for the phased retiree.

''(2) A phased retirement annuity shall be paid in addition to the basic pay for the position to which a phased retiree is appointed during the phased employment.

''(3) A phased retirement annuity shall be adjusted in accordance with section 8462.

''(4)(A) A phased retirement annuity shall not be subject to reduction for any form of survivor annuity, shall not serve as the basis of the computation of any survivor annuity, and shall not be subject to any court order requiring a survivor annuity to be provided to any individual.

''(B) A phased retirement annuity shall be subject to a court order providing for division, allotment, assignment, execution, levy, attachment, garnishment, or other legal process on the same basis as other annuities.

''(5)(A) Any deposit, or election of an actuarial annuity reduction in lieu of a deposit, for military service or for creditable civilian service for which retirement deductions were not made or refunded, shall be made by a retirement-eligible employee at or before the time the retirement-eligible employee enters phased retirement status. No such deposit may be made, or actuarial adjustment in lieu thereof elected, at the time a phased retiree enters full retirement status.

''(B) Notwithstanding subparagraph (A), if a phased retiree does not make such a deposit and dies in service as a phased retiree, a survivor of the phased retiree shall have the same right to make such deposit as would have been available had the employee not entered phased retirement status and died in service.

''(6) A phased retirement annuity shall commence on the date on which a phased retiree enters phased employment.

''(7) No unused sick leave credit may be used in the computation of the phased retirement annuity.

''(d) All basic pay not in excess of the full-time rate of pay for the position to which a phased retiree is appointed shall be deemed to be basic pay for purposes of section 8422 and 8423.

''(e) Under such procedures as the Director may prescribe, a phased retiree may elect to enter full retirement status at any time. Upon making such an election, a phased retiree shall be entitled to a composite retirement annuity.

''(f)(1) Except as provided otherwise under this subsection, a composite retirement annuity is a single annuity computed under regulations prescribed by the Director, equal to the sum of—

''(A) the amount of the phased retirement annuity as of the date of full retirement, including any adjustments made under section 8462; and

''(B) the product obtained by multiplying—

''(i) the amount of an annuity computed under section 8412 that would have been payable at the time of full retirement if the individual had not elected a phased retirement and as if the individual was employed on a full-time basis in the position occupied during the phased retirement period and before any adjustment to provide for a survivor annuity; by

''(ii) the working percentage;

''(2) After computing a composite retirement annuity under paragraph (1), the Director shall adjust the amount of the annuity for any applicable reductions for a survivor annuity.

''(3) A composite retirement annuity shall be adjusted in accordance with section 8462, except that subsection (c)(1) of that section shall not apply.

''(4) In computing a composite retirement annuity under paragraph (1)(B)(i), the unused sick leave to the credit of a phased retiree at the time of entry into full retirement status shall be adjusted by dividing the number of hours of unused sick leave by the working percentage.

''(g)(1) Under such procedures and conditions as the Director may provide, and with the concurrence of the head of employing agency, a phased retiree may elect to terminate phased retirement status and return to a full-time work schedule.

''(2) Upon entering a full-time work schedule based on an election under paragraph (1), the phased retirement annuity of a phased retiree shall terminate.

''(3) After termination of the phased retirement annuity under this subsection, the individual's rights under this chapter shall be determined based on the law in effect at the time of any subsequent separation from service. For purposes of this chapter, at the time of the subsequent separation from service, the phased retirement period shall be treated as if it had been a period of part-time employment with the work schedule described in subsection (b)(2).

''(h) For purposes of subchapter IV—

''(1) the death of a phased retiree shall be deemed to be the death in service of an employee;

''(2) except for purposes of section 8442(b)(1)(A)(i), the phased retirement period shall be deemed to have been a period of part-time employment with the work schedule described in subsection (b)(2) of this section; and

''(3) for purposes of section 8442(b)(1)(A)(i), the phased retiree shall be deemed to have been at the full-time rate of pay for the position occupied.

''(i) Employment of a phased retiree shall not be deemed to be part-time career employment, as defined in section 3401(2).

''(j) A phased retiree is not eligible to receive an annuity supplement under section 8421.

''(k) For purposes of subchapter III, a phased retiree shall be deemed to be an employee.

''(l) For purposes of section 8445(d), retirement shall be deemed to occur on the date on which a phased retiree enters into full retirement status.

''(m) A phased retiree is not eligible to apply for an annuity under subchapter V.

''(n) A phased retiree is not subject to section 8468.

''(o) For purposes of chapter 87, a phased retiree shall be deemed to be receiving basic pay at the rate of a full-time employee in the position to which the phased retiree is appointed.''; and

(2) in the table of sections by inserting after the item relating to section 8412 the following:

''8412a. Phased retirement.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the effective date of the implementing regulations issued by the Director of the Office of Personnel Management.

SEC. 40425. ROLL-YOUR-OWN CIGARETTE MACHINES.

(a) IN GENERAL.—Subsection (d) of section 5702 of the Internal Revenue Code of 1986 is amended by adding at the end the following new flush sentence:

''Such term shall include any person who for commercial purposes makes available for consumer use (including such consumer's personal consumption or use under paragraph (1)) a machine capable of making cigarettes, cigars, or other tobacco products. A person making such a machine available for consumer use shall be deemed the person making the removal as defined by subsection (j) with respect to any tobacco products manufactured by such machine.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to articles removed after the date of the enactment of this Act.

SA 1826. Mr. ROBERTS 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; as follows:

At the end, insert the following:

DIVISION E—ENERGY PROVISIONS AND TAX EXTENDERS

TITLE I—ENERGY INCENTIVES

Subtitle A—Keystone XL Pipeline Project

SEC. 50001. APPROVAL OF KEYSTONE XL PIPELINE PROJECT.

(a) APPROVAL OF CROSS-BORDER FACILITIES.—

(1) IN GENERAL.—In accordance with section 8 of article 1 of the Constitution (delegating to Congress the power to regulate commerce with foreign nations), TransCanada Keystone Pipeline, L.P. is authorized to construct, connect, operate, and maintain pipeline facilities, subject to subsection (c), for the import of crude oil and other hydrocarbons at the United States-Canada Border at Phillips County, Montana, in accordance with the application filed with the Department of State on September 19, 2008 (as supplemented and amended).

(2) PERMIT.—Notwithstanding any other provision of law, no permit pursuant to Executive Order 13337 (3 U.S.C. 301 note) or any other similar Executive Order regulating construction, connection, operation, or maintenance of facilities at the borders of the United States, and no additional environmental impact statement, shall be required for TransCanada Keystone Pipeline, L.P. to construct, connect, operate, and maintain the facilities described in paragraph (1).

(b) CONSTRUCTION AND OPERATION OF KEYSTONE XL PIPELINE IN UNITED STATES.—

(1) IN GENERAL.—The final environmental impact statement issued by the Department of State on August 26, 2011, shall be considered to satisfy all requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and any other provision of law that requires Federal agency consultation or review with respect to the cross-border facilities described in subsection (a)(1) and the related facilities in the United States described in the application filed with the Department of State on September 19, 2008 (as supplemented and amended).

(2) PERMITS.—Any Federal permit or authorization issued before the date of enactment of this Act for the cross-border facilities described in subsection (a)(1), and the related facilities in the United States described in the application filed with the Department of State on September 19, 2008 (as supplemented and amended), shall remain in effect.

(c) CONDITIONS.—In constructing, connecting, operating, and maintaining the cross-border facilities described in subsection (a)(1) and related facilities in the United States described in the application filed with the Department of State on September 19, 2008 (as supplemented and amended), TransCanada Keystone Pipeline, L.P. shall comply with the following conditions:

(1) TransCanada Keystone Pipeline, L.P. shall comply with all applicable Federal and State laws (including regulations) and all applicable industrial codes regarding the construction, connection, operation, and maintenance of the facilities.

(2) Except as provided in subsection (a)(2), TransCanada Keystone Pipeline, L.P. shall comply with all requisite permits from Canadian authorities and applicable Federal, State, and local government agencies in the United States.

(3) TransCanada Keystone Pipeline, L.P. shall take all appropriate measures to prevent or mitigate any adverse environmental impact or disruption of historic properties in connection with the construction, connection, operation, and maintenance of the facilities.

(4) The construction, connection, operation, and maintenance of the facilities shall be—

(A) in all material respects, similar to that described in—

(i) the application filed with the Department of State on September 19, 2008 (as supplemented and amended); and

(ii) the final environmental impact statement described in subsection (b)(1); and

(B) carried out in accordance with—

(i) the construction, mitigation, and reclamation measures agreed to for the project in the construction mitigation and reclamation plan contained in appendix B of the final environmental impact statement described in subsection (b)(1);

(ii) the special conditions agreed to between the owners and operators of the project and the Administrator of the Pipeline and Hazardous Materials Safety Administration of the Department of Transportation, as contained in appendix U of the final environmental impact statement;

(iii) the measures identified in appendix H of the final environmental impact statement, if the modified route submitted by the State of Nebraska to the Secretary of State crosses the Sand Hills region; and

(iv) the stipulations identified in appendix S of the final environmental impact statement.

(d) ROUTE IN NEBRASKA.—

(1) IN GENERAL.—Any route and construction, mitigation, and reclamation measures for the project in the State of Nebraska that is identified by the State of Nebraska and submitted to the Secretary of State under this section is considered sufficient for the purposes of this section.

(2) PROHIBITION.—Construction of the facilities in the United States described in the application filed with the Department of State on September 19, 2008 (as supplemented and amended), shall not commence in the State of Nebraska until the date on which the Secretary of State receives a route for the project in the State of Nebraska that is identified by the State of Nebraska.

(3) RECEIPT.—On the date of receipt of the route described in paragraph (1) by the Secretary of State, the route for the project within the State of Nebraska under this section shall supersede the route for the project in the State specified in the application filed with the Department of State on September 19, 2008 (including supplements and amendments).

(4) COOPERATION.—Not later than 30 days after the date on which the State of Nebraska submits a request to the Secretary of State or any appropriate Federal official, the Secretary of State or Federal official shall provide assistance that is consistent with the law of the State of Nebraska.

(e) ADMINISTRATION.—

(1) IN GENERAL.—Any action taken to carry out this section (including the modification of any route under subsection (d)) shall not constitute a major Federal action under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(2) STATE SITING AUTHORITY.—Nothing in this section alters any provision of State law relating to the siting of pipelines.

(3) PRIVATE PROPERTY.—Nothing in this section alters any Federal, State, or local process or condition in effect on the date of enactment of this Act that is necessary to secure access from an owner of private property to construct the project.

(f) FEDERAL JUDICIAL REVIEW.—The cross-border facilities described in subsection (a)(1), and the related facilities in the United States described in the application filed with the Department of State on September 19, 2008 (as supplemented and amended), that are approved by this section, and any permit, right-of-way, or other action taken to construct or complete the project pursuant to Federal law, shall only be subject to judicial review on direct appeal to the United States Court of Appeals for the District of Columbia Circuit.

Subtitle B—Expanding Offshore Energy Development

SEC. 50101. OUTER CONTINENTAL SHELF LEASING PROGRAM.

Section 18(a) of the Outer Continental Shelf Lands Act (43 U.S.C. 1344(a)) is amended by adding at the end the following:

''(5)(A) In each oil and gas leasing program under this section, the Secretary shall make available for leasing and conduct lease sales including—

''(i) at least 50 percent of the available unleased acreage within each outer Continental Shelf planning area considered to have the largest undiscovered, technically recoverable oil and gas resources (on a total btu basis) based upon the most recent national geologic assessment of the outer Continental Shelf, with an emphasis on offering the most geologically prospective parts of the planning area; and

''(ii) any State subdivision of an outer Continental Shelf planning area that the Governor of the State that represents that subdivision requests be made available for leasing.

''(B) In this paragraph the term 'available unleased acreage' means that portion of the outer Continental Shelf that is not under lease at the time of a proposed lease sale, and that has not otherwise been made unavailable for leasing by law.

''(6)(A) In the 2012–2017 5-year oil and gas leasing program, the Secretary shall make available for leasing any outer Continental Shelf planning areas that—

''(i) are estimated to contain more than 2,500,000,000 barrels of oil; or

''(ii) are estimated to contain more than 7,500,000,000,000 cubic feet of natural gas.

''(B) To determine the planning areas described in subparagraph (A), the Secretary shall use the document entitled 'Minerals Management Service Assessment of Undiscovered Technically Recoverable Oil and Gas Resources of the Nation's Outer Continental Shelf, 2006'.''.

SEC. 50102. DOMESTIC OIL AND NATURAL GAS PRODUCTION GOAL.

Section 18(b) of the Outer Continental Shelf Lands Act (43 U.S.C. 1344(b)) is amended to read as follows:

''(b) DOMESTIC OIL AND NATURAL GAS PRODUCTION GOAL.—

''(1) IN GENERAL.—In developing a 5-year oil and gas leasing program, and subject to paragraph (2), the Secretary shall determine a domestic strategic production goal for the development of oil and natural gas as a result of that program. Such goal shall be—

''(A) the best estimate of the possible increase in domestic production of oil and natural gas from the outer Continental Shelf;

''(B) focused on meeting domestic demand for oil and natural gas and reducing the dependence of the United States on foreign energy; and

''(C) focused on the production increases achieved by the leasing program at the end of the 15-year period beginning on the effective date of the program.

''(2) 2012–2017 PROGRAM GOAL.—For purposes of the 2012–2017 5-year oil and gas leasing program, the production goal referred to in paragraph (1) shall be an increase by 2027 of—

''(A) no less than 3,000,000 barrels in the amount of oil produced per day; and

''(B) no less than 10,000,000,000 cubic feet in the amount of natural gas produced per day.

''(3) REPORTING.—The Secretary shall report annually, beginning at the end of the 5-year period for which the program applies, to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate on the progress of the program in meeting the production goal. The Secretary shall identify in the report projections for production and any problems with leasing, permitting, or production that will prevent meeting the goal.''.

Subtitle C—Conducting Prompt Offshore Lease Sales

SEC. 50201. REQUIREMENT TO CONDUCT PROPOSED OIL AND GAS LEASE SALE 216 IN THE CENTRAL GULF OF MEXICO.

(a) IN GENERAL.—The Secretary of the Interior shall conduct offshore oil and gas Lease Sale 216 under section 8 of the Outer Continental Shelf Lands Act (33 U.S.C. 1337) as soon as practicable, but not later than 4 months after the date of enactment of this Act.

(b) ENVIRONMENTAL REVIEW.—For the purposes of that lease sale, the Environmental Impact Statement for the 2007–2012 5 Year OUTER CONTINENTAL SHELF Plan and the Multi-Sale Environmental Impact Statement are deemed to satisfy the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

SEC. 50202. REQUIREMENT TO CONDUCT PROPOSED OIL AND GAS LEASE SALE 220 ON THE OUTER CONTINENTAL SHELF OFFSHORE VIRGINIA.

(a) IN GENERAL.—Notwithstanding the inclusion of Lease Sale 220 in the fiscal years 2012 through fiscal year 2017 5 Year Outer Continental Shelf Oil and Gas Leasing Program, the Secretary shall conduct offshore oil and gas Lease Sale 220 under section 8 of the Outer Continental Shelf Lands Act (33 U.S.C. 1337) as soon as practicable, but not later than one year after the date of enactment of this Act.

(b) PROHIBITION ON CONFLICTS WITH MILITARY OPERATIONS.—No person may engage in any exploration, development, or production of oil or natural gas off the coast of Virginia that would conflict with any military operation, as determined in accordance with the Memorandum of Agreement between the Department of Defense and the Department of the Interior on Mutual Concerns on the Outer Continental Shelf signed July 20, 1983, and any revision or replacement for that agreement that is agreed to by the Secretary of Defense and the Secretary of the Interior after that date but before the date of issuance of the lease under which such exploration, development, or production is conducted.

SEC. 50203. REQUIREMENT TO CONDUCT PROPOSED OIL AND GAS LEASE SALE 222 IN THE CENTRAL GULF OF MEXICO.

(a) IN GENERAL.—The Secretary shall conduct offshore oil and gas Lease Sale 222 under section 8 of the Outer Continental Shelf Lands Act (33 U.S.C. 1337) as soon as practicable, but not later than September 1, 2012.

(b) ENVIRONMENTAL REVIEW.—For the purposes of that lease sale, the Environmental Impact Statement for the 2007–2012 5 Year OUTER CONTINENTAL SHELF Plan and the Multi-Sale Environmental Impact Statement are deemed to satisfy the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

SEC. 50204. ADDITIONAL LEASES.

Section 18 of the Outer Continental Shelf Lands Act (43 U.S.C. 1344) is amended by adding at the end the following:

''(i) ADDITIONAL LEASE SALES.—In addition to lease sales in accordance with a leasing program in effect under this section, the Secretary may hold lease sales for areas identified by the Secretary to have the greatest potential for new oil and gas development as a result of local support, new seismic findings, or nomination by interested persons.''.

SEC. 50205. DEFINITIONS.

In this title:

(1) The term ''Environmental Impact Statement for the 2007–2012 5 Year OUTER CONTINENTAL SHELF Plan'' means the Final Environmental Impact Statement for Outer Continental Shelf Oil and Gas Leasing Program: 2007–2012 (April 2007) prepared by the Secretary.

(2) The term ''Multi-Sale Environmental Impact Statement'' means the Environmental Impact Statement for Proposed Western Gulf of Mexico OUTER CONTINENTAL SHELF Oil and Gas Lease Sales 204, 207, 210, 215, and 218, and Proposed Central Gulf of Mexico OUTER CONTINENTAL SHELF Oil and Gas Lease Sales 205, 206, 208, 213, 216, and 222 (September 2008) prepared by the Secretary.

(3) The term ''Secretary'' means the Secretary of the Interior.

Subtitle D—Leasing in New Offshore Areas

SEC. 50301. LEASING IN THE EASTERN GULF OF MEXICO.

Section 104 of division C of the Tax Relief and Health Care Act of 2006 (Public Law 109–432; 120 Stat. 3003) is repealed.

SEC. 50302. LEASING OFFSHORE OF TERRITORIES OF THE UNITED STATES.

Section 2(a) of the Outer Continental Shelf Lands Act (43 U.S.C. 1331) is amended, by inserting after ''control'' the following: ''or lying within the United States' exclusive economic zone and the Continental Shelf adjacent to the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, American Samoa, Guam, or the other territories of the United States''.

Subtitle E—Outer Continental Shelf Revenue Sharing

SEC. 50401. DISPOSITION OF OUTER CONTINENTAL SHELF REVENUES.

Section 9 of the Outer Continental Shelf Lands Act (43 U.S.C. 1338) is amended—

(1) in the existing text—

(A) in the first sentence, by striking ''All rentals,'' and inserting the following:

''(c) DISPOSITION OF REVENUE UNDER OLD LEASES.—All rentals,''; and

(B) in subsection (c) (as designated by the amendment made by subparagraph (A) of this paragraph), by striking ''for the period from June 5, 1950, to date, and thereafter'' and inserting ''in the period beginning June 5, 1950, and ending on the date of enactment of the Moving Ahead for Progress in the 21st Century Act'';

(2) by adding after subsection (c) (as so designated) the following:

''(d) NEW LEASING REVENUES DEFINED.—In this section the term 'new leasing revenues' means amounts received by the United States as bonuses, rents, and royalties under leases for oil and gas, wind, tidal, or other energy exploration, development, and production that are awarded under this Act after the date of enactment of the Moving Ahead for Progress in the 21st Century Act.''; and

(3) by inserting before subsection (c) (as so designated) the following:

''(a) PAYMENT OF NEW LEASING REVENUES TO COASTAL STATES, GENERALLY.—

''(1) IN GENERAL.—Of the amount of new leasing revenues received by the United States each fiscal year that is described in paragraph (2), 37.5 percent shall be allocated and paid in accordance with subsection (b) to coastal States that are affected States with respect to the leases under which those revenues are received by the United States.

''(2) PHASE-IN.—The amount of new leasing revenues referred to in paragraph (1) is the sum determined by adding—

''(A) 35 percent of new leasing revenues received by the United States in the fiscal year under—

''(i) leases awarded under the first leasing program under section 18(a) that takes effect after the date of enactment of the Moving Ahead for Progress in the 21st Century Act; and

''(ii) other leases issued as a result of the enactment of that Act;

''(B) 70 percent of new leasing revenues received by the United States in the fiscal year under leases awarded under the second such leasing program; and

''(C) 100 percent of new leasing revenues received by the United States under leases awarded under the third such leasing program or any such leasing program taking effect thereafter.

''(b) ALLOCATION OF PAYMENTS TO COASTAL STATES.—

''(1) IN GENERAL.—The amount of new leasing revenues received by the United States with respect to a leased tract that are required to be paid to coastal States in accordance with this subsection each fiscal year shall be allocated among and paid to such States that are within 200 miles of the leased tract, in amounts that are inversely proportional to the respective distances between the point on the coastline of each such State that is closest to the geographic center of the lease tract, as determined by the Secretary.

''(2) MINIMUM AND MAXIMUM ALLOCATION.—The amount allocated to a coastal State under paragraph (1) each fiscal year with respect to a leased tract shall be—

''(A) in the case of a coastal State that is the nearest State to the geographic center of the leased tract, not less than 25 percent of the total amounts allocated with respect to the leased tract; and

''(B) in the case of any other coastal State, not less than 10 percent, and not more than 15 percent, of the total amounts allocated with respect to the leased tract.

''(3) ADMINISTRATION.—Amounts allocated to a coastal State under this subsection—

''(A) shall be available to the State without further appropriation;

''(B) shall remain available until expended; and

''(C) shall be in addition to any other amounts available to the State under this Act.

''(4) USE OF FUNDS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), a coastal State may use

funds allocated and paid to it under this subsection for any purpose as determined by State law.

''(B) RESTRICTION ON USE FOR MATCHING.—Funds allocated and paid to a coastal State under this subsection may not be used as matching funds for any other Federal program.''.

Subtitle F—Coastal Plain

SEC. 50501. DEFINITIONS.

In this title:

(1) COASTAL PLAIN.—The term ''Coastal Plain'' means that area described in appendix I to part 37 of title 50, Code of Federal Regulations.

(2) PEER REVIEWED.—The term ''peer reviewed'' means reviewed—

(A) by individuals chosen by the National Academy of Sciences with no contractual relationship with or those who have an application for a grant or other funding pending with the Federal agency with leasing jurisdiction; or

(B) if individuals described in subparagraph (A) are not available, by the top individuals in the specified biological fields, as determined by the National Academy of Sciences.

(3) SECRETARY.—The term ''Secretary'', except as otherwise provided, means the Secretary of the Interior or the Secretary's designee.

SEC. 50502. LEASING PROGRAM FOR LANDS WITHIN THE COASTAL PLAIN.

(a) IN GENERAL.—The Secretary shall take such actions as are necessary—

(1) to establish and implement, in accordance with this title and acting through the Director of the Bureau of Land Management in consultation with the Director of the United States Fish and Wildlife Service, a competitive oil and gas leasing program that will result in the exploration, development, and production of the oil and gas resources of the Coastal Plain; and

(2) to administer the provisions of this title through regulations, lease terms, conditions, restrictions, prohibitions, stipulations, and other provisions that ensure the oil and gas exploration, development, and production activities on the Coastal Plain will result in no significant adverse effect on fish and wildlife, their habitat, subsistence resources, and the environment, including, in furtherance of this goal, by requiring the application of the best commercially available technology for oil and gas exploration, development, and production to all exploration, development, and production operations under this title in a manner that ensures the receipt of fair market value by the public for the mineral resources to be leased.

(b) REPEAL OF EXISTING RESTRICTION.—

(1) REPEAL.—Section 1003 of the Alaska National Interest Lands Conservation Act of 1980 (16 U.S.C. 3143) is repealed.

(2) CONFORMING AMENDMENT.—The table of contents in section 1 of such Act is amended by striking the item relating to section 1003.

(c) COMPLIANCE WITH REQUIREMENTS UNDER CERTAIN OTHER LAWS.—

(1) COMPATIBILITY.—For purposes of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.), the oil and gas leasing program and activities authorized by this section in the Coastal Plain are deemed to be compatible with the purposes for which the Arctic National Wildlife Refuge was established, and no further findings or decisions are required to implement this determination.

(2) ADEQUACY OF THE DEPARTMENT OF THE INTERIOR'S LEGISLATIVE ENVIRONMENTAL IMPACT STATEMENT.—The ''Final Legislative Environmental Impact Statement'' (April 1987) on the Coastal Plain prepared pursuant to section 1002 of the Alaska National Interest Lands Conservation Act of 1980 (16 U.S.C. 3142) and section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) is deemed to satisfy the requirements under the National Environmental Policy Act of 1969 that apply with respect to prelease activities under this title, including actions authorized to be taken by the Secretary to develop and promulgate the regulations for the establishment of a leasing program authorized by this title before the conduct of the first lease sale.

(3) COMPLIANCE WITH NEPA FOR OTHER ACTIONS.—Before conducting the first lease sale under this title, the Secretary shall prepare an environmental impact statement under the National Environmental Policy Act of 1969 with respect to the actions authorized by this title that are not referred to in paragraph (2). Notwithstanding any other law, the Secretary is not required to identify nonleasing alternative courses of action or to analyze the environmental effects of such courses of action. The Secretary shall only identify a preferred action for such leasing and a single leasing alternative, and analyze the environmental effects and potential mitigation measures for those two alternatives. The identification of the preferred action and related analysis for the first lease sale under this title shall be completed within 18 months after the date of enactment of this Act. The Secretary shall only consider public comments that specifically address the Secretary's preferred action and that are filed within 20 days after publication of an environmental analysis. Notwithstanding any other law, compliance with this paragraph is deemed to satisfy all requirements for the analysis and consideration of the environmental effects of proposed leasing under this title.

(d) RELATIONSHIP TO STATE AND LOCAL AUTHORITY.—Nothing in this title shall be considered to expand or limit State and local regulatory authority.

(e) SPECIAL AREAS.—

(1) IN GENERAL.—The Secretary, after consultation with the State of Alaska, the city of Kaktovik, and the North Slope Borough, may designate up to a total of 45,000 acres of the Coastal Plain as a Special Area if the Secretary determines that the Special Area is of such unique character and interest so as to require special management and regulatory protection. The Secretary shall designate as such a Special Area the Sadlerochit Spring area, comprising approximately 4,000 acres.

(2) MANAGEMENT.—Each such Special Area shall be managed so as to protect and preserve the area's unique and diverse character including its fish, wildlife, and subsistence resource values.

(3) EXCLUSION FROM LEASING OR SURFACE OCCUPANCY.—The Secretary may exclude any Special Area from leasing. If the Secretary leases a Special Area, or any part thereof, for purposes of oil and gas exploration, development, production, and related activities, there shall be no surface occupancy of the lands comprising the Special Area.

(4) DIRECTIONAL DRILLING.—Notwithstanding the other provisions of this subsection, the Secretary may lease all or a portion of a Special Area under terms that permit the use of horizontal drilling technology from sites on leases tracts located outside the Special Area.

(f) LIMITATION ON CLOSED AREAS.—The Secretary's sole authority to close lands within the Coastal Plain to oil and gas leasing and to exploration, development, and production is that set forth in this title.

(g) REGULATIONS.—

(1) IN GENERAL.—The Secretary shall prescribe such regulations as may be necessary to carry out this title, including regulations relating to protection of the fish and wildlife, their habitat, subsistence resources, and environment of the Coastal Plain, by no later than 15 months after the date of enactment of this Act.

(2) REVISION OF REGULATIONS.—The Secretary shall, through a rule making conducted in accordance with section 553 of title 5, United States Code, periodically review and, if appropriate, revise the regulations issued under subsection (a) to reflect a preponderance of the best available scientific evidence that has been peer reviewed and obtained by following appropriate, documented scientific procedures, the results of which can be repeated using those same procedures.

SEC. 50503. LEASE SALES.

(a) IN GENERAL.—Lands may be leased under this title to any person qualified to obtain a lease for deposits of oil and gas under the Mineral Leasing Act (30 U.S.C. 181 et seq.).

(b) PROCEDURES.—The Secretary shall, by regulation and no later than 180 days after the date of enactment of this title, establish procedures for—

(1) receipt and consideration of sealed nominations for any area of the Coastal Plain for inclusion in, or exclusion (as provided in subsection (c)) from, a lease sale;

(2) the holding of lease sales after such nomination process; and

(3) public notice of and comment on designation of areas to be included in, or excluded from, a lease sale.

(c) LEASE SALE BIDS.—Lease sales under this title may be conducted through an Internet leasing program, if the Secretary determines that such a system will result in savings to the taxpayer, an increase in the number of bidders participating, and higher returns than oral bidding or a sealed bidding system.

(d) SALE ACREAGES AND SCHEDULE.—

(1) The Secretary shall offer for lease under this title those tracts the Secretary considers to have the greatest potential for the discovery of hydrocarbons, taking into consideration nominations received pursuant to subsection (b)(1).

(2) The Secretary shall offer for lease under this title no less than 50,000 acres for lease within 22 months after the date of the enactment of this Act.

(3) The Secretary shall offer for lease under this title no less than an additional 50,000 acres at 6-, 12-, and 18-month intervals following offering under paragraph (2).

(4) The Secretary shall conduct four additional sales under the same terms and schedule no later than two years after the date of the last sale under paragraph (3), if sufficient interest in leasing exists to warrant, in the Secretary's judgment, the conduct of such sales.

(5) The Secretary shall evaluate the bids in each sale and issue leases resulting from such sales, within 90 days after the date of the completion of such sale.

SEC. 50504. GRANT OF LEASES BY THE SECRETARY.

(a) IN GENERAL.—The Secretary may grant to the highest responsible qualified bidder in a lease sale conducted under section 55003 any lands to be leased on the Coastal Plain upon payment by the such bidder of such bonus as may be accepted by the Secretary.

(b) SUBSEQUENT TRANSFERS.—No lease issued under this title may be sold, exchanged, assigned, sublet, or otherwise transferred except with the approval of the Secretary. Prior to any such approval the Secretary shall consult with, and give due consideration to the views of, the Attorney General.

SEC. 50505. LEASE TERMS AND CONDITIONS.

(a) IN GENERAL.—An oil or gas lease issued under this title shall—

(1) provide for the payment of a royalty of not less than 12½ percent in amount or value of the production removed or sold under the lease, as determined by the Secretary under the regulations applicable to other Federal oil and gas leases;

(2) provide that the Secretary may close, on a seasonal basis, portions of the Coastal Plain to exploratory drilling activities as necessary to protect caribou calving areas and other species of fish and wildlife based on a preponderance of the best available scientific evidence that has been peer reviewed and obtained by following appropriate, documented scientific procedures, the results of which can be repeated using those same procedures;

(3) require that the lessee of lands within the Coastal Plain shall be fully responsible and liable for the reclamation of lands within the Coastal Plain and any other Federal lands that are adversely affected in connection with exploration, development, production, or transportation activities conducted under the lease and within the Coastal Plain by the lessee or by any of the subcontractors or agents of the lessee;

(4) provide that the lessee may not delegate or convey, by contract or otherwise, the reclamation responsibility and liability to another person without the express written approval of the Secretary;

(5) provide that the standard of reclamation for lands required to be reclaimed under this title shall be, as nearly as practicable, a condition capable of supporting the uses which the lands were capable of supporting prior to any exploration, development, or production activities, or upon application by the lessee, to a higher or better use as certified by the Secretary;

(6) contain terms and conditions relating to protection of fish and wildlife, their habitat, subsistence resources, and the environment as required pursuant to section 55002(a)(2);

(7) provide that the lessee, its agents, and its contractors use best efforts to provide a fair share, as determined by the level of obligation previously agreed to in the 1974 agreement implementing section 29 of the Federal Agreement and Grant of Right of Way for the Operation of the Trans-Alaska Pipeline, of employment and contracting for Alaska Natives and Alaska Native corporations from throughout the State;

(8) prohibit the export of oil produced under the lease; and

(9) contain such other provisions as the Secretary determines necessary to ensure compliance with this title and the regulations issued under this title.

SEC. 50506. COASTAL PLAIN ENVIRONMENTAL PROTECTION.

(a) NO SIGNIFICANT ADVERSE EFFECT STANDARD TO GOVERN AUTHORIZED COASTAL PLAIN ACTIVITIES.—The Secretary shall, consistent with the requirements of section 55002, administer this title through regulations, lease terms, conditions, restrictions, prohibitions, stipulations, and other provisions that—

(1) ensure the oil and gas exploration, development, and production activities on the Coastal Plain will result in no significant adverse effect on fish and wildlife, their habitat, and the environment;

(2) require the application of the best commercially available technology for oil and gas exploration, development, and production on all new exploration, development, and production operations; and

(3) ensure that the maximum amount of surface acreage covered by production and support facilities, including airstrips and any areas covered by gravel berms or piers for support of pipelines, does not exceed 10,000 acres on the Coastal Plain for each 100,000 acres of area leased.

(b) SITE-SPECIFIC ASSESSMENT AND MITIGATION.—The Secretary shall also require, with respect to any proposed drilling and related activities, that—

(1) a site-specific analysis be made of the probable effects, if any, that the drilling or related activities will have on fish and wildlife, their habitat, subsistence resources, and the environment;

(2) a plan be implemented to avoid, minimize, and mitigate (in that order and to the extent practicable) any significant adverse effect identified under paragraph (1); and

(3) the development of the plan shall occur after consultation with the agency or agencies having jurisdiction over matters mitigated by the plan.

(c) REGULATIONS TO PROTECT COASTAL PLAIN FISH AND WILDLIFE RESOURCES, SUBSISTENCE USERS, AND THE ENVIRONMENT.—Before implementing the leasing program authorized by this title, the Secretary shall prepare and promulgate regulations, lease terms, conditions, restrictions, prohibitions, stipulations, and other measures designed to ensure that the activities undertaken on the Coastal Plain under this title are conducted in a manner consistent with the purposes and environmental requirements of this title.

(d) COMPLIANCE WITH FEDERAL AND STATE ENVIRONMENTAL LAWS AND OTHER REQUIREMENTS.—The proposed regulations, lease terms, conditions, restrictions, prohibitions, and stipulations for the leasing program under this title shall require compliance with all applicable provisions of Federal and State environmental law, and shall also require the following:

(1) Standards at least as effective as the safety and environmental mitigation measures set forth in items 1 through 29 at pages 167 through 169 of the ''Final Legislative Environmental Impact Statement'' (April 1987) on the Coastal Plain.

(2) Seasonal limitations on exploration, development, and related activities, where necessary, to avoid significant adverse effects during periods of concentrated fish and wildlife breeding, denning, nesting, spawning, and migration based on a preponderance of the best available scientific evidence that has been peer reviewed and obtained by following appropriate, documented scientific procedures, the results of which can be repeated using those same procedures.

(3) That exploration activities, except for surface geological studies, be limited to the period between approximately November 1 and May 1 each year and that exploration activities shall be supported, if necessary, by ice roads, winter trails with adequate snow cover, ice pads, ice airstrips, and air transport methods, except that such exploration activities may occur at other times if the Secretary finds that such exploration will have no significant adverse effect on the fish and wildlife, their habitat, and the environment of the Coastal Plain.

(4) Design safety and construction standards for all pipelines and any access and service roads, that—

(A) minimize, to the maximum extent possible, adverse effects upon the passage of migratory species such as caribou; and

(B) minimize adverse effects upon the flow of surface water by requiring the use of culverts, bridges, and other structural devices.

(5) Prohibitions on general public access and use on all pipeline access and service roads.

(6) Stringent reclamation and rehabilitation requirements, consistent with the standards set forth in this title, requiring the removal from the Coastal Plain of all oil and gas development and production facilities, structures, and equipment upon completion of oil and gas production operations, except that the Secretary may exempt from the requirements of this paragraph those facilities, structures, or equipment that the Secretary determines would assist in the management of the Arctic National Wildlife Refuge and that are donated to the United States for that purpose.

(7) Appropriate prohibitions or restrictions on access by all modes of transportation.

(8) Appropriate prohibitions or restrictions on sand and gravel extraction.

(9) Consolidation of facility siting.

(10) Appropriate prohibitions or restrictions on use of explosives.

(11) Avoidance, to the extent practicable, of springs, streams, and river systems; the protection of natural surface drainage patterns, wetlands, and riparian habitats; and the regulation of methods or techniques for developing or transporting adequate supplies of water for exploratory drilling.

(12) Avoidance or minimization of air traffic-related disturbance to fish and wildlife.

(13) Treatment and disposal of hazardous and toxic wastes, solid wastes, reserve pit fluids, drilling muds and cuttings, and domestic wastewater, including an annual waste management report, a hazardous materials tracking system, and a prohibition on chlorinated solvents, in accordance with applicable Federal and State environmental law.

(14) Fuel storage and oil spill contingency planning.

(15) Research, monitoring, and reporting requirements.

(16) Field crew environmental briefings.

(17) Avoidance of significant adverse effects upon subsistence hunting, fishing, and trapping by subsistence users.

(18) Compliance with applicable air and water quality standards.

(19) Appropriate seasonal and safety zone designations around well sites, within which subsistence hunting and trapping shall be limited.

(20) Reasonable stipulations for protection of cultural and archeological resources.

(21) All other protective environmental stipulations, restrictions, terms, and conditions deemed necessary by the Secretary.

(e) CONSIDERATIONS.—In preparing and promulgating regulations, lease terms, conditions, restrictions, prohibitions, and stipulations under this section, the Secretary shall consider the following:

(1) The stipulations and conditions that govern the National Petroleum Reserve-Alaska leasing program, as set forth in the 1999 Northeast National Petroleum Reserve-Alaska Final Integrated Activity Plan/Environmental Impact Statement.

(2) The environmental protection standards that governed the initial Coastal Plain seismic exploration program under parts 37.31 to 37.33 of title 50, Code of Federal Regulations.

(3) The land use stipulations for exploratory drilling on the KIC–ASRC private lands that are set forth in appendix 2 of the August 9, 1983, agreement between Arctic Slope Regional Corporation and the United States.

(f) FACILITY CONSOLIDATION PLANNING.—

(1) IN GENERAL.—The Secretary shall, after providing for public notice and comment, prepare and update periodically a plan to govern, guide, and direct the siting and construction of facilities for the exploration, development, production, and transportation of Coastal Plain oil and gas resources.

(2) OBJECTIVES.—The plan shall have the following objectives:

(A) Avoiding unnecessary duplication of facilities and activities.

(B) Encouraging consolidation of common facilities and activities.

(C) Locating or confining facilities and activities to areas that will minimize impact on fish and wildlife, their habitat, and the environment.

(D) Utilizing existing facilities wherever practicable.

(E) Enhancing compatibility between wildlife values and development activities.

(g) ACCESS TO PUBLIC LANDS.—The Secretary shall—

(1) manage public lands in the Coastal Plain subject to of section 811 of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3121); and

(2) ensure that local residents shall have reasonable access to public lands in the Coastal Plain for traditional uses.

SEC. 50507. EXPEDITED JUDICIAL REVIEW.

(a) FILING OF COMPLAINT.—

(1) DEADLINE.—Subject to paragraph (2), any complaint seeking judicial review—

(A) of any provision of this title shall be filed by not later than 1 year after the date of enactment of this Act; or

(B) of any action of the Secretary under this title shall be filed—

(i) except as provided in clause (ii), within the 90-day period beginning on the date of the action being challenged; or

(ii) in the case of a complaint based solely on grounds arising after such period, within 90 days after the complainant knew or reasonably should have known of the grounds for the complaint.

(2) VENUE.—Any complaint seeking judicial review of any provision of this title or any action of the Secretary under this title may be filed only in the United States Court of Appeals for the District of Columbia.

(3) LIMITATION ON SCOPE OF CERTAIN REVIEW.—Judicial review of a Secretarial decision to conduct a lease sale under this title, including the environmental analysis thereof, shall be limited to whether the Secretary has complied with this title and shall be based upon the administrative record of that decision. The Secretary's identification of a preferred course of action to enable leasing to proceed and the Secretary's analysis of environmental effects under this title shall be presumed to be correct unless shown otherwise by clear and convincing evidence to the contrary.

(b) LIMITATION ON OTHER REVIEW.—Actions of the Secretary with respect to which review could have been obtained under this section shall not be subject to judicial review in any civil or criminal proceeding for enforcement.

(c) LIMITATION ON ATTORNEYS' FEES AND COURT COSTS.—No person seeking judicial review of any action under this title shall receive payment from the Federal Government for their attorneys' fees and other court costs, including under any provision of law enacted by the Equal Access to Justice Act (5 U.S.C. 504 note).

SEC. 50508. TREATMENT OF REVENUES.

Notwithstanding any other provision of law, 50 percent of the amount of bonus, rental, and royalty revenues from Federal oil and gas leasing and operations authorized under this title shall be deposited in the Treasury.

SEC. 50509. RIGHTS-OF-WAY ACROSS THE COASTAL PLAIN.

(a) IN GENERAL.—The Secretary shall issue rights-of-way and easements across the Coastal Plain for the transportation of oil and gas produced under leases under this title—

(1) except as provided in paragraph (2), under section 28 of the Mineral Leasing Act (30 U.S.C. 185), without regard to title XI of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3161 et seq.); and

(2) under title XI of the Alaska National Interest Lands Conservation Act (30 U.S.C. 3161 et seq.), for access authorized by sections 1110 and 1111 of that Act (16 U.S.C. 3170 and 3171).

(b) TERMS AND CONDITIONS.—The Secretary shall include in any right-of-way or easement issued under subsection (a) such terms and conditions as may be necessary to ensure that transportation of oil and gas does not result in a significant adverse effect on the fish and wildlife, subsistence resources, their habitat, and the environment of the Coastal Plain, including requirements that facilities be sited or designed so as to avoid unnecessary duplication of roads and pipelines.

(c) REGULATIONS.—The Secretary shall include in regulations under section 55002(g) provisions granting rights-of-way and easements described in subsection (a) of this section.

SEC. 50510. CONVEYANCE.

In order to maximize Federal revenues by removing clouds on title to lands and clarifying land ownership patterns within the Coastal Plain, the Secretary, notwithstanding section 1302(h)(2) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3192(h)(2)), shall convey—

(1) to the Kaktovik Inupiat Corporation the surface estate of the lands described in paragraph 1 of Public Land Order 6959, to the extent necessary to fulfill the Corporation's entitlement under sections 12 and 14 of the Alaska Native Claims Settlement Act (43 U.S.C. 1611 and 1613) in accordance with the terms and conditions of the Agreement between the Department of the Interior, the United States Fish and Wildlife Service, the Bureau of Land Management, and the Kaktovik Inupiat Corporation dated January 22, 1993; and

(2) to the Arctic Slope Regional Corporation the remaining subsurface estate to which it is entitled pursuant to the August 9, 1983, agreement between the Arctic Slope Regional Corporation and the United States of America.

Subtitle G—Oil Shale and Tar Sands Leasing

SEC. 50601. EFFECTIVENESS OF OIL SHALE REGULATIONS, AMENDMENTS TO RESOURCE MANAGEMENT PLANS, AND RECORD OF DECISION.

(a) REGULATIONS.—Notwithstanding any other law or regulation to the contrary, the final regulations regarding oil shale management published by the Bureau of Land Management on November 18, 2008 (73 Fed. Reg. 69,414) are deemed to satisfy all legal and procedural requirements under any law, including the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), and the Energy Policy Act of 2005 (Public Law 109–58), and the Secretary of the Interior shall implement those regulations, including the oil shale and tar sands leasing program authorized by the regulations, without any other administrative action necessary.

(b) AMENDMENTS TO RESOURCE MANAGEMENT PLANS AND RECORD OF DECISION.—Notwithstanding any other law or regulation to the contrary, the November 17, 2008 U.S. Bureau of Land Management Approved Resource Management Plan Amendments/Record of Decision for Oil Shale and Tar Sands Resources to Address Land Use Allocations in Colorado, Utah, and Wyoming and Final Programmatic Environmental Impact Statement are deemed to satisfy all legal and procedural requirements under any law, including the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), and the Energy Policy Act of 2005 (Public Law 109–58), and the Secretary of the Interior shall implement the oil shale and tar sands leasing program authorized by the regulations referred to in subsection (a) in those areas covered by the resource management plans amended by such amendments, and covered by such record of decision, without any other administrative action necessary.

SEC. 50602. OIL SHALE AND TAR SANDS LEASING.

(a) ADDITIONAL RESEARCH AND DEVELOPMENT LEASE SALES.—The Secretary of the Interior shall hold a lease sale within 180 days after the date of enactment of this Act offering an additional 10 parcels for lease for research, development, and demonstration of oil shale or tar sands resources, under the terms offered in the solicitation of bids for such leases published on January 15, 2009 (74 Fed. Reg. 10).

(b) COMMERCIAL LEASE SALES.—No later than January 1, 2016, the Secretary of the Interior shall hold no less than 5 separate commercial lease sales in areas considered to have the most potential for oil shale or tar sands development, as determined by the Secretary, in areas nominated through public comment. Each lease sale shall be for an area of not less than 25,000 acres, and in multiple lease blocs.

(c) REDUCED PAYMENTS TO ENSURE PRODUCTION.—The Secretary of the Interior may temporarily reduce royalties, fees, rentals, bonus, or other payments for leases of Federal lands for the development and production of oil shale resources as necessary to incentivize and encourage development of such resources, if the Secretary determines that the royalties, fees, rentals, bonus bids, and other payments otherwise authorized by law are hindering production of such resources.

TITLE II—ENERGY TAX INCENTIVES

SEC. 51001. EXTENSION OF CREDIT FOR ENERGY-EFFICIENT EXISTING HOMES.

(a) IN GENERAL.—Paragraph (2) of section 25C(g) of the Internal Revenue Code of 1986 is amended by striking ''December 31, 2011'' and inserting ''December 31, 2012''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2011.

SEC. 51002. EXTENSION OF CREDIT FOR ALTERNATIVE FUEL VEHICLE REFUELING PROPERTY.

(a) EXTENSION.—Paragraph (2) of section 30C(g) of the Internal Revenue Code of 1986 is amended by striking ''December 31, 2011.'' and inserting ''December 31, 2012''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2011.

SEC. 51003. EXTENSION OF INCENTIVES FOR BIODIESEL AND RENEWABLE DIESEL.

(a) CREDITS FOR BIODIESEL AND RENEWABLE DIESEL USED AS FUEL.—Subsection (g) of section 40A of the Internal Revenue Code of 1986 is amended by striking ''December 31, 2011'' and inserting ''December 31, 2012''.

(b) EXCISE TAX CREDITS AND OUTLAY PAYMENTS FOR BIODIESEL AND RENEWABLE DIESEL FUEL MIXTURES.—

(1) Paragraph (6) of section 6426(c) of the Internal Revenue Code of 1986 is amended by striking ''December 31, 2011'' and inserting ''December 31, 2012''.

(2) Subparagraph (B) of section 6427(e)(6) of such Code is amended by striking ''December 31, 2011'' and inserting ''December 31, 2012''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to fuel sold or used after December 31, 2011.

SEC. 51004. EXTENSION OF CREDIT FOR ENERGY-EFFICIENT APPLIANCES.

(a) IN GENERAL.—Section 45M(b) of the Internal Revenue Code of 1986 is amended by

striking ''2011'' each place it appears other than in the provisions specified in subsection (b), and inserting ''2011 or 2012''.

(b) PROVISIONS SPECIFIED.—The provisions of section 45M(b) of the Internal Revenue Code of 1986 specified in this subsection are subparagraph (C) of paragraph (1) and subparagraph (E) of paragraph (2).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to appliances produced after December 31, 2011.

SEC. 51005. EXTENSION OF SPECIAL RULE FOR SALES OR DISPOSITIONS TO IMPLEMENT FERC OR STATE ELECTRIC RESTRUCTURING POLICY FOR QUALIFIED ELECTRIC UTILITIES.

(a) IN GENERAL.—Paragraph (3) of section 451(i) of the Internal Revenue Code of 1986 is amended by striking ''January 1, 2012'' and inserting ''January 1, 2013''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to dispositions after December 31, 2011.

SEC. 51006. EXTENSION OF SUSPENSION OF LIMITATION ON PERCENTAGE DEPLETION FOR OIL AND GAS FROM MARGINAL WELLS.

(a) IN GENERAL.—Clause (ii) of section 613A(c)(6)(H) of the Internal Revenue Code of 1986 is amended by striking ''January 1, 2012'' and inserting ''January 1, 2013''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2011.

SEC. 51007. EXTENSION OF ALTERNATIVE FUELS EXCISE TAX CREDITS.

(a) IN GENERAL.—Sections 6426(d)(5), 6426(e)(3), and 6427(e)(6)(C) of the Internal Revenue Code of 1986 are each amended by striking ''December 31, 2011'' and inserting ''December 31, 2012''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to fuel sold or used after December 31, 2011.

TITLE III—TAX EXTENDER PROVISIONS

SEC. 52000. AMENDMENTS TO 1986 CODE.

Except as otherwise expressly provided, whenever in this title 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.

Subtitle A—Individual Tax Relief

SEC. 52001. EXTENSION OF DEDUCTION FOR CERTAIN EXPENSES OF ELEMENTARY AND SECONDARY SCHOOL TEACHERS.

(a) IN GENERAL.—Subparagraph (D) of section 62(a)(2) is amended by striking ''or 2011'' and inserting ''2011, or 2012''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2011.

SEC. 52002. EXTENSION OF DEDUCTION OF STATE AND LOCAL SALES TAXES.

(a) IN GENERAL.—Subparagraph (I) of section 164(b)(5) is amended by striking ''January 1, 2012'' and inserting ''January 1, 2013''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2011.

SEC. 52003. EXTENSION OF SPECIAL RULE FOR CONTRIBUTIONS OF CAPITAL GAIN REAL PROPERTY MADE FOR CONSERVATION PURPOSES.

(a) IN GENERAL.—Clause (vi) of section 170(b)(1)(E) is amended by striking ''December 31, 2011'' and inserting ''December 31, 2012''.

(b) CONTRIBUTIONS BY CERTAIN CORPORATE FARMERS AND RANCHERS.—Clause (iii) of section 170(b)(2)(B) is amended by striking ''December 31, 2011'' and inserting ''December 31, 2012''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to contributions made in taxable years beginning after December 31, 2011.

SEC. 52004. EXTENSION OF ABOVE-THE-LINE DEDUCTION FOR QUALIFIED TUITION AND RELATED EXPENSES.

(a) IN GENERAL.—Subsection (e) of section 222 is amended by striking ''December 31, 2011'' and inserting ''December 31, 2012''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2011.

SEC. 52005. EXTENSION OF TAX-FREE DISTRIBUTIONS FROM INDIVIDUAL RETIREMENT PLANS FOR CHARITABLE PURPOSES.

(a) IN GENERAL.—Subparagraph (F) of section 408(d)(8) is amended by striking ''December 31, 2011'' and inserting ''December 31, 2012''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to distributions made in taxable years beginning after December 31, 2011.

SEC. 52006. EXTENSION OF LOOK-THRU OF CERTAIN REGULATED INVESTMENT COMPANY STOCK IN DETERMINING GROSS ESTATE OF NONRESIDENTS.

(a) IN GENERAL.—Paragraph (3) of section 2105(d) is amended by striking ''December 31, 2011'' and inserting ''December 31, 2012''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to estates of decedents dying after December 31, 2011.

SEC. 52007. EXTENSION OF EXPANSION OF ADOPTION CREDIT AND ADOPTION ASSISTANCE PROGRAMS.

(a) IN GENERAL.—Subsection (c) of section 10909 of the Patient Protection and Affordable Care Act, as amended by the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010, is amended by striking ''December 31, 2011'' and inserting ''December 31, 2012''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2011.

Subtitle B—Business Tax Relief

SEC. 52101. EXTENSION AND MODIFICATION OF RESEARCH CREDIT.

(a) SIMPLIFIED CREDIT FOR QUALIFIED RESEARCH EXPENSES.—Subsection (a) of section 41 is amended to read as follows:

''(a) GENERAL RULE.—For purposes of section 38, the research credit determined under this section for the taxable year shall be an amount equal to 20 percent of so much of the qualified research expenses for the taxable year as exceeds 50 percent of the average qualified research expenses for the 3 taxable years preceding the taxable year for which the credit is being determined.''.

(b) SPECIAL RULES AND TERMINATION OF BASE AMOUNT CALCULATION.—

(1) IN GENERAL.—Subsection (c) of section 41 is amended to read as follows:

''(c) SPECIAL RULE IN CASE OF NO QUALIFIED RESEARCH EXPENSES IN ANY OF 3 PRECEDING TAXABLE YEARS.—

''(1) TAXPAYERS TO WHICH SUBSECTION APPLIES.—The credit under this section shall be determined under this subsection, and not under subsection (a), if, in any one of the 3 taxable years preceding the taxable year for which the credit is being determined, the taxpayer has no qualified research expenses.

''(2) CREDIT RATE.—The credit determined under this subsection shall be equal to 10 percent of the qualified research expenses for the taxable year.''.

(2) CONSISTENT TREATMENT OF EXPENSES.—Subsection (b) of section 41 is amended by adding at the end the following new paragraph:

''(5) CONSISTENT TREATMENT OF EXPENSES REQUIRED.—

''(A) IN GENERAL.—Notwithstanding whether the period for filing a claim for credit or refund has expired for any taxable year in the 3-taxable-year period taken into account under subsection (a), the qualified research expenses taken into account for such year shall be determined on a basis consistent with the determination of qualified research expenses for the credit year.

''(B) PREVENTION OF DISTORTIONS.—The Secretary may prescribe regulations to prevent distortions in calculating a taxpayer's qualified research expenses caused by a change in accounting methods used by such taxpayer between the credit year and a year in such 3-taxable-year period.''.

(c) INCLUSION OF QUALIFIED RESEARCH EXPENSES OF AN ACQUIRED PERSON.—

(1) PARTIAL INCLUSION OF PRE-ACQUISITION QUALIFIED RESEARCH EXPENSES.—Subparagraph (A) of section 41(f)(3) is amended to read as follows:

''(A) ACQUISITIONS.—

''(i) IN GENERAL.—If a person acquires the major portion of a trade or business of another person (hereinafter in this paragraph referred to as the 'predecessor') or the major portion of a separate unit of a trade or business of a predecessor, then the amount of qualified research expenses paid or incurred by the acquiring person during the 3 taxable years preceding the taxable year in which the credit under this section is determined shall be increased by—

''(I) for purposes of applying this section for the taxable year in which such acquisition is made, the amount determined under clause (ii), and

''(II) for purposes of applying this section for any taxable year after the taxable year in which such acquisition is made, so much of the qualified research expenses paid or incurred by the predecessor with respect to the acquired trade or business during the portion of the measurement period that is part of the 3-taxable-year period preceding the taxable year for which the credit is determined as is attributable to the portion of such trade or business or separate unit acquired by such person.

''(ii) AMOUNT DETERMINED.—The amount determined under this clause is the amount equal to the product of—

''(I) so much of the qualified research expenses paid or incurred by the predecessor with respect to the acquired trade or business during the 3 taxable years before the taxable year in which the acquisition is made as is attributable to the portion of such trade or business or separate unit acquired by the acquiring person, and

''(II) the number of months in the period beginning on the date of the acquisition and ending on the last day of the taxable year in which the acquisition is made,

divided by 12.

''(iii) SPECIAL RULES FOR COORDINATING TAXABLE YEARS.—In the case of an acquiring person and a predecessor whose taxable years do not begin on the same date—

''(I) each reference to a taxable year in clauses (i) and (ii) shall refer to the appropriate taxable year of the acquiring person,

''(II) the qualified research expenses paid or incurred by the predecessor during each taxable year of the predecessor any portion of which is part of the measurement period shall be allocated equally among the months of such taxable year, and

''(III) the amount of such qualified research expenses taken into account under clauses (i) and (ii) with respect to a taxable year of the acquiring person shall be equal to the total of the expenses attributable under subclause (II) to the months occurring during such taxable year.

''(iv) MEASUREMENT PERIOD.—For purposes of this subparagraph, the term 'measurement period' means the taxable year of the acquiring person in which the acquisition is made

and the 3 taxable years of the acquiring person preceding such taxable year.''.

(2) EXPENSES OF A DISPOSING PERSON.—Subparagraph (B) of section 41(f)(3) is amended to read as follows:

''(B) DISPOSITIONS.—If a person disposes of the major portion of any trade or business or the major portion of a separate unit of a trade or business in a transaction to which subparagraph (A) applies, and the disposing person furnished to the acquiring person such information as is necessary for the application of subparagraph (A), then, for purposes of applying this section for any taxable year ending after such disposition, the amount of qualified research expenses paid or incurred by the disposing person during the 3 taxable years preceding such taxable year shall be decreased by the amount of the increase determined under subparagraph (A) with respect to the acquiring person for such taxable year.''.

(d) AGGREGATION OF EXPENDITURES.—Paragraph (1) of section 41(f) is amended—

(1) by striking ''shall be its proportionate shares of the qualified research expenses, basic research payments, and amounts paid or incurred to energy research consortiums, giving rise to the credit'' in subparagraph (A)(ii) and inserting ''shall be determined on a proportionate basis to its share of the aggregate qualified research expenses taken into account by such controlled group for purposes of this section'', and

(2) by striking ''shall be its proportionate shares of the qualified research expenses, basic research payments, and amounts paid or incurred to energy research consortiums, giving rise to the credit'' in subparagraph (B)(ii) and inserting ''shall be determined on a proportionate basis to its share of the aggregate qualified research expenses taken into account by all such persons under common control for purposes of this section''.

(e) EXTENSION.—

(1) Subsection (h) of section 41 is amended—

(A) by striking paragraph (2) (relating to termination of alternative incremental credit), and

(B) by striking ''paid or incurred'' and all that follows in paragraph (1) and inserting ''paid or incurred after December 31, 2012.''.

(2) Subparagraph (D) of section 45C(b)(1) is amended by striking ''June 30, 1995'' and all that follows and inserting ''December 31, 2012.''.

(f) CONFORMING AMENDMENTS.—

(1) TERMINATION OF BASIC RESEARCH PAYMENT CALCULATION.—Section 41 is amended—

(A) by striking subsection (e),

(B) by redesignating subsection (g) as subsection (e), and

(C) by relocating subsection (e), as so redesignated, immediately after subsection (d).

(2) SPECIAL RULES.—

(A) Paragraph (4) of section 41(f) is amended by striking ''and gross receipts''.

(B) Subsection (f) of section 41 is amended by striking paragraph (6).

(3) CROSS-REFERENCES.—

(A) Paragraph (2) of section 45C(c) is amended by striking ''base period research expenses'' and inserting ''average qualified research expenses''.

(B) Subparagraph (A) of section 54(l)(3) is amended by striking ''section 41(g)'' and inserting ''section 41(e)''.

(C) Clause (i) of section 170(e)(4)(B) is amended to read as follows:

''(i) the contribution is to a qualified organization,''.

(D) Paragraph (4) of section 170(e) is amended by adding at the end the following new subparagraph:

''(E) QUALIFIED ORGANIZATION.—For purposes of this paragraph, the term 'qualified organization' means—

''(i) any educational organization which—

''(I) is an institution of higher education (within the meaning of section 3304(f)), and

''(II) is described in subsection (b)(1)(A)(ii), or

''(ii) any organization not described in clause (i) which—

''(I) is described in section 501(c)(3) and is exempt from tax under section 501(a),

''(II) is organized and operated primarily to conduct scientific research, and

''(III) is not a private foundation.''.

(E) Section 280C is amended—

(i) by striking ''or basic research expenses (as defined in section 41(e)(2))'' in subsection (c)(1),

(ii) by striking ''section 41(a)(1)'' in subsection (c)(2)(A) and inserting ''section 41(a)'', and

(iii) by striking ''or basic research expenses'' in subsection (c)(2)(B).

(F) Clause (i) of section 1400N(l)(7)(B) is amended by striking ''section 41(g)'' and inserting ''section 41(e)''.

(g) TECHNICAL CORRECTIONS.—Section 409 is amended—

(1) by inserting '', as in effect before the enactment of the Tax Reform Act of 1984)'' after ''section 41(c)(1)(B)'' in subsection (b)(1)(A),

(2) by inserting '', as in effect before the enactment of the Tax Reform Act of 1984'' after ''relating to the employee stock ownership credit'' in subsection (b)(4),

(3) by inserting ''(as in effect before the enactment of the Tax Reform Act of 1984)'' after ''section 41(c)(1)(B)'' in subsection (i)(1)(A),

(4) by inserting ''(as in effect before the enactment of the Tax Reform Act of 1984)'' after ''section 41(c)(1)(B)'' in subsection (m),

(5) by inserting ''(as so in effect)'' after ''section 48(n)(1)'' in subsection (m),

(6) by inserting ''(as in effect before the enactment of the Tax Reform Act of 1984)'' after ''section 48(n)'' in subsection (q)(1), and

(7) by inserting ''(as in effect before the enactment of the Tax Reform Act of 1984)'' after ''section 41'' in subsection (q)(3).

(h) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), the amendments made by this section shall apply to taxable years beginning after December 31, 2011.

(2) EXTENSION.—The amendments made by subsection (e) shall apply to amounts paid or incurred after December 31, 2011.

(3) TECHNICAL CORRECTIONS.—The amendments made by subsection (g) shall take effect on the date of the enactment of this Act.

SEC. 52102. EXTENSION OF INDIAN EMPLOYMENT TAX CREDIT.

(a) IN GENERAL.—Subsection (f) of section 45A is amended by striking ''December 31, 2011'' and inserting ''December 31, 2012''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2011.

SEC. 52103. EXTENSION OF NEW MARKETS TAX CREDIT.

(a) IN GENERAL.—Subparagraph (G) of section 45D(f)(1) is amended by striking ''2010 and 2011'' and inserting ''2010, 2011, and 2012''.

(b) CARRYOVER OF UNUSED LIMITATION.—Paragraph (3) of section 45D(f) is amended by striking ''2016'' and inserting ''2017''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to calendar years beginning after December 31, 2011.

SEC. 52104. EXTENSION OF RAILROAD TRACK MAINTENANCE CREDIT.

(a) IN GENERAL.—Subsection (f) of section 45G is amended by striking ''January 1, 2012'' and inserting ''January 1, 2013''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to expenditures paid or incurred in taxable years beginning after December 31, 2011.

SEC. 52105. EXTENSION OF MINE RESCUE TEAM TRAINING CREDIT.

(a) IN GENERAL.—Subsection (e) of section 45N is amended by striking ''December 31, 2011'' and inserting ''December 31, 2012''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2011.

SEC. 52106. EXTENSION OF EMPLOYER WAGE CREDIT FOR EMPLOYEES WHO ARE ACTIVE DUTY MEMBERS OF THE UNIFORMED SERVICES.

(a) IN GENERAL.—Subsection (f) of section 45P is amended by striking ''December 31, 2011'' and inserting ''December 31, 2012''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to payments made after December 31, 2011.

SEC. 52107. EXTENSION OF WORK OPPORTUNITY TAX CREDIT.

(a) IN GENERAL.—Subparagraph (B) of section 51(c)(4), as amended by the VOW to Hire Heroes Act of 2011, is amended by striking ''after'' and all that follows and inserting ''after December 31, 2012''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to individuals who begin work for the employer after December 31, 2011.

SEC. 52108. EXTENSION OF QUALIFIED ZONE ACADEMY BONDS.

(a) IN GENERAL.—Paragraph (1) of section 54E(c) is amended by inserting ''and 2012'' after ''for 2011''.

(b) REPEAL OF REFUNDABLE CREDIT FOR QZABS.—Clause (iii) of section 6431(f)(3)(A) is amended by inserting ''or 2012'' after ''for 2011''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to obligations issued after December 31, 2011.

SEC. 52109. EXTENSION OF 15-YEAR STRAIGHT-LINE COST RECOVERY FOR QUALIFIED LEASEHOLD IMPROVEMENTS, QUALIFIED RESTAURANT BUILDINGS AND IMPROVEMENTS, AND QUALIFIED RETAIL IMPROVEMENTS.

(a) IN GENERAL.—Clauses (iv), (v), and (ix) of section 168(e)(3)(E) are each amended by striking ''January 1, 2012'' and inserting ''January 1, 2013''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after December 31, 2011.

SEC. 52110. EXTENSION OF 7-YEAR RECOVERY PERIOD FOR MOTORSPORTS ENTERTAINMENT COMPLEXES.

(a) IN GENERAL.—Subparagraph (D) of section 168(i)(15) is amended by striking ''December 31, 2011'' and inserting ''December 31, 2012''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2011.

SEC. 52111. EXTENSION OF ACCELERATED DEPRECIATION FOR BUSINESS PROPERTY ON AN INDIAN RESERVATION.

(a) IN GENERAL.—Paragraph (8) of section 168(j) is amended by striking ''December 31, 2011'' and inserting ''December 31, 2012''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2011.

SEC. 52112. EXTENSION OF ENHANCED CHARITABLE DEDUCTION FOR CONTRIBUTIONS OF FOOD INVENTORY.

(a) IN GENERAL.—Clause (iv) of section 170(e)(3)(C) is amended by striking ''December 31, 2011'' and inserting ''December 31, 2012''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to contributions made after December 31, 2011.

SEC. 52113. EXTENSION OF ENHANCED CHARITABLE DEDUCTION FOR CONTRIBUTIONS OF BOOK INVENTORIES TO PUBLIC SCHOOLS.

(a) IN GENERAL.—Clause (iv) of section 170(e)(3)(D) is amended by striking ''December 31, 2011'' and inserting ''December 31, 2012''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to contributions made after December 31, 2011.

SEC. 52114. EXTENSION OF ENHANCED CHARITABLE DEDUCTION FOR CORPORATE CONTRIBUTIONS OF COMPUTER INVENTORY FOR EDUCATIONAL PURPOSES.

(a) IN GENERAL.—Subparagraph (G) of section 170(e)(6) is amended by striking ''December 31, 2011'' and inserting ''December 31, 2012''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to contributions made in taxable years beginning after December 31, 2011.

SEC. 52115. EXTENSION OF INCREASED EXPENSING LIMITATIONS AND TREATMENT OF CERTAIN REAL PROPERTY AS SECTION 179 PROPERTY.

(a) IN GENERAL.—Section 179(b) is amended—

(1) by striking ''2010 or 2011'' each place it appears in paragraph (1)(B) and (2)(B) and inserting ''2010, 2011, or 2012'',

(2) by striking ''2012'' each place it appears in paragraph (1)(C) and (2)(C) and inserting ''2013'', and

(3) by striking ''2012'' each place it appears in paragraph (1)(D) and (2)(D) and inserting ''2013''.

(b) INFLATION ADJUSTMENT.—Subparagraph (A) of section 179(b)(6) is amended by striking ''2012'' and inserting ''2013''.

(c) COMPUTER SOFTWARE.—Section 179(d)(1)(A)(ii) is amended by striking ''2013'' and inserting ''2014''.

(d) ELECTION.—Section 179(c)(2) is amended by striking ''2013'' and inserting ''2014''.

(e) SPECIAL RULES FOR TREATMENT OF QUALIFIED REAL PROPERTY.—Section 179(f)(1) is amended by striking ''2010 or 2011'' and inserting ''2010, 2011, or 2012''.

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2011.

SEC. 52116. EXTENSION OF ELECTION TO EXPENSE MINE SAFETY EQUIPMENT.

(a) IN GENERAL.—Subsection (g) of section 179E is amended by striking ''December 31, 2011'' and inserting ''December 31, 2012''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2011.

SEC. 52117. EXTENSION OF EXPENSING OF BROWNFIELDS ENVIRONMENTAL REMEDIATION COSTS.

(a) IN GENERAL.—Subsection (h) of section 198 is amended by striking ''December 31, 2011'' and inserting ''December 31, 2012''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to expenditures paid or incurred after December 31, 2011.

SEC. 52118. EXTENSION OF MODIFICATION OF TAX TREATMENT OF CERTAIN PAYMENTS TO CONTROLLING EXEMPT ORGANIZATIONS.

(a) IN GENERAL.—Clause (iv) of section 512(b)(13)(E) is amended by striking ''December 31, 2011'' and inserting ''December 31, 2012''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to payments received or accrued after December 31, 2011.

SEC. 52119. EXTENSION OF TREATMENT OF CERTAIN DIVIDENDS OF REGULATED INVESTMENT COMPANIES.

(a) IN GENERAL.—Paragraphs (1)(C) and (2)(C) of section 871(k) are each amended by striking ''December 31, 2011'' and inserting ''December 31, 2012''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2011.

SEC. 52120. EXTENSION OF RIC QUALIFIED INVESTMENT ENTITY TREATMENT UNDER FIRPTA.

(a) IN GENERAL.—Clause (ii) of section 897(h)(4)(A) is amended by striking ''December 31, 2011'' and inserting ''December 31, 2012''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by subsection (a) shall take effect on January 1, 2012. Notwithstanding the preceding sentence, such amendment shall not apply with respect to the withholding requirement under section 1445 of the Internal Revenue Code of 1986 for any payment made before the date of the enactment of this Act.

(2) AMOUNTS WITHHELD ON OR BEFORE DATE OF ENACTMENT.—In the case of a regulated investment company—

(A) which makes a distribution after December 31, 2011, and before the date of the enactment of this Act; and

(B) which would (but for the second sentence of paragraph (1)) have been required to withhold with respect to such distribution under section 1445 of such Code,

such investment company shall not be liable to any person to whom such distribution was made for any amount so withheld and paid over to the Secretary of the Treasury.

SEC. 52121. EXTENSION OF SUBPART F EXCEPTION FOR ACTIVE FINANCING INCOME.

(a) EXEMPT INSURANCE INCOME.—Paragraph (10) of section 953(e) is amended—

(1) by striking ''January 1, 2012'' and inserting ''January 1, 2013'', and

(2) by striking ''December 31, 2011'' and inserting ''December 31, 2012'',

(b) SPECIAL RULE FOR INCOME DERIVED IN THE ACTIVE CONDUCT OF BANKING, FINANCING, OR SIMILAR BUSINESSES.—Paragraph (9) of section 954(h) is amended by striking ''January 1, 2012'' and inserting ''January 1, 2013''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years of foreign corporations beginning after December 31, 2011, and to taxable years of United States shareholders with or within which any such taxable year of such foreign corporation ends.

SEC. 52122. EXTENSION OF LOOK-THRU TREATMENT OF PAYMENTS BETWEEN RELATED CONTROLLED FOREIGN CORPORATIONS UNDER FOREIGN PERSONAL HOLDING COMPANY RULES.

(a) IN GENERAL.—Subparagraph (C) of section 954(c)(6) is amended by striking ''January 1, 2012'' and inserting ''January 1, 2013''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years of foreign corporations beginning after December 31, 2011, and to taxable years of United States shareholders with or within which any such taxable year of such foreign corporation ends.

SEC. 52123. EXTENSION OF 100 PERCENT EXCLUSION FOR QUALIFIED SMALL BUSINESS STOCK.

(a) IN GENERAL.—Paragraph (4) of section 1202(a) is amended—

(1) by striking ''January 1, 2012'' and inserting ''January 1, 2013'', and

(2) by striking ''2010 AND 2011'' in the heading and inserting ''2010, 2011, AND 2012''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to stock acquired after December 31, 2011.

SEC. 52124. EXTENSION OF BASIS ADJUSTMENT TO STOCK OF S CORPS MAKING CHARITABLE CONTRIBUTIONS OF PROPERTY.

(a) IN GENERAL.—Paragraph (2) of section 1367(a) is amended by striking ''December 31, 2011'' and inserting ''December 31, 2012''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to contributions made in taxable years beginning after December 31, 2011.

SEC. 52125. EXTENSION OF TEMPORARY INCREASE IN LIMIT ON COVER OVER OF RUM EXCISE TAXES TO PUERTO RICO AND THE VIRGIN ISLANDS.

(a) IN GENERAL.—Paragraph (1) of section 7652(f) is amended by striking ''January 1, 2012'' and inserting ''January 1, 2013''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to distilled spirits brought into the United States after December 31, 2011.

TITLE IV—OFFSETS

SEC. 53001. DEFICIT REDUCTION TRUST FUND.

(a) IN GENERAL.—Subchapter I of chapter 31 of title 31, United States Code, is amended by adding at the end the following new section:

''§ 3114. Trust fund to reduce public debt

''(a) There is established in the Treasury of the United States a trust fund to be known as the 'Deficit Reduction Trust Fund' (in this section referred to as the 'Trust Fund').

''(b) There is appropriated to the Trust Fund the following amounts:

''(1) Amounts equivalent to the net increase in amounts received in the Treasury attributable to the provisions of, and the amendments made by, subtitles B, C, D, E, F, and G of title I of division E of the Moving Ahead for Progress in the 21st Century Act.

''(2) The net increase in taxes received in the Treasury attributable to the amendments made by section 53002 of the Moving Ahead for Progress in the 21st Century Act.

''(3) Amounts equivalent to the reduction in spending attributable to the amendment made by section 53003 of the Moving Ahead for Progress in the 21st Century Act.

''(c) The Secretary of the Treasury shall use the moneys in the Trust Fund solely to pay at maturity, or to redeem or buy before maturity, an obligation of the Government included in the public debt.

''(d) Any obligation of the Government which is paid, redeemed, or bought with money from the Trust Fund shall be canceled and retired and may not be reissued.''.

(b) CONFORMING AMENDMENT.—The table of sections for subchapter I of chapter 31 of title 31, United States Code, is amended by adding at the end the following new item:

''3114. Trust fund to reduce public debt.''.

SEC. 53002. SOCIAL SECURITY NUMBER REQUIRED TO CLAIM THE REFUNDABLE PORTION OF THE CHILD TAX CREDIT.

(a) IN GENERAL.—Subsection (d) of section 24 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(5) IDENTIFICATION REQUIREMENT WITH RESPECT TO TAXPAYER.—

''(A) IN GENERAL.—Paragraph (1) shall not apply to any taxpayer for any taxable year unless the taxpayer includes the taxpayer's Social Security number on the return of tax for such taxable year.

''(B) JOINT RETURNS.—In the case of a joint return, the requirement of subparagraph (A) shall be treated as met if the Social Security number of either spouse is included on such return.''.

(b) OMISSION TREATED AS MATHEMATICAL OR CLERICAL ERROR.—Subparagraph (I) of section 6213(g)(2) of the Internal Revenue Code of 1986 is amended to read as follows:

''(I) an omission of a correct Social Security number required under section 24(d)(5) (relating to refundable portion of child tax credit), or a correct TIN under section 24(e) (relating to child tax credit), to be included on a return,''.

(c) CONFORMING AMENDMENT.—Subsection (e) of section 24 of the Internal Revenue Code of 1986 is amended by inserting ''WITH RESPECT TO QUALIFYING CHILDREN'' after ''IDENTIFICATION REQUIREMENT'' in the heading thereof.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 53003. EXTENSION OF PAY LIMITATION FOR FEDERAL EMPLOYEES.

(a) EXTENSION.—

(1) IN GENERAL.—Section 147 of the Continuing Appropriations Act, 2011 (Public Law 111–242; 5 U.S.C. 5303 note) is amended—

(A) in subsection (b)(1), by striking ''December 31, 2012'' and inserting ''December 31, 2013''; and

(B) in subsection (c), by striking ''December 31, 2012'' and inserting ''December 31, 2013''.

(2) APPLICATION TO LEGISLATIVE BRANCH.—

(A) MEMBERS OF CONGRESS.—The extension of the pay limit for Federal employees through December 31, 2013, as established pursuant to the amendments made by paragraph (1), shall apply to Members of Congress in accordance with section 601(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 31).

(B) OTHER LEGISLATIVE BRANCH EMPLOYEES.—

(i) LIMIT IN PAY.—Notwithstanding any other provision of law, no cost of living adjustment required by statute with respect to a legislative branch employee which (but for this clause) would otherwise take effect during the period beginning on the date of enactment of this Act and ending on December 31, 2013, shall be made.

(ii) DEFINITION.—In this subparagraph, the term ''legislative branch employee'' means—

(I) an employee of the Federal Government whose pay is disbursed by the Secretary of the Senate or the Chief Administrative Officer of the House of Representatives; and

(II) an employee of any office of the legislative branch who is not described in subclause (I).

(b) REDUCTION OF REVISED DISCRETIONARY SPENDING LIMITS TO ACHIEVE SAVINGS FROM FEDERAL EMPLOYEE PROVISIONS.—Paragraph (2) of section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended to read as follows:

''(2) REVISED DISCRETIONARY SPENDING LIMITS.—The discretionary spending limits for fiscal years 2013 through 2021 under section 251(c) shall be replaced with the following:

''(A) For fiscal year 2013—

''(i) for the revised security category, $546,000,000,000 in budget authority; and

''(ii) for the revised nonsecurity category, $499,000,000,000 in budget authority.

''(B) For fiscal year 2014—

''(i) for the revised security category, $556,000,000,000 in budget authority; and

''(ii) for the revised nonsecurity category, $507,000,000,000 in budget authority.

''(C) For fiscal year 2015—

''(i) for the revised security category, $566,000,000,000 in budget authority; and

''(ii) for the revised nonsecurity category, $517,000,000,000 in budget authority.

''(D) For fiscal year 2016—

''(i) for the revised security category, $577,000,000,000 in budget authority; and

''(ii) for the revised nonsecurity category, $527,000,000,000 in budget authority.

''(E) For fiscal year 2017—

''(i) for the revised security category, $590,000,000,000 in budget authority; and

''(ii) for the revised nonsecurity category, $538,000,000,000 in budget authority.

''(F) For fiscal year 2018—

''(i) for the revised security category, $603,000,000,000 in budget authority; and

''(ii) for the revised nonsecurity category, $550,000,000,000 in budget authority.

''(G) For fiscal year 2019—

''(i) for the revised security category, $616,000,000,000 in budget authority; and

''(ii) for the revised nonsecurity category, $562,000,000,000 in budget authority.

''(H) For fiscal year 2020—

''(i) for the revised security category, $630,000,000,000 in budget authority; and

''(ii) for the revised nonsecurity category, $574,000,000,000 in budget authority.

''(I) For fiscal year 2021—

''(i) for the revised security category, $644,000,000,000 in budget authority; and

''(ii) for the revised nonsecurity category, $586,000,000,000 in budget authority.''.

SA 1827. Ms. MURKOWSKI submitted an amendment intended to be proposed by her 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 of division B, add the following:

SEC. ____. ATTRIBUTION OF FIXED GUIDEWAY VEHICLE REVENUE MILES AND FIXED GUIDEWAY DIRECTIONAL ROUTE MILES.

(a) DEFINITION.—In this section the term ''covered miles of a recipient'' means the fixed guideway vehicle revenue miles or fixed guideway directional route miles in the public transportation system for which the recipient receives funds.

(b) ATTRIBUTION.—For purposes of section 5336(b)(2)(A) and section 5337(c)(3) of title 49, United States Code, as amended by this Act, the Secretary shall deem to be attributable to an urbanized area not less than 50 percent of the covered miles of a recipient that are located outside the urbanized area for which the recipient receives funds, in addition to the covered miles of the recipient that are located inside the urbanized area.

SA 1828. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her 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 469, after line 22, add the following:

SEC. 1521. TRUCKING WEIGHT LIMITATIONS.

Section 127(a) of title 23, United States Code, is amended by adding at the end the following:

''(13) HEAVY TRUCK PILOT PROGRAM.—

''(A) IN GENERAL.—The Secretary may carry out a pilot program under which the Secretary may authorize up to 3 States to allow, by special permit, the operation of vehicles with a gross vehicle weight of up to 126,000 pounds on segments on the Interstate System in the State.

''(B) REQUIREMENTS.—A State authorized under the pilot program under subparagraph (A) shall—

''(i) identify, and submit to the Secretary for approval—

''(I) the segments on the Interstate System that will be subject to the pilot program; and

''(II) the configurations of vehicles to be allowed to operate under a special permit;

''(ii) allow vehicles subject to the program to operate on not more than 3 segments, which may be contiguous, of up to 25 miles each;

''(iii) require the loads of vehicles operating under a special permit to conform to such single axle, tandem axle, tridem axle, and bridge formula limits applicable in the State; and

''(iv) establish and collect a fee for vehicles operating under a special permit.

''(C) PROHIBITIONS.—The Secretary may prohibit the operation of a vehicle under a special permit if the Secretary determines that the operation poses an unreasonable safety risk based on an analysis of engineering data, safety data, or other applicable data.

''(D) DURATION.—The Secretary may authorize a State to participate in the pilot program under this paragraph for a period not to exceed 4 years.''.

SA 1829. Mr. JOHANNS 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. _____. EXCEPTION TO GENERAL PROPERTY-CARRYING UNIT LIMITATION.

Section 31112(d)(4) of title 49, United States Code, is amended to read as follows:

''(4) Subject to an appropriate permit from each State in which they will be operated, property-carrying units that were not in actual operation on June 1, 1991, may be operated within 1 or more adjacent States to transport sugar beets from the field where such sugar beets are harvested to storage, market, factory, or stockpile or from stockpile to storage, market, or factory if such vehicles—

''(A) are not more than 25 percent longer or 15 percent heavier than the maximum length and weight, respectively, otherwise permitted for similar property-carrying units;

''(B) are operated not more than 200 days per year; and

''(C) are operated within a range of not more than 90 aeronautical miles.''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on March 8, 2012, at 9:30 a.m.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on March 8, 2012, at 10 a.m., to conduct a hearing entitled ''Addressing the Housing Crisis in Indian Country: Leveraging Resources and Coordinating Efforts.''

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate, to conduct a hearing entitled ''The Key to America's Global Competitiveness: A Quality Educaiton'' on March 8, 2012, at 10 a.m., in room 430 of the Dirksen Senate Office Building.

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

COMMITTEE ON INDIAN AFFAIRS

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on March 8, 2012, at 2:15 p.m. in room 628 of the Dirksen Senate Office Building.

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

COMMITTEE ON THE JUDICIARY

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on March 8, 2012, at 10 a.m., in SD–226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

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

SELECT COMMITTEE ON INTELLIGENCE

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on March 8, 2012, at 2:30 p.m.

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

PRIVILEGE OF THE FLOOR

Mrs. MURRAY. Mr. President, I ask unanimous consent that David Bonelli, a detailee to the Commerce, Science, and Transportation Committee from the National Highway Traffic Safety Administration, be given floor privileges for the duration of the consideration of S. 1813.

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

WORLD PLUMBING DAY

Mr. REID. Mr. President, I now ask we proceed to S. Res. 393.

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

The legislative clerk read as follows:

A resolution (S. Res. 393) designating March 11, 2012, as ''World Plumbing Day.''

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

Mr. REID. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD.

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

The resolution (S. Res. 393) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 393

Whereas the industry of plumbing plays an important role in safeguarding the public health of the people of the United States and the world;

Whereas 884,000,000 people around the world do not have access to safe drinking water;

Whereas 2,600,000,000 people around the world live without adequate sanitation facilities;

Whereas the lack of sanitation is the largest cause of infection in the world;

Whereas in the developing world, 24,000 children under the age of 5 die every day from preventable causes, such as diarrhea contracted from unclean water;

Whereas safe and efficient plumbing helps save money and reduces future water supply costs and infrastructure costs;

Whereas the installation of modern plumbing systems must be accomplished in a specific, safe manner by trained professionals in order to prevent widespread disease, which can be crippling and deadly to the community;

Whereas the people of the United States rely on plumbing professionals to maintain, repair, and rebuild the aging water infrastructure of the United States;

Whereas Congress and plumbing professionals across the United States and the world are committed to safeguarding public health; and

Whereas the founding organization of World Plumbing Day, the World Plumbing Council, is currently being chaired by GP Russ Chaney, a United States citizen: Now, therefore, be it

Resolved, That the Senate designates March 11, 2012, as ''World Plumbing Day''.

ORDERS FOR MONDAY, MARCH 12, 2012

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until Monday, March 12, at 2 p.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 following any leader remarks, the Senate proceed to a period of morning business until 4 p.m., with Senators permitted to speak therein for up to 10 minutes each; that following morning business, the Senate resume consideration of S. 1813, the surface transportation bill.

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

PROGRAM

Mr. REID. Mr. President, as I indicated, following morning business the Senate will resume consideration of the surface transportation bill. As previously announced, there will be no rollcall votes on Monday. Senators should expect several votes Tuesday morning, going into the afternoon or evening, to complete action on that bill.

ADJOURNMENT UNTIL MONDAY, MARCH 12, 2012, AT 2 P.M.

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask that it adjourn under the previous order.

There being no objection, the Senate, at 5:52 p.m., adjourned until Monday, March 12, 2012, at 2 p.m.

EXTENSIONS OF REMARKS

PERSONAL EXPLANATION

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. VISCLOSKY. Mr. Speaker, on March 7, 2012, I was absent from the House and missed rollcall votes 98 through 106.

Had I been present for rollcall 98, on agreeing to the Napolitano amendment to H.R. 2842, the Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act, I would have voted ''aye.''

Had I been present for rollcall 99, on motion to recommit with instructions H.R. 2842, the Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act, I would have voted ''aye.''

Had I been present for rollcall 100, on agreeing to H.R. 2842, the Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act, I would have voted ''no.''

Had I been present for rollcall 101, on ordering the previous question on H. Res. 572, providing for consideration of H.R. 3606, to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies, I would have voted ''no.''

Had I been present for rollcall 102, on agreeing to H. Res. 572, providing for consideration of H.R. 3606, to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies, I would have voted ''no.''

Had I been present for rollcall 103, on agreeing to the Himes amendment to H.R. 3606, to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies, I would have voted ''aye.''

Had I been present for rollcall 104, on agreeing to the Ellison amendment to H.R. 3606, to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies, I would have voted ''aye.''

Had I been present for rollcall 105, on agreeing to the Waters amendment to H.R. 3606, to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies, I would have voted ''aye.''

Had I been present for rollcall 106, on agreeing to the Connolly amendment to H.R. 3606, to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies, I would have voted ''aye.''

HONORING THE LIFE OF CONGRESSMAN DONALD M. PAYNE

SPEECH OF

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 2012

Mr. COSTELLO. Madam Speaker, I rise today to ask my colleagues to join me in recognizing the passing of our dear colleague, Congressman DONALD PAYNE and honoring his lifetime commitment to service and humanitarian causes.

DON PAYNE and I were classmates in Congress. I was first elected in a special election in August, 1988 and DON was first elected in 1988 and took office with the 101st Congress in 1989.

A life-long resident of Newark, New Jersey, DON PAYNE was an educator, insurance executive and President of the National Council of YMCA's, an organization with which he was involved until his passing. His passion for community service took him to elected positions on the Newark city council and as an Essex County freeholder before being elected as the first African American to represent New Jersey in the U.S. Congress.

As a Member of Congress, DON continued to be a tireless advocate for his constituents in New Jersey but he also built a reputation as a champion of human rights on an international scale. As a leader of the Subcommittee on Africa, Global Health and Human Rights, DON traveled extensively to bring aid and fight for oppressed people across the globe. DON was very involved in efforts to combat political oppression, ethnic violence, the spread of Aids and starvation in Africa but he also worked for relief efforts in Haiti and was very supportive of peace negotiations in Northern Ireland.

On this past Tuesday, March 6, DON PAYNE lost his battle with cancer, the people of Newark and the world lost a dedicated public servant, and I lost a dear friend and colleague. He will be truly missed.

Madam Speaker, I ask my colleagues to join me in an expression of appreciation for the life and service of Congressman DON PAYNE and to keep him and his family in our thoughts and prayers.

JUMPSTART OUR BUSINESS STARTUPS ACT

SPEECH OF

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 7, 2012

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 3606) to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies:

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chair, the House today will vote on the final passage of H.R. 3606, the Jumpstart Our Business Startups (JOBS) Act. While there is no doubt that this Congress must work to create jobs and support small businesses, we must ensure that any attempts to do so are targeted in a manner that directly benefits the American people, and prevents the outsourcing of jobs.

With unemployment just above eight percent, it will take a coordinated effort at all levels of government to create jobs and rein in the high unemployment rate. Addressing the estimated 2.9 million jobs that were eliminated from the U.S. economy and added overseas by multinational corporations should be a critical component of any piece of legislation that leaves this chamber.

Creating and retaining jobs in the United States has always been a top priority of mine, and I will only support legislation that keeps the American people at the center of its focus. In Texas, I've brought critical infrastructure investments to Dallas that have not only strengthened our roads and bridges, but more importantly brought skilled and hardworking Americans back into the labor force. Ultimately, my concern for the well-being of the American people will remain at the core of any considerations I make.

The Democratic Members of Congress have demonstrated their unwavering commitment to creating jobs at home and protecting the middle class. I am encouraged to finally see that my Republican colleagues are beginning to understand the merits of this commitment, and have refocused their efforts on these critical issues. The JOBS Act is just one step we can take to bolster our economy, and I hope to see increased efforts to address the persistent outsourcing of American jobs emerge from this legislation.

HONORING THE LIFE OF CONGRESSMAN DONALD PAYNE

SPEECH OF

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 2012

Ms. RICHARDSON. Madam Speaker, it is with a heavy heart that I rise today to remember the life and mourn the loss of our beloved colleague, the distinguished gentleman from New Jersey, Congressman DONALD M. PAYNE.

For twelve terms, Congressman was an effective advocate for the interests of constituents, a trusted expert on international affairs and Africa policy to his colleagues, and a tireless champion for poor, vulnerable, oppressed, and marginalized people everywhere on earth. But above all, DONALD PAYNE was a good and kind man, who with unfailing good cheer enriched the lives of all he met and served.

Born in Newark, New Jersey, on July 16, 1934, to William Evander Payne and the former Norma Garrett, this son of a chauffeur and a dockworker went on to graduate from Seton Hall University, teach English and social studies and coach high school football, and serve as the first black president of the National Council of YMCAs before his election to Congress in 1988 to succeed Peter W. Rodino, another legendary figure in New Jersey politics and the chairman of the House Judiciary Committee during Watergate. DONALD PAYNE holds the distinction of being the first and only African American elected to represent New Jersey in the Congress of the United States.

Throughout his congressional career, DONALD PAYNE championed educational and economic opportunity and human and civil rights, both here and abroad. From his work in furtherance of the Northern Ireland peace process, to his efforts to bring attention and an end to the genocide in Darfur, as well as his indispensable work to secure full funding for PEPFAR to combat the HIV/AIDS and malaria in Africa, DONALD PAYNE made a difference and his impact has been felt around the world.

As a former chair of the Congressional Black Caucus and the Congressional Black Caucus Foundation, DONALD PAYNE mentored and provided wise counsel to many of his colleagues, including me. I valued his counsel and his friendship and I will miss him very much and I extend my deepest sympathies to his family and loved ones.

ESSAY BY RAVENA JACOB

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. OLSON. Mr. Speaker, I am privileged to interact with some of the brightest students in the 22nd Congressional District who serve on my Congressional Youth Advisory Council. I have gained much by listening to the high school students who are the future of this great nation. They provide important insight into the concerns of our younger constituents and hopefully get a better sense of the importance of being an active participant in the political process. Many of the students have written short essays on a variety of topics and I am pleased to share these with my House colleagues.

Ravena Jacob is a junior at Clear Springs High School in Galveston County, Texas. Her essay topic is: In your opinion, what role should government play in our lives?

George Washington once said, ''Government is a necessary evil.'' Even after several decades of debate on whether government should be involved heavily or lightly on people's life, his statement remains true. Since my life is inherently weaved into public and community life, apart from my personal choices, likes and dislikes, all my life is connected to public. Therefore, even when I say it is my opinion, it certainly is influenced by shared values of my family and others of the community. When I think of government I am surprised by the massive efforts by government to keep things going by implementing laws and regulation which influence my life. When I was about 8 years, my dad got a ticket for not stopping at a stop sign as he was hurrying to drop me to day care and trying to be at work on time. I was upset with the officer who issued the ticket. But later it become clearer that the officer may be avoiding a bigger problem. Roads were not paved when automobiles were first invented, and after they were paved, there were no stop signs or traffic lights, and no rules of the road. As vehicles became faster and caused more accidents we had to improve the safety of the vehicles. Changing the roads and the rules could only be done through government. Similarly in times of crisis and disaster, I can see the importance of public service government provide. Thus government's most important role is to protect its citizens. For a business or educational field, we need appropriate control by the government. At the same time the governmental control should not be too much. Its role in my life becomes more optimal when the fine line between big vs. small government is crossed

Therefore, the role of government in my life can be analyzed in terms of big or small Government that is usually debated by political parties to describe a large public sector. The term Big Government is used by conservatives in relation to government policies that regulate private or personal matters. Conservatives argue that big government attempts to have federal control on traditionally private institution-based programs. Proponents of small government describe money paid to the government in taxes as money taken away from the private economy. This argument is not true as government spends what it receives. Small-government advocates argue that government can't do anything right. The recent fall of Solyndra, the company that was awarded millions for solar technology expansion, is a good example. Both government and private institutions make mistakes. However, government's mistakes are usually exposed to public and the mistakes of businesses and nonprofits are often unknown.

Government's main weaknesses in deciding what to do are based on the special interests that support election or reelection. In some cases extreme governmental control sometimes question a person's freedom. A good example is governmental influence on dictating what we eat and drink. Yes, it is true that sodas and ice cream undoubtedly leads to obesity and other health issues. However, instead of controlling what we intake, government should create awareness of childhood obesity. In a recent discussion Glenn Beck, argued that the government shouldn't be regulating his Doritos intake or how many miles he can drive. President Obama's response was, ''We have also clearly seen the dangers of too little government. Like when a lack of accountability on Wall Street nearly leads to the collapse of our entire economy.''

When considering governmental role in my life I would conclude by saying that governmental duplication and control of existing social institutions should be avoided. Government should never forget its preliminary and preeminent role: establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity.

CELEBRATING THE 175TH ANNIVERSARY OF THE CITY OF MASCOUTAH, ILLINOIS

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. COSTELLO. Mr. Speaker, I rise today to ask my colleagues to join me in recognizing the 175th Anniversary of the City of Mascoutah, Illinois.

In the early 19th Century, much of the development in Southwestern Illinois had been concentrated along the Mississippi River which formed its western border. By the 1830's the county seat of Belleville was the easternmost town in St. Clair County. Roads were sparse, with the St. Louis—Shawneetown mail route being the road that provided transit for mail, goods and travelers between the Ohio and Mississippi rivers.

In 1837, a group of German settlers platted the town of Mechanicsburg along the St. Louis—Shawneetown mail route and a post office immediately relocated there. Since postal records indicated there was already a Mechanicsburg, Illinois, the post office and town were renamed, Mascoutah, a name taken from the Mascouten tribe of Native Americans.

The low, swampy terrain of Mascoutah would prove challenging for the early settlers, but a saw mill and flour mill attracted customers among area farmers and a wave of German immigration in the 1850's helped to swell the population. By 1880, Mascoutah was the third largest town in St. Clair County with a population of 2,576.

As the region developed, many changes had an effect on the growth of Mascoutah. In addition to mills and breweries, coal mining brought employment to many in St. Clair County and drew more people looking for work. In 1917, the U.S. War Department leased land near Mascoutah to develop one of the new ''flying fields.'' Scott Field would grow into Scott Air Force Base which would have a tremendous impact on every aspect of life in the Mascoutah community.

From its founding 175 years ago, Mascoutah has experienced considerable growth and has positioned itself to continue that trend. It offers a small-town feel within a major metropolitan area and prides itself on excellent schools and a great quality of life.

It has been an honor to represent the City of Mascoutah for over two decades in the U.S. Congress.

Mr. Speaker, I ask my colleagues to join me in celebrating the 175th Anniversary of the City of Mascoutah, Illinois and to wish them the best for a bright and prosperous future.

HONORING THE LIFE AND SERVICE OF LIEUTENANT JAMISON KAMPMEYER, COLBY VOLUNTEER FIRE DEPARTMENT

HON. SEAN P. DUFFY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. DUFFY. Mr. Speaker, I rise today to commemorate and honor the life and service of Lieutenant Jamison Kampmeyer, from

Colby, Wisconsin, who lost his life on Sunday, March 4, 2012 due to injuries sustained while fighting a fire at the Abbotsford Movie Theater.

Mr. Speaker, Lieutenant Kampmeyer had qualities that many of us strive for all of our lives. He was a dedicated husband, father of three sons, public servant and friend to many. Since 2002, Jamison served his community with honor as a volunteer firefighter and EMT for the City of Colby, eventually rising to the rank of Lieutenant. Jamison began his career with the Marathon County Sheriff's Department in 2004. Throughout his career as a Deputy Sheriff, he served in numerous capacities including Field Training Officer and SWAT team member. It is because of his extreme dedication to duty that he was posthumously promoted to Detective on March 5th, a position which he was due to assume next month.

The selfless sacrifice and exemplary service of Lieutenant Jamison Kampmeyer will not soon be forgotten. Through his actions, he has made his family, community, state and nation eternally proud. It is my humbling honor to pay tribute to him and I urge my colleagues to join me today in honoring the life of Lieutenant Jamison Kampmeyer for the sacrifice he made for his community and fellow firefighters.

HONORING THE AMERICAN LEGION AND RETIRED ARMY CORPORAL LEONARD SANTANGELO

HON. DAVID SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. DAVID SCOTT of Georgia. Mr. Speaker, I am honored to rise today in recognition of our nation's veterans. The brave men and women of the United States Army, Marine Corps, Navy, Air Force, Coast Guard, National Guard, and Reserves deserve our support, gratitude and prayers. We owe a great debt to these Americans for their service, for their courage, and for the sacrifice of their families.

I would also like to thank the organizations that support these veterans and their families when they come home. In particular, the American Legion will be celebrating its 93rd birthday this Friday, March 9, 2012. The local American Legion posts in my district, and around the country, play a vital role in bringing our community together. The American Legion supports not only our service members, but also our youth, with programs such as an amateur baseball league, scholarships for college-bound students and more.

One of the American Legion posts within my district, Post #145 in Douglasville, will be honoring a very special veteran this Friday—Pearl Harbor survivor Leonard Santangelo, who is one of only 17 survivors from Georgia. Leonard is a retired Army Corporal, and, at 92, is almost as old as the American Legion itself. He began his military service in 1941, just a few months prior to the attack on Pearl Harbor. Throughout his military career Leonard has received the American Defense Medal with one Bronze Star, the Asiatic-Pacific Service Medal and the Good Conduct Medal. He served his country through the end of World War II and continues even today by sharing his story with his community—adults and school children alike.

It gives me great honor and pleasure to recognize American Legion Post #145 and Ret. Army Corporal Leonard Santangelo for their great service to our nation.

IN CELEBRATION OF EBBY HALLIDAY'S 101ST BIRTHDAY

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. SESSIONS. Mr. Speaker, I rise today to honor my good friend Ebby Halliday Acres as she celebrates her one hundred and first birthday tomorrow. Ebby is a remarkable woman who has made a lifelong impact on the Dallas Community through her leadership and philanthropic endeavors.

Ebby Halliday Realtors was founded in 1945 by Ebby and her beloved husband, Maurice Acers. Their company began with only fifty-two homes in North Dallas, and has since grown to become one of the largest privately owned residential real estate firms in the country. Ebby is a true entrepreneur that we can all admire. Her savvy business ventures have produced countless jobs, and her success is a true testament to what can be achieved with a positive attitude and hard working spirit. Ebby is a symbol of the American Dream, and through her company she has been able to help countless others achieve their own dreams of home ownership.

Ebby is also celebrated in the Dallas community for generously donating her time and efforts, as well as significant financial support, to numerous philanthropic endeavors. St. Paul Medical Center, United Way of Metropolitan Dallas, and the Communities Foundation of Texas are only three of the many nonprofit organizations and causes that have been personally touched by Ebby's love for her community and dedication to making the City of Dallas a better place.

Mr. Speaker, I ask my colleagues to join me in expressing our heartiest congratulations to Ebby as she celebrates her one hundred and first birthday. May we all strive to match Ebby's passion for improving our communities and her unwavering commitment to success.

WAR ON WOMEN AND WOMEN'S HEALTH

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Ms. LEE of California. Mr. Speaker, I'd like to thank Congressman MIKE QUIGLEY for working to organize Women's Health Wednesday, and also all of my colleagues of the Congressional Pro Choice Caucus, of which I am also a member, for standing up for women's health every single day.

I'm here, once again, to stand against the ongoing War on Women and Women's Health.

And let me just say how unfortunate it is that we continue to have to fight for what is and should be a basic health right and necessity for women. I am sure the American people would much rather have us focusing on ways to create jobs, especially for the long-term unemployed.

Yet here we are again. Defending women's right to access basic health care services. And yes, that includes contraception.

Much of the debate around access to contraception has centered on the so-called conscience clause. The ability of a religiously affiliated business to withhold access to contraception care for women based simply on an abstract moral objection.

An objection, mind you, that not only ignores the conscience or moral beliefs of the women these businesses employ, but completely disregards the real medical needs of these women.

And let me say, as I have before, that as a former devout practicing Catholic I fully understand and respect the Church's doctrine on contraception, even though I disagree with it.

But the health care decisions a woman makes should and must be between her and her doctor. And as I have always said, the government has no place inserting itself between the medical decisions a woman makes with her doctor. Period.

Mr. Speaker, I come to the floor today to recognize and highlight those women who are especially impacted by the attempts of our colleagues on the other side of the aisle, as well as some religious leaders, to restrict access to vital contraception coverage.

Those who often get lost in the debate around this issue. Although I believe that women's health care decisions should not continue to be unfairly politicized.

We know the benefits of birth control for women and their families. We know how planned pregnancy and spacing children improves the quality of life and the outlook for the children and the whole family.

And we know that is also improves the health of the woman.

Often, however, we do not hear from the women for whom birth control may literally mean the difference between life and death.

I'd like to share the story of a woman named Sally who is from my district in California. She is a working mother who could not afford to have more children. After numerous miscarriages, she relied on birth control to allow her body to heal properly before becoming pregnant again. After a couple of years of taking this medication, her body healed sufficiently to allow her to finally have a viable pregnancy.

Another young woman from California has polycystic ovarian syndrome and uses birth control to regulate her hormones.

She was prescribed the medication after her gynecologist had to scrape dozens of precancerous cysts from her uterus. According to her gynecologist, had another 6 months passed, this young woman would have developed full blown cancer.

And another young woman who, after having a very difficult first pregnancy and being diagnosed with a serious heart condition, was told by her doctor that if she were to become pregnant again, it could cost her life and the life of her unborn child. And so she depends, in part, on contraception to not only to preserve her life, but to be there to raise her son.

And these are just a few of the thousands of stories from women across the country who use contraception for many many medical reasons.

Two years after the passage of the Affordable Care Act we are beginning to see true reforms in our health care system that expands access to vital preventative health services.

We must protect these gains, instead of working against them.

It is time to stop this War on Women and Women's Health Care.

IN HONOR OF INTERNATIONAL WOMEN'S DAY

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. FARR. Mr. Speaker, I rise today to celebrate International Women's Day and the remarkable achievements of women around the world.

I have always used my voice and vote to support foreign policies and assistance to promote equality for women and girls in agriculture, education, the workforce, politics, and beyond. To be sure, the funding is never enough to meet the need. But with minimal resources and relentless grassroots and grasstops advocacy, women the world over are bending the narrative of our times towards gender equality. While this is happening in all corners of the globe, I want to highlight the tremendous gains the women and girls of Latin America have made in recent years.

Not too long ago, women were just 20% of the Latin American labor market. But in the last 50 years, that figure has doubled and today, women are roughly 40% of the region's workforce. These professional gains have a powerful ripple effect, particularly in political participation where women now make up 22% of Latin American legislatures, which surpasses the global average of 18.6%. Clearly, women in Latin America are a force to be reckoned with. And that's a cause to celebrate!

But while these gains are significant, this is no time to sit back on our laurels. There is still much more to be done to sustain this important tide of momentum in Latin America, and also help to propel a similar groundswell in other parts of the world where women still struggle for basic rights and equality. We must continue to fight for policies and programs that promote equal access to opportunity for women and girls. So, today and every day, let us do all that we can to make gender inequality a thing of history and gender equality a reality of the future.

JUMPSTART OUR BUSINESS STARTUPS ACT

SPEECH OF

HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 7, 2012

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 3606) to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies:

Mr. CONAWAY. Mr. Chair, I rise today to express my support for the efforts my colleagues have made this week to improve the regulatory environment for growing small businesses across our nation. This is important work that should continue without delay.

As we move forward though, there is a policy I am opposed to in the underlying bill that I hope can be addressed either in the Senate or in Conference. Specifically, I am concerned that in this legislation, Congress sets a perilous precedent by establishing an accounting standard through legislation. While I am not opposed to this bill today, in part because I appreciate the work that has already been done to address this issue, there is still more to do to fully correct the problem I see.

As a CPA and the former Chairman of the National Association of State Boards of Accountancy, I am concerned about the encroachment this bill makes on the independence of the Financial Accounting Standards Board or FASB. FASB is an independent, private sector organization which establishes the standards of fmancial accounting that govern the preparation of financial reports by nongovernmental entities.

The law has long recognized the need for an independent body, unencumbered by political or business affiliations, to arbitrate the complex accounting questions that arise in our modern economy. FASB functions as a rule maker that sits above the fray, so that public companies, investors, analysts, and government officials can all rely on the integrity and accuracy of fmancial statements. FASB's independence from businesses and governments alike is central to their ability to balance the competing interests of all stakeholders and generate standards that everyone can have confidence in.

Today's bill, H.R. 3606, takes a dangerous step away from this autonomy and towards a FASB that is held captive by the political and parochial interests of Congress. This legislation will interpose the views of Congress between FASB and the individuals and companies who rely on FASB's independence and judgment.

While I am strongly in favor of lifting regulatory burdens on our nations businesses, small and large alike, Congress should not direct when particular accounting standards are applicable to emerging growth companies. Replacing the careful, inclusive, and deliberative judgments of FASB with the inexpert opinions of Congress could result in a standard that does not meet the competing needs of all market participants. Investors and analysts rely on the information in financial reports to fairly evaluate the firms they seek to invest in; FASB is the appropriate body to balance their need for information against the concerns of small business owners with the cost of complying with reporting requirements.

I am encouraged that the Chairman, Ranking Member, and sponsor of this legislation have already met with representatives from accounting profession and made good faith efforts to address my concerns. However, there is still work to be done to improve this bill. I hope that as similar legislation is considered in the Senate and if the two houses meet in a conference committee, my colleagues will take a close look at the consequences of this policy and take another step back from this slippery slope.

While many might argue that Congress ought to be able to set accounting standards, accountants are universally opposed to this idea. For those of us who spend our lives dealing with Congress's handiwork in the tax code, we see a grim glimpse of the future if Congress were to stand in for the independent accounting standards bodies. As I often tell my constituents, if you like the tax code, you will love financial statements when Congress writes the accounting rules.

The value of good and effective accounting standards cannot be overstated; they are the yardstick of the marketplace. Good standards are essential to a well functioning economy because they provide a consistent framework for the meaningful evaluation of widely disparate entities. Without them, it is impossible to hold an accurate understanding of the fmancial position of a firm, an industry, or the wider economy.

Almost 80 years ago, Congress had the wisdom to establish an independent body to develop those standards so that accounting was never influenced by politics. Today, as more Americans than ever are active participants in financial markets, the need for a trusted, independent arbiter of public accounting standards has never been more important.

I look forward to working with my colleagues to improve this legislation and to further strengthen the independent process for writing financial accounting standards in the future.

PROTECTING THE HEALTH SUPPLEMENT INDUSTRY FROM BURDENSOME REGULATIONS

HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. ROSKAM. Mr. Speaker, today I rise to voice my concerns about recent FDA draft guidelines impacting the health supplement industry.

Each year millions of Americans choose to take vitamins and supplements. These supplements are regulated under law and represent just one way consumers can make informed decisions about their healthcare.

In July 2011 the Food and Drug Administration issued guidelines relating to new dietary ingredients or NDIs. These guidelines were aimed at ensuring the safety of ingredients contained in dietary supplements. While the FDA is responsible for the safety of supplements and the general public, I am concerned this regulation will create unnecessary paperwork and ultimately cost valuable jobs.

The FDA received over 146,000 pages of comments from the public on the guidelines and it is my hope they will take these into serious consideration as they draft a final guidance.

In February 2011 President Obama stated in a speech before the United States Chamber of Commerce that if there are rules and regulations, ". . . needlessly stifling job creation and economic growth, we will fix them. Already we're dramatically cutting down on the paperwork that saddles businesses with huge administrative costs."

Instead the Administration continues to promulgate burdensome regulations like the New Dietary Ingredient guideline that go beyond the original Congressional intent and will ultimately make it more difficult for companies to operate.

RECOGNIZING THE ACHIEVEMENTS OF MARY JANE (POLLY) TETI

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. GERLACH. Mr. Speaker, I rise today to congratulate Mary Jane (Polly) Teti of Chester County, Pennsylvania on her retirement after 30 years of law enforcement service with the Tredyffrin Township Police Department.

Detective Teti began her law enforcement career in 1980 with the City of Coatesville Police Department. In 1982, she was hired by the Tredyffrin Police Department and in 1986 was named Officer of the Year. In 2000, Teti was promoted to Detective and specialized in sex crimes and child abuse cases. She has received numerous unit citations and merit awards for the investigations and arrests she has handled.

Detective Teti served as Defensive Tactics Instructor for the Tredyffrin Police Department in the PR24 Baton, ASP Baton and OC Spray. A trained Crisis Negotiator, she was instrumental in creating a team of negotiators to quell volatile situations through communications. Detective Teti became Team Leader for the Crisis Negotiators North Team for Chester County and served as Vice-President of the Delaware Valley Negotiators Association.

Mr. Speaker, in light of her years of exemplary service to his community and litany of sterling accomplishments, I ask that my colleagues join me today in recognizing Detective Mary Jane (Polly) Teti for her invaluable contributions to the quality of life of the citizens of Tredyffrin Township, Chester County, Pennsylvania.

BUREAU OF RECLAMATION SMALL CONDUIT HYDROPOWER DEVELOPMENT AND RURAL JOBS ACT OF 2011

SPEECH OF

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 7, 2012

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 2842) to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law, and for other purposes:

Mr. VAN HOLLEN. Mr. Chair, as Co-Chair of the House Renewable Energy and Energy Efficiency Caucus, I support the responsible development of renewable energy wherever we can generate it—and that includes the development of small conduit hydropower at Bureau of Reclamation facilities.

What I cannot support is this legislation's blanket exemption from the National Environmental Protection Act (NEPA). Conducting appropriate environmental reviews is not a barrier to the responsible development of our energy resources; it is a prerequisite for that development. Moreover, NEPA already gives federal agencies the authority to create categorical exemptions for projects that already meet statutory and regulatory criteria.

For that reason, I will be supporting the amendment offered by Rep. NAPOLITANO to correct this defect in the underlying bill. If the NAPOLITANO amendment is not adopted, I will oppose final passage and urge my colleagues to do the same.

IN CELEBRATION OF THE 100TH BIRTHDAY OF MRS. HELEN MYERS LONG CORDELL

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. BISHOP of Georgia. Mr. Speaker, it is my pleasure and honor to extend my sincerest congratulations to Mrs. Helen Myers Long Cordell, a beloved citizen of Albany, Georgia, who will be celebrating her 100th birthday on Sunday, March 18, 2012. On this special and momentous day, she will be honored by her family and friends at a celebration at Sherwood Baptist Church in Albany.

Mrs. Cordell was born on March 18, 1912 in Chipley, Florida to Albert Addison Myers and Meddie Fryer Myers. She spent her early childhood in Chipley but after the sudden passing of her father, the family moved to Albany, Georgia in 1924 before then moving to Rome, Georgia.

Mrs. Cordell is a graduate of Rome High School and she received a bachelor's degree in education from Shorter College.

As an advocate for quality education for all of our Nation's children, Mrs. Cordell served as a teacher in Columbus, Georgia from 1933–1944; at Albany High School in Albany, Georgia from 1946–1959; and at Albany Vocational School from 1959–1968. She was very dedicated to her role of properly instructing young people and helping them to reach their full potential.

As a testimony to her endearing charisma and her devotion to her pupils, the students and faculty of Albany High School dedicated their annual yearbook, The Thronateeska, to her in 1955. She also actively participated in various educational associations and was a member of many community organizations including the Albany Garden Club and Gold Star Wives.

During World War II, she married Master Sergeant Wayne C. Long on October 9, 1943. Sadly, Master Sergeant Long was killed while serving his country at the Battle of the Bulge on December 20, 1944.

On October 19, 1968, she married Joel J. Cordell, the longtime Superintendent of Dougherty County Schools. They were happily married for many years before his passing in 1988.

Always active in her church, Mrs. Cordell was a dedicated member of First Baptist Church in Albany for many years. Following her marriage to Mr. Cordell, she became a longtime member of Sherwood Baptist Church, where she sang in the choir and held a leadership role in the activities of the church.

As fate would have it, I had the great pleasure of serving in the U.S. House of Representatives with Mrs. Cordell's nephew, former U.S. Congressman Earl Hutto, who dutifully represented Florida's 1st Congressional District from 1979 until his retirement in 1995.

Mr. Speaker, in closing I ask that my colleagues join me in paying tribute to Mrs. Cordell, a beloved educator and inspiring figure, as she and her loved ones prepare to celebrate her 100th birthday. I commend her for her exceptional work of educating the generations of young people who have grown into teachers, entrepreneurs, and leaders and helped build a stronger foundation for Georgia and for our Nation.

Happy Birthday Mrs. Cordell! May God continue to bless you and may you have many, many more years of peace and happiness.

MARGARITO CANO ''GUNNY'' VASQUEZ

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today with a heavy heart to honor Margarito Cano ''Gunny'' Vasquez. For many years, we have worked side by side to help improve the quality of life for many Veterans and their families around the Houston area. Mr. Vasquez passed away on February 24th and on March 1st, the Houston Chronicle printed his obituary written by Pedro Pinto. In honor of Mr. Vasquez, I would like to submit the text into the CONGRESSIONAL RECORD:

Margarito Cano ''Gunny'' Vasquez, who worked with programs helping military veterans and their families, has died of liver cancer. He was 77.

Vasquez was a member of countless organizations, including Veterans Incarcerated, which helped imprisoned veterans get their lives in order.

''He helped incarcerated, disabled, and homeless veterans,'' his son, Monte Vasquez, 33, said. In a 2005 interview with the Chronicle, Vasquez said he wanted his incarcerated brothers to come out and be productive.

''My hope is to die as an honorable Marine, that I tried to do what I could for veterans,'' he said then. He died on Feb. 24.

Vasquez also worked for Kids with Disabilities First, an organization dedicated to helping veterans' children with Down syndrome.

Vasquez also was instrumental with efforts to rename an East End street after Navy veteran Cesar Chavez and acquire the Houston Veterans Memorial Park, family and friends said.

Vasquez was born on July 20, 1934, in Bastrop. After a couple of years in the Army, he found his niche with the Marines.

''Any Marine was his brother; his loyalty and love was with the Marine Corps,'' said his son, Monte. ''If he could have served his whole life there, he would have.''

He got his nickname for having retired as a gunnery sergeant.

''He instilled a lot of Marine in us,'' said his daughter Margie Vasquez Lopez, 44. ''When we were little, he taught us how to starch our clothes Marine style.''

The family was proud of his volunteering, she said, but didn't know he'd helped so many people.

''When he passed away, we learned how devoted and recognized he was,'' she said. ''We had people calling us who we didn't even know.''

A prayer service will be at 9:30 a.m. Friday in Compean Funeral Home, 2102 Broadway. Burial will follow at Houston National Cemetery.

Survivors include his wife, Consuelo, and six children, Debra Ann, Margie, Michelle, Michael, Martin and Monte.

With great sorrow, I honor Margarito Cano "Gunny" Vasquez for his efforts to improve

not only the lives of Veterans, but their families as well. His efforts to help so many will be greatly missed.

RECOGNIZING THE ACHIEVEMENTS OF FRANCIS RUSCIO

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. GERLACH. Mr. Speaker, I rise today to congratulate Francis Ruscio of Chester County, Pennsylvania on his retirement after 23 years of law enforcement service with the Tredyffrin Township Police Department.

Corporal Ruscio began his law enforcement career in 1979 when, at 20 years old, he was hired as a police officer by the City of Coatesville Police Department. He participated in 3 major drug investigations and raids with county, state and federal agencies in 1981, 1987 and 1988. Corporal Ruscio also served as Acting Detective Sergeant of Coatesville PD from May thru September 1988.

Corporal Ruscio was hired by the Tredyffrin Township Police Department in September 1988 and served in the Department until his retirement in December 2011. He served as Tredyffrin's DARE (Drug Abuse Resistance Education) instructor from 1997–2003, presenting programs to middle school students in Tredyffrin/Easttown School District, Valley Forge Middle School, Woodlynde School and The Crossroads School.

Promoted to the rank of Corporal in 2003, Ruscio lives with his wife Sandy in Coatesville, Pennsylvania.

Mr. Speaker, in light of his years of exemplary service to his community and litany of sterling accomplishments, I ask that my colleagues join me today in recognizing Corporal Francis Ruscio for his invaluable contributions to the quality of life of the citizens of Tredyffrin Township, Chester County, Pennsylvania.

CELEBRATING THE HIBERNIAN SOCIETY OF SAVANNAH, GEORGIA'S BICENTENNIAL

HON. JACK KINGSTON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. KINGSTON. Mr. Speaker, I rise today to recognize the bicentennial of The Hibernian Society of Savannah, Georgia.

The Hibernian Society of Savannah originated in 1812 as a society of gentlemen to come to the aid of Irish immigrants in the area. One year later they held the first St. Patrick's Day celebration in Savannah at the Independent Presbyterian Church. In 1824, they invited all of the Irishmen of Savannah to join in on a parade which would become the first St. Patrick's Day parade in Savannah's history.

Their role in the history of Savannah and its people has developed greatly over the years. They have been addressed in the past by notable speakers such as President Taft in 1912 and President Franklin D. Roosevelt by radio in 1937. President Truman addressed the body in 1952 at their 150th Anniversary Dinner and President Carter addressed their Anniversary Dinner in 1978. Since its inception, these notable figures have recognized the actions and donations of the society for the greater good of the people of Savannah.

The scope of their efforts evolved from just the Irish community to the community of Savannah as a whole. They are very active through The Hibernian Society of Savannah Foundation, Inc. in their charitable contributions to the community. These organizations they support include some local schools as well as the Empty Stocking Fund, the Inner City Night Shelter and the Salvation Army among others.

A rich heritage and strong personal ties to the city and the community have ensured that the The Hibernian Society will continue to play a vital role for those in need in Savannah. What once started as a society of Irishmen helping Irish immigrants in need has transformed into a body whose positive impact can be seen everywhere around the City of Savannah.

I commend The Hibernian Society of Savannah, Georgia for their contributions to the people of Savannah and would like to congratulate them on their bicentennial celebration and their rich and continued history in the area.

HONORING WILLIAM MITCHELL

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. LARSON of Connecticut. Mr. Speaker, the following is a speech given by the former Mayor of South Windsor, John Mitchell, to honor his brother, William Mitchell, for being recognized as a Paul Harris Fellow of the Rotary Foundation. These two brothers are united in their love of public service and a willingness to give back to their community. It has been an honor to know them both. John's tribute to his brother offers only a brief glimpse into his many contributions.

Billy is affectionately known to friends and family as ''Big,'' and we call him this because of his big heart, and for always being a big help to anyone who asks. Congratulations Big, and thank you, John, for the following remarks:

In the words of that great S.W. Rotarian and philosopher Robert J. Ignagni, ''This is the main event!'' Thank you all for coming and being a part of this great evening to honor my baby brother Billy.

For everything and everyone there is a beginning, and this is the way it unfolds . . .

Billy, was the 5th child of 6, born to Joseph and Katie Mitchell. We had 3 older sisters and my father was ready to jump off the Buckley bridge. He always wanted a son and then he got his wish, 3 more children, all 3 boys.

Now, years ago, think about it, our mom gave birth to six children—all in the house wherever we lived at the time. Two girls born in Pennsylvania, 1 in New Britain, Billy and myself in Manchester and Joey in East Hartford. There really wasn't a need for hospitals during this period in our Nation's health care system, but somehow it worked.

Now, if you have ever been poor, it is quite likely, you will remember it. Believe me, you will remember it!

Growing up in East Hartford on Tolland Street during World War II was an experience for six siblings. Coal was the method that most people used to heat their homes, and our father delivered coal. At our yard there were piles of coal, sometimes as tall as this beautiful restaurant. And for many, many of our young growing years, we would climb those piles of coal and slide and tumble down those huge piles. The neighbors often thought mom had 3 white daughters and 3 black sons, we were the only minorities at the time on Tolland St.

Ice skating was great fun in the winter time, the wooded area across the railroad tracks would contain little locked up areas of frozen ponds that were great for skating all over. Often as our feet grew and the skates didn't we would cut off the front of the skates to accommodate the growth of our feet. Everyone was poor but nobody knew it. Many of you in this room won't remember, except for Kenny Jackson, this is the World War II era, everything is in short supply, gas, soap powder, butter. You name it, it probably was tough to get. Often our family would sit together on the front porch during the air raids at night because Pratt and Whitney was considered a prime target. Wardens would be running up and down the street making sure all lights were out. There were national guard bunkers with guardsmen living in them on the Long Hill Golf Course and on Goodwin Street almost in our back yard, frightening times for kids. And guess what, the Germans do arrive in a sub in Hancock Point, Maine, right where Della lived at the time, and a number of them go walking up Main Street in suits, they were going to infiltrate the area. They are promptly apprehended because they just didn't fit into the local area. Nobody in that part of Maine owned a suit! Talk about not doing your homework!

But we survived it all, and by 1952 the family moved to S.W. where the base of Billy's operations for business is today. Back then it was called North Foster Rd., it was a gravel road and we quickly fit in to our new surroundings by working in the tobacco fields and man were they all over town. After Billy graduated Ellsworth High School, he worked for the family business known as Mitchell Fuel and Trucking and after the coal business died, Billy and Joey started Mitchell Trucking and Mitchell Excavators. Billy became active in town joining the SW Volunteer Fire Dept. and was recently recognized for his service of 50 years and he still to this day, is chairman of the board of fire commissioners. During this period I will never forget 3 incredible fires in town. The Industronic's building on Sullivan Ave., the Pyrofax Propane fire on Rt. #5, and the Fishman Building on Chapel Rd. As the Pyrofax fire was raging, I was standing out in the middle of Rt #5 as huge propane tanks were burning out of control and I saw Billy jump into a piece of heavy equipment and cut a path so the fire trucks could get closer with their suppressants and as the fires burned out of control, one large piece of metal debris landed a short distance from me, I thought how incredibly brave he was, or was he just plain dumb. Needless to say, he survived and this act of bravery did help diminish that huge and dangerous fire more quickly.

Years ago, the trucking business was thriving and Billy actually used to drive a tenwheeler, Billy calls me around 6:30 a.m., ''Johnny could you get a couple of shovels and meet me at the intersection of Crane Road and Wapping Wood Road in Ellington, I said sure, I'll be right there as soon as I can.'' Now picture this in your mind, Billy's big 10 wheeler is laying over on it's side, gravel all over and I arrive with two small shovels. If ever there was to be a defining moment in our lives, this was it, I knew it, I absolutely knew that I would forever be

mom's favorite. The trucking business was tough enough, but when something like that happens, it did hurt. You'd hire the trucks out for $45 an hour and it would cost $47 to run them. But, I attribute his love of the trucking business was due to the fact that he never had any toys to play with.

Now I'm going to fast forward to 20 years ago, because I know the attention span of the average S.W. Rotarian is less that 10 minutes. And there is already a fair amount of money that has been bet on the over and under, 10 minutes.

Billy started Environmental Services, they now employ over 55 people and have approximately 100 different pieces of specialized equipment. The office often is in a constant state of confusion and activity, Billy's computer screen clearly shows where he has left off on the game of solitaire. A quick look around reveals all the latest types of health foods imaginable (and boy if that isn't an understatement). Visitors coming and going, and so when I go there and bring him a coffee, it's so easy to understand why I forgot what I went there for in the first place. But, I'll tell you this, Billy loves oil companies, just loves us passionately. You see we deliver oil products for $3–$4 per gallon and God help you if you spill it, he will clean it up for $100 per gallon!

Throughout his many years, Billy has had a unique way of handling pressure, and I really admired this talent. Picture this, ''courtroom scene'' billy is the co-defendant in a suit brought against him. He is represented by the Big East Hartford law firm, Leone, Throwe, Teller and Nagle. In the midst of the proceedings, Judge George Ripley smacks his gavel down and says Attorney Throwe approach the bench, so Jim approaches the bench and Judge Ripley says if you don't wake your client up I'll hold you both in contempt. Can't you see we have students present observing these proceedings. That's about as relaxed as you can get!

Not long ago Billy was honored by the S.W. Volunteer Fire Department for his many years of service and recently he was selected to be the Town Marshall representing the Town of S.W. for the St. Patrick's Day parade. This is despite the fact that I think he is actually polish. Oh well!!!

Additionally his recent awards and citations include one from Governor Dan Malloy, Secretary of State, Denise Merrill, the General Assembly, Lt. Governor Nancy Wyman, Mayor John Pelkey and the S.W. Town Council, Atty. General George Jepson and State Comptroller Kevin Lembo. (I think he's trying to snag his signature stamp). After all this prominence, I decided to stop by the office and ask him if he was dying. Billy says ''No, why how do I look?'' I said well maybe you might want to lose a pound or two and don't roll up your tee-shirt so high—but we are who we are.

Over the many, many years, Billy has always supported Rotary's fund raising efforts by either donating items for the auction or the purchasing of countless car raffle tickets, which was started by Andy Charboneau, and Rotary's many other worthy causes.

Billy's never been a Rotarian although he's been asked many, many times. He never held a public office, he never excelled in sports and when we played baseball in the lot next to our home in East Hartford and things didn't go well for our youngest sister, the game was over because it was her bat and her ball. Billy exhibits the kind of quality that you would like to see in everyone, a compassion for his fellow man and a willingness to help whenever and however he possibly can. He exhibits to the highest degree, the first rule of Rotary's motto, ''Service Above Self''. Billy's life style reflects the work ethic of a seemingly distant era, except for maybe his favor nephew Davids. Billy is asleep by 8 p.m., awake by 4 a.m. and on his way to the 7–11 on Ellington Rd., where he may be asleep in the parking lot, stocking shelves or making coffee for the attendant. It was on one such early Sunday morning on his way there that he noticed a raging garage fire starting to lick the side of a home. A mother with her 3 children lie asleep inside and he pounded on the door and was able wake them and call the Fire Department to respond. It is quite likely that he saved their lives.

When that final book is written, I believe it will not be the measure of one's achievements or wealth but what that person has done with his or her life to help make this a better and caring world.

Fellow Rotarian's and guests, I submit to you the nominee for Rotary's highest award, the Paul Harris Award to Billy F. Mitchell.

MULTIPLE SCLEROSIS SOCIETY MS150 BIKE RIDE FROM HOUSTON TO AUSTIN 2012

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Ms. JACKSON LEE of Texas. Mr. Speaker, rise to discuss Multiple Sclerosis (MS) and to support the Multiple Sclerosis MS150 Bike Ride from Houston to Austin occurring this weekend. The National Multiple Sclerosis Society has sponsored this and many other events over the course of last 32 years.

Multiple Sclerosis (MS), itself, is an unpredictable disease of the central nervous system which disrupts communication between the brain and other parts of the body.

Sadly, there is no known cure for multiple sclerosis at this time. However, there are therapies that may slow the disease. The goal of treatment is to control symptoms and help you maintain a normal quality of life. Most people experience their first symptoms of MS between the ages of 20 and 40; the initial symptom of MS is often blurred or double vision, red-green color distortion, or even blindness in one eye.

Multiple sclerosis (MS) affects women more than men. 75% of the people diagnosed with MS are female. The disease is most commonly diagnosed between ages 20 and 40, but can be seen at any age.

I would personally like to thank the National Multiple Sclerosis Society for spreading awareness about MS and for organizing the National Multiple Sclerosis Society's 2012 X Event/ Bike Ride from Houston to Austin.

In additions, I would like to thank all the participants who are biking and supporting those who are participating in this meaningful bike riding.

Their efforts have raised funds and hopes not only in support of researching a cure for Multiple Sclerosis, but also providing programs for people affected by the disease to address their daily challenges.

Multiple Sclerosis is known to be one of the most debilitative chronic diseases. It is a terrible affliction that interrupts the flow of information from the brain to the body. Every single day, over 400,000 people battling with the physical, mental and emotional challenges of this disease.

It is an unpredictable disease that affects each person differently. Symptoms can be mild, such as some numbness in the limbs. Or, they can be severe, such as paralysis or loss of vision. The progress, severity, and specific symptoms of MS are erratic and vary from one person to another.

Thanks to organizations like the National Multiple Sclerosis Society, however, today new treatments and advances in research are giving new hope to people affected by the disease.

BIKE MS150 OVERVIEW

Beginning in 1980, Bike MS150 has grown to be the largest organized charity bicycling event in the US, inspiring over 100,000 volunteers to participate every year. For the last 6 years my office has volunteered to participate in the MS150. Together, we have raised more than $600 million for this noble cause.

I also know there are other Multiple Sclerosis events, such as MS walks and golf tournaments through which people raised the public awareness and delivered their love, support and care to the members of the MS community.

THE STORY OF NICOLE

I would like to share with you the story of Ms. Nicole. Diagnosed with MS in 2000 while attending nursing school, Nicole didn't give up her dream, persevered, and finished her degree. Sadly, the development of the MS forced her to give up her nursing career in 2009. But the disease never stopped her from pursuing a full and beautiful life.

Nicole started a personal blog and readapted to all the physical difficulties in her life. I would like to take this moment to share with you a sentence from her blog, ''emotionally I'm stronger, more resilient and tenacious than ever. Looking forward, my new normal is uncertain. In my heart I feel it is going to get better.''

It is going to get better because Nicole has a determination to battle the disease; because everyone of us here today are dedicated to offer our support; because together we believe we can make a difference to people and their families living with the diseases.

Again, I am honored to be part of this event, and applaud all of those involved in the effort to free people from MS.

KEY POINTS

I. *The Disease.*

Mutiple Sclerosis (MS) is caused by damage to the myelin sheath, the protective covering that surrounds nerve cells. When this nerve covering is damaged, nerve signals slow down or stop. The nerve damage is caused by inflammation. Inflammation occurs when the body's own immune cells attack the nervous system. This can occur along any area of the brain, optic nerve, and spinal cord. It is unknown what exactly causes this to happen.

Multiple sclerosis (MS) affects women more than men. 75% of the people diagnosed with MS are female. The disease is most commonly diagnosed between ages 20 and 40, but can be seen at any age.

Those living with MS experience muscle weakness in their extremities and difficulty with coordination and balance. These symptoms may be severe enough to impair walking or even standing.

In the worst cases, MS can produce partial or complete paralysis. Most people with MS also exhibit paresthesias, transitory abnormal sensory feelings such as numbness, prickling,

or "pins and needles" sensations. Some may also experience pain. Speech impediments, tremors, and dizziness are other frequent complaints. Occasionally, people with MS have hearing loss.

Approximately half of all people with MS experience cognitive impairments such as difficulties with concentration, attention, memory, and poor judgment, but such symptoms are usually mild and are frequently overlooked. Depression is another common feature of MS.

The MS150 Bike Ride.

The purpose of the ride is to raise money for multiple sclerosis research and other services supported by the National MS Society. The ride typically takes place over the course of two days and are generally around 150 miles long, though they can be as short as 3 miles (for a family fun ride) or as long as 250 over five days.

Bike MS events aim to pull the whole community together by gathering support from local businesses, elected officials, residents and people living with MS. In 2008 the Society created a special website so riders can select a ride based on dates, length, location or difficulty.

Donations raised through Bike MS directly help people affected by multiple sclerosis through support programs and cutting-edge research. The Upper Midwest Chapter serves more than 17,000 people living with the disease and Bike MS makes a difference to each one.

HONORING REVEREND MAURICE MOYER

HON. JOHN C. CARNEY, JR.

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. CARNEY. Mr. Speaker, I rise today to remember the Reverend Maurice Moyer who died Tuesday at age 93. Rev. Moyer was one of Delaware's most prominent civil rights leaders. As president of the Wilmington Branch of the NAACP from 1960 and 1964, Rev. Moyer led the fight for open public accommodations and fair housing.

He was part of the 1963 March on Washington and participated in the voting rights march from Selma to Montgomery in 1965.

Rev. Moyer fought tirelessly for equal rights for all and was an inspiration for everyone who knew him. He did so much to make Delaware and our country a better place for all of us.

Rev. Moyer was one of Delaware's most respected and beloved citizens. It was a privilege for me to know him personally and to join his family and friends for his 90th birthday party where we celebrated his incredible life and legacy.

I will always remember Rev. Moyer's broad smile, his strong voice and his kind heart.

My thoughts and prayers go out to his family and friends.

HONORING THE LIFE OF CONGRESSMAN DONALD PAYNE

SPEECH OF

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 2012

Mr. LARSON of Connecticut. Madam Speaker. DONALD PAYNE was a man of few words, but his actions spoke loudly and boldly for those who could not speak for themselves. He dedicated his life to helping the less fortunate, and to expanding and protecting human rights for all, both in the United States and abroad.

He served 12 distinguished terms in the U.S. House of Representatives, and was the first African American congressman from New Jersey. He served as chairman of the Congressional Black Caucus, as well as chairman of the Subcommittee on Africa, Global Health and Human Rights. His work on behalf of Darfur; his involvement in the fight against HIV and AIDS; and his extensive travels to places like Rwanda, Somalia and Haiti demonstrated the depth of his passion for social justice, and served as an example for all who seek to make the world a better place.

On a personal level, I will never forget him traveling to Connecticut for the launching of the Freedom Amistad Schooner in 2000. DONALD was also instrumental in commemorating the 200th anniversary of the abolition of the transatlantic slave trade, and ensured the success of the Amistad's anniversary trip. He himself traveled to Sierra Leone and back to honor the 53 slaves that were held aboard that fateful ship. He followed the Amistad's journey very closely, and it was through his tireless efforts that the Congressional Black Caucus succeeded in bringing the Amistad to DC.

Last year I was also fortunate to host DONALD and a delegation from the Congressional Black Caucus in Hartford to celebrate the 200th anniversary of author Harriet Beecher Stowe—the woman who wrote the book that started a great war. Given DONALD's commitment to social justice, and his respect for history, I knew it would be a meaningful and symbolic occasion. His attendance meant so much to me, and I was grateful for the chance to show him my district.

It was an honor to serve with Representative PAYNE, and he will be greatly missed by all who had the pleasure of knowing him.

PAYING TRIBUTE TO COLONEL JERRELL J. COCKRELL'S 30 YEARS OF UNIFORMED SERVICE TO OUR NATION

HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. YOUNG of Florida. Mr. Speaker, I rise today to pay tribute to Colonel Jerrell J. Cockrell for his extraordinary dedication to duty and service to the United States of America. Colonel Cockrell will retire from the United States Army Reserve while on Active Duty in March 2012 after serving his country with integrity, dedication and visionary leadership for over 30 years. Over his illustrious career, Colonel Cockrell has held various positions within the military medical community from Medical Platoon Leader to United States Army Reserve Army Medical Department Outsourcing Contracting Officer to Medical Observer/Trainer to Medical Training Brigade Commander, and culminating as the Chief of Staff for Army Reserve Medical Command.

While his accomplishments are numerous, these deserve special notice. Shortly after the events of September 11, 2001 he was named as the Senior Medical Coordinator of the Crisis Operations Team at Joint Forces Command. Colonel Cockrell was instrumental in ensuring the Office of Command Surgeon accomplished all assigned missions during this time of high fear and uncertainty within our Nation. In 2005, Colonel Cockrell was named Director of Army Medical Department Region at Human Resources Command where his team professionally supported over 40,000 Reserve Medical Soldiers including the management of over two-hundred, ninety day rotator healthcare professionals ensuring a continuum of Reserve physicians deployed in support of Homeland Security and the Global War on Terror. In 2007, Colonel Cockrell became the Deputy Commander and Chief of Staff of Human Resources Command in St. Louis where he ensured the success of the first ever assembly/muster of over 8,000 Inactive Ready Reserve Soldiers. The successful muster validated the efficacy of our strategic reserve and brought much needed relief to our Army at war. As Chief of Staff for Army Reserve Medical Command, Colonel Cockrell successfully managed the day to day operations of over 10,000 Reserve Soldiers with 15% to 20% being mobilized or deployed at any given time. His years of leadership and mentoring were formally recognized in 2011 when Major General David Rubenstein, Chief of the United States Army Medical Service Corps, selected him as the (United States Army Reserve) Medical Service Corps, Mentor of the Year.

Colonel Cockrell's exemplary leadership and selfless devotion to duty has touched fully two generations of Soldiers, Department of the Army Civilians, and their Families. His integrity and credibility are unsurpassed, and his expertise is unquestioned. Colonel Cockrell's 30 years of service to our Army and the Nation can only be characterized as honorable and distinguished.

Mr. Speaker, on behalf of a grateful nation, I join my colleagues today in saying thank you to Colonel Jarrell J. Cockrell for his extraordinary dedication to duty and service to his country throughout his distinguished career in the United States Army Reserve and we wish him, his wife Janice, his daughter Melissa, and son Aaron, all the best in his well-deserved retirement.

A TRIBUTE TO PAUL C. SCHLENKER

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Paul Schlenker 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. Paul's service project included researching, designing and installing historical signs at each end of the Summerset Bike Trail in Warren County, which stretches from Carlisle to Indianola. Paul's signs recount the history of the railroad that formerly occupied the trail. The work ethic Paul 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 and assisting his community.

Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication, and perseverance. I am honored to represent Paul and his family in the United States Congress. I know that all of my colleagues in the House will join me in congratulating him in obtaining the Eagle Scout ranking, and will wish him continued success in his future education and career.

DR. VICTOR F. GRECO

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. BARLETTA. Mr. Speaker, I rise to honor Dr. Victor F. Greco, who will receive the prestigious 2012 Marconi Science Award presented by UNICO National. Dr. Greco is a fellow native of Hazleton, Pennsylvania, and a 1941 graduate of my alma mater, Hazleton High School. UNICO National, the largest Italian-American service organization in the United States, presents the Marconi Science Award to a U.S. citizen of Italian descent involved in the physical sciences who exemplifies Marconi's vast scientific and creative accomplishments through their own life's achievements.

The University of Scranton accepted Dr. Greco to college early because of his outstanding academic record. He graduated magna cum laude in 1947. He has the honor of being the only graduate of a Jesuit university to finish eight semesters of education in six semesters. After graduating, he continued his education at Jefferson Medical College and earned his degree as a medical doctor. During his time at Jefferson Medical, he was one of six students inducted to the Alpha Omega Alpha Honor Medical Society. Dr. Greco completed his internship at the Philadelphia General Hospital in 1951–1952, and was a research fellow at Jefferson Medical College from 1952–1953. Two years later, he completed his fellowship in cancer surgical research while serving as chief surgical resident.

Dr. Greco trained as a general and thoracic surgeon. He played a crucial role in the development of the heart-lung machine that allowed surgeons to operate on the heart, specifically allowing surgeons to open the heart and replace damaged valves. While the machine keeps the patient's heart and lungs functioning, the surgeon is able to surgically correct defects that were previously impossible. This notable achievement allows for the correction of a multitude of congenital vascular defects.

The UNICO chapter in my hometown of Hazleton is proud of Dr. Greco's achievements and his nomination for the Marconi Science Award. Overall, his membership and involvement in UNICO has helped promote and enhance the image of Italian-Americans, and he encourages other members to serve our community.

Mr. Speaker, today, Dr. Victor F. Greco stands as an icon in the Hazleton, Pennsylvania, UNICO chapter. I join my fellow Italian-Americans in congratulating Dr. Greco for receiving the Marconi Science Award. I commend him for his years of dedicated service to his patients, community, and country.

IN MEMORY OF WILLIAM DAVIS SNIDER

HON. TIMOTHY H. BISHOP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. BISHOP of New York. Mr. Speaker, I rise today to recognize the life and career of William Davis Snider, who eloquently chronicled the struggle for civil rights in North Carolina as a newsman while quietly helping to usher in a new era of race relations in his beloved home state.

A native of Salisbury and a graduate of the University of North Carolina at Chapel Hill, he served as a Lieutenant with the U.S. Army Signal Corps in the India-Burma Theater in World War Two. Returning home, he served as private secretary to Gov. R. Gregg Cherry and later as administrative assistant to Gov. W. Kerr Scott.

Bill Snider's experience in war and politics steeled him for the social upheaval of the mid-1960's, when he was associate editor and opinion writer for the Greensboro Daily News. His columns and editorials from that tumultuous era established him as a leading voice of white moderation. Simultaneously, he worked behind the scenes with civic, religious, and business leaders to prevent racial tensions from exploding into violence.

While his colleagues respected his clear and principled arguments for restraint, he was not without his critics and his work resulted in a burning cross on his lawn and broken windows on his family home. One of his eulogists remarked that Bill probably appreciated that someone was actually reading his columns, though he would have preferred they express their disapproval with a letter to the editor instead.

Later rising to Editor of the Greensboro News-Record, Bill's forthright, yet measured and helpful criticism influenced a new generation of journalists who later came to national prominence. His service as president of the National Conference of Editorial Writers and on the Pulitzer Prize Jury further attests to his stature in his profession.

He also wrote two books: Helms & Hunt, The North Carolina Senate Race published in 1984 and a history of his Alma Mater: Light on the Hill, a History of the University of North Carolina at Chapel Hill published in 1992. Jim Exum, the former chief justice of the N.C. Supreme Court, who is from Greensboro said: "Bill was a very deep and careful thinker and a clear writer and a gentle giant in his field."

He was also a devoted family man who celebrated 63 marriage anniversaries with his beloved wife, Florence. Bill and Flo were blessed with four accomplished and loving daughters, one of whom is a valued member of my staff and a dear friend. Their golden years together were enriched with the gift of 12 grandchildren and six great-grandchildren.

Those who had the good fortune to know Bill Snider personally say he epitomized the ideal of the Southern gentleman. Throughout his long life, he retained a twinkling sense of humor and a love of learning, especially about the history, politics, and natural beauty of North Carolina.

Mr. Speaker, we are all fortunate that in a time of uncertainty and ugliness in America's history, Bill Snider and other progressive Southerners persuaded their neighbors to abandon the prejudices of the past and embrace the spirit of our founding declaration that All Men are Created Equal. His life and work stands as an enduring testament to the difference one person can make in the lives of others, and of our great nation.

HONORING HOMER GEORGE AND NATIONAL POISON PREVENTION WEEK

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mrs. EMERSON. Mr. Speaker, I rise today in honor of Mr. Homer George and National Poison Prevention Week, observed March 18 through 24, 2012. Mr. George was instrumental in the establishment of National Poison Prevention Week, and this year marks its 50th anniversary.

After treating many cases of accidental poisoning, Mr. George, a St. Louis College of Pharmacy graduate and Cape Girardeau pharmacist, realized that the most effective way to treat poisonings was by prevention. Mr. George brought this issue to the mayor of Cape Girardeau in hopes of establishing a poison prevention week. Cape Girardeau Mayor Walter Ford proclaimed October 12 through 18, 1958, as the first Poison Prevention Week. He cited the total number of poisonings as almost 1,000,000 annually, mostly due to careless handling and storage of common household items, including lye, pharmaceuticals, insect poisons, coal oil, and cosmetics.

Missouri Governor James T. Blair immediately expanded the declaration to a statewide Poison Prevention Week. Mr. George followed up on this success by enlisting Congressman Paul Jones to introduce legislation establishing a national Poison Prevention Week. A joint resolution was introduced in Congress on February 1, 1960, and President John F. Kennedy signed the bill into law on September 26, 1961. Congressman Jones presented the signing pen to Homer George in recognition of his public service in preventing childhood poisonings and the creation of National Poison Prevention Week.

Today, more than two million poisonings are reported each year to the 57 poison control centers across the country. More than 90 percent of these poisonings occur in the home.

Pharmacists and pharmacy organizations are active participants in efforts to prevent accidental poisonings thanks to the difference one pharmacist made. There is no better time to remind the citizens of our country about the selfless service of Homer George, and I am honored to represent him and all of Missouri's Eighth Congressional District in Congress.

IN HONOR OF MRS. JO AVIS NEAL FREEMAN

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to pay tribute to a woman of extraordinary class and remarkable grace, Mrs. Jo Avis Neal Freeman. Sadly, Mrs. Freeman passed away on March 2, 2012. Her passing leaves a tremendous void in the hearts of her family, friends and the Albany, Georgia community.

On Monday, March 12, 2012, a gathering of family members, friends, and colleagues will pay their respects to Mrs. Freeman at a memorial service that will be held on the campus of Albany State University.

Mrs. Freeman was born on July 21, 1953 in Washington, D.C. She earned a Bachelor's degree in Sociology from Hampton University and a Master's degree in Social Work from the University of Michigan. Following her graduation, she worked as an administrator, manager and psychotherapist in the Detroit, Michigan metropolitan area for more than 25 years.

The community of Albany, Georgia and the Albany State University Family gained a gem when she married Albany State University President, Dr. Everette J. Freeman in 2006 and moved to Albany. While in Albany, she continued her life's work by serving as a Clinical Supervisor for the Albany Community Service Board and more recently at Phoebe Putney Memorial Hospital.

During her stint in Albany, Mrs. Freeman became actively involved in many local service and civic organizations. Former Congresswoman Shirley Chisholm once said that, ''Service is the rent that we pay for the space that we occupy here on this earth.'' Throughout her life, Jo paid her rent and she paid it well.

In her role as Albany State University's First Lady, she was very supportive of the student body and always represented the university with the highest level of class and grace. The student body truly believed that ''she was one of them'' because she connected with them in a very personal way.

Mr. Speaker, one of the things that I will always remember about Jo is her welcoming demeanor and charisma. She loved people and she never met a stranger. Her favorite song was: ''I Hope You Dance.'' This is truly a fitting song that represents the joyful spirit and dedicated resilience with which Jo lived her life and how we should all live ours.

George Washington Carver once said, ''How far you go in life depends on your being tender with the young, compassionate with the aged, sympathetic with the striving and tolerant of the weak and strong because someday in your life you will have been all of these.'' Jo went far in life because she treated people the right way—with dignity, honor and respect. We are all blessed to have had her touch our lives and the world is better because she passed this way.

Mr. Speaker, my wife Vivian and I, along with the almost 700,000 people in the 2nd Congressional District of Georgia, would like to extend our deepest sympathies to Dr. Freeman, Jo's daughters, grandsons and other family members during this difficult time. May they be consoled and comforted by their abiding faith and the Holy Spirit in the days, weeks and months ahead.

MAJOR RICHARD RUSNOK

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. BARLETTA. Mr. Speaker, I rise to honor United States Marine Corps Major Richard Rusnok, who has been named the Marine Corps Test Pilot of the Year by the Marine Corps Aviation Association (MCAA) John Glenn Squadron. Major Rusnock, a native of Jenkins Township, Pennsylvania, dreamed of becoming a pilot when he was younger. A graduate of Pittston Area High School, he was the second test pilot to perform a vertical landing on the flight deck of the USS *Wasp.* Currently, Major Rusnok is with the F–35 Integrated Test Force at Naval Air Station Patuxent River in Maryland.

Major Rusnok was selected test pilot of the year for his role in the successful embarkation and deployment of more than 250 people and 140,000 pounds of supplies and equipment with two F–35B test aircraft on USS *Wasp*'s flight deck. Major Rusnok was the focal point for an extremely complex event, and the amount of thought and planning he demonstrated was commended by Navy Captain Erik Etz, military director of test and evaluation for F–35 naval variants.

Major Rusnok has shown his dedication to the U.S Marine Corps in countless ways. He played a major role in making naval aviation history in the Joint Strike Fighter program, and he flew a number of combat missions in the Iraq War. In 2003, he participated in the initial invasion of Iraq and flew numerous missions over a seven-month period.

This year, he will transition to Edwards Air Force Base, California, where operational testing on the F–35B will begin. As Test Pilot of the Year, he will be considered for the National Commandant of the Marine Corps' Award for Acquisition Excellence, which will be announced in May.

Mr. Speaker, today, Major Richard Rusnok stands as a pillar in the U.S. Marine Corps. I commend him for his years of dedicated service to the Marines, the community, and the country.

IN RECOGNITION OF THE 60TH ANNIVERSARY OF THE UNIVERSITY OF GUAM

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Ms. BORDALLO. Mr. Speaker, I rise today to recognize the University of Guam for their 60 years of providing post-secondary education to the island of Guam. UOG was established in June 1952 and has evolved into a highly recognized institution of higher education in the Western Pacific region, and is the only fully accredited, four-year university on Guam.

UOG is one of the premiere institutions for higher learning in the Western Pacific. Under the leadership of UOG President and former Guam Delegate to Congress, Dr. Robert A. Underwood, UOG has continued to prepare students for their professional careers and carry on their mission ''to enlighten, to discover, and to serve.''

UOG's humble beginnings started in the village of Mongmong as the Territorial College of Guam, a two-year teacher training school under the authority of the Guam Department of Education, with an enrollment of about 200 students. In 1960, the then-Territorial College moved to UOG's present location in Mangilao and continued to expand the academic programs for its students. In 1963, the Territorial College was granted its first accreditation as a four-year degree institution and by 1967, it had implemented three new undergraduate schools. On August 12, 1968, the Territorial College was renamed the ''University of Guam'' by the Guam Legislature.

In October of 1979, UOG established its Army Reserve Officers' Training Corps program to prepare future leaders in our nation's armed forces. Since then, UOG's ROTC program has become one of the most respected ROTC programs in the United States and was recognized by the Department of the Army as the Top U.S. Army ROTC program in 2002.

Over the years, UOG has continued to expand its academic programs and now includes a College of Liberal Arts and Social Sciences, College of Natural and Applied Sciences, School of Business and Public Administration, School of Education, and a School of Nursing & Health Sciences. UOG is home to the Water and Environmental Research Institute of the Western Pacific (WERI), which has a long-standing history of providing high quality research that addresses the unique challenges facing Guam's water resources. WERI's expertise and research have proved invaluable in studying aquifer sustainability and the military build-up.

UOG has also recently begun efforts to expand its educational services by establishing a School of Engineering. This expansion will bring greater opportunities for students in Guam, and throughout the Micronesia region, to study the engineering field. Further, UOG has endeavored on a $60 million capital improvement campaign, which includes three new buildings on campus, including a Student Services Center, Triton Engagement Center, and a new Fine Arts Building. Further, under Dr. Underwood's leadership, UOG has also established the Center for Island Sustainability. The Center will create an Islands-based model of renewable, sustainable and appropriate technologies focusing on indigenous energy alternatives and replicable research to meet the needs of island communities. The Center is playing a critical role in developing studies that will help inform decision-makers about the impacts of the military build-up on Guam and reasonable mitigations.

I congratulate the University of Guam on their 60th anniversary, and I commend them for their years of providing higher education

opportunities to the people of Guam and the Western Pacific region. I also commend the UOG Board of Regents, UOG President Dr. Robert Underwood, and all administrators, faculty, and staff, for their commitment to the mission of the University. I look forward to the continued growth and expansion of UOG for many years to come.

RECOGNIZING STACIE SMITH AS THE 2012 OKALOOSA COUNTY, FLORIDA SCHOOL DISTRICT'S EMPLOYEE OF THE YEAR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize Ms. Stacie Smith as the 2012 Okaloosa County, Florida School District's Employee of the Year. I am honored to recognize her achievements and her dedication to the students and faculty of Northwest Florida.

While serving the Okaloosa County School District, Ms. Smith has worked in myriad capacities. Her career began as a secretary, and through her exemplary work ethic and business acumen she was immediately delegated additional responsibilities, such as handling clerical duties, open enrollment, and retiree benefits. Currently, Ms. Smith serves in the integral role of Insurance Ombudsman for the Okaloosa County School District, where she advocates, assists, and provides active and retired employees solutions to their claims. Never one to remain stagnant or settle for mediocrity, Ms. Smith continuously accepts new challenges. This characteristic, coupled with her superior demeanor, professionalism, and dedication, is responsible for her promotions through the ranks and the award she is receiving.

Teachers, administrators, and supporting faculty play a vital role in guiding and encouraging the positive growth of America's youth, and they deserve our utmost gratitude and appreciation. Therefore, Mr. Speaker, on behalf of the United States Congress, I am privileged to recognize Ms. Stacie Smith as the 2012 Okaloosa County School District Employee of the Year. Her passion for the students and faculty is laudable and her dedication to the education profession is exemplary. My wife Vicki joins me in congratulating Ms. Smith, and we wish her all the best for continued success.

NATIONAL MEDIA'S BIASED COVERAGE OF RISING GAS PRICES

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. SMITH of Texas. Mr. Speaker, a recent study by the Business and Media Institute found that news coverage of rising gas prices are four times less likely during the Obama administration than the previous Bush administration.

The study found that news sources—such as ABC, CBS, and NBC—only covered the rising prices 21 times during the Obama administration compared to 97 times under the Bush administration.

The quantity of coverage was not the only difference. The tone of the coverage was different as well. Under the Bush administration, gas prices were "skyrocketing" as people's "wallets were running on empty." Now, "gas prices creep up."

The national media owe it to Americans to provide the facts and let the people make their own decisions. Democracy is threatened when the national media report in a biased manner.

"SHARE YOUR BREAKFAST" CAMPAIGN

HON. TIM WALBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. WALBERG. Mr. Speaker, what did you have for breakfast today?

We all know that a great breakfast can lead to a great day.

That's why it is so important that our children receive a healthy, nutritious breakfast to prepare them for a productive school day.

It is hard to believe that today, one in five children live in a home where food is not always available and don't have access to this important meal.

This week is National Breakfast Week—a time for Americans to join together to give more children the opportunity to start their day with the nourishment they need to reach their potential.

To celebrate National Breakfast Week, I am participating in the "Share Your Breakfast" campaign—an initiative by Kellogg's and Action for Healthy Kids to help ensure more children have access to breakfast.

The "Share Your Breakfast" campaign seeks to provide one million breakfasts to kids by increasing participation in school breakfast programs across the country.

Now in its second year, the program has assisted nearly 100 schools in 26 states—including 7 in my congressional district—and is setting its sights much higher for the future.

I salute the "Share Your Breakfast" campaign as one of the many initiatives now underway to address the issue of childhood hunger in America.

Through the power of breakfast, we can make a difference in the lives of children in need.

HARRY C. MCPHERSON JR.

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today to honor Harry C. McPherson, Jr., a fellow Texan. For many years, he worked for President Lyndon B. Johnson while he was in the White House and previously on his Senate staff. Mr. McPherson passed away on February 15th and The New York Times printed his obituary, written by Robert D. McFadden. In honor of Mr. McPherson, I would like to submit the text into the CONGRESSIONAL RECORD:

Harry C. McPherson, Jr., an influential White House counsel and speechwriter for President Lyndon B. Johnson from 1965 to 1969 and the author of a classic insider's memoir on Washington-style politics, died on Thursday in Bethesda, MD. He was 82.

His death was from complications of cancer, his wife, Mary Patricia McPherson, said. A liberal from Texas who read literature and history for pleasure, Mr. McPherson went to Washington in 1956 "to do good," by his own account, a naive, idealistic young lawyer who, like many Americans, thought political integrity meant making decisions based on sound principles and standing up for your convictions.

Then he went to work for Lyndon Johnson.

Thirteen years later—after a realpolitik education as Johnson's aide in the Senate, as a Pentagon and State Department official and as a presidential confidant and wordsmith—he looked back on the battles for civil rights, the crises of American cities and the corrosive war in Vietnam with a keener appreciation for the arts of horse-trading and compromise, and for Johnson's Machiavellian ways of getting things done.

Mr. McPherson helped draft bills that became the Civil Rights Act of 1957. Later, with Joseph A. Califano, the president's special assistant for domestic affairs, he helped shape Johnson's Great Society programs, the most sweeping social legislation since the Roosevelt era, including antipoverty and equal opportunity laws covering employment and housing, Medicare, Head Start and scores of other innovations.

For years, he supported the military policies in Vietnam, but by 1968, Mr. McPherson had come to believe that the war was unwinnable. And as antiwar demonstrations swept the country, he and Defense Secretary Clark M. Clifford helped persuade the president to scale back the bombing of North Vietnam.

It was Mr. McPherson who drafted Johnson's landmark address to the nation that spring, announcing the cutbacks of United States bombing, although the stunning conclusion of that speech—disclosing the president's.decision not to seek re-election that fall—was drafted by another Johnson aide, Horace Busby.

After leaving the White House in early 1969, Mr. McPherson became a partner in Verner, Liipfert & Bernhard, a prominent Washington law firm and one of the capital's most successful at lobbying. His clients included businesses, foreign governments and nonprofit organizations.

Among other cases, Mr. McPherson helped to negotiate the 1998 master settlement in which major tobacco companies and 46 states agreed on advertising limitations, partial immunity from lawsuits and payments of hundreds of billions of dollars to the states to cover the costs of treating smoking-related illnesses.

Mr. McPherson also served on presidential commissions, including the 1979 panel named by Jimmy Carter to investigate the nuclear accident at Three Mile Island in Pennsylvania, and another named by Bill Clinton to recommend the closing of military installations to streamline the Defense Department.

Mr. McPherson wrote numerous articles on foreign and domestic policies for The New York Times, The Washington Post and other publications.

His memoir, "A Political Education" (1972), was well received and has become a perennial favorite of students of Washington's crafty, duplicitous political merry-go-round and of Johnson's years in the Senate and the White House.

Reviewing it for The Times, Anatole Broyard called it "a lesson not only for Harry McPherson, but also for most of us,"

adding: ''To put it bluntly, few Americans have a realistic idea of how our government works. We have instead a series of naive assumptions. If the message of this book were common knowledge, much of the sound and fury that currently caricatures our politics and our national image could be averted.''

Harry Cummings McPherson Jr. was born on Aug. 22, 1929, in Tyler, Tex., the son of Harry and Nan Hight McPherson. He attended Southern Methodist University and graduated from the University of the South in 1949. He intended to be a writer and poet and enrolled in a graduate program in literature at Columbia in 1949. But when the Korean War broke out in 1950, he enlisted in the Air Force and served as an intelligence officer in Germany, assessing Soviet troop deployments.

His first marriage, to Clayton Read in 1952, ended in divorce. He married Mary Patricia DeGroot in 1981. Besides his wife, he is survived by two children from his first marriage, Coco and Peter, and a son from his second marriage, Samuel.

He earned a law degree in 1956 at the University of Texas. At the urging of a cousin who worked for Johnson, who was then a senator, Mr. McPherson went to Washington and was hired by the Democratic Policy Committee, which fashioned the legislative agenda for Senate Democrats. Johnson, the majority leader, was its chairman. Over the next seven years, Mr. McPherson rose to general counsel of the committee, serving under Senator Mike Mansfield of Montana after Johnson became vice president in 1961.

He was appointed deputy under secretary of the Army for international affairs in 1963 and assistant secretary of state for educational and cultural affairs in 1964. Nearly two years after the assassination of President John F. Kennedy, Mr. McPherson joined President Johnson's White House staff in 1965, and over the next four years, he became one of Johnson's most trusted advisers.

In 1966 he helped organize a White House conference on civil rights, a gathering that included the Rev. Dr. Martin Luther King Jr.; Thurgood Marshall, who was then the solicitor general but would become America's first black Supreme Court justice a year later; and representatives of almost every major civil rights group in the country.

Mr. McPherson also became Johnson's chief speechwriter, shaping all of the president's major addresses from 1966 to 1969.

In 2008, he was honored with a lifetime achievement award by American Lawyer magazine.

It is with great respect, I honor Harry C. McPherson, Jr. for his service to the country under President Lyndon B. Johnson and his many wonderful accomplishments upon his death.

RECOGNIZING THE ACHIEVEMENTS OF THE FORT WALTON BEACH, FLORIDA HIGH SCHOOL CHEERLEADERS

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize the Fort Walton Beach High School Cheerleaders on their achievements as Class 2A FHSAA Competitive Cheerleading State Champions and most recently as Universal Cheerleaders Association's National Cheerleading Champions.

No single component by itself renders a champion, but rather to be a champion requires a combination of discipline, desire, focus, and determination. The Fort Walton Beach High School Cheerleaders have found the perfect blend of each element and serve as an example for other teams in the area. At the beginning of the season, the Fort Walton Beach High School Viking Cheerleaders said, ''It's our year.'' Their words have come to culmination as they proved that this year was theirs to shine taking home the gold from UCA Nationals.

The Fort Walton Beach High School Cheerleaders strive for perfection in everything they do. In cheerleading, not one person stands out or wins the overall competition. Rather, it requires uniformity and working together as a collective group. As they prepared to compete in UCA Nationals, they sought to perform their routine to the best of their abilities as a team. This commitment to excellence defines a true champion; however, their excellence extends far beyond the title. Whether it is car washes, 5k runs, or even performing for Florida's Governor, Rick Scott, this team goes above and beyond what is asked of them, and I commend their active role in the Fort Walton Beach community.

Mr. Speaker, on behalf of the United States Congress, I am proud to recognize the Fort Walton Beach High School Cheerleaders on their accomplishments and their continuing commitment to excellence at Fort Walton Beach High School. My wife Vicki joins me in congratulating them and everyone who has played a supportive role in guiding their team to victory. We wish them all the best for continued success.

HONORING THE LIFE OF CONGRESSMAN DONALD PAYNE

SPEECH OF

HON. JON RUNYAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 2012

Mr. RUNYAN. Madam Speaker, on March 6th, the state of New Jersey, and more specifically Newark and its surrounding communities, lost a dedicated public servant, Congressman DONALD PAYNE.

Congressman PAYNE truly lived a life of service, first as an educator in the Newark and Passaic public school districts, an Essex County Freeholder, a member of the Newark Municipal Service, and finally as the first African-American Congressman from the state of New Jersey. Representative PAYNE's public service record was also dedicated to helping people through his volunteer work. His involvement with the Newark YMCA and Boy's and Girl's Club, showed his passion for helping children.

In Congress, Representative PAYNE played an instrumental role as an advocate in the treatment of AIDS and drug-resistant tuberculosis. His actions in Congress were always based on how he could best serve his constituents. Congressman PAYNE served as a role model for not only his district, but the entire State of New Jersey.

His love of service was only outdone by the love he had for his family, from his late wife, to his children, grandchildren, and great-grandchildren. Congressman PAYNE will be missed.

PERSONAL EXPLANATION

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Ms. WOOLSEY. Mr. Speaker, on March 7, 2012, I was unavoidably detained and was unable to record my vote for rollcall #103–106. Had I been present I would have voted:

Rollcall #103: Yes—Himes of Connecticut Amendment No. 3

Rollcall #104: Yes—Ellison of Minnesota Amendment No. 5

Rollcall #105: Yes—Waters of California Amendment No. 6

Rollcall #106: Yes—Connolly of Virginia Amendment No. 9

ABILENE CHRISTIAN HIGH SCHOOL STATE BASKETBALL CHAMPIONS

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. POE of Texas. Mr. Speaker, today I bring good news from West Texas. The 2011–2012 Texas Association of Private and Parochial Schools (TAPPS) 2A State basketball champions are the Abilene Christian High School Panthers.

In a close game that was covered by the national media, the Panthers beat Beren Academy 46–42 on March 3 in Waco, Texas to win the championship. Both schools are strong religiously based institutions. An Orthodox Jewish school from Houston, Beren Academy was a tough opponent made up of wonderful, religiously committed young men that kept the game close to the end.

The Panthers were led by 22 year-old Michael Bacon, a first-time head coach and college senior at Abilene Christian University. He coached the team along with Nick Smith and Colby Carr, all full-time college students and best friends. While some college students hold part-time jobs on the side, I suspect that most don't involve coaching a state championship-winning high school basketball team. Michael, Nick, and Colby are outstanding men and leaders that have a promising future ahead of them.

The championship caps a whirlwind season for the Panthers that ended with a 25–4 record. They played with discipline, determination, and tenacity the entire season. Michael Bacon said about the team: ''We played like we were the smallest dog in the fight all season, and ended up the biggest.'' In every practice and game, the team gave their all and, in the end, it paid off.

The members of the team are Michael Avila, Ben George, Avron Payne, Trey Hampton, Clint Bruton, Samai Massaquoi, Harrison Hancock, Daniel Austin, Trevor Tyson, Bryton Fernandez, and J.D. Dos Santos. These fine young men are model Christian athletes. Strong in both body and spirit, their success on the basketball court reflects the deep commitment to their faith.

The state champion Panthers deserve our congratulations. They have excelled as athletes, students, and Texans,

And that's just the way it is.

HONORING THE LIFE AND SERVICE OF SERGEANT JOSHUA A. BORN, UNITED STATES ARMY

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. MILLER of Florida. Mr. Speaker, it is with profound sadness and deep sympathy that I rise to pay tribute to a fallen American hero. Army Sergeant Joshua Born, of Niceville, Florida, was killed on February 23, 2012 in the Khogyani District in Nangarhar Province, Afghanistan, where he and other members of the 549th Military Police Company were attempting to maintain order during violent protests.

A student at Niceville High School in Northwest Florida, Joshua enlisted in the United States Army in March 2007. He was known as a well-respected soldier and young man. On February 23, Joshua paid the ultimate price in defense of our Nation's freedom. We know that freedom often demands of us a heavy and at times unbearable price. To his wife, Megan; his parents, Elizabeth and Craig; and to all of his friends; we owe our eternal gratitude. Throughout his service, there is no doubt that Joshua displayed dedication to duty and courage of heart. Joshua's life will continue to inspire those who knew him best and those who follow in his footsteps. He will always be remembered for his selfless dedication and commitment to this great Nation.

Mr. Speaker, on behalf of a grateful United States Congress, I stand here today to honor Sergeant Joshua Born and all the heroes we have lost. My wife, Vicki, joins me in offering our most sincere condolences and prayers to his family and friends. May God continue to bless them and the brave men and women of our United States Armed Forces.

HONORING MS. SYLVIA G. IRIONDO

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. DIAZ-BALART. Mr. Speaker, as we celebrate Women's History Month, I rise to honor one of South Florida's finest community leaders, Ms. Sylvia G. Iriondo.

Sylvia was born in the city of Havana, Cuba and currently resides in Key Biscayne, Florida. She has spent over 40 years in the real estate business, serving as Co-Owner and President of two successful businesses: Tarafa & Iriondo Corporation/Realtors and Tarafa & Iriondo Corporation/Property Management Services. She also currently serves as a Broker-Associate with the prestigious real-estate firm of Esslinger-Wooten-Maxwell, Inc. of Key Biscayne. Sylvia has served the real estate community as Key Biscayne Chairperson for the Miami Board of Realtors, Founder and first President of the Real Estate Professional Association of Key Biscayne, and Board Member of the Key Biscayne Chamber of Commerce.

Sylvia has made a tremendous impact in Miami and throughout the state of Florida with her civic engagement. She served as a United Way of Dade County volunteer Board Member for eight years, the maximum allowable term, and also was appointed member of the Advisory Board and Chairperson of the Program Committee for the Salvation Army. Additionally, Sylvia was appointed by Florida Governor Bob Graham to serve on two major statewide initiatives concerning elderly residents: the Governor's Commission on Aging and the State of Florida Department of Elderly Affairs.

Staying true to her cultural heritage, Sylvia has also devoted her life to advocacy for, and service to, a free and democratic Cuba. Her work began with the International Rescue Committee (IRC), the first agency in Miami to provide assistance to thousands of Cuban refugees fleeing Castro's communist regime, and the State Department of Public Welfare—Cuban Refugee Emergency Center. Sylvia continues fighting relentlessly for Cuba's freedom today, as a co-founder of M.A.R. por Cuba (Mothers & Women Against Oppression), and the Assembly of the Cuban Resistance. This organization is committed to the defense of human rights and freedoms of Cuban people, the support of Cuban political prisoners and their families, and advocating for measures and sanctions against the Castro regime. Sylvia works daily to accelerate democratic change in Cuba; her solidarity to the Cuban people is truly inspiring and admirable.

Mr. Speaker, I am honored to pay tribute to Ms. Sylvia G. Iriondo for her continued service to the Miami community. She is a woman of unmatched compassion and dedication, serving as a mother, grandmother, great grandmother, businesswoman, leader, activist and philanthropist. Sylvia's impression upon the Miami community will last for decades to come, and she will surely inspire countless young women to follow in her footsteps. I ask my colleagues to join me in recognizing this outstanding individual, and I wish her continued success and happiness in the future.

PERSONAL EXPLANATION

HON. CHIP CRAVAACK

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. CRAVAACK. Mr. Speaker, on rollcall No. 95 for H.R. 3637, to designate the "Roy Schallern Rood Post Office Building" in Jupiter, Florida, I originally intended to vote "yes," however, I inadvertently voted "no."

A TRIBUTE TO THE UNIVERSITY OF NORTH CAROLINA AT PEMBROKE

HON. MIKE McINTYRE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. McINTYRE. Mr. Speaker, I rise today to pay special tribute to the University of North Carolina at Pembroke on the 125th anniversary of its founding.

In 1887 the General Assembly of North Carolina chartered the Croatan Normal School, created to train American Indian public school teachers. This school, with a total of fifteen students enrolled and only one instructor, was the foundation for what has now become one of the 17 campuses in the greater University of North Carolina system.

UNC Pembroke is a center of higher learning for over 6,000 students, boasting 41 undergraduate Programs and 17 graduate programs. I am impressed by how much this institution has grown since its beginnings. Yet, despite this growth, the University prides itself on the ability to give individualized attention to each one of its students with a 15:1 student to faculty ratio.

UNC Pembroke has achieved national recognition for its diversity as well as its strong ties with the community. U.S. News and World Report has deemed the University "the most diverse University in the South," the Princeton Review has named UNC Pembroke among the "Best in the Southeast," and the University was named to President Obama's Community Service Honor Roll for three consecutive years. Additionally, the Carnegie Foundation awarded the University the Carnegie Elective Classification for Community Engagement, one of its most prestigious awards.

I am especially pleased by the naming of the University as a "Military Friendly School" by G.I. Jobs Magazine for a fifth consecutive year. Access to education for our military veterans is something I am passionate about, and I am encouraged that UNC Pembroke has embraced our veterans and supported their pursuit of higher education.

Mr. Speaker, I rise today to recognize the University of North Carolina at Pembroke as it celebrates 125 years. May it continue its tradition of excellence and its development of the future leaders of North Carolina and our nation.

HONORING VOLUNTEER FIRE CHIEF M.L. "PUG" WELLS

HON. H. MORGAN GRIFFITH

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. GRIFFITH of Virginia. Mr. Speaker, I submit these remarks in honor of Volunteer Fire Chief M.L. "Pug" Wells, a devoted public servant to the people of Elliston and Montgomery County, who passed away unexpectedly on March 7, 2012.

For nearly 55 years, Pug was a member of the Elliston Fire Department. He led as Chief for 48 of those years. Pug was a founding member of both the department in 1957 and of the New River Valley Swift Water Rescue and Recovery. Never tiring, Pug even found time to assist the Shawsville Rescue Squad.

In a recent interview, Pug said his greatest enjoyment came from "being able to help people." His selfless sacrifice is truly admirable. A committed family man, a noble community leader, and a friend of many, Pug will be greatly missed by his colleagues and those he served. My thoughts and prayers go out to his wife, Mary Lee; his four children; his family; and his friends.

Well known for his exceptional goodwill and dedication to the Montgomery community, I am honored to pay tribute to this man's many contributions. His legacy and influence will be

long remembered in Montgomery County and throughout Southwest Virginia.

HONORING DR. BARBARA DAVIS

HON. ANN MARIE BUERKLE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Ms. BUERKLE. Mr. Speaker, I rise today to recognize Dr. Barbara Davis for 25 years of service to the Hebrew Day School in Syracuse, New York.

Dr. Davis earned her Bachelor's Degree from Barnard College and received an M.A. and Ph.D. from Columbia University. She began her relationship with the Syracuse Hebrew Day School in the mid-1980's. She was a parent volunteer and served as chair of the Education Committee. Her service escalated in 1986 when she agreed to serve as co-principal of the school along with Dr. John Blasi, a position she would hold for the next 25 years.

For two and a half decades, Dr. Davis was the leader of the Syracuse Hebrew Day School. During her tenure there she was instrumental in the school's growth; a new wing was constructed, student enrollment hit record high numbers, and the endowment fund grew to nearly $500,000.

In addition to her work at the Syracuse Hebrew Day School, Dr. Davis serves as a Professor Emerita of Modern Languages at Onondaga Community College. She was also a member of the first Lookstein Center Principals' Seminar at Bar Ilan University, a selective intensive program combining seminars in Israel and America.

Dr. Davis' dedication to her community is not only seen in her role at the Syracuse Hebrew Day School, but also in her countless hours of volunteerism and participation in numerous organizations. She serves on the board of RAVSAK, the Jewish Community Day School Network, she is executive editor of the quarterly journal of Jewish education, Ha Yidion, and has co-authored a forthcoming history of the Syracuse Jewish Community.

Dr. Davis has played a significant role in the lives of so many people, especially youths, with her dedicated service to our community. Her passion and leadership have made the Syracuse Hebrew Day School and the area it serves a better place. I thank Dr. Davis for her service and am proud to honor her here today.

FORTNEY H. ''FISH'' STARK III

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. STARK. Mr. Speaker, I submit for the RECORD a statement written by my 16-year-old son, Fortney H. "Fish" Stark III.

In 2004, I visited the Democratic National Convention with my dad. I don't remember much, being 8, but I do remember my visit with Dennis Kucinich. He was a little quirky, in a Ron Paul kind of way, but he was earnest, he was friendly, he was sincere, and he believed in what he was doing. Someone took a photo of us that night—I was almost as tall as him, even at 8—and he sent me a copy, signing it:

''Dear Fish: Someday I hope to come to the convention to help nominate YOU! Thank you for your support. Your Friend, Dennis Kucinich.''

Congressman Kucinich wasn't a perfect politician. At times he's more concerned with taking a principled stand than trying to negotiate a principled compromise. But even though he was quirky and at times obstinate, he stood out in Congress because he truly believed in what he was doing, because he was passionate and never said die, because he was willing to stand up and say something that he believed needed to be said when no one else would stand up with him, because he believed strongly that our children needed to live in a word free from war, enjoy lives free of hunger, in families free from poverty.

Congressman Kucinich looks like he's going to lose in his primary campaign tonight. Congresswoman Kaptur is a great lady, even if she does have a penchant for needless military spending and has been flimsy on pro-choice issues. She'll do great things for the district, I know it.

But I want to honor Congressman Kucinich by sharing what he taught me—that it's OK, even when you're alone, to stand up for something if you feel it is right. I don't think—few do—that we should run the country exactly as Congressman Kucinich believes we should, but there always needs to be someone to say the things that he is saying—to have the bold ideas, even if they're not always feasible, to have the idealism and hope, even if it's sometimes fleeting.

''Courage is when you know you're licked before you begin, but you begin anyway and you see it through no matter what''—Atticus Finch, To Kill a Mockingbird

Congressman Kucinich made this quote come alive for me. He stood up for peace, for health care, for the environment, for reform, even when he knew he wasn't going to win—because he believed in it. And while he never should have (and never did) run the table, he always brought something to our national discussion that contributed. It was a light, an optimism, a compassion, and a humanism.

He was willing to take a political bullet to spread that message. Tonight, that's what happened. Here's to a courageous man who stood up for what he believed in, who stood up for helping others, and who would rather lose an election than lose his principles. A man who taught an 8-year-old that believing in yourself held a far greater reward than selling yourself.

Rock on, Dennis.

RECOGNIZING THE ANNIVERSARY OF MASSACRES AGAINST ARMENIANS IN SUMGAIT

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. COSTA. Mr. Speaker, once again I rise on behalf of the thousands of Armenian Americans in my congressional district to remember the evening of February 27, 1988, when a murderous campaign began against Christian Armenian civilians living in Sumgait, Azerbaijan. Tragically, police in nearby Baku ignored the atrocities and allowed the rampage to continue for three days.

Azerbaijani rioters murdered, raped and maimed Armenians, throwing women and children from windows and burning victims alive. While some estimate that more than 30 individuals were killed and more than 200 injured, others estimate that hundreds were murdered. The Soviets banned journalists from entering the area and, for two decades, Azerbaijani authorities relentlessly covered up, ignored and whitewashed these tragic events.

Even worse, many believe the atrocities were officially sanctioned by Azerbaijani authorities to send a clear message to the Armenians, who were peacefully demonstrating against Azerbaijani repression and discrimination in Nagorno Karabakh just days before the massacre.

The anniversary of this horrifying moment in history serves as yet another call to action to build a more peaceful and just world. The United States must stand firmly against repression and human rights abuses.

NATIONAL BREAKFAST WEEK

HON. MARCIA L. FUDGE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Ms. FUDGE. Mr. Speaker, this week is National Breakfast Week, and every child should start the day with a healthy breakfast—whether it's served at home or at school.

A healthy breakfast provides the fuel a young body needs to stay alert. Studies have consistently shown that children who eat breakfast do better in school than those that go to school hungry.

Eating breakfast not only can help children improve their academic performance, but statistics show it improves their behavior and results in fewer school absences.

Unfortunately, breakfast is not always on the menu for millions of American children.

According to the U.S. Department of Agriculture, one in five children live in a home where food is not always available. Finding workable solutions to the problem of hunger in America, and feeding America's children is a top priority.

The "Share Your Breakfast" program—a partnership between Kellogg's and Action for Healthy Kids—is working to achieve this goal. The "Share Your Breakfast" campaign seeks to provide one million breakfasts to kids by increasing participation in school breakfast programs across the country.

I encourage my colleagues and all Americans to Celebrate National Breakfast Week by sharing their breakfast with a child in need.

HONORING JOSEPH P. MURPHY

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mrs. LOWEY. Mr. Speaker, I rise today to pay tribute to Joseph P. Murphy of Rye, NY. Leaders of local veteran groups, as well as students and graduates of the United States Service Academies and their families, will join me Tuesday, March 13 in honoring Mr. Murphy for his three decades of distinguished volunteer service as chair of New York's 18th Congressional District's Service Academy Review Board.

Each fall, my Service Academy Review Board interviews several dozen young men

and women to determine who merits nominations to our nation's Service Academies. Chair of the SARB for my first 22 years in the House of Representatives, from 1989 until his retirement last year, as well as serving in the same role for my two predecessors, Mr. Murphy selflessly devoted thousands of hours to the comprehensive review process, from meeting with every applicant to advocating with the Academies on their behalf. As a result of his efforts, several hundred topnotch young people from the 18th Congressional District have received outstanding college educations and leadership training that prepared them to admirably serve our country. A retired Naval Officer himself, he has followed the careers of many of these Academy graduates, continuing as their mentor and friend.

Joe Murphy's volunteer efforts extend well beyond the Service Academy Review Board. He is a former school board member of the Rye City School District; Commander of the American Legion Post 128 in Rye; lector and CCD instructor at the Church of the Resurrection in Rye, and vice president of the Westchester Chapter of the National Association of Social Workers.

A Licensed Clinical Social Worker (LCSW) and certified social worker (CSW) of the State of New York, Mr. Murphy has had a distinguished professional career working in sectarian and United Way agencies, civil rights organizations, child care agencies, court-affiliated programs, a settlement house, health related/skilled nursing facilities and mental health settings throughout New York State. He currently is focusing on developing, administering and implementing eldercare services that combine high standards for consumers and resource development to enhance quality care.

I urge my colleagues to join me in paying tribute to Joseph P. Murphy for his exceptional accomplishments and thanking him for his tremendous contributions to our community and country.

HONORING THE LIFE OF ''STEREO'' SAM HUPPIN, AN EASTERN WASHINGTON LEGEND

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mrs. McMORRIS RODGERS. Mr. Speaker, it is with a very heavy heart that I rise today to honor the life of a great friend and Eastern Washington legend, Mr. Sam M. Huppin. His eighty-five years on this Earth were marked by infectious vivacity, a uniquely entrepreneurial spirit, and a genuine desire to help those around him. Sam exuded such an extraordinary love of life that his legacy will live forever in the hearts of those who knew him.

As a Spokane native, Sam received his degree in aeronautic engineering from Washington State University and, in the 1950s, he transformed his family's downtown Spokane clothing store into a major electronics retailer. It was with remarkable success that he revolutionized his family-owned business—one radio and camera at a time. In the early 1970s, Sam donated the business's remaining men's clothing to charity and proudly opened ''Huppin's Hi-Fi and Photo.'' With two storefronts in Spokane today, Sam forever transformed the business that his grandfather started in 1908.

While Sam will be remembered for his success as business leader—and his aptly given nickname of ''Stereo Sam''—he will be remembered even more for the impact he made on the lives of others. His customers. His family. His friends. He loved to tell stories, ask questions, and make jokes. His son Murray said about his father: ''He was really someone from a different era. Every part of the business was relationship oriented.''

While Sam's passing is met with tremendous sadness, it is also with great joy that we pay homage to his remarkably full life. To the impact he had. The relationships he created. The community he changed. The people he touched. He has taught us—not only in the great sorrow of his death, but in the beauty of his life—that our years on this Earth should be lived with exuberance and gratitude for all the days we are given. It is for that lesson—and so many others—that he shall never be forgotten.

THE NATIONAL BLACK LEADERSHIP COMMISSION ON AIDS, INC'S EXPRESSION OF SORROW ON THE PASSING OF CONGRESSMAN DONALD M. PAYNE

HON. DONNA M. CHRISTENSEN

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mrs. CHRISTENSEN. Mr. Speaker, on behalf of the National Black Leadership Commission on AID, Inc, I submit a statement on condolence on the passing of my dear colleague, Donald M. Payne.

NATIONAL BLACK LEADERSHIP COMMISSION ON AIDS, INC.

NBLCA MOURNS THE PASSING OF REP. DONALD M. PAYNE

In reaction to the death of Rep. Donald M. Payne, Tuesday, March 6, 2012, C. Virginia Fields, President and CEO of the National Black Leadership Commission on AIDS, Inc, issued the following statement of condolence:

The National Black Leadership Commission on AIDS, Inc. (NBLCA) expresses its profound sorrow at the death of Rep. Donald M. Payne. For over two decades, Rep. Payne served his constituents in New Jersey's 10th Congressional District and the nation with courage and distinction. He was a longtime supporter of the NBLCA and dedicated his 12 terms in the U.S. House of Representatives to fighting social injustice and advocating for the health and well-being of all Americans and other fellow citizens of the world. His support in the House was instrumental in the full implementation of the Minority AIDS Initiative and other legislation addressing disease prevention and health promotion. Rep. Payne was especially passionate about ending HIV/AIDS and human rights violations in Africa during his distinguished service on the House Foreign Affairs Committee where he chaired the Subcommittee on Africa.

Mr. Payne will be sorely missed by all who had the pleasure and honor to work along side him in the fight against HIV/AIDS and health disparities based on race and ethnicity. On behalf of the NBLCA's Board of Directors and staff, I convey heartfelt condolences to Rep. Payne's family, constituents, and colleagues in the 112th Congress of the United States. In Mr. Payne's memory, we rededicate ourselves to enhancing our advocacy to protect the health, human rights, and civil liberties of all Americans. May God grant him peace.

CELEBRATING INTERNATIONAL WOMEN'S DAY

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mrs. MALONEY. Mr. Speaker, as a longtime advocate for women both in the United States and around the world, I am pleased to recognize the many achievements of women on International Women's Day which we celebrate today, March 8, 2012. We honor the countless contributions made by women in all areas and observe the tireless work of female leaders throughout the world who have struggled to attain social, economic and political equality for women.

While there is much to be proud of, there is also much work to be done. Throughout the world, women continue to face the same collective barriers and embrace the same hopes—to live in a world free from violence, to be educated, vital members of society and to possess the independence to make decisions that govern their bodies and well-being. This is why I continue to fight for women and have authored legislation to achieve theses outcomes: H.R. 418, the International Women's Freedom Act to establish a Commission on International Women's Rights to report yearly on the status of women's rights around the world; H.R. 949, the Obstetric Fistula Prevention, Treatment, Hope and Dignity Restoration Act to aid in the prevention and treatment of obstetric fistula; and, H.R. 2759, the Business Transparency on Trafficking and Slavery Act, which works toward ending human trafficking by increasing transparency in the business supply chains of multi-million dollar global companies.

We know that when women are empowered, nations are fairer and stronger, governments flourish, and society as a whole benefits. Today, I salute the immeasurable successes of women and pledge to work to create a world filled with greater opportunities for women here and abroad, where women are safe, empowered and are heard and respected.

ESSAY BY MAXIMILLIAN McELLIGOTT

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. OLSON. Mr. Speaker, I am privileged to interact with some of the brightest students in the 22nd Congressional District who serve on my Congressional Youth Advisory Council. I have gained much by listening to the high school students who are the future of this great Nation. They provide important insight into the concerns of our younger constituents and hopefully get a better sense of the importance of being an active participant in the political process. Many of the students have written short essays on a variety of topics and I

am pleased to share these with my House colleagues.

Maximillian McElligott is a junior at Clear Springs High School in Galveston County, Texas. His essay topic is: Select an important event that has occurred in the past 50 years and explain how that event has changed our country. Maximillian chose the Cold War.

The Cold War had numerous effects on America that led to prosperity in not just the American political machine but also in the everyday society. One well-known effect is the putting together of National Aeronautical and Space Administration or NASA.

During the 1950s, both the Soviets and Americans were in a so called ''Space Race''. The goal was simple: Be the first to space. The Soviets were the first to achieve this goal by successfully launching their rocket, Sputnik I, into space. In response to the possible threats of nuclear war and the new Soviet technology of long range missiles, the United States founded the National Aeronautical and Space Administration or NASA. The ''Sputnik Crisis'', as it was called sent a shockwave through the United States. For once, we weren't the first to accomplish something that hadn't been done yet. NASA's early goals consisted of getting to space, and then once John F. Kennedy was elected in the early 1960s, the goal changed to putting a man on the moon by the end of the decade.

The dream of putting a man on the moon was accomplished quickly by landing a man on the moon, July 20th, 1969. That single day in history where over 500 million people worldwide watched as Neil Armstrong and Buzz Aldrin took mankind's first steps on the moon. The first manned moon landing opened the door for future space explorations such as missions to other planets, other planets moons, and possibly other galaxies which wouldn't have come as quick as they had without the so called ''Russian Initiative''.

Another immediate effect in the public school system was the majority of the focus was situated onto math and science based criteria. The government had planned to get youths more excited and intrigued by the new policies. The country went through a technological boom to close out the century. New inventions such as the cell phone, World Wide Web, computer storage units, etc.

Looking back over the Cold War, it was a stepping stone of greatness to where we are today with both our education and technological advances. Through the ups and downs the space race worked in our favor to give our country a head start on the essentials to become an even stronger, more diverse world superpower. If we as a country had not gone through the Cold War and had succumbed to letting communism make its way throughout the world, the United States would be far behind when it came to superiority.

SUPPORTING RENEWED NEGOTIATIONS BETWEEN MOROCCO AND THE POLISARIO FRONT

HON. CHRISTOPHER S. MURPHY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. MURPHY of Connecticut. Mr. Speaker, I rise today to support the renewal of negotiations between the government of Morocco and the Polisario Front.

The Western Sahara region has been disputed territory since the Spanish withdrew in 1975. It is claimed by Morocco and the Polisario Front, which seeks independence for the Western Sahara.

Morocco and the Polisario began direct negotiations in 2007, under the auspices of the United Nations. The next round of negotiations begins on Monday, and I hope that a solution will finally be agreed to during the new talks in Manhasset, NY. The people who live in the Western Sahara have suffered as a result of the region's status being in limbo, and they deserve for this longstanding dispute to be resolved.

Morocco has a compromise proposal on the table: democratic autonomy for the region under Moroccan sovereignty. I believe this is a reasonable offer and can serve as a basis for negotiations. Undersecretary of State William Burns previously described the Moroccan initiative as a ''serious and credible proposal to provide real autonomy for the Western Sahara.'' It is also important for the region's residents to be able to express their views on their future, and for negotiators to take those views into account.

Mr. Speaker, after more than 35 years, it is time for all parties to negotiate in good faith to finally bring this crisis to a close. We are witnessing monumental changes in North Africa following revolutions in Tunisia, Egypt, and Libya. It is in the interest of the United States and the parties involved to achieve a peaceful, negotiated solution to the Western Sahara issue, and more broadly to encourage Morocco to fully implement King Mohammed's proposed constitutional reforms and continue moving toward a more balanced governmental system that serves the many needs of all citizens of Morocco.

RECOGNITION OF MARCH 12, 2012—MARCH 16, 2012 AS NATIONAL YOUNG AUDIENCES WEEK

HON. MARCIA L. FUDGE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Ms. FUDGE. Mr. Speaker, I rise today to recognize the National Young Audiences, as they celebrate National Young Audiences Week, March 12th thru March 16th 2012. Young Audiences was founded in 1952 and serves as our nation's leading source for arts-in-education services.

National Young Audiences Week was created by Leonard Bernstein in 1971, who wanted the entire country to understand the contributions Young Audiences was making to the cultural education of children throughout the United States. This year marks the 60th Anniversary of Young Audiences, and the first celebration of National Young Audiences week since 1991.

Annually, Young Audiences reaches more than five million school children. Their many programs enable students to develop critical thinking and problem solving skills, imagination and creativity, discipline, alternative ways to communicate and express feelings and ideas, and cross-cultural understanding.

In my Congressional district, Young Audiences serves approximately 21,860 students in my district in 14 different school districts. I am proud to recognize Young Audiences for their work, and will remain a strong advocate for arts-in education services.

HONORING CAROL PASTOR

HON. THADDEUS G. McCOTTER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. McCOTTER. Mr. Speaker, today I rise to honor the extraordinary life of Carol Pastor and mourn her upon her passing at the age of 75.

Born on September 2, 1936, Carol Pastor dedicated her life to her family and was the proud matriarch of a three generation Michigan based construction business, George H. Pastor and Sons.

Regrettably, on March 4, 2012, Carol Pastor passed from this earthly world to her eternal reward. She was preceded to eternity by her beloved husband of 54 years, Richard and her treasured son, Keith. Mrs. Pastor is survived by her cherished children, Craig, Mahala, John, Tim, and Michelle and will be long remembered by her sister, Barbara and her brother, Thomas. She leaves a precious legacy of 12 grandchildren. A thoughtful and benevolent woman, Carol will be sorely missed.

Mr. Speaker, Carol Pastor is remembered as a loving mother, a devoted wife, adored matriarch, compassionate leader, and a valued friend. Carol was a true lady who deeply treasured her family, friends, community and her country. Today, as we bid Carol Pastor farewell, I ask my colleagues to join me in mourning her passing and honoring her dedicated commitment to her family, our country and community.

SUPPORTING NATIONAL SCHOOL BREAKFAST WEEK (MARCH 5–9, 2012)

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. HOLT. Mr. Speaker, I rise today in support of National School Breakfast Week which this year is March 5th through 9th. I thank the School Nutrition Association for their efforts to promote this important week and raise awareness for the need to ensure our school children have a healthy breakfast to start their days.

Research has shown that eating a nutritious, balanced breakfast helps kids focus and succeed in school. I believe that the federal government has an important role to play in

promoting nutrition, as well as preventing and treating obesity. And during these tough economic times, the school breakfast program also is seeing increasing demand from students who are coming to school hungry.

Currently, there are more than 31 million children who eat school meals five days a week, 180 days a year. While the National School Lunch and breakfast programs do a good job of feeding these children, they have the potential to provide fresher and healthier foods to millions of children in the United States.

In 2010 I helped write the Healthy, Hunger-Free Kids Act to dramatically expand access for millions of children to healthy meals year-round in schools, and provide more meals for at risk children nationwide. The law included legislation that I introduced to provide $5 million in annual funding for Farm to School programs. Farm to School programs bring locally or regionally grown fresh produce into schools, significantly improving nutrition for children eating school lunches.

During School Breakfast Week, let us resolve to do everything we can to combat childhood hunger and also ensure that the food we are serving kids is as fresh and healthy as possible.

ESSAY BY AMANDA KERSTMAN

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. OLSON. Mr. Speaker, I am privileged to interact with some of the brightest students in the 22nd Congressional District who serve on my Congressional Youth Advisory Council. I have gained much by listening to the high school students who are the future of this great nation. They provide important insight into the concerns of our younger constituents and hopefully get a better sense of the importance of being an active participant in the political process. Many of the students have written short essays on a variety of topics and I am pleased to share these with my House colleagues.

Amanda Kerstman is a senior at Clear Springs High School in Galveston County, Texas. Her essay topic is: In your opinion, why is it important to be involved in the political process?

As a citizen of the United States of America all citizens are given the right to participate in the political process whether it would be to run for office, or vote in a primary election. Having the power as a citizen to participate in the political process is a right given by the United States, but many people in the present time take this as a chore to participate rather than a privilege. The voter turnout in Houston, Texas has decreased every year because of people not willing to go vote in any election, whether it is for a district judge, or an election for the president.

Our constitution was built from people who wanted to shape the new world into a country where people have the right to choose who they want to run their country. It is the citizens responsibility to keep our country a republic and vote for people to represent us. The key to make sure that people will stay politically active is to make sure the youth of the United States stays informed and up to date with what goes on in politics. Once they are informed they have the knowledge to form their own opinion and allow them to take action in supporting a candidate or coming up with their own ideas to run for office one day. Whether a person is inspired to run for local office or for president all helps the political process. Having the Congressional Youth Advisory Council is a great way to get the youth of America involved in political decision-making by letting them able to share their opinion to political leaders. It also allows the youth to be informed on what is going on in congress or in political decision making directly for a political official. Being a part of the political process is very important for American citizens be involved in because if we aren't, we will let down every man that fought for our political freedom.

STATEMENT ON THE CENTENNIAL ANNIVERSARY OF INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS (IBEW), AFL–CIO, LOCAL 716

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. AL GREEN of Texas. Mr. Speaker, I would like to take a moment to recognize the International Brotherhood of Electrical Workers (IBEW), AFL–CIO Local 716 in Houston, Texas.

IBEW represents members who work in a wide variety of electrical trade fields, including utilities, construction, telecommunications, broadcasting, manufacturing, railroads and government.

IBEW Local 716 was chartered March 12, 1912, starting with 9 original members and has since grown to represent 4500 members. IBEW Local 716 plays a major role in enhancing the quality of life for all electricians across the Greater Houston Area by negotiating contracts for electricians that secure top paying wages, high-quality health insurance and pensions and creating safer working conditions.

IBEW Local 716 members have built some of our most memorable Houston landmarks that have vastly contributed to shaping Houston as the internationally known city it has become today. Some of which include: the original Humble Building, The Astrodome, the Texas Medical Center, most of Downtown Houston, Minute Maid Field, Metro Light Rail projects, The George R. Brown Center and the Toyota Center.

IBEW Local 716 members are widely known in Houston for their volunteerism and community service, donating countless hours of their personal time in the restoration of the Heights neighborhood projects, including the S.H.A.P.E. Community Center and vast array of other community projects.

I salute the courageous men and women who made IBEW Local 716 an organization which utilizes the skills of its members to make a better life for everyone. I congratulate IBEW Local 716 on 100 years of community building and union spirit, as well as their outstanding dedication to the labor movement and steadfast efforts to uphold workers rights to organize.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. COFFMAN of Colorado. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $15,498,306,692,627.99. We've added $4,871,429,643,714.91 to our debt in 3 years. This is debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

ST. DAVID'S EPISCOPAL CHURCH OF SOUTHFIELD CRS

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. PETERS. Mr. Speaker, I rise today to congratulate St. David's Episcopal Church of Southfield, Michigan on the auspicious occasion of its 60th diamond jubilee anniversary.

St. David's Episcopal Church opened in 1952 and its first mass was held on March 2, inside Oxford School in Berkley, before a permanent church was built.

Founded by parishioners of St. James Episcopal Church, a venerable institution located in neighboring Birmingham, St. David's has been a fixture in the community for more than five decades.

Committed to providing a healthy quality of life for all, St. David's developed St. Anne's Mead, an assisted living and nursing care facility in 1966. The facility is committed to the unique needs of men, women and their families while preserving their dignity and enriching their lives.

Under the devoted and dedicated leadership of the Rev. Chris Yaw, St. David's current Rector, the church holds two Sunday services each week and Taize-style healing services four times a year.

St. David's parishioners are also involved in community outreach. They support local food pantry programs and manage a community garden that produced 500 pounds of fruit and vegetables in 2011, which they donated to surrounding communities.

The church also mentors kindergarten through eighth grade students at nearby Vandenberg World Cultures Academy, providing academic support and leadership skills.

For one week each spring, St. David's turns its facility into a residence for the homeless. The church offers food, shelter and companionship for dozens of men, women and children.

St. David's human service efforts extend beyond the great state of Michigan and the boundaries of our country. The church is one of the founding members of the Haiti Outreach Mission and performs humanitarian work in Port-au-Prince and Mirebalais, two cities that were devastated by the massive earthquake that rocked the country in early 2010. Congregates have helped to provide much needed care and supplies, including anesthetics, antibiotics, pain meds, dressings, operating room

equipment and supplies, IV fluids, gloves, masks, etc.

The church recently celebrated its 60th year anniversary. During a spirited and eventful three-hour celebration, held on March 3, in the Parish Fellowship Hall, a special photo display commemorated the occasion. Former members reunited to perform as a Chancel Choir in a spirit-filled musical program.

St. David's Episcopal Church and serve God through worship, outreach, and love for all.

Mr. Speaker, today I rise to recognize and congratulate St. David's Episcopal Church of Southfield, Michigan on the auspicious occasion of its 60th diamond jubilee anniversary. I salute the outstanding work that this revered institution has carried out in the Metro Detroit area.

INVESTING IN OUR FUTURE

HON. PETER A. DeFAZIO

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. DEFAZIO. Mr. Speaker, I am submitting a letter from Colin Taylor Mays, a 12-year-old school kid in Oregon. He is very worried about the future of his education. The drive by some to make deep cuts in our education system is jeopardizing his education and the future competitiveness of our Nation.

While it is critical that we must not further burden our children and grandchildren with a mountain of debt, we also must make investments in their future. With limited resources we must make smart investments that put people back to work by rebuilding our crumbling infrastructure system. While we focus on creating jobs now we cannot forget about our youth and what future will lie ahead for them. We must invest in education to make sure that our children will be prepared for the workforce of tomorrow. It is possible to balance our budget and provide for the most critical needs of our Nation. We must look both at raising revenues and reducing spending in areas where appropriate. If we do not make these choices now we will continue to let our children suffer in an education system that is falling apart at the seams. I hope that my colleagues will heed this message and work with me on making the right choices for our youth by investing in their education and giving them the same if not greater opportunities than we had growing up.

(By Colin Taylor Mays)

I am age 12 and a boy scout of America. I'm writing this letter as a view not a complaint. I haven't been learning enough in school, because of all the budget cut days. It's hard to keep track of what I'm learning. We need to put more money towards schooling and education. I probably have only 12 full weeks of school and I have so many weeks that only have 4 or 3 days in them. Unlike very few children I want to learn and possibly get a very good job that I want. Please consider this letter.

CONGRATULATING LEAGUE CITY, TEXAS ON ITS 50TH ANNIVERSARY

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. OLSON. Mr. Speaker, I rise today to congratulate League City, Texas on its fiftieth anniversary. For fifty years, League City has been a growing and influential region in the Baytown area and throughout Texas. Congratulations to League City for a wonderful half-century of contributions to our great state.

League City formally became an incorporated city on March 27, 1962. The city possesses a long history before that date, first settled in the late nineteenth century. It has made significant contributions to the Houston and Texas economies through its continued growth and success. Between the 2000 census and the 2010 census, League City almost doubled its population, and it also surpassed Galveston as the largest city in Galveston County in the early 2000s.

Known for its talented and capable workforce, many engineers and scientists that work at NASA's Johnson Space Center reside in League City.

The history and economic efforts of League City bring pride to our state. League City residents agree that it's a great place to live, work and raise a family. Congratulations to League City for fifty years of excellence and to a bright future ahead.

HONORING MS. DEBRA SCHWARTZ ON HER RECENT SELECTION TO THE BOARD OF DIRECTORS AT THE NATIONAL ASSOCIATION OF FEDERAL CREDIT UNIONS

HON. BRIAN P. BILBRAY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. BILBRAY. Mr. Speaker, today, I rise to congratulate Debra Schwartz on her recent selection to the Board of Directors at the National Association of Federal Credit Unions (NAFCU).

With more than 25 years of financial services leadership, Ms. Schwartz will be a great addition to NAFCU. She has been president and CEO of Mission Federal Credit Union in San Diego since 2009. Prior to joining Mission Federal, she served as Chief Financial Officer at First Future Credit Union and as Executive Vice President at San Diego County Credit Union.

Debra Schwartz graduated magna cum laude in Economics and Marketing from the State University of New York, and obtained a Master's degree in Business Administration from the University of Southern California Marshall School of Business. Throughout her 25 years of leadership in the financial services industry, Ms. Schwartz has also dedicated time and energy to a variety of non-profit organizations focused on youth and financial literacy. In fact, she currently serves on the governing board of Junior Achievement in San Diego and Imperial counties.

With more than 163,000 credit union members in San Diego community, Ms. Schwartz is a welcomed addition to the NAFCU Board of Directors and will undoubtedly make an immediate impact in her role. She has been both a leader and an innovator in the community and the NAFCU will be well served by her representation. Ms. Schwartz's experience will be a strong asset to the NAFCU as the credit union industry negotiates the recent financial regulatory reforms that will make lasting changes in the way credit unions operate.

I wish Ms. Schwartz the best of luck in her new role on the NAFCU board and look forward to working with her in this capacity. I ask my colleagues to join me today in congratulating Debra on this achievement and wishing her luck in her future endeavors.

HONORING THE LIFE OF REVEREND DR. ISAIAH MADISON

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor the life of a great African American educator, pastor, attorney, and highly respected member of our community, Reverend Dr. Isaiah Madison, who passed away March 1, 2012, at the age of 71.

Dr. Isaiah Madison was born on February 16, 1941, in Lake Cormorant, Mississippi. He later graduated from Delta Center High School in Walls, Mississippi in 1960. Dr. Madison went on to receive an Associate's Degree from Owens Jr. College in Memphis, Tennessee, and a Bachelor of Arts Degree from Howard University in 1964. He continued his education at Howard University, where he received his Juris Doctorate. Additionally, Dr. Madison received a Masters Degree in Political Science from Atlanta University and a Masters Degree in Theology from the International Theological Center in Atlanta, Georgia.

Reverend Dr. Isaiah Madison began his career as an instructor teaching Political Science at Southern University in Baton Rouge, Louisiana; and the Clinical Law Program at Howard University School of Law. Dr. Madison was a retired Associate Professor of Political Science at Jackson State University, where he taught courses in Public Law, American Government and Legal Research and Writing. While at Jackson State, he was Co-Advisor of the prominent Fannie Lou Hamer Prelaw Society in the Department. The Reverend Dr. Madison was a prolific writer and author. He published several poems and essays dealing with a wide variety of subjects—ranging from the law to social justice issues.

Dr. Madison was a man of deep and abiding faith, and served wholeheartedly as a United Methodist Pastor and Church Leader. Using his God-given gifts of teaching and exhortation, Dr. Madison pastored churches in Mississippi and Georgia. Dr. Madison was a member of New Dimensions International Ministries, where he served as an Assistant Pastor.

In 1973, Dr. Madison was the lead attorney in the development of the high profile Ayers Case. In fact, he was the Chief Architect of the Ayers decision. Madison was the Founding Chairman of the Black Mississippians' Council on Higher Education which was the support

organization that provided financial and organizational assistance to the Ayers effort. Madison was primarily responsible for the $503,000,000 settlement that was reached in the Ayers Case.

Dr. Madison was married to Carol A. Madison of Memphis, Tennessee. Her son and his stepson, William L. Poston, is serving in the United States Navy.

Mr. Speaker, I ask that my colleagues join me in extending our sincere gratitude to the life and legacy of Dr. Madison. This extraordinary man was an unsung hero of his generation, who did not seek recognition but always sought justice. Our country was blessed with his service, strengthened by his faith, and bettered by his devotion to his family and the state of Mississippi.

RECOGNIZING THE TWENTIETH ANNIVERSARY OF THE INDEPENDENCE OF THE REPUBLIC OF KAZAKHSTAN

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. BURTON of Indiana. Mr. Speaker, I rise to recognize the twentieth anniversary of Kazakhstan's independence from the Soviet Union.

On December 25, 1991, the United States became the first country to recognize Kazakhstan as an independent nation. Two decades later, Kazakhstan remains an important U.S. partner and a leader in Central Asia.

During the Soviet era, The Kazakh Steppe served as an important testing ground and launch site for the Soviets' nuclear weapons program. After the fall of the Soviet Union, Kazakhstan was left with a substantial nuclear arsenal consisting of over a thousand strategic nuclear warheads as well as delivery systems including intercontinental ballistic missiles and long-range bombers. This stockpile left Kazakhstan as the world's fourth largest nuclear power.

The Kazakh people understood the devastating power of these weapons, having hosted over 500 Soviet nuclear tests. Rather than embrace its new found status as a nuclear power, Kazakhstan, under the leadership of President Nazarbayev, became the first country to voluntarily renounce its nuclear arsenal. The country subsequently signed and ratified the Nuclear Non-Proliferation Treaty in 1994. By 1995 the last of Kazakhstan's nuclear weapons had been transferred to Russia, with substantial assistance from the United States through the Comprehensive Threat Reduction program. Kazakhstan and the United States continue to cooperate through this program to secure remaining nuclear material as well as chemical and biological weapons, including Anthrax, left over from the Soviet era. After twenty years of independence, Kazakhstan remains a leader on the nonproliferation and an example to others that the path to prosperity does not require nuclear weapons.

Upon independence, Kazakhstan immediately began working to reform its Soviet-style economy. Today, Kazakhstan boasts the most developed economy in the region. The country has the potential to become an energy power house and to provide a stabilizing influence on global markets. In addition, the government's decision to create a National Oil Fund will help ensure that Kazakhstan's mineral wealth benefits the Kazakh people.

Despite its mineral wealth, Kazakhstan is committed to diversifying its economy and as a result has made significant progress toward membership in the World Trade Organization. This progress is exemplified by the recently signed WTO bilateral market access agreement between Kazakhstan and the United States. This agreement will allow U.S. service providers to benefit from significantly expanded opportunities in Kazakhstan's markets once it joins the WTO. Membership in the WTO is good for Kazakhstan as well as for the major American companies that are increasingly attracted to this developing market.

In the months prior to September 11, 2001, President Nazarbayev voiced his concern that the situation in Afghanistan threatened regional security. Soon after the attacks on the United States, Kazakhstan began supporting coalition operations in Afghanistan by providing access to Kazakh airspace. Since 2009 the Kazakh rail network has been a key link in the Northern Distribution Network which provides an increasingly important supply route into Afghanistan. In addition to its support for military operations, Kazakhstan continues to support Afghanistan's development in a number of ways, including by providing Afghan students with scholarships to study at Kazakh universities.

As a result of policies such as those outlined above: the rejection of nuclear weapons, the embrace of economic reforms, and support for allied operations in Afghanistan, Kazakhstan has become a pillar of stability, and an engine of development in Central Asia. This leadership was reflected in the decision of the Organization for Security and Cooperation in Europe to grant Kazakhstan the chairmanship of the organization in 2010.

I respectfully urge President Nazarbayev and the Kazakh people to build on this solid foundation by actively pursuing democratic reforms including the development of a free press, an independent judiciary, a robust civil society, and a transparent political system. Democratic development will not only benefit the Kazakh people but will preserve and strengthen the leadership role that Kazakhstan plays in Central Asia and on the world stage.

In the past twenty years Kazakhstan has become a key ally of the United States. As Kazakhstan continues to develop, we must continue to work to build this important relationship. I congratulate President Nazarbayev and the Kazakh people on twenty years of independence.

IN CELEBRATION OF THE 35TH PASTORAL ANNIVERSARY OF BISHOP EDGAR VANN OF SECOND EBENEZER CHURCH

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Mr. PETERS. Mr. Speaker, I rise and ask my colleagues to join me in a tribute to my friend and a distinguished man of the cloth, Bishop Edgar Vann, on the auspicious occasion of the 35th anniversary of his service to Christ and the community as Pastor of Second Ebenezer Baptist Church in Detroit, Michigan.

In 1976, Bishop Edgar L. Vann II assumed the mantle of leadership at Second Ebenezer when, at the time, the congregation numbered less than 100. With great vision and steadfast purpose, Bishop Vann toiled to create the vision of his spiritual calling. By the grace of God, grew the flock of Second Ebenezer numbers to nearly 5000 today. However, Bishop Vann's ecumenical reach extends far beyond the impressive walls of the beloved ''Second Eb.''

With the good Bishop's message of empowerment and dedication, Second Ebenezer today has grown to be one of Detroit's premier ministries, inspiring its congregants toward the path of life transformation. The inspiration he provides is not just through words and teachings, however. His life's work is an example for us all.

Bishop Vann is not just a builder of better souls, he is a builder and innovator in our community. Established in 1994, Bishop Vann leads the Vanguard Community Development, an institution that has created more than $80 million of church and of community development in Detroit. Vanguard is leading an entire community toward restoration, healing and empowerment. Bishop Vann preaches extensively throughout the world. He is a mentor, life coach and spiritual father to nearly 200 sons and daughters in the ministry and pastors across the country. His travels have taken him to Canada, Mexico, the Caribbean, Haiti, the Middle East, Africa and Eastern Europe. With each visit, he brings the powerful word of God to each stop.

But Bishop Vann's labor and great work extends beyond his church and his family. In fact, he serves with distinction on several boards. His civic and community organizations affiliations include: Mosaic Youth Theater, Wayne State University's Research & Technology Park, The Skillman Foundation, Detroit Regional Chamber, Michigan Coalition of Human Rights, Detroit Institute of Arts, Henry Ford Health System, Commissioner for the Detroit Police Department, Habitat for Humanity, and the Michigan Civil Rights Commission. He also served as a consultant and an advisor to governors, mayors, civic officials and corporate executives throughout the great state of Michigan.

A devoted husband and a dedicated father, Bishop Vann has been married to Elder Sheila R. Vann, a gifted woman of God, since 1978. They have two adult children, Edgar L. Vann III and Ericka Monique Vann.

Mr. Speaker, it is too tall a task to fully detail each and every way that Bishop Vann has made a difference in our community, and indeed, the world. We are truly blessed by his calling, and deeply grateful for his dedication and work. I extend my sincerest wishes on this momentous occasion and hope that his gifts to us continue for another 35 years and beyond.

HONORING PRINCE GEORGE'S COUNTY FIREFIGHTERS

HON. DONNA F. EDWARDS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 8, 2012

Ms. EDWARDS. Mr. Speaker, I rise to pay tribute to the Prince George's County Fire and EMS Department and to firefighters across this country who are committed every day to keep our communities safe by putting their own lives at risk during times of our greatest need. They each have made the ultimate contribution to our communities—the contribution of personal sacrifice to ensure our safety and well-being.

On February 24, 2012, a house fire in Riverdale Heights, MD, took an unexpected turn for the worse. The Prince George's County firefighters advanced into the home searching for victims. High winds that Friday night are believed to have caused a sudden rush of fresh air into the home, creating a ''fireball'' that engulfed the firefighters on the first floor and forced the crews to evacuate the structure.

Unfortunately, seven firefighters from three Maryland Volunteer Fire Departments were injured, transported, and treated at MedStar Washington Hospital Center. Six of those injured have been released, with one still remaining at Washington Hospital Center's burn unit. On behalf of the citizens of the Fourth Congressional District, I want to send my appreciation to these individual firefighters and all their colleagues for their relentless dedication to public service. I would also like to recognize the paramedics and the doctors and nurses at the Washington Hospital Center for their compassionate care and treatment these firefighters received.

I would like to discuss briefly each of these brave men:

Firefighter Kevin O'Toole, 22 years old, a member of the Bladensburg Volunteer Fire Department and Rescue Squad remains hospitalized in stable but critical condition with burns over 50% of his body;

Firefighter Ethan Sorrell, 21, of the Bladensburg Fire Department sustained burn injuries to his airway and was released last week;

Firefighter Michael McClary, 19, a member of the Riverdale Volunteer Fire Department suffered injuries to his ribs and burns to both hands and was hospitalized overnight before being released;

Firefighter Michael Olszewski, 22, of the Riverdale Fire Department sustained burns to the side of the face and was treated and released that same evening;

Firefighter Roberto Ramirez, 21, of the Riverdale Fire Department suffered ear burns and was treated and released that same evening;

Firefighter Michael Naples, 24, of the Riverdale Fire Department sustained ear and face burns and was treated and released that same evening; and

Assistant Chief Ari Schloss, 36 years of age, of the College Park Volunteer Fire Department suffered burns to the hands and was treated and released that same evening.

I have seen firsthand how difficult a job our local firefighters have. They are tasked with the tremendous responsibility of meeting the increasingly diverse needs of growing populations with diminishing resources. Today, our first responders are being asked to be the first line of defense in our war on terror, in addition to carrying out traditional fire and public safety work.

I want to thank them for their commitment to the citizens and families of this great State. They are Maryland's heroes, and they have my utmost respect and support.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S1495–S1557

Measures Introduced: Nine bills and three resolutions were introduced, as follows: S. 2174–2182, and S. Res. 391–393. **Page S1540**

Measures Passed:

World Plumbing Day: Senate agreed to S. Res. 393, designating March 11, 2012, as "World Plumbing Day". **Page S1557**

Measures Considered:

Moving Ahead for Progress in the 21st Century—Agreement: Senate continued consideration of S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, taking action on the following amendments proposed thereto: **Pages S1504–36**

Adopted:

By 82 yeas to 16 nays (Vote No. 29), Baucus Amendment No. 1825, to reauthorize for 1 year the Secure Rural Schools and Community Self-Determination Act of 2000 and to provide full funding for the Payments in Lieu of Taxes program for 1 year. (Pursuant to the order of Wednesday, March 7, 2012, the amendment having achieved 60 affirmative votes, was agreed to.) **Pages S1525–26, S1527–28**

By 76 yeas to 22 nays (Vote No. 32), Nelson (FL) Amendment No. 1822, to provide for the restoration of the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, and coastal wetlands of Gulf Coast States and to provide funding for the Land and Water Conservation Fund. (Pursuant to the order of Wednesday, March 7, 2012, the amendment having achieved 60 affirmative votes, was agreed to.) **Pages S1507–08, S1524–25, S1529**

Levin/Conrad Amendment No. 1818, to authorize special measures against foreign jurisdictions, financial institutions, and others that significantly impede United States tax enforcement. **Pages S1531–32**

Rejected:

By 44 yeas to 54 nays (Vote No. 28), Vitter Amendment No. 1535, to provide for an extension of the Draft Proposed Outer Continental Shelf Oil and Gas Leasing Program 2010–2015. (Pursuant to the order of Wednesday, March 7, 2012, the amendment having failed to achieve 60 affirmative votes, was not agreed to.) **Pages S1505–07, S1526**

By 52 yeas to 46 nays (Vote No. 30), Collins Amendment No. 1660, to provide additional time for the Administrator of the Environmental Protection Agency to issue achievable standards for industrial, commercial, and institutional boilers, process heaters, and incinerators. (Pursuant to the order of Wednesday, March 7, 2012, the amendment having failed to achieve 60 affirmative votes, was not agreed to.) **Pages S1508–11, S1513–15, S1528**

By 52 yeas to 46 nays (Vote No. 31), Coburn Amendment No. 1738, to prevent the creation of duplicative and overlapping Federal programs. (Pursuant to the order of Wednesday, March 7, 2012, the amendment having failed to achieve 60 affirmative votes, was not agreed to.) **Pages S1511–13, S1518–19, S1528–29**

By 33 yeas to 65 nays (Vote No. 33), Wyden Amendment No. 1817, to ensure the expeditious processing of Keystone XL permit applications consistent with current law, prohibit the export of crude oil produced in Canada and transported by the Keystone XL pipeline and related facilities unless the prohibition is waived by the President, and require the use of United States iron, steel, and manufactured goods in the construction of the Keystone XL pipeline and related facilities with certain exceptions. (Pursuant to the order of Wednesday, March 7, 2012, the amendment having failed to achieve 60 affirmative votes, was not agreed to.) **Pages S1517–18, S1529–30**

By 56 yeas to 42 nays (Vote No. 34), Hoeven Amendment No. 1537, to approve the Keystone XL pipeline project and provide for environmental protection and government oversight. (Pursuant to the order of Wednesday, March 7, 2012, the amendment having failed to achieve 60 affirmative votes, was not agreed to.) **Pages S1515–17, S1519–23, S1530**

Pending:

Roberts Amendment No. 1826, of a perfecting nature. **Pages S1523–24**

McCain Modified Amendment No. 1669, to enhance the natural quiet and safety of airspace of the Grand Canyon National Park. **Page S1533**

Corker Amendment No. 1785, to lower the FY13 discretionary budget authority cap as set in the Balanced Budget and Emergency Deficit Control Act of 1985 by $20,000,000,000 in order to offset the general fund transfers to the Highway Trust Fund. **Pages S1518, S1533–34**

Corker Amendment No. 1810, to ensure that the aggregate amount made available for transportation projects for a fiscal year does not exceed the estimated amount available for those projects in the Highway Trust Fund for the fiscal year. **Pages S1533–34**

Portman/Coburn Amendment No. 1736, to free States to spend gas taxes on their transportation priorities. **Page S1534**

Portman Amendment No. 1742, to allow States to permit nonhighway uses in rest areas along any highway. **Page S1534**

Coats (for Alexander) Amendment No. 1779, to make technical corrections to certain provisions relating to overflights of National Parks. **Page S1535**

Coats (for DeMint) Amendment No. 1589, to amend the Internal Revenue Code of 1986 to terminate certain energy tax subsidies and lower the corporate income tax rate. **Page S1535**

Coats (for DeMint) Amendment No. 1756, to return to the individual States maximum discretionary authority and fiscal responsibility for all elements of the national surface transportation systems that are not within the direct purview of the Federal Government. **Page S1535**

Coats/Lugar Amendment No. 1517, to modify the apportionment formula to ensure that the percentage of apportioned funds received by a State is the same as the percentage of total gas taxes paid by the State. **Page S1535**

Blunt/Casey Amendment No. 1540, to modify the section relating to off-system bridges. **Pages S1535–36**

During consideration of this measure today, Senate also took the following action:

By 66 yeas to 31 nays (Vote No. 35), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to waive section 904 of the Congressional Budget Act of 1974, and section 4(g)(3) of the Statutory Pay-As-You-Go Act of 2010. The point of order that the bill was in violation of provisions of section 311(a)(2)a of the Congressional Budget Act, was not sustained. **Pages S1530–31**

A unanimous-consent agreement was reached providing that Senate resume consideration of the bill at 4 p.m., on Monday, March 12, 2012; that the Merkley amendment relative to farm vehicles listed under the order of Wednesday, March 7, 2012, be changed from Amendment No. 1653 to Amendment No. 1814; that on Tuesday, March 13, 2012, Senate resume the sequence of votes remaining under the order of Wednesday, March 7, 2012, at a time to be determined by the Majority Leader after consultation with the Republican Leader, with all other provisions of the previous order remaining in effect. **Pages S1536, S1557**

Messages from the House: **Page S1537**

Measures Referred: **Page S1537**

Measures Placed on the Calendar: **Page S1537**

Executive Communications: **Pages S1537–40**

Executive Reports of Committees: **Page S1540**

Additional Cosponsors: **Pages S1540–41**

Statements on Introduced Bills/Resolutions: **Pages S1541–44**

Additional Statements: **Page S1537**

Amendments Submitted: **Pages S1544–56**

Authorities for Committees to Meet: **Pages S1556–57**

Privileges of the Floor: **Page S1557**

Record Votes: Eight record votes were taken today. (Total—35) **Pages S1526–31**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 5:52 p.m., until 2 p.m. on Monday, March 12, 2012. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S1557.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: DEPARTMENT OF HOMELAND SECURITY

Committee on Appropriations: Subcommittee on Department of Homeland Security concluded a hearing to examine proposed budget estimates for fiscal year 2013 for the Department of Homeland Security, after receiving testimony from Janet Napolitano, Secretary of Homeland Security.

FEDERAL HOUSING ADMINISTRATION

Committee on Appropriations: Subcommittee on Transportation, Housing and Urban Development, and Related Agencies concluded a hearing to examine an overview of the Federal Housing Administration, after receiving testimony from Carol Galante, Acting Federal Housing Administration Commissioner, and Assistant Secretary of Housing and Urban Development for Housing.

APPROPRIATIONS: DEPARTMENT OF JUSTICE

Committee on Appropriations: Subcommittee on Commerce, Justice, Science, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2013 for the Department of Justice, after receiving testimony from Eric Holder, Attorney General, Department of Justice.

DEFENSE AUTHORIZATION REQUEST AND THE FUTURE YEARS DEFENSE PROGRAM

Committee on Armed Services: Committee concluded a hearing to examine the Department of the Army in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program, after receiving testimony from John M. McHugh, Secretary of the Army, and General Raymond T. Odierno, Chief of Staff, United States Army, both of the Department of Defense.

HOUSING CRISIS

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine addressing the housing crisis in Indian country, focusing on leveraging resources and coordinating efforts, after receiving testimony from Sandra Henriquez, Assistant Secretary of Housing and Urban Development; Doug O'Brien, Deputy Under Secretary of Agriculture for Rural Development; Robert McSwain, Deputy Director, Management Operations, Indian Health Service, Department of Health and Human Services; and Jodi Gillette, Deputy Assistant Secretary of the Interior for Indian Affairs.

AMERICA'S GLOBAL COMPETITIVENESS

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine the key to America's global competitiveness, focusing on a quality education, after receiving testimony from Jenn Mann, SAS, Cary, North Carolina; Charles Kolb, Committee for Economic Development, Washington, D.C.; Richard J. Murnane, Harvard Graduate School of Education, Cambridge, Massachusetts; and Eric A. Hanushek, Stanford University, Stanford, California.

NATIVE PROGRAMS BUDGET

Committee on Indian Affairs: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2013 for Native Programs, after receiving testimony from Larry Echo Hawk, Assistant Secretary of the Interior for Indian Affairs; Yvette Roubideaux, Director, Indian Health Service, Department of Health and Human Services; Fawn Sharp, Affiliated Tribes of Northwest Indians, Portland, Oregon; Michell Hicks, Eastern Band of Cherokee Indians, Nashville, Tennessee, on behalf of the United South and Eastern Tribes, Inc.; and Robert Shepherd, Sisseton Wahpeton Oyate, Rapid City, South Dakota, on behalf of the Great Plains Tribal Chairman's Association.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 1002, to prohibit theft of medical products, with an amendment in the nature of a substitute; and

The nominations of 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.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 30 public bills, H.R. 4165–4194; and 3 resolutions, H. Res. 578–580, were introduced. **Pages H1303–05**

Additional Cosponsors: **Page H1306**

Reports Filed: Reports were filed today as follows:

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 (H. Rept. 112–410) and

H.R. 1741, to authorize the Secretary of Homeland Security and the Secretary of State to refuse or revoke visas to aliens if in the security or foreign policy interests of the United States, to require the Secretary of Homeland Security to review visa applications before adjudication, to provide for the immediate dissemination of visa revocation information,

and for other purposes, with an amendment (Rept. 112–411, Pt. 1). **Page H1303**

Reopening American Capital Markets to Emerging Growth Companies Act: The House passed H.R. 3606, to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies, by a recorded vote of 390 ayes to 23 noes, Roll No. 110. Consideration of the measure began yesterday, March 7th. **Pages H1277–85, H1285–89**

Rejected the Eshoo motion to recommit the bill to the Committee on Financial Services with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 170 ayes to 244 noes, Roll No. 109. **Pages H1287–88**

Agreed to:

McHenry amendment (No. 11 printed in H. Rept. 112–409) that, with respect to Rule 506 of Regulation D, provides an exemption from registration as a broker or dealer for trading platforms that do not charge a fee in connection with the purchase or sale of the security or permit general solicitations, general advertisements, or similar or related activities by issuers of such securities. Also enables the marketing of private shares to accredited investors through platforms; **Pages H1277–78**

Miller (NC) amendment (No. 12 printed in H. Rept. 112–409) that increases the total number of investors and limits the number of non-accredited investors allowed to be holders of record before registration is required; **Pages H1278–79**

Schweikert amendment (No. 13 printed in H. Rept. 112–409) that authorizes the Securities and Exchange Commission to study whether or not it has the authority to enforce anti-evasion provisions associated with the shareholder threshold; and **Pages H1279–80**

Loebsack amendment (No. 17 printed in H. Rept. 112–409) that requires information to be made available online, and outreach to be conducted to small and medium-sized businesses, women-owned businesses, veteran-owned businesses, and minority-owned businesses to inform them about changes put in place by this legislation. **Pages H1284–85**

Rejected:

Capuano amendment (No. 14 printed in H. Rept. 112–409) that sought to require the SEC to conduct a study to address anti-evasion concerns and determine if the term ''held of record'' should mean beneficial owner of the security; **Pages H1280–81**

Peters amendment (No. 15 printed in H. Rept. 112–409) that sought to require publicly traded companies to disclose on an annual basis the total number of employees they have in each country and the percentage increase or decrease in employment in each country (by a recorded vote of 175 ayes to 239 noes, Roll No. 107); and **Pages H1281–82, H1285–86**

Capps amendment (No. 16 printed in H. Rept. 112–409) that sought to require the Securities and Exchange Commission to issue a report to the Congress one year after enactment on the increase in initial public offerings that resulted from the act, including specific increases in filings by manufacturing and high-technology companies (by a recorded vote of 172 ayes to 236 noes, Roll No. 108). **Pages H1282–84, H1286–87**

Agreed that the Clerk be authorized to make technical and conforming changes to reflect the actions of the House. **Page H1289**

H. Res. 572, the rule providing for consideration of the bill, was agreed to yesterday, March 7th.

Recess: The House recessed at 11:22 a.m. and reconvened at 11:45 a.m. **Page H1285**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 11 a.m. tomorrow; when the House adjourns on that day, it adjourn to meet at 10 a.m. on Tuesday, March 13th; when the House adjourns on that day, it adjourn to meet at 10 a.m. on Friday, March 16th; and when the House adjourns on that day, it adjourn to meet at 2 p.m. on Monday, March 19th. **Page H1289**

President's Export Council—Appointment: The Chair announced the Speaker's appointment of the following Members of the House to the President's Export Council: Representatives Reichert, Gerlach, Tiberi, Sutton, and Linda Sánchez (CA). **Page H1291**

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H1285.

Senate Referral: S. 1855 was held at the desk.

Quorum Calls—Votes: Four recorded votes developed during the proceedings of today and appear on pages H1286, H1286–87, H1288, and H1288–89. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 3:05 p.m.

Committee Meetings

APPROPRIATIONS—DEPARTMENT OF TRANSPORTATION

Committee on Appropriations: Subcommittee on Transportation, Housing and Urban Development held a hearing on FY 2013 Budget Request for Department of Transportation. Testimony was heard from Ray LaHood, Secretary, Department of Transportation.

APPROPRIATIONS—DEFENSE HEALTH PROGRAM BUDGET

Committee on Appropriations: Subcommittee on Defense held a hearing on FY 2013 Budget Request for Defense Health Program Budget. Testimony was heard from Jonathan Woodson, Assistant Secretary of Defense for Health Affairs; Lieutenant General Patricia D. Horoho, Surgeon General of the Army; Vice Admiral Matthew L. Nathan, Surgeon General of the Navy; and Lieutenant General Charles B. Green, Surgeon General of the Air Force.

APPROPRIATIONS—FOOD SAFETY AND INSPECTION SERVICE

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on FY 2013 Budget Request, Food Safety and Inspection Service. Testimony was heard from Elizabeth A. Hagen, Under Secretary for Food Safety, Department of Agriculture; Alfred V. Almanza, Administrator, Food Safety and Inspection Service, Department of Agriculture; and Michael Young, Budget Officer, Department of Agriculture.

APPROPRIATIONS—IMMIGRATION AND CUSTOMS ENFORCEMENT

Committee on Appropriations: Subcommittee on Homeland Security held a hearing on FY 2013 Budget Request for Immigration and Customs Enforcement. Testimony was heard from John Morton, Assistant Secretary, Immigration and Customs Enforcement.

ARMY AND MARINE CORPS GROUND SYSTEM MODERNIZATION

Committee on Armed Services: Subcommittee on Tactical Air and Land Forces held a hearing on Army and Marine Corps ground system modernization programs. Testimony was heard from Lieutenant General Robert P. Lennox, USA, Deputy Chief of Staff, G–8, U.S. Army; Lieutenant General William N. Phillips, USA, Military Deputy to the Assistant Secretary (Acquisition, Logistics, and Technology), U.S. Army; Lieutenant General Richard P. Mills, USMC, Deputy Commandant for Combat Development and Integration, U.S. Marine Corps; Brigadier General Frank L. Kelley, USMC, Commander, Systems Command, U.S. Marine Corps; and William E. Taylor, Program Executive Officer for Land Systems.

REDUCTIONS IN OVERSEAS BASES

Committee on Armed Services: Subcommittee on Readiness held a hearing on request for authorization of another BRAC round and additional reductions in overseas bases. Testimony was heard from Brian Lepore, Director, Defense Capabilities Assessment, Government Accountability Office.

NATIONAL SECURITY SPACE ACTIVITIES

Committee on Armed Services: Subcommittee on Strategic Forces held a hearing on Fiscal Year 2013 National Defense Authorization Budget Request for national security space activities. Testimony was heard from General William L. Shelton, USAF, Commander, Air Force Space Command; Gil I. Klinger, Deputy Assistant Secretary of Defense, Space and Intelligence; Gregory L. Schulte, Deputy Assistant Secretary of Defense, Space Policy; and Betty J. Sapp, Principal Deputy Director, National Reconnaissance Office.

BUDGET COMMITTEE—MEMBERS' DAY

Committee on the Budget: Full Committee held a hearing entitled ''Members' Day''. Testimony was heard from Members of the 112th Congress.

DEPARTMENT OF ENERGY FY 2013 BUDGET REQUEST

Committee on Energy and Commerce: Subcommittee on Energy and Power held a hearing entitled ''The FY 2013 DOE Budget''. Testimony was heard from Steven Chu, Secretary, Department of Energy.

FOOD AND DRUG ADMINISTRATION USER FEES 2012

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled ''FDA User Fees 2012: Hearing on Issues Related to Accelerated Approval, Medical Gas, Antibiotic Development and Downstream Pharmaceutical Supply Chain''. Testimony was heard from Janet Woodcock, Director, Center for Drug Evaluation and Research, Food and Drug Administration; and public witnesses.

ELIMINATING WASTE, FRAUD, ABUSE, AND DUPLICATION IN THE DEPARTMENT OF HOMELAND SECURITY

Committee on Homeland Security: Subcommittee on Oversight, Investigations, and Management held a hearing entitled ''Eliminating Waste, Fraud, Abuse, and Duplication in the Department of Homeland Security''. Testimony was heard from James Gilmore III, Congressional Advisory Panel to Assess Domestic Response Capabilities for Terrorism Involving Weapons of Mass Destruction; Cathleen Berrick, Managing Director, Homeland Security and Justice Issues, Government Accountability Office; Charles K. Edwards, Acting Inspector General, Department of Homeland Security; and public witness.

LEGISLATIVE MEASURE

Committee on the Judiciary: Subcommittee on the Constitution held a hearing on H.R. 2299, the ''Child Interstate Abortion Notification Act''. Testimony was heard from public witnesses.

BUDGET AND LEGISLATIVE PROPOSALS FOR THE BUREAU OF OCEAN ENERGY MANAGEMENT AND BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT

Committee on Natural Resources: Subcommittee on Energy and Mineral Resources held a hearing entitled ''Effects of the President's FY 2013 Budget and Legislative Proposals for the Bureau of Ocean Energy Management (BOEM) and Bureau of Safety and Environmental Enforcement (BSEE) on Private Sector Job Creation, Domestic Energy Production, Safety, and Deficit Reduction''. Testimony was heard from Tommy Beaudreau, Director, Bureau of Ocean Energy Management; James Watson, Director, Bureau of Safety and Environment; and public witnesses.

LEGISLATIVE MEASURES

Committee on Natural Resources: Subcommittee on National Parks, Forest and Public Lands held a hearing on H.R. 752, the ''Molalla River Wild and Scenic Rivers Act''; H.R. 1415, the ''Chetco River Protection Act of 2011''; H.R. 3377, the ''Pine Forest Range Recreation Enhancement Act of 2011''; and H.R. 3436, to expand the Wild Rogue Wilderness Area in the State of Oregon, to make additional wild and scenic river designations in the Rogue River area, and to provide additional protections for Rogue River tributaries, and for other purposes. Testimony was heard from Representatives Amodei and DeFazio; Mike Pool, Deputy Director, Bureau of Land Management; Jim Pena, Associate Deputy Chief, Forest Service, Department of Agriculture; and public witness.

FOOD STAMP FRAUD AS A BUSINESS MODEL: USDA'S STRUGGLE TO POLICE STORE OWNERS

Committee on Oversight and Government Reform: Full Committee held a hearing entitled ''Food Stamp Fraud as a Business Model: USDA's Struggle to Police Store Owners''. Testimony was heard from Kevin Concannon, Under Secretary for Food, Nutrition and Consumer Services, Department of Agriculture; Phyllis K. Fong, Inspector General, Department of Agriculture; Kenya Mann Faulkner, Inspector General, Pennsylvania Office of Inspector General; and public witnesses.

NATIONAL SCIENCE FOUNDATION MAJOR RESEARCH EQUIPMENT AND FACILITIES MANAGEMENT

Committee on Science, Space, and Technology: Subcommittee on Research and Science Education held a hearing entitled ''NSF Major Research Equipment and Facilities Management: Ensuring Fiscal Responsibility Accountability''. Testimony was heard from Cora Marrett, Deputy Director, National Science Foundation; Jose-Marie Griffiths, Chairman, Subcommittee on Facilities, National Science Board; Vice President of Academic Affairs, Bryant University; and public witnesses.

ARE GOVERNMENT REGULATIONS IMPEDING SMALL ENERGY PRODUCERS AND HARMING ENERGY SECURITY?

Committee on Small Business: Subcommittee on Investigations, Oversight and Regulations held a hearing entitled ''Powering Down: Are Government Regulations Impeding Small Energy Producers and Harming Energy Security?''. Testimony was heard from Marie Johns, Deputy Administrator, Small Business Administration; and David Powner, Director, Information Technology Management Issues, Government Accountability Office.

MISCELLANEOUS MEASURES

Committee on Transportation and Infrastructure: Full Committee held a markup on the following: H.R. 2903, the ''FEMA Reauthorization Act of 2011''; H.R. 4097, the ''John F. Kennedy Center Reauthorization Act of 2012''; and H.R. 3556, to designate the new United States courthouse in Buffalo, New York, as the ''Robert H. Jackson United States Courthouse''. The following were ordered reported without amendment: H.R. 4097; H.R. 2903; H.R. 3556; Fiscal Year 2013 Budget Views and Estimates of the Committee; and GSA Resolutions.

LEGISLATIVE MEASURES

Committee on Veterans' Affairs: Subcommittee on Economic Opportunity held a hearing on the following: H.R. 3329, to amend title 38 United States Code to extend the eligibility period for veterans to enroll in certain vocational rehabilitation programs; H.R. 3483, the ''Veterans Education Equity Act of 2011''; H.R. 3610, ''Streamlining Workforce Development Programs Act of 2011''; H.R. 3670, to require the Transportation Security Administration to comply with the Uniformed Services Employment and Reemployment Rights Act; H.R. 3524, the ''Disabled Veterans Employment Protection Act''; H.R. 4048, the ''Improving Contracting Opportunities for Veteran-Owned Small Businesses Act of 2012''; H.R. 4051, the ''TAP Modernization Act of 2012''; H.R. 4052, the ''Recognizing Excellence in Veterans Education Act of 2012''; H.R. 4057, the ''Improving Transparency of Education Opportunities for Veterans Act of 2012''; and H.R. 4072, the ''Consolidating Veteran Employment Services for Improved Performance Act of 2012''. Testimony was heard from Curtis L. Coy, Deputy Under Secretary for Economic Opportunity, Veterans Benefits Administration, Department of Veterans Affairs; and public witnesses.

AN UPDATE ON OUR NATIONAL CEMETERIES

Committee on Veterans' Affairs: Subcommittee on Disability Assistance and Memorial Affairs held a hearing entitled ''Honoring America's Fallen Heroes: An Update on our National Cemeteries''. Testimony was heard from Steven Muro, Under Secretary for Memorial Affairs, National Cemetery Administration, Department of Veterans Affairs; Kathryn Condon, Executive Director of Army National Cemeteries Program, Department of Defense; Raymond Wollman, Deputy Secretary, American Battle Monuments Commission Courthouse; and public witnesses.

MISCELLANEOUS MEASURE

Committee on Ways and Means: Full Committee held a markup of H.R. 452, the ''Medicare Decisions Accountability Act of 2011''. The bill was ordered reported, as amended.

COMMITTEE VIEWS AND ESTIMATES ON THE PRESIDENT'S BUDGET FOR FY 2013

House Permanent Select Committee on Intelligence: Full Committee held a markup of Committee Views and Estimates on the President's Budget for Fiscal Year 2013. The letter was approved.

ONGOING INTELLIGENCE ACTIVITIES

House Permanent Select Committee on Intelligence: Full Committee held a hearing on ongoing intelligence activities.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR FRIDAY, MARCH 9, 2012

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No hearings are scheduled.

Next Meeting of the SENATE

2 p.m., Monday, March 12

Senate Chamber

Program for Monday: After the transaction of any morning business (not to extend beyond 4 p.m.), Senate will resume consideration of S. 1813, Moving Ahead for Progress in the 21st Century.

Next Meeting of the HOUSE OF REPRESENTATIVES

11 a.m., Friday, March 9

House Chamber

Program for Friday: The House will meet in pro forma session at 11 a.m.

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