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House of Representatives

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
April 16, 2012.

I hereby appoint the Honorable ANDY HARRIS to act as Speaker pro tempore on this day.

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

PRAYER

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

Dear Lord, we give You thanks for giving us another day.

At the beginning of a new workweek, we use this moment to be reminded of Your presence and to tap the resources needed by the Members of this people's House to do their work as well as it can be done.

We ask that You send Your Holy Spirit upon them, giving them the gifts of patience and diligence. With all the pressures for action that cry out each day and with all the concern and worry that accompanies any responsibility, we pray that they might know Your peace, which surpasses all human understanding.

May Your voice speak to them in the depths of their hearts, illuminating their minds and spirits, thus enabling them to view the tasks of this day with confidence and hope. All this day and through the week, may they do their best to find solutions to the pressing issues facing our Nation.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. KINZINGER of Illinois 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.

ENERGY PARTNERSHIPS IN SOUTH CAROLINA

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

Mr. WILSON of South Carolina. Mr. Speaker, as I traveled across the Second Congressional District of South Carolina over the last constituent workweek, I became increasingly aware of a growing relationship between the Savannah River National Laboratory and one of their regional research universities, the University of South Carolina.

These two entities are working together to address key national energy needs in nuclear, hydrogen, fuel cells, environmental science, advanced sensors, modular nuclear reactors, and alternative energy, in addition to other areas of great national interest. The two institutions anticipate the future formation of a joint technology commercialization initiative involving the Darla Moore School of Business at the University of South Carolina to build new technology-based businesses and create jobs.

I look forward to these joint collaborations with the Savannah River National Laboratory, and I am confident their success will be of great benefit to South Carolina and our Nation.

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

Rest in peace, Medal of Honor recipient Army Master Sergeant John F. Baker, Jr., of Columbia, South Carolina, and Rock Island, Illinois, for his heroic service in Vietnam, who was buried at Arlington National Cemetery today.

URGING CONGRESSIONAL ACTION ON STUDENT LOANS

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

Mr. COURTNEY. Mr. Speaker, unless this Congress acts, in 75 days, the interest rate for the Stafford student loan program will explode for 8 million college students. Unless Congress acts, the rate will jump from 3.4 percent to 6.8 percent. At a time when student loan debt now exceeds credit card debt, added interest costs for a student using Stafford will increase between $5,000 and $10,000.

It is unconscionable that the Republican leadership will not bring up H.R. 3826, a bill I've introduced with 119 cosponsors to lock in the lower rate. Incredibly, the chair of the Subcommittee on Higher Education spoke last week in North Carolina and said: I have very little tolerance for people who tell me they graduate with $200,000 of debt or even $80,000 of debt.

Really? It is a sad statement when today's Republican Party turns its back on a program that helps millions of Americans fulfill their dreams and that is named after Republican Senator Robert Stafford of Vermont.

Stop the rate hike. Bring up H.R. 3826 for a vote, and keep the American

Printed on recycled paper.

Dream alive for millions of college students.

NORTH KOREA'S NUCLEAR AMBITIONS

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

Mr. KINZINGER of Illinois. Mr. Speaker, last week, the North Korean regime sent a clear message of defiance to the world community. Rather than work toward a peaceful agreement, North Korea would prefer its people starve in order to pursue its nuclear ambitions. The failure of the long-range missile test undermines the credibility of the North's new leadership and requires the United States to stand firm in support of stronger penalties.

North Korea has one ally in the region that has the power to force them to negotiate in good faith. It's time China stepped up and realized that its economic success is dependent on peace in the region and around the world. With China's rise comes responsibility. I encourage China to use this opportunity to force the North Korean regime to abandon its nuclear missile program and support the welfare of its people; and I encourage the United States to continue a strong posture, peace through strength, in the hopes that someday strength makes war obsolete.

STRENGTHENING THE U.S.-MEXICO RELATIONSHIP

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

Mr. DREIER. Mr. Speaker, I have long aspired to a relationship at the U.S.-Mexican border like the one that the United States of America has with Canada. And I know that raises some red flags, but the fact of the matter is three things need to be done: We need to have economies of scale, an end to illegal immigration, and an end to narcotrafficking.

One of the things that is essential is economic growth in Mexico, and many people have constantly talked about the fact that we have nothing but rich and poor. And while that disparity still exists, there's a very important study, and I just got this from Arturo Sarukhan, the great Mexican Ambassador to the United States, entitled, ''Mexico: A Middle Class Society, Poor No More, Developed Not Yet,'' by two academics, Luis de la Calle and Luis Rubio.

Mr. Speaker, in this document—and I commend it to my colleagues; I suspect it's been sent to a number of them—they talk about the fact that we have seen the middle class in Mexico emerge dramatically within the last half century. The study points to the fact that in 1960, a majority of Mexicans lived in one-room homes. Today, a majority of Mexicans lives in homes with three rooms or larger.

If you look at the other tremendous indications, the fact that there is a burgeoning middle class in Mexico is a positive sign towards dealing with the challenges that we have.

Again, Mr. Speaker, I commend this document to my colleagues.

NATIONAL MEDIA IS NOT MAINSTREAM

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

Mr. SMITH of Texas. Mr. Speaker, today's so-called ''mainstream'' media is not mainstream. The modern encyclopedia, Wikipedia, says, ''The term 'mainstream' media denotes those media generally reflective of the prevailing currents of thought, influence, or activity.'' But the opinions expressed by the media are neither widespread nor accepted by the majority of Americans.

For example, journalists and the public have very different views regarding illegal immigration. According to a Pew Research Center poll, less than one in five journalists said they thought ''reducing illegal immigration'' was a ''top priority.'' Yet over half the American people rate illegal immigration reduction as a ''top priority.''

The national media should not be considered ''mainstream'' until the majority of Americans and journalists are on the same page. The bias of the national media's journalists has caused them not only to be on a different page but also to be in an entirely different publication than the typical American. To call today's national media ''mainstream'' is simply inaccurate. The national media is better described as the ''liberal'' national media.

RECESS

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

Accordingly (at 2 o'clock and 10 minutes p.m.), the House stood in recess.

□ 1600

AFTER RECESS

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

RAOUL WALLENBERG CENTENNIAL CELEBRATION ACT

Mr. LUETKEMEYER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3001) to award a Congressional Gold Medal to Raoul Wallenberg, in recognition of his achievements and heroic actions during the Holocaust.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3001

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Raoul Wallenberg Centennial Celebration Act''.

SEC. 2. FINDINGS.

The Congress finds as follows:

(1) Raoul Wallenberg was born in Europe on August 4, 1912, to Swedish Christian parents.

(2) In 1935, he graduated from the University of Michigan in Ann Arbor, completing a five-year program in three-and-a-half years.

(3) In a letter to his grandfather, Wallenberg wrote of his time in America: ''I feel so at home in my little Ann Arbor that I'm beginning to sink down roots here and have a hard time imagining my leaving it. . . . Every now and then I feel strange when I think about how tiny my own country is and how large and wonderful America is.''.

(4) Raoul returned to Sweden, where he began a career as a businessman, and afterwards, a Swedish diplomat.

(5) In 1936, Raoul's grandfather arranged a position for him at the Holland Bank in Haifa, Palestine. There Raoul began to meet young Jews who had already been forced to flee from Nazi persecution in Germany. Their stories affected him deeply.

(6) He was greatly troubled by the fate of Jews in Europe, confiding to actress Viveca Lindfors the horrific plight of Jews under Nazi Europe.

(7) Under the direction of President Franklin D. Roosevelt, the War Refugee Board was established in January 1944 to aid civilians that fell victim to the Nazi and Axis powers in Europe.

(8) One of War Refugee Board's top priorities was protection of the 750,000 Hungarian Jews still alive.

(9) It was decided that Raoul Wallenberg, aged 31 at the time, would be most effective in protecting Jews and victims of the Nazis in Hungary under the War Refugee Board. He was recruited by Iver Olsen, an agent for the Office of Strategic Services and sent to Budapest, Hungary, under his official profession as a Swedish diplomat. He was instructed to use passports and other creative means to save as many lives as possible.

(10) Wallenberg created a new Swedish passport, the Schutzpass, which looked more imposing and official than the actual Swedish passport. He reportedly put up huge place cards of it throughout Budapest to make the Nazis familiar with it. He unilaterally announced that it granted the holder immunity from the death camps. The Schutzpasses alone are credited with saving 20,000 Jewish lives.

(11) In one example of his heroism, Wallenberg was told of a Nazi plot to round up several thousand Jewish women and acted swiftly to save them. Former Wallenberg staffer, Agnes Adachi, recalls the time when she and other staff, spent the whole night

making around 2,000 Schutzpasses before 6 a.m. They were all completed and personally delivered to the women in time to save their lives.

(12) Using the money the United States put into the War Refugee Board, Wallenberg was able to purchase about thirty buildings, which he used as hospitals, schools, soup kitchens, and safe houses for over 8,000 children whose parents have already been deported or killed.

(13) Tommy Lapid, a young boy who was staying with his mother in a Swedish safe house (his father was already dead), gave an eyewitness account of how his family was helped by Wallenberg and the War Refugee Board: ''One morning, a group of Hungarian Fascists came into the house and said that all the able-bodied women must go with them. We knew what this meant. My mother kissed me and I cried and she cried. We knew we were parting forever and she left me there, an orphan to all intents and purposes. Then two or three hours later, to my amazement, my mother returned with the other women. It seemed like a mirage, a miracle. My mother was there—she was alive and she was hugging me and kissing me, and she said one word: Wallenberg.''.

(14) Even as the war was coming to a close, Wallenberg remained vigilant and attentive to the people under his care. Adolf Eichmann, the SS colonel charged with the extermination of Jews in Eastern Europe, was determined to exterminate the 70,000 Jews kept as prisoners in a guarded ghetto in Budapest. As soon as Wallenberg heard of the plot, he sent Pal Szalay, an Arrow-Crossman senior official, who defected and turned to Wallenberg. Szalay was sent to speak to General Schmidthuber, who was ordered to spearhead the ghetto extermination in Budapest. Szalay informed Schmidthuber that, seeing as the war was coming to an end, if the planned massacre took place, Wallenberg would see to it personally that Schmidthuber would be prosecuted as a war criminal and hanged. The plans were ultimately abandoned and considered Wallenberg's last big victory.

(15) Of the 120,000 Hungarian Jews that survived, Raoul Wallenberg, acting under the War Refugee Board, is credited with saving an estimated 100,000 of them in a six-month period.

(16) Raoul Wallenberg's fate remains a mystery. In January 13, 1945, he contacted the Russians in an effort to secure food for the Jews under his protection—as he was still working hard to protect them.

(17) In 1981, President Ronald Reagan made Raoul Wallenberg an honorary citizen of the United States, an honor only previously extended to Winston Churchill.

(18) These findings show that Raoul Wallenberg showed exceptional heroism and bravery with his actions during the holocaust. Working with the War Refugee Board, a United State's agency, he was able to save about 100,000 Hungarian Jews, many of which were later able to immigrate to the United States.

(19) Indeed, hundreds of thousands of American Jews can directly or indirectly attribute their own lives to Raoul Wallenberg's actions during World War II. Many of the people Wallenberg saved have been influential citizens contributing to American institutions and culture, including Congressman Tom Lantos (February 1, 1928–February 11, 2008), Annette Lantos, and the Liska Rebbe, Rabbi Yoizef (Joseph) Friedlander, who carried forth the Liska Hassidic dynasty from Hungary to the United States after being saved by Raoul Wallenberg.

(20) His actions and character make him an excellent contender for a Congressional Gold Medal in time for the centennial of his birth, to celebrate his achievements and humanitarian accomplishments.

SEC. 3. CONGRESSIONAL GOLD MEDAL.

(a) PRESENTATION AUTHORIZED.—The Speaker of the House of Representatives and the President pro tempore of the Senate shall make appropriate arrangements for the presentation, on behalf of the Congress, of a gold medal of appropriate design to the next of kin or personal representative of Raoul Wallenberg, in recognition of his achievements and heroic actions during the Holocaust.

(b) DESIGN AND STRIKING.—For the purpose of the presentation referred to in subsection (a), the Secretary of the Treasury shall strike a gold medal with suitable emblems, devices, and inscriptions to be determined by the Secretary.

SEC. 4. DUPLICATE MEDALS.

Under such regulations as the Secretary of the Treasury may prescribe, the Secretary may strike duplicate medals in bronze of the gold medal struck pursuant to section 3 and sell such duplicate medals at a price sufficient to cover the costs of the duplicate medals (including labor, materials, dies, use of machinery, overhead expenses) and the cost of the gold medal.

SEC. 5. STATUS OF MEDALS.

(a) NATIONAL MEDALS.—The medals struck pursuant to this Act are national medals for purposes of chapter 51 of title 31, United States Code.

(b) NUMISMATIC ITEMS.—For purposes of section 5134 of title 31, United States Code, all medals struck under this Act shall be considered to be numismatic items.

SEC. 6. AUTHORITY TO USE FUND AMOUNTS; PROCEEDS OF SALE.

(a) AUTHORIZATION OF CHARGES.—There is authorized to be charged against the United States Mint Public Enterprise Fund, such amounts as may be necessary to pay for the costs of the medals struck pursuant to this Act.

(b) PROCEEDS OF SALE.—Amounts received from the sale of duplicate bronze medals under section 4 shall be deposited in the United States Mint Public Enterprise Fund.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. LUETKEMEYER) and the gentleman from New York (Mr. MEEKS) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

GENERAL LEAVE

Mr. LUETKEMEYER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to add extraneous material to the bill.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 3001, the Raoul Wallenberg Centennial Celebration Act, introduced by my colleague, the gentleman from New York (Mr. MEEKS). This legislation, cosponsored by 301 of our colleagues, including myself, seeks to authorize the striking and awarding of a Congressional Gold Medal honoring Raoul Wallenberg in recognition of his heroism in saving tens of thousands of lives in Nazi-occupied Budapest during World War II. Mr. Wallenberg truly personified the definition of a humanitarian, a hero, and a defender of individuals facing persecution and near-certain death at the hands of a truly inhumane Nazi regime.

Born into an affluent Swedish family of diplomats and bankers, Raoul Wallenberg developed a keen interest in foreign cultures and languages at an early age. He became fluent in English, French, German, and Russian, and after graduating from high school attended the University of Michigan to study architecture. In 1936, a year after graduation, he accepted a job at the Central European Trading Company, an export-import company with operations in Stockholm and Eastern Europe. He quickly became joint owner and international director of the firm, and traveled throughout Europe to assist his boss, a Hungarian Jew. During this period, Mr. Wallenberg immersed himself in the Hungarian language and culture and witnessed the Nazis' increasing stranglehold on Europe.

While Hungary was nominally an Axis power, it sought a secret peace pact with the Allies. When that was discovered, Adolf Hitler invaded Hungary in March of 1944. Under the Nazi occupation, Hungarian Jews faced immediate deportation to the Auschwitz-Birkenau concentration camp in southern Poland. Jews living in Budapest desperately sought help from the embassies of neutral countries, which could provide short-term identity passes to escape the Nazis. The Swedish delegation was successful in ensuring that the provisional passes would allow the bearers to be treated as Swedish citizens, providing a great deal of protection.

In 1944, the United States created the War Refugee Board for the purposes of rescuing European Jews from Nazi persecution. The Board worked closely with the Swedish delegation to locate a Swedish national to spearhead a rescue operation for Jews facing deportation. Raoul Wallenberg, then a 32-year-old prominent businessman who had a keen familiarity with Hungary, was given the daunting task. In July 1944, when he arrived in Budapest as the First Secretary of the Swedish delegation, more than 400,000 Jewish citizens already had been deported by SS Officer Adolf Eichmann. Only 230,000 Jews were left.

Wallenberg succeeded in designing a facsimile Swedish passport to be issued to Jews trapped in Budapest. They were authentic enough to pass the inspection of local officials, and Wallenberg employed several hundred workers, all of Jewish descent, to produce and issue more than 10,000. He also constructed more than 30 buildings that allowed more than 15,000 Jews to find shelter under the banner of the Swedish delegation. A Swedish flag hung in front of every door, and residents in every building were granted diplomatic immunity.

In November 1944, Eichmann began a campaign of death marches, forcing

large numbers of the remaining Hungarian Jews to march out of Germany on foot. Wallenberg marched along with them. He handed out provisional passes, provided food, water, and medicine, and bribed Nazi guards to free those with passes, wielding the full authority of the Swedish government. For the persecuted who were deported by train, Wallenberg issued provisional passes on the train tracks, on the roofs, and even inside the train cars themselves. In one of his most important accomplishments, he prevented Eichmann's attempted massacre in Budapest's largest ghetto in January 1945. At the risk of his own life, Wallenberg used his diplomatic influence to secure a note from a prominent official calling off the massacre. Then, at the end of the war, he was taken by the Soviet army, allegedly for spying, and was never heard from again. He is said to have died in the KGB's Lubyanka prison in 1947.

Mr. Speaker, we remember Raoul Wallenberg for his unwavering courage in saving the lives of as many as 100,000 innocent men, women, and children. Awarding the Congressional Gold Medal to Mr. Wallenberg is the very least that we can do to honor a man who imperiled himself for a cause so worthy. We can now examine, with gratitude, a uniquely bright flame of valor in a terribly dark period of world history. Individuals such as Raoul Wallenberg were willing to make the ultimate sacrifice of life and livelihood to serve the greater good of humankind. It is my hope that his efforts and sacrifices will serve as an example for all of us and for future generations.

Mr. Speaker, I urge immediate passage, and I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, April 16, 2012.

Hon. SPENCER BACHUS,
Chairman, Committee on Financial Services, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN BACHUS: I am writing concerning H.R. 3001, the ''Raoul Wallenberg Centennial Celebration Act,'' which is scheduled for floor action the week of April 16, 2012.

As you know, the Committee on Ways and Means maintains jurisdiction over matters that concern raising revenue. H.R. 3001 contains a provision that provides for the sale of duplicate medals, and thus falls within the jurisdiction of the Committee on Ways and Means.

However, as part of our ongoing understanding regarding commemorative coin and medal bills and in order to expedite this bill for floor consideration, the Committee will forgo action. This is being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation in the future.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 3001, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration.

Sincerely,

DAVE CAMP,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, April 13, 2012.

Hon. DAVE CAMP,
Chairman, Committee on Ways and Means, Longworth House Office Building, Washington, DC.

DEAR CHAIRMAN CAMP: I am writing in response to your letter regarding H.R. 3001, the Raoul Wallenberg Centennial Celebration Act, which is scheduled for Floor consideration under suspension of the rules on Monday, April 16, 2012.

I wish to confirm our mutual understanding on this bill. The bill contains a provision for a charge for the sale of duplicate medals. I understand your concern with provisions that raise revenue and accordingly would fall under the jurisdiction of the Committee on Ways and Means. However, the bill is not expected to raise revenue.

Further, I appreciate your willingness to forego action by the Committee on Ways and Means on H.R. 3001 in order to allow the bill to come to the Floor expeditiously. I agree that your decision to forego further action on this bill will not prejudice the Committee on Ways and Means with respect to its jurisdictional prerogatives on this or similar legislation. Therefore, I would support your request for conferees on those provisions within your jurisdiction should this bill be the subject of a House-Senate conference.

I will include this exchange of letters in the Congressional Record when this bill is considered by the House. Thank you again for your assistance and if you should need anything further, please do not hesitate to contact Natalie McGarry of my staff.

Sincerely,

SPENCER BACHUS,
Chairman.

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

I rise today in favor of H.R. 3001, the Raoul Wallenberg Centennial Celebration Act. This bill will bestow the Congressional Gold Medal on a hero who is credited with saving thousands of lives during the Nazi occupation of Hungary in World War II. Raoul Wallenberg is one of the truly inspiring figures of the 20th century. Many prominent Americans owe their lives to Mr. Wallenberg and his heroic actions, including my friend and late colleague, Tom Lantos, and his lovely wife, Annette. Through the passage of this legislation, Congress can honor a true humanitarian for the sake of his family and the thousands of survivors who owe their lives to him.

Raoul Wallenberg, as my colleague has just said, was a Swedish special envoy to Budapest on a diplomatic mission established in collaboration with the American War Refugee Board and the American Jewish Joint Distribution Committee to initiate a rescue operation for Jews in Nazi-occupied Hungary. Over 150,000 Hungarian Jews had already been deported to Nazi death camps by the time Wallenberg arrived in Budapest. But through his ingenuity and even at times his bribing of others through the issuance of fake Swedish protective passes and sheltering in official Swedish diplomatic houses, Wallenberg unrelentingly sought to save Jews from Germans and their accomplices, risking his own life numerous times in the process, while there were others who were involved who gave their lives in the process.

During the Soviet siege of Budapest, Wallenberg was detained by Soviet authorities on suspicion of espionage and was never heard from again. Wallenberg's ultimate fate is unknown, and awarding the Congressional Gold Medal during this centennial celebration of his birth is the best opportunity I believe we have to resolving the mystery about Raoul Wallenberg's ultimate fate.

When we have a true hero—one who inspires us to be the very best that we can, one who says that we're going to rise above those individuals who mean no good, one who says they will put their own lives at stake so that others may live—those are the individuals that we need to honor; those are the individuals we need to bring to light so that every child, every human being, knows of those great heroic feats.

□ 1610

Because indeed, Mr. Speaker, it is individuals like Raoul Wallenberg who will take us to centuries yet to come and bring us together as a human family. So, I'm honored here today to put forth this bill, and I'd like to thank the over-300 colleagues here on the House floor who have cosponsored this bill and especially my colleague from New York, NAN HAYWORTH, who has been absolutely a delight to work with. As we pursued this bill and working together on the floor in getting signatures and talking to our colleagues, I really enjoyed immensely working with Congresswoman HAYWORTH in bringing this bill to the floor.

I also want to thank the Raoul Wallenberg Centennial Celebration Commission, headed by Ezra Friedlander, and the American Jewish Committee, the Jewish Federations of North America, the Lantos Foundation, the University of Michigan, and the Hungarian and Swedish ambassadors for all of their hard work on this legislation to honor Wallenberg's memory and to celebrate the innumerable individuals who live today because their relatives were saved through his efforts. I ask my colleagues to vote in favor of H.R. 3001 and award Raoul Wallenberg the Congressional Gold Medal.

I reserve the balance of my time.

Mr. LUETKEMEYER. Mr. Speaker, at this time, I would like to yield as much time as she would consume to the gentlewoman from New York (Ms. HAYWORTH). As the gentleman from New York indicated, she has worked tirelessly on this issue and is one of the most respected newest Members of our body.

Ms. HAYWORTH. I thank our distinguished colleague from Missouri. Of course, I reciprocate the sentiments

that Congressman MEEKS has expressed. We share a State, and we share a common vision that elevates all of us as individuals and as a Nation and, indeed, as citizens of a world that so much needs the acts of courage and moral integrity that Raoul Wallenberg brought to bear, that he represents for all of us today.

It is such a privilege to work together with all of those who owe their lives to Raoul Wallenberg's action, including a Member of our own body, Congressman Tom Lantos, who now, of course, is no longer with us in this body; but he and his wife, Annette, were spared as a result of Raoul Wallenberg's actions. Indeed, although Mr. Wallenberg lived in the 20th century, his life illuminates us in the 21st century today, and his legacy is represented in the lives of a million descendants around the world, including, of course, here in the United States of those whom Raoul Wallenberg saved.

It is an absolute privilege to have brought this bill to the attention of our colleagues and to have the enthusiastic support of so many who were very happy to cosponsor this bill with Congressman MEEKS and with me. So I am delighted to think that it will, indeed, bring us one step closer to bestowing one of our highest civilian honors on a man who has done so much for humanity and so much for America in so many ways, Raoul Wallenberg.

Mr. MEEKS. I yield 1 minute to the gentleman from Florida (Mr. HASTINGS).

Mr. HASTINGS of Florida. I thank our good friend and colleague for yielding, and I thank him and Ms. HAYWORTH for their extraordinary work in causing us to recognize Raoul Wallenberg.

I came in contact with the name Raoul Wallenberg and with the official portrait that the Lantos Foundation and others have put together, and I just stand to say to you all that I vigorously support and was a cosponsor of this measure. But more importantly, I know that Tom would be looking down today and thanking all of us, and later, I'm sure with Mrs. Lantos, those that gather would assuredly recognize the extraordinary work that you did in bringing this to the body. And as GREGORY said, Raoul Wallenberg's fate may be unknown, but his fate today is known, and that is that he saved a lot of people, and he is rightly recognized by us for that.

Mr. LUETKEMEYER. Mr. Speaker, at this time, I'd like to yield to the gentleman from Indiana (Mr. BURTON) as much time as he would consume.

Mr. BURTON of Indiana. I want to thank NAN and my good friend, GREG MEEKS, for introducing this bill. GREG and I recently were in Budapest, and we were there for a celebration at the statue of Raoul Wallenberg; and it is something that I'll never forget. It was a good time and a very important time.

What do you say about somebody like Raoul Wallenberg or Schindler? These people risked their lives to save people who were going to be killed, going to be put in gas chambers, never to be heard from again. And 6 million people died because there weren't more people like Raoul Wallenberg and Schindler.

So, I just want to say I've heard from my colleagues today the things that I would like to have said, and they said it very well; but I just say, in closing, thank God that there are people who are willing to risk their lives to help their fellow man. There just aren't enough of them. When I look around the world and see the horrible tragedies that are taking place in Africa and elsewhere, it makes you wonder if we're ever going to see people like that again, but thank God we have somebody like Raoul Wallenberg.

Mr. MEEKS. I just want to thank the chairman of the European subcommittee for recalling that great day we did have in Budapest at the statue of Raoul Wallenberg. It was a great moment and a solemn moment. When you think about Raoul Wallenberg and when you think about the over 300 Members of this body that are cosponsoring it, today what Raoul Wallenberg is doing is bringing us together. Yet today, Raoul Wallenberg as well, even here in the House as we look and work unanimously on this bill, is bringing people together from all parts of the world, from all kinds of backgrounds, saying that we are standing together for what is right and for a better tomorrow.

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

Mr. LUETKEMEYER. Mr. Speaker, I have no further requests for time at this point, and yield back the balance of my time.

Mr. SMITH of New Jersey. Mr. Speaker, I rise in strong support of my colleague Mr. MEEKS' bill to award Raoul Wallenberg a Congressional Gold Medal in recognition of his heroic action in saving the lives of Jews in Hungary during the Holocaust.

Few people could be more deserving of a Congressional Gold Medal than Raoul Wallenberg, a Swedish diplomat stationed in Budapest with the American War Refugee Board, who, at great risk to himself, is credited with saving the lives of approximately 100,000 Jews. In the closing months of World War II, Wallenberg issued Swedish passports to Jews, and was instrumental in preventing the extermination of the Nazi-created Jewish ghetto in Budapest. Many moving stories are told of the depth of his personal concern for the Jews of Hungary, living under threat of death—and of his fortitude and tireless energy in resisting the monstrous plans of the Nazis.

Mr. Speaker, I'd also like to draw attention to H. Res. 610, a resolution I introduced, with my colleague Mr. TURNER of New York, on the fate of Raoul Wallenberg. As Mr. MEEKS' bill points out, "the fate of Raoul Wallenberg remains a mystery." Yet in this mystery we have a few clues—he was arrested by Soviet forces in Hungary in 1945, and, without going into detail on the subsequent Soviet explanations of what happened to him in their custody, we can certainly say that they are incomplete, inconsistent, and unreliable. We have more than sufficient reason to suspect that the Soviet government has never dealt frankly In explaining what happened to Wallenberg. Most people knowledgeable about the case believe that the Soviet government executed Wallenberg. So my and Mr. TURNER's resolution asks the President and Secretary of State to press the Russian government for a full and complete accounting of Wallenberg's fate. Certainly sixty-seven years after Wallenberg's disappearance, and twenty-two after the demise of the Soviet Union, this is long overdue.

I thank my friend Mr. MEEKS FOR his bill to award Wallenberg the Congressional Gold Medal, and urge my colleagues to support it.

Mr. VAN HOLLEN. Mr. Speaker, I rise today as a cosponsor of H.R. 3001 to reiterate my support for awarding a Congressional Gold Medal to Raoul Wallenberg for his heroic and brave actions during the holocaust that resulted in the saving of 100,000 Hungarian Jewish lives.

During World War II, Raoul Wallenberg at the age of 31 was sent to Budapest to serve as a Swedish diplomat. The Holocaust was underway throughout Europe and he was instructed by his government to use the tools of his office, including passports and other creative means, to save as many lives as possible. Wallenberg devised a new Swedish passport, the Schutzpass, especially for the purpose of protecting Hungarian Jews. He designed it to look more imposing and official than the actual Swedish passport. The Schutzpass granted the bearer immunity from being sent to the death camps and is credited with saving 20,000 Jewish lives.

Through this and other actions, Wallenberg helped save 100,000 of the 120,000 Hungarian Jews that survived the holocaust in Hungary and hundreds of thousands of American Jews can directly or indirectly attribute their own lives to his efforts. In recognition of these efforts, in 1981, President Ronald Reagan made Raoul Wallenberg an honorary citizen of the United States, an honor only previously extended to Winston Churchill.

I ask my colleagues to join me in support of this legislation in the memory of Raoul Wallenberg and in recognition of his bravery and for the many lives he helped save during World War II.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. LUETKEMEYER) that the House suspend the rules and pass the bill, H.R. 3001.

The question was taken.

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

Mr. LUETKEMEYER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

□ 1620

LENA HORNE RECOGNITION ACT

Mr. LUETKEMEYER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1815) to posthumously award a Congressional Gold Medal to Lena

Horne in recognition of her achievements and contributions to American culture and the civil rights movement.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1815

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Lena Horne Recognition Act''.

SEC. 2. FINDINGS.

The Congress finds as follows:

(1) Lena Mary Calhoun Horne was born on June 30, 1917, in Brooklyn, New York.

(2) At the age of 16, Lena Horne was hired as a dancer in the chorus of Harlem's famous Cotton Club, where she was introduced to such legendary jazz performers as Duke Ellington, Cab Calloway, Count Basie, Ethel Waters, and Billie Holiday.

(3) In 1940, Lena Horne became one of the first African-American women to perform with an all-White band when she toured with Charlie Barnet's jazz band as its featured singer.

(4) Lena Horne was discovered by a Metro-Goldwyn-Mayer (MGM) talent scout and became the first Black artist to sign a long-term contract with a major studio.

(5) Despite her extraordinary beauty and talent, Lena Horne was often limited to minor acting roles because of her race.

(6) Scenes in which she did sing were cut out when they were sent to local distributors in the South and studio executives cast Ava Gardner as Julie in the film version of Show Boat instead of Lena Horne because they did not want it to star a Black actress.

(7) However, Lena Horne dazzled audiences and critics in a number of films, including Cabin in the Sky and Stormy Weather.

(8) During World War II, Lena Horne toured extensively with the United Service Organizations (USO) on the West Coast and in the South in support of the troops and expressed outrage about the way Black soldiers were treated.

(9) She refused to sing for segregated audiences or to groups in which German prisoners of war were seated in front of African-American servicemen.

(10) During the period of McCarthyism in the 1950s, Lena Horne was blacklisted as a communist for 7 years because of her civil rights activism and friendship with Paul Robeson and W.E.B. Du Bois.

(11) Although Lena Horne continued to face discrimination, her musical and acting career flourished.

(12) In 1957, Lena Horne recorded Lena Horne at the Waldorf-Astoria, which reached the Top 10 and became the best-selling album by a female singer in RCA Victor's history.

(13) Lena Horne rose to international stardom and toured the world, sharing the stage with such names as Count Basie, Tony Bennett, Billy Eckstein, Vic Damone, and Harry Belafonte and also starred in musical and television specials with such giants as Judy Garland, Bing Crosby, and Frank Sinatra.

(14) Lena Horne used her fame to become a powerful voice for civil rights and equality.

(15) In 1963, she participated in the historic March on Washington for Jobs and Freedom, at which Dr. Martin Luther King, Jr. delivered his immortal ''I Have a Dream'' speech.

(16) Lena Horne also performed at rallies throughout the country for the National Council for Negro Women and worked with the National Association for the Advancement of Colored People (NAACP), of which she was a member since the age of 2, the National Council of Negro Women, the Delta Sigma Theta sorority, and the Urban League.

(17) Through the end of the 20th century, Lena Horne continued to entertain large audiences of all ages and backgrounds and appeared on numerous television shows, including Sesame Street, Sanford and Son, The Muppet Show, The Cosby Show, and A Different World.

(18) In 1978, she was in the film adaption of The Wiz.

(19) In 1981, Ms. Horne captivated audiences with her one-woman Broadway show, Lena Horne: The Lady and Her Music, which enjoyed a 14-month run before going on tour and earned her a special Tony and two Grammy awards.

(20) In 2002, 73 years after the Academy Awards were first awarded, Halle Berry became the first Black woman to win an Oscar for Best Actress and recognized in her acceptance speech how Lena Horne paved the way for her and other Black actresses.

(21) Lena Horne passed away in New York City on May 9, 2010, at the age of 92.

(22) Lena Horne was an entertainer, activist, and mother who used her beauty, talent, and intelligence to fight racial discrimination and injustice and rise to international stardom.

(23) A symbol of elegance and grace, she entertained people of all walks of life for over 60 years and broke barriers for future generations.

SEC. 3. CONGRESSIONAL GOLD MEDAL.

(a) PRESENTATION AUTHORIZED.—The Speaker of the House of Representatives and the President pro tempore of the Senate shall make appropriate arrangements for the posthumous presentation, on behalf of the Congress, of a gold medal of appropriate design in commemoration of Lena Horne in recognition of her achievements and contributions to American culture and the civil rights movement.

(b) DESIGN AND STRIKING.—For purposes of the presentation referred to in subsection (a), the Secretary of the Treasury (referred to in this Act as the ''Secretary'') shall strike a gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

SEC. 4. DUPLICATE MEDALS.

The Secretary may strike and sell duplicates in bronze of the gold medal struck pursuant to section 2 under such regulations as the Secretary may prescribe, at a price sufficient to cover the cost thereof, including labor, materials, dies, use of machinery, and overhead expenses, and the cost of the gold medal.

SEC. 5. STATUS OF MEDALS.

(a) NATIONAL MEDALS.—The medals struck pursuant to this Act are national medals for purposes of chapter 51 of title 31, United States Code.

(b) NUMISMATIC ITEMS.—For purposes of section 5134 of title 31, United States Code, all medals struck under this Act shall be considered to be numismatic items.

SEC. 6. AUTHORITY TO USE FUND AMOUNTS; PROCEEDS OF SALE.

(a) AUTHORITY TO USE FUND AMOUNTS.—There is authorized to be charged against the United States Mint Public Enterprise Fund, such amounts as may be necessary to pay for the costs of the medals struck pursuant to this Act.

(b) PROCEEDS OF SALE.—Amounts received from the sale of duplicate bronze medals authorized under section 3 shall be deposited into the United States Mint Public Enterprise Fund.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. LUETKEMEYER) and the gentleman from New York (Mr. MEEKS) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

GENERAL LEAVE

Mr. LUETKEMEYER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and add extraneous material to this bill.

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

There was no objection.

Mr. LUETKEMEYER. Mr. Speaker, I rise today in support of H.R. 1815, the Lena Horne Recognition Act, introduced by the gentleman from Florida (Mr. HASTINGS).

This legislation, cosponsored by 308 Members, seeks to authorize the striking and awarding of a Congressional Gold Medal in recognition of the indomitable spirit and overwhelming voice of the great singer Lena Horne.

Few singers have captured the imagination, the ear, and the spirit of the country as did Lena Horne in her magnificent career. Fewer still did that while waging a tireless battle for civil rights through the 1940s, 1950s, and 1960s. Ms. Horne was perhaps the top nightclub singer of that era, but still found time to come here for Dr. Martin Luther King's March on Washington—and she was also at an NAACP rally in Jackson, Mississippi, alongside Medgar Evers on the weekend he was assassinated.

From her earliest performing days—at 16, in 1933, at the famous Cotton Club—until her very last performance in a Duke Ellington tribute album in 2000, her performances riveted audiences. She won a handful of Grammy awards and a Tony award, and she was nominated for other Tonys and for an Emmy as well as a large number of personal achievement and civil rights awards.

Lena Horne appeared multiple times on all of the big television variety shows of the fifties and sixties, and of course, later in her career, hosted her own long-running, one-woman show on Broadway. She also acted in numerous films, including ''Stormy Weather,'' in which she performed what many thought to be her signature song of the same name. Sadly, despite her ability and her beauty, she never landed a starring role.

Mr. Speaker, Lena Horne's magnificent voice and steadfast fight for civil rights make her a worthy recipient of the Congressional Gold Medal. I salute her, and congratulate the gentleman from Florida for his effort on this legislation. I urge its immediate passage, and reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, April 16, 2012.

Hon. SPENCER BACHUS,
Chairman, Committee on Financial Services, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN BACHUS: I am writing concerning H.R. 1815, the ''Lena Horne Recognition Act,'' which is scheduled for floor action the week of April 16, 2012.

As you know, the Committee on Ways and Means maintains jurisdiction over matters that concern raising revenue. H.R. 1815 contains a provision that provides for the sale of duplicate medals, and thus falls within the jurisdiction of the Committee on Ways and Means.

However, as part of our ongoing understanding regarding commemorative coin and medal bills and in order to expedite this hill for floor consideration, the Committee will forgo action. This is being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation in the future.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 1815, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration.

Sincerely,

DAVE CAMP,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
Washington DC, April 13, 2012.

Hon. DAVE CAMP,
Chairman, Committee on Ways and Means, Longworth House Office Building, Washington, DC.

DEAR CHAIRMAN CAMP: I am writing in response to your letter regarding H.R. 1815, the Lena Horne Recognition Act, which is scheduled for Floor consideration under suspension of the rules on Monday, April 16, 2012.

I wish to confirm our mutual understanding on this bill. The bill contains a provision for a charge for the sale of duplicate medals. I understand your concern with provisions that raise revenue and accordingly would fall under the jurisdiction of the Committee on Ways and Means. However, this bill is not expected to raise revenue.

Further, I appreciate your willingness to forego action by the Committee on Ways and Means on H.R. 1815 in order to allow the bill to come to the Floor expeditiously. I agree that your decision to forego further action on this bill will not prejudice the Committee on Ways and Means with respect to its jurisdictional prerogatives on this or similar legislation. Therefore, I would support your request for conferees on those provisions within your jurisdiction should this bill be the subject of a House-Senate conference.

I will include this exchange of letters in the Congressional Record when this bill is considered by the House. Thank you again for your assistance and if you should need anything further, please do not hesitate to contact Natalie McGarry of my staff.

Sincerely,

SPENCER BACHUS,
Chairman.

Mr. MEEKS. Mr. Speaker, I yield myself such time as I may consume.

Today, I rise to speak in favor of H.R. 1815, the Lena Horne Recognition Act, introduced by my good friend and colleague from the great State of Florida, Congressman ALCEE HASTINGS, to honor and posthumously award the Congressional Gold Medal, one of our Nation's highest civilian awards, to the great Lena Horne.

Lena Horne is known to many as a uniquely talented performer who dazzled audiences on stage and on the silver screen. She was a symbol of elegance and grace; and she entertained people of all walks of life for over 60 years and broke barriers for future generations, winning numerous awards and accolades as a trailblazing African American female performer.

When I think of just yesterday that Major League Baseball, during that era, honored Jackie Robinson—a pioneer and professional baseball player—it's a breakthrough. But during that same period of time, Lena Horne was on the entertainment stage with such grace during a time when it was difficult for her as an African American to travel—places to stay, places to eat—but yet always with that elegance, with that grace, with her beauty, she would perform and entertain but stay true to herself, understanding that she was going to have a better tomorrow for those who followed in her path. She was a trailblazer, making it easier for people to follow.

If you think about the times that we had during that period, you had to be extra special. That's who she was. I can recall, even as my mother sat, she had to smile, because as soon as you said the name, my father would smile because of the beauty and the glory of Lena Horne. Anytime you heard Lena Horne on the radio, he would stop to listen to her voice. And when she was on television later, everything else in the house had to halt so that we could watch the elegant Lena Horne.

So when we think about the prejudice and discrimination that she had throughout her life but how she persevered and ultimately used her talent and fame to become a powerful voice for the civil rights movement and equality, it is for those reasons I congratulate my friend, ALCEE HASTINGS, for bringing this bill forward.

Lena Horne lived in New York. In fact, a good friend of mine, a good personal friend of mine, lives in her old home now that's been landmarked and designated in Addisleigh Park, Queens, which is the heart of my district.

So, Mr. Speaker, today I call on my colleagues to join me in voting in favor of H.R. 1815, to award the elegant, the beautiful Lena Horne the Congressional Medal of Honor for her outstanding accomplishments and her contributions to American culture and society.

I reserve the balance of my time.

Mr. LUETKEMEYER. Mr. Speaker, we have no further speakers at this time. I will continue to reserve the balance of my time.

Mr. MEEKS. Mr. Speaker, I yield to the gentleman from Florida (Mr. HASTINGS) such time as he may consume.

Mr. HASTINGS of Florida. I thank my good friend for yielding the time, he and Mr. LUETKEMEYER for bringing the measure forward.

I especially want to acknowledge Chairman SPENCER BACHUS and Ranking Member BARNEY FRANK, as well as their respective staffs, for helping us in this matter. And a special shout-out to TIM SCOTT. Like Ms. HAYWORTH helped you with Raoul Wallenberg, TIM and Jennifer DeCasper, from his office, helped me to gain the number of signatures, as well as to acknowledge my young staffer, Erin Moffet, who learned an awful lot about Lena Horne along the way.

Mr. Speaker, obviously I'm in strong support of H.R. 1815, the Lena Horne Recognition Act, a bill to posthumously honor Lena Horne with a Congressional Gold Medal in recognition of her many achievements and contributions to American culture and the civil rights movement.

I personally felt that I could not allow time to pass without honoring the life and legacy of Ms. Horne, who passed away on May 9, 2010, at the age of 92. Throughout her lifetime, Ms. Horne used her talent and fame to become a powerful voice for civil rights and equality.

It was quite a journey to get this legislation to the floor given the requirement that at least 290 Members of the House must cosponsor the bill. I introduced this bill on May 10, 2011, with the support from 23 other Members, and I'm proud to say today that there are now 308 bipartisan cosponsors, and the measure is also offered in the United States Senate.

While asking my colleagues to support this legislation to award Lena Horne with the Congressional Gold Medal, I was, in some respects, a little disappointed to see that too many people, both Members and staff, were not aware of who this remarkable woman was.

I hope that we can pass H.R. 1815 today and that the Senate will then subsequently pass this legislation and the President will sign this bill into law so that Lena Horne's legacy will finally be given the recognition it rightly deserves by posthumously awarding her with the Congressional Gold Medal. I know her daughter and members of the family—her daughter, Gail Lumet Buckley, I promised that I would call when it passed, and I shall.

Lena Horne was the recipient of the Kennedy Center Honor for her lifetime contribution to the arts in 1984, and in 1989 she received a Lifetime Achievement Grammy Award. She has two stars on the Hollywood Walk of Fame for her work in both motion pictures and recording. Additionally, she has a footprint on the International Civil Rights Walk of Fame at the Martin Luther King, Jr. National Historic Site.

Although these and other monumental awards and honors were bestowed upon her, Ms. Horne's life was not a story of smooth sailing. Her life was too often plagued by stormy weather, which ironically was the title of her signature song and one of the major films that she starred in. Footnote there: I was in the third grade in Jersey City, New Jersey, and my mother let me stay out of school to see my first motion picture, and I have a memory of it today that stayed with me throughout that time.

Born on June 30, 1917, in Brooklyn—not in Queens, GREGORY—Lena Mary

Calhoun Horne broke racial barriers through her career as a singer, dancer, and actress for 60 years.

□ 1630

Ms. Horne got her start at the age of 16 when she was hired as a chorus dancer at Harlem's famous Cotton Club. Then, at 19, she made her Broadway debut in dancing a feature role in ''Dance With Your Gods.''

Her path to stardom then led her to tour with Charlie Barnett's jazz band in the early 1940s, when she became one of the first black women to tour with an all-white band.

A few years later, after starting her career as a singer and a dancer, Ms. Horne was discovered by a Metro-Goldwyn-Mayer talent scout, and moved to Hollywood to be an actress, becoming the first black artist to sign a long-term contract with a major studio.

Even given her extraordinary beauty and elegance and talent, she was often limited to minor acting roles because of her race. Among many lost opportunities was the role of Julie in the film adaptation of ''Show Boat.''

Ms. Horne had previously played this role in an adaptation of act 1 of ''Show Boat'' that was featured in the 1946 film ''Till the Clouds Roll By.'' But due to the Motion Picture Production Code not allowing the depiction of interracial relationships in film, the distinguished and famous Ava Gardner was cast in this role instead of Lena Horne.

Her fame in films was also limited due to the fact that during that time, many films were shot so that scenes in which black performers were featured could be easily edited out for Southern audiences. Even facing such discrimination, Ms. Horne's perseverance allowed her to overcome such obstacles and led her to dazzle audiences and critics in a number of major films.

Her lead roles included those in the musical ''Cabin in the Sky'' and the box office hit ''Stormy Weather,'' where Ms. Horne's remarkable performance of the title song in ''Stormy Weather'' became one of her most notable songs throughout her career. On her last tour, I saw her in Ft. Lauderdale, and she sang three iterations of that song; and the last one, indeed, as she said, was the most powerful. These two roles increased her visibility as well as sealed her legacy in the music and film industry.

The struggle for equal and fair treatment became an inseparable and increasingly political part of Ms. Horne's life even outside of the film industry. She toured extensively with the United Service Organizations in support of U.S. troops during World War II, where she was a major critic of the unfair treatment of black soldiers. Outspoken on the issue, Ms. Horne refused to sing for segregated audiences or to groups in which German prisoners of war were seated in front of the black U.S. servicemen.

Due to her civil rights activism on issues such as these, as well as her friendship with Paul Robeson and W.E.B. DuBois, Ms. Horne found herself blacklisted during the period of McCarthyism.

While she continued to face discrimination in the film industry in the fifties, her career flourished in television and on nightclub stages across the country. During this time, she returned to her roots as a vocalist and established herself as a major recording artist.

In 1957, she recorded ''Lena Horne at the Waldorf-Astoria,'' which became the best-selling album by a female singer in RCA Victor's history. Ms. Horne used the talent and fame she achieved through such acclaims to become a powerful voice for civil rights and equality. In 1963, she participated in the historic March on Washington for Jobs and Freedom at which Dr. Martin Luther King, Jr. delivered his immortal ''I Have a Dream'' speech.

She also performed at rallies throughout the country for the National Council for Negro Women, and worked with the National Association for the Advancement of Colored People, the NAACP, of which she was the cover girl for their monthly bulletin at age 2.

Following her blacklisting from film in the fifties and disillusionment with the industry, Ms. Horne only returned to the screen three more times following the McCarthyism era, one of which was the film adaptation of ''The Wiz,'' in which she was cast as Glinda the Good Witch.

Then in 1981, Ms. Horne finally received the big break she had waited for her whole life, a one-woman Broadway show. ''Lena Horne: The Lady and Her Music'' was the culmination of her triumphs and struggles. It enjoyed a 14-month run before going on tour and earned her a special Tony award for distinguished achievement in theater and two Grammys.

At the age of 80, Ms. Horne made the following statement, which I believe appropriately captures her legacy; and, Gail, this one is for you.

She stated that:

> My identity is very clear to me now. I am a black woman. I'm free. I no longer have to be a credit. I don't have to be a symbol to anybody. I don't have to be a first to anybody. I don't have to be an imitation of a white woman that Hollywood sort of hoped I'd become. I'm me, and I'm like nobody else.

Mr. Speaker, Lena Horne was an extraordinary woman who refused to give up her dreams because of the color of her skin, and used her beauty, talent, elegance, and intelligence to fight racial discrimination. Her perseverance and accomplishments are truly inspirational, having taught us all how to weather the stormy periods of our lives.

I urge my colleagues to vote in favor of H.R. 1815, the Lena Horne Recognition Act, so that we may honor the life and legacy of Ms. Lena Horne with a Congressional Gold Medal and through this recognition inspire others with her story.

Someone wrote today, what do Lena Horne and Jack Nicklaus and Raoul Wallenberg have in common? It's my hope that what they will have in common today is each will be recognized for their distinguished achievements and heroic acts on behalf of our society.

Mr. LUETKEMEYER. Mr. Speaker, I have no further speakers, and I reserve the balance of my time.

Mr. MEEKS. Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. LUETKEMEYER) that the House suspend the rules and pass the bill, H.R. 1815.

The question was taken.

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

Mr. HASTINGS of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

PROVIDING FOR AWARD OF GOLD MEDAL TO JACK NICKLAUS

Mr. LUETKEMEYER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4040) to provide for the award of a gold medal on behalf of Congress to Jack Nicklaus in recognition of his service to the nation in promoting excellence and good sportsmanship in golf.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4040

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

SECTION 1. FINDINGS.

Congress finds that—

(1) Jack Nicklaus is a world famous golf professional, a highly successful business executive, a prominent advertising spokesman, a devoted husband, father, and grandfather, and a man with a common touch that has made him one of those most popular and accessible public figures in history.

(2) Jack Nicklaus amassed 118 victories in professional competition of national or international stature by the end of 2005, 73 of which came on the Professional Golf Association Tour, and 18 professional major-championship titles. He is the only player in golf history to have won each major championship at least three times and is the only player to complete a career ''Grand Slam'' on the regular and senior tours.

(3) Jack Nicklaus' magnetic personality and unfailing sense of kindness and thoughtfulness have endeared him to millions throughout the world.

(4) Jack Nicklaus has been the recipient of countless athletic honors, including the Muhammad Ali Sports Legend Award and the first-ever ESPY Lifetime Achievement Award. He became the first golfer and only the third athlete to receive the Vince Lombardi Award of Excellence and is also a

five-time winner of the PGA Player of the Year Award. He was also selected as Golfer of the Century by GOLF Magazine, Best Individual Male Athlete of the 20th Century and Sportsman of the Year by Sports Illustrated, and he was also inducted into the World Golf Hall of Fame.

(5) Jack Nicklaus has received numerous honors outside the world of sports, including several architectural awards for his work in golf course designs, such as The Old Tom Morris Award which is the highest honor given by the Golf Course Superintendents Association of America, and both the Donald Ross Award given by the American Society of Golf Course Architects and the Don A. Rossi Award given by the Golf Course Builders Association of America.

(6) Jack Nicklaus has been involved in the design of 275 golf courses worldwide and his business, Nicklaus Design, has 346 courses open for play globally.

(7) Jack Nicklaus served as the Global Ambassador for a campaign to include golf in the Olympic Games, which was achieved and will begin in the 2016 Olympic Program.

(8) Jack Nicklaus was honored by President George W. Bush in 2005 by receiving the Presidential Medal of Freedom, the highest honor given to any U.S. civilian.

(9) Jack Nicklaus has a long standing commitment to numerous charitable events such as supporting the Nicklaus Children's Health Care Foundation, which provides pediatric health care services in a five county area including Palm Beach County, Florida, has assisted in raising over $12 million in just five years for the cause, and continues to support several scholarship foundations, other children's hospitals, and junior golf initiatives.

(10) Jack Nicklaus continues to manage The Memorial Tournament in his home state of Ohio, in which contributions generated through the support of over 2,600 volunteers are given to Nationwide Children's Hospital fund. This has garnered more than $5.7 million for programs and services at this hospital since 1976, so that Central Ohio will continue to have one of the best children's hospitals in the United States.

(11) Jack Nicklaus and his wife serve as honorary chairman and active chairwoman of the Nicklaus Children's Health Care Foundation in North Palm Beach, Florida, which provides free of charge health assistance and services to more than 4,000 children and their families through Child Life programs (support therapeutic interventions for children with chronic and acute conditions during hospitalization), Miami Children's Hospital Nicklaus Care Centers (to offer a new option to Palm Beach County area families with children who require pediatric specialty care), and Safe Kids program (aimed at keeping children injury free and offer safety education in an effort to decrease accidental injuries in children).

(12) Jack Nicklaus established an annual pro-am golf tournament called ''The Jake'' to honor his 17-month-old grandson who passed in 2005, and it serves as a primary fundraiser for the Nicklaus Children's Health Care Foundation, which has raised over $3 million over the last several years.

(13) Jack Nicklaus and General John Shalikashvili (ret.) serve as honorary chairs of the American Lake Veterans Golf Course in Tacoma, Washington, which is designed for the rehabilitation of wounded and disabled veterans. Nicklaus has donated his design services for the improvement of the course, and raised contributions for the addition of nine new holes, the construction of the Rehabilitation and Learning Center, and for the upgrade of the maintenance facilities through a two-day event in Palm Desert, CA, called the ''Nicklaus Nine''.

(14) Jack Nicklaus serves as a spokesperson and Trustee for The First Tee program which brings the game of golf to children who would not otherwise be exposed to it.

(15) Jack Nicklaus remains active in tournament golf, although he retired from competition in the major championships in 2005, when he played his final British Open, his final Masters Tournament, and led the United States to a thrilling victory in the Presidents Cup.

SEC. 2. CONGRESSIONAL GOLD MEDAL.

(a) AUTHORIZATION.—The Speaker of the House of Representatives and the President pro tempore of the Senate shall make appropriate arrangements for the presentation, on behalf of the Congress, of a gold medal of appropriate design to Jack Nicklaus in recognition of his service to the Nation in promoting excellence and good sportsmanship.

(b) DESIGN AND STRIKING.—For the purpose of the presentation referred to in subsection (a), the Secretary of the Treasury shall strike a gold medal with suitable emblems, devices, and inscriptions to be determined by the Secretary.

SEC. 3. DUPLICATE MEDALS.

Under such regulations as the Secretary of the Treasury may prescribe, the Secretary may strike duplicate medals in bronze of the gold medal struck pursuant to section 2 and sell such duplicate medals at a price sufficient to cover the costs of the duplicate medals (including labor, materials, dies, use of machinery, overhead expenses) and the cost of the golf medal.

SEC. 4. NATIONAL MEDALS.

The medals struck under this Act are national medals for purposes of chapter 51 of title 31, United States Code.

SEC. 5. FUNDING.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be charged against the United States Mint Public Enterprise Fund an amount not to exceed $30,000 to pay for the cost of the medals authorized by this Act.

(b) PROCEEDS OF SALE.—Amounts received from the sale of duplicate bronze medals under section 3 shall be deposited in the United States Mint Public Enterprise Fund.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. LUETKEMEYER) and the gentleman from California (Mr. BACA) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

GENERAL LEAVE

Mr. LUETKEMEYER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and add extraneous material on this bill.

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

There was no objection.

Mr. LUETKEMEYER. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 4040, awarding a Congressional Gold Medal to Jack Nicklaus. It is an honor and a privilege to be speaking on this bill brought to the floor by the efforts of my friend and colleague from California (Mr. BACA) and cosponsored by 342 Members. I commend the gentleman for his work on this bill.

Mr. Speaker, we all know Jack Nicklaus is one of the best golfers of all time, but he also has been so much more than that. Jack Nicklaus is a successful businessman, a spokesman, a devoted father and grandfather, and one of the warmest, kindest public figures in history.

Jack Nicklaus, the golfer, has been the recipient of countless athletic awards and honors. He is the only player in golf history to win each major championship at least three times, and the only player to win the Grand Slam on the regular and senior tours. A five-time PGA Player of the Year, he became the first golfer to win the Vince Lombardi trophy for excellence and has been inducted in the World Golf Hall of Fame, just to name a few of his achievements.

Jack Nicklaus is also a humanitarian. He has built an impressive record of giving to the world, establishing, managing and serving as the face of charities, golf tournaments and campaigns that raise funds to help people in need all over the world.

□ 1640

He established the pro-am golf tournament called The Jake in honor of his young grandson who died in 2005. It serves as a primary fundraiser for the Nicklaus Children's Health Care Foundation. He is an honorary chairman of a golf course designed for the rehabilitation of wounded and disabled veterans. He is a spokesperson and trustee for The First Tee program that brings golf to children who would not otherwise be exposed to it.

Jack Nicklaus, the entrepreneur, has been involved in the design of more than 275 golf courses, and has been the recipient of the Old Tom Morris Award in golf course design, which is the highest award given by golf course superintendents. He has been given the Donald Ross Award by the American Society of Golf Course Architects and the Don A. Rossi Award by the Gold Course Builders Association of America.

Jack Nicklaus was given the Presidential Medal of Freedom by President George W. Bush in 2005, the highest Presidential honor given to any U.S. civilian.

By approving this legislation, Congress will move forward to award the highest congressional civilian honor.

Mr. Speaker, this legislation celebrates the accomplishments of a man who is honored by many for his achievements in a life very well lived. I ask all Members to support it.

I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, April 16, 2012.

Hon. SPENCER BACHUS,
Chairman, Committee on Financial Services, Washington, DC.

DEAR CHAIRMAN BACHUS, I am writing concerning H.R. 4040, to award a congressional gold medal to Jack Nicklaus, which is scheduled for floor action the week of April 16, 2012.

As you know, the Committee on Ways and Means maintains jurisdiction over matters that concern raising revenue. H.R. 4040 contains a provision that provides for the sale of

duplicate medals, and thus falls within the jurisdiction of the Committee on Ways and Means.

However, as part of our ongoing understanding regarding commemorative coin and medal bills and in order to expedite this bill for floor consideration, the Committee will forgo action. This is being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation in the future.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 4040, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration.

Sincerely,

DAVE CAMP,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, April 13, 2012.

Hon. DAVE CAMP,
Chairman, Committee on Ways and Means, Washington, DC.

DEAR CHAIRMAN CAMP: I am writing in response to your letter regarding H.R. 4040, to award a gold medal on behalf of Congress to Jack Nicklaus in recognition of his service to the Nation in promoting excellence and good sportsmanship in golf, which is scheduled for Floor consideration under suspension of the rules on Monday, April 16, 2012.

I wish to confirm our mutual understanding on this bill. The bill contains a provision for a charge for the sale of duplicate medals. I understand your concern with provisions that raise revenue and accordingly would fall under the jurisdiction of the Committee on Ways and Means. However, this bill is not expected to raise revenue.

Further, I appreciate your willingness to forego action by the Committee on Ways and Means on H.R. 4040 in order to allow the bill to come to the Floor expeditiously. I agree that your decision to forego further action on this bill will not prejudice the Committee on Ways and Means with respect to its jurisdictional prerogatives on this or similar legislation. Therefore, I would support your request for conferees on those provisions within your jurisdiction should this bill be the subject of a House-Senate conference.

I will include this exchange of letters in the Congressional Record when this bill is considered by the House. Thank you again for your assistance and if you should need anything further, please do not hesitate to contact Natalie McGarry of my staff at 202–225–7502.

Sincerely,

SPENCER BACHUS,
Chairman.

Mr. BACA. Mr. Speaker, I yield myself such time as I may consume.

First, I would like to thank Financial Services Committee Chairman SPENCER BACHUS and Ranking Member BARNEY FRANK for their effort to move this bill forward. Also, I want to thank my colleagues who helped me get 342 signatures. I want to thank TOM ROONEY and DUNCAN HUNTER and, of course, DAN BURTON in trying to help us get the 342 cosponsors.

I also wanted to thank Mr. LUETKEMEYER for his support of this legislation and all of my colleagues who became cosponsors of this legislation.

Today, I rise in strong support of H.R. 4040, to honor Jack Nicklaus, the Golden Bear, with the Congressional Gold Medal. Jack Nicklaus' golf record is one that history will remember forever.

He was born on January 21, 1940, in Columbus, Ohio. He attended Ohio State University, and turned professional in 1961, which happens to be from the same State that the Speaker, JOHN BOEHNER, is from.

As a family man, he remains committed to the core values of providing for his family, respecting the game, and serving as a true inspiration for others.

Upon marrying his wife, Barbara, in July of 1960, and the birth of their first son, Jack, Jr., in 1961, he decided the best way to provide for his family was to become a professional golfer. His drive and his passion for the game is an example of sportsmanship of the highest caliber, like most of us amateurs who love the game of golf. However, I ask that Jack Nicklaus be awarded the Congressional Gold Medal for his leadership as an American and as a positive role model.

Yes, Jack Nicklaus won 118 national and international championships. Yes, Jack Nicklaus' most prominent professional titles were six Masters—1963, 1965, 1966, 1972, 1975, 1986; three British Opens—1966, 1970, 1979; four U.S. Opens—1962, 1967, 1972, 1980; and five PGA Championships—1963, 1971, 1973, 1975, and 1980.

Like most of us golfers, we'll probably never be able to accomplish his feat of what he has just done right now. There are others who are trying, and who knows what will happen.

Jack Nicklaus is the only player in history to have won each of the game's majors at least three times, and is the only player to have completed the career grand slam on the regular and senior tour, and that's quite an accomplishment. That's very difficult. Most of us who play golf know it's hard to win one tournament versus the next tournament. It's quite an accomplishment.

Jack Nicklaus also represented the U.S. in the Ryder Cup Masters as a player six times and served as a captain twice. He also served as the U.S. captain four times for the President's Cup.

He has written several instructional books, one called ''Golf My Way,'' which I have read every time I'm in trouble and need to go back and refresh my golf game; the autobiography he called ''My Story,'' which describes his golf course design methods and philosophy; and many others, such as ''Play Better Golf: Shortcuts to Lower Scores''; ''Jack Nicklaus' Lesson Tee''; and ''My Golden Lessons: 100-Plus Ways to Improve Your Shots, Lower Your Scores and Enjoy Golf, Much, Much More.''

Yet, he's a businessman. Jack Nicklaus also produced several other instructional videos showing his fans how to play the game from his points of view.

But I ask that we honor Jack Nicklaus with a Congressional Gold Medal because of the way he lived his life. Jack Nicklaus' way of living his life is a perfect example of how Americans should give. He was a devoted husband, father, and grandfather who cared for his family, who helped many other families during a time of hardship and struggle. Jack Nicklaus' work and philanthropy is evidence of his dedication to helping others.

He is known to have an unfailing sense of kindness, and has used the game of golf as a means of sharing and helping others.

He proactively helps thousands of children and their families everywhere. By serving as chairman of the Nicklaus Children's Health Care Foundation, he was able to provide valuable programs to serve more than 4,000 hospitalized children and their families free of charge. That is giving, that is caring, that is someone who cares about people and cares about children. This foundation is able to reach such volumes of patients through the Child Life programs and the Pediatric Oncology Support Team that supports therapeutic interventions for children with chronic and acute conditions during hospitalization.

He also partners with Miami Children's Hospital Nicklaus Care Centers, which offer a new option for Palm Beach County-area families with children who require pediatric specialty care. The foundation also has a Safe Kids program aimed at keeping children injury free and offers safety education in an effort to decrease accidental injuries to children. Jack Nicklaus helped raise over $12 million within 5 years for this cause. Much of the funding comes from a pro-am golf tournament he established in honor of his 17-month-old grandson who passed away, called ''The Jake,'' which also became the foundation's chief fundraiser.

Jack Nicklaus also serves as honorary chair for the American Lake Veterans Golf Course in Tacoma, Washington, a course designed for the rehabilitation of our wounded and disabled veterans, especially those that are fighting and coming back right now who need a lot of rehabilitation, our wounded warriors. In providing help and knowing that there is somewhere they can go, Jack Nicklaus is instrumental in helping others.

A lot of us don't know of his history and what he's given back. We look at him as a professional golf player, but he has given so much back to our community that we find out this is a man that cared about making our country a lot better in giving what he could.

He has donated his design services for the improvement of the course. He also raised contributions for an additional nine new holes, the construction of the Rehabilitation and Learning Center, and the upgrade of the maintenance facilities through a 2-day event called the ''Nicklaus Nine.''

He also manages a memorial tournament in which proceeds benefit the programs and services at Nationwide Children's Hospital in his home State of Ohio, and has raised more than $5.7 million. Jack Nicklaus has worked with the Nationwide Children's Hospital since 1976 and ensures the contributions generated through the support of over 2,600 volunteers are distributed each year to the hospital's unrestricted giving fund.

He also serves as a trustee and a spokesperson for The First Tee, a program which is dedicated to bringing the game of golf to children who would otherwise not be exposed to it. These are many children that can't afford to play golf, but First Tee allows a diversity of individuals—black, brown, white, Asians, American Indians, Hispanics, and others—who can't play the game to learn to play the game, be exposed to the game, and love the game and what it means in teaching many of the other skills.

□ 1650

Other organizations that Jack Nicklaus has successfully partnered with are the For Hope, the James Cancer Hospital, Wolfe Association, Central Ohio Junior Golf Association, the Shriners, the Lions Club, and many more.

We thank Jack Nicklaus and his wife, Barbara, and their five children—Jack II, Steve, Nancy, Gary, and Michael—and his 22 grandchildren for making America a better place.

Jack Nicklaus is one of the most humble athletes to play the game and is considered by many to be golf royalty. He is royalty in the eyes and hearts of those that he has helped, and is overall a great human being.

We thank Jack Nicklaus. We thank you for your life's work. You are a true American, and you have touched the lives of many individuals, an American deserving of the Presidential Medal of Freedom and the PGA Player of the Year Award, to name just a few other accolades he has received over the years.

Jack Nicklaus, known as a Golden Bear, deserves to be honored with a Congressional Gold Medal.

For these reasons, I urge us to support the passage of H.R. 4040, and I reserve the balance of my time.

Mr. LUETKEMEYER. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Indiana, one of our senior Members and most distinguished Members, Mr. BURTON.

Mr. BURTON of Indiana. I thank the gentleman for yielding.

First of all, let me say this about JOE. JOE and I have been friends for a long time and have played golf together, and he is one of the best sticks around. I have never heard a more thorough conversation about a person since I've been in Congress. You must have spent weeks doing this, but you said everything I was going to say, so I'll just talk about the Jack Nicklaus from what I know of him.

I've been playing golf along with you, JOE, for a long time. One of the things that I've always wanted to do was to meet the Big Three. Remember the Big Three: Nicklaus, Player, and Palmer? You did him not too long ago. And then Lee Trevino. I had the opportunity to meet all of them but Nicklaus, and I said before I die that I want to meet Jack Nicklaus.

This year, believe it or not, I was at an airport with my wife, and I had an opportunity to run into him, and he was one of the nicest guys that I've ever met. He stopped and took the time to talk to people that were with us and took pictures with us, and he is just a very good and friendly guy. There are no airs about him. He is down to Earth. It's like talking to your next door neighbor. He is a very nice guy.

The things that really appealed to me were the things that you talked about, JOE. He really cares about his fellow man, and people on the tour all respect him. There are some members that you have a problem with; but with him, he's at the very top. In addition to winning 18 majors—to win all of the tournaments that you talked about just boggles my mind.

So I would just like to say if Jack Nicklaus might be watching today—I had an opportunity—and I think you have too, JOE—to play with President George W. Bush. I would say to Jack Nicklaus if he were here: You really need to teach him how to putt. He's one of the worst putters I've ever seen.

Mr. President, I hope you'll forgive me for that.

In fact, I want to tell you a little story. We were playing on the 18th hole out at Andrews, and the President had putted so poorly that he had about a 10-footer left on the last hole, and we gave it to him.

Mr. President, forgive me.

Let me just say it's a real honor to be included with those who are honoring Jack Nicklaus tonight. He's one of the finest people in sports. He is a credit to humanity, and he is somebody that every one of us can look up to.

Mr. Nicklaus, I'm proud to be a part of recognizing you tonight, and I'm glad you're going to get this gold medal.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair reminds Members that remarks must be addressed to the Chair.

Mr. BACA. Mr. Speaker, I would like to just state that Jack Nicklaus was not a tall man—he is like me and like many others—but he could hit the ball a hell of a long ways. It is quite an accomplishment when you see someone like him that has the rhythm, tempo, and the timing that can hit the ball. That is an inspiration to many of us that are not 6 foot and above, but are below 6 foot and can still play the game of golf because golf is open to everyone. And Jack, along with Arnold Palmer and Tiger Woods, Lee Trevino and many others, has opened it for a lot of us.

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

Mr. LUETKEMEYER. Mr. Speaker, I yield to the distinguished gentleman from Florida, one of the younger members of the conference, Mr. ROONEY, such time as he may consume.

Mr. ROONEY. Mr. Speaker, I rise today in support of the Jack Nicklaus Congressional Gold Medal Act, officially recognizing the significant role Jack Nicklaus has played in promoting athletic excellence and good sportsmanship in the game of golf, as well as the significant charitable contributions and activities in our community.

Growing up in north Palm Beach County, I had the pleasure of attending high school with Mr. Nicklaus' children. Like many good parents, he was very involved in all school activities, especially sporting events. I can't recall a game across the State of Florida that our school was involved in where he wasn't there. He was always up there in the stands, cheering us on. It's no secret that Jack Nicklaus is widely regarded as the most accomplished professional golfer to ever play the game. But to us, we just saw him as a devoted husband to Barbara and an excellent father of Jackie, Steve, Nan, Gary, and Mike, and now lots of grandchildren.

He is also a philanthropist, as has been stated, who has worked tirelessly to help underserved children and their families in Palm Beach County and across the State of Florida. Through his charitable foundation, Mr. Nicklaus has raised more than $12 million for children's health services. He has also done a lot for warfighters and veterans recovering after returning home from war.

I am proud to cosponsor this legislation to honor Jack Nicklaus, a truly great American, and for his many charitable efforts and for his contributions to the State of Florida and to American society and culture. I consider myself blessed to personally know him and his family.

I want to say thank you to Congressman BACA from California for his leadership in getting cosponsors for this bill. He worked very hard.

Mr. LUETKEMEYER. I thank the sponsor of the bill, Mr. BACA, for his hard work.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. LUETKEMEYER) that the House suspend the rules and pass the bill, H.R. 4040.

The question was taken.

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

Mr. LUETKEMEYER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

MARK TWAIN COMMEMORATIVE COIN ACT

Mr. LUETKEMEYER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2453) to require the Secretary of the Treasury to mint coins in commemoration of Mark Twain, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2453

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Mark Twain Commemorative Coin Act''.

SEC. 2. FINDINGS.

The Congress finds as follows:

(1) Samuel Clemens—better known to the world as Mark Twain—was a unique American voice whose literary work has had a lasting effect on our Nation's history and culture.

(2) Mark Twain remains one of the best known Americans in the world with over 6,500 editions of his books translated into 75 languages.

(3) Mark Twain's literary and educational legacy remains strong even today, with nearly every book he wrote still in print, including The Adventures of Tom Sawyer and Adventures of Huckleberry Finn—both of which have never gone out of print since they were first published over a century ago.

(4) In the past 2 decades alone, there have been more than 100 books published and over 250 doctoral dissertations written on Mark Twain's life and work.

(5) Even today, Americans seek to know more about the life and work of Mark Twain, as people from around the world and across all 50 States annually flock to National Historic Landmarks like the Mark Twain House & Museum in Hartford, CT, and the Mark Twain Boyhood Home & Museum in Hannibal, MO.

(6) Mark Twain's work is remembered today for addressing the complex social issues facing America at the turn of the century, including the legacy of the Civil War, race relations, and the economic inequalities of the ''Gilded Age''.

(7) Today Mark Twain's work lives on through educational institutions throughout the United States, such as the Mark Twain Project at the Bancroft Library of the University of California, Berkeley, California, and the Center for Mark Twain Studies at Elmira College, in Elmira, New York.

SEC. 3. COIN SPECIFICATIONS.

(a) DENOMINATIONS.—The Secretary of the Treasury (hereafter in this Act referred to as the ''Secretary'') shall mint and issue the following coins:

(1) $5 GOLD COINS.—Not more than 100,000 $5 coins, which shall—

(A) weigh 8.359 grams;

(B) have a diameter of 0.850 inches; and

(C) contain 90 percent gold and 10 percent alloy.

(2) $1 SILVER COINS.—Not more than 350,000 $1 coins, which shall—

(A) weigh 26.73 grams;

(B) have a diameter of 1.500 inches; and

(C) contain 90 percent silver and 10 percent copper.

(b) LEGAL TENDER.—The coins minted under this Act shall be legal tender, as provided in section 5103 of title 31, United States Code.

(c) NUMISMATIC ITEMS.—For purposes of section 5134 of title 31, United States Code, all coins minted under this Act shall be considered to be numismatic items.

SEC. 4. DESIGN OF COINS.

(a) DESIGN REQUIREMENTS.—

(1) IN GENERAL.—The design of the coins minted under this Act shall be emblematic of the life and legacy of Mark Twain.

(2) DESIGNATION AND INSCRIPTIONS.—On each coin minted under this Act there shall be—

(A) a designation of the value of the coin;

(B) an inscription of the year ''2016''; and

(C) inscriptions of the words ''Liberty'', ''In God We Trust'', ''United States of America'', and ''E Pluribus Unum''.

(b) SELECTION.—The design for the coins minted under this Act shall be—

(1) selected by the Secretary after consultation with the Commission of Fine Arts and the Board of the Mark Twain House and Museum; and

(2) reviewed by the Citizens Coinage Advisory Committee.

SEC. 5. ISSUANCE OF COINS.

(a) QUALITY OF COINS.—Coins minted under this Act shall be issued in uncirculated and proof qualities.

(b) MINT FACILITY.—Only 1 facility of the United States Mint may be used to strike any particular quality of the coins minted under this Act.

(c) PERIOD FOR ISSUANCE.—The Secretary may issue coins minted under this Act only during the 1-year period beginning on January 1, 2016.

SEC. 6. SALE OF COINS.

(a) SALE PRICE.—The coins issued under this Act shall be sold by the Secretary at a price equal to the sum of—

(1) the face value of the coins;

(2) the surcharge provided in section 7(a) with respect to such coins; and

(3) the cost of designing and issuing the coins (including labor, materials, dies, use of machinery, overhead expenses, marketing, and shipping).

(b) BULK SALES.—The Secretary shall make bulk sales of the coins issued under this Act at a reasonable discount.

(c) PREPAID ORDERS.—

(1) IN GENERAL.—The Secretary shall accept prepaid orders for the coins minted under this Act before the issuance of such coins.

(2) DISCOUNT.—Sale prices with respect to prepaid orders under paragraph (1) shall be at a reasonable discount.

SEC. 7. SURCHARGES.

(a) IN GENERAL.—All sales of coins issued under this Act shall include a surcharge of—

(1) $35 per coin for the $5 coin; and

(2) $10 per coin for the $1 coin.

(b) DISTRIBUTION.—Subject to section 5134(f)(1) of title 31, United States Code, all surcharges received by the Secretary from the sale of coins issued under this Act shall be promptly paid by the Secretary as follows:

(1) One-quarter of the surcharges, to the Mark Twain House & Museum in Hartford, Connecticut, to support the continued restoration of the Mark Twain house and grounds, and ensure continuing growth and innovation in museum programming to research, promote and educate on the legacy of Mark Twain.

(2) One-quarter of the surcharges, to the University of California, Berkeley, California, to be used for research and education purposes.

(3) One-quarter of the surcharges, to Elmira College, New York, to be used for research and education purposes.

(4) One-quarter of the surcharges, to the Mark Twain Boyhood Home and Museum in Hannibal, Missouri, to preserve historical sites related to Mark Twain and help support programs to study and promote his legacy.

(c) AUDITS.—The Comptroller General of the United States shall have the right to examine such books, records, documents, and other data of each of the organizations referred to in paragraphs (1), (2), (3), and (4) of subsection (b) as may be related to the expenditures of amounts paid under such subsection.

(d) LIMITATION.—Notwithstanding subsection (a), no surcharge may be included with respect to the issuance under this Act of any coin during a calendar year if, as of the time of such issuance, the issuance of such coin would result in the number of commemorative coin programs issued during such year to exceed the annual 2 commemorative coin program issuance limitation under section 5112(m)(1) of title 31, United States Code (as in effect on the date of the enactment of this Act). The Secretary of the Treasury may issue guidance to carry out this subsection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. LUETKEMEYER) and the gentleman from California (Mr. BACA) each will control 20 minutes.

The recognizes the gentleman from Missouri.

GENERAL LEAVE

Mr. LUETKEMEYER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and add extraneous material on this bill.

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

There was no objection.

Mr. LUETKEMEYER. Mr. Speaker, I yield myself such time as I may consume.

I rise today to urge Members to support H.R. 2453, the Mark Twain Commemorative Coin Act. This legislation will allow the United States Treasury to mint $1 and $5 commemorative coins in 2016 in recognition of the important legacy of Mark Twain. Surcharges on the sale of the coins will benefit four institutions that either bear Mark Twain's name or focus on the study of his work: the Mark Twain House & Museum in Hartford, Connecticut; the University of California, Berkeley; Elmira College in New York; and in my congressional district, the Mark Twain Boyhood Home and Museum in Hannibal, Missouri. The sale price of the coins will cover all real and amortized costs of production and marketing costs so that the entire program will be produced at no cost to the taxpayers.

I would like to thank my colleague, Representative JOHN LARSON of Connecticut, who first introduced this legislation in the 110th Congress. The gentleman from Connecticut and I share an admiration for Mark Twain, and have made it a priority to see his legislation through. I appreciate his hard work on collecting all the signatures on his side of the aisle.

□ 1700

I would also like to thank the Missouri congressional delegation for their support. When I first announced my intentions to introduce the Mark Twain Commemorative Coin Act, all eight of my colleagues immediately came on board to help advance this legislation.

I want to acknowledge the Mark Twain Boyhood Home and Museum, Dr. Cindy Lovell, and the museum's curator, Henry Sweets, as well as their dedicated staff, for their incredible work to promote awareness and the appreciation of the life and works of Mark Twain.

Importantly, I would like to thank Chairman BACHUS, Ranking Member FRANK, Speaker BOEHNER, and Majority Leader CANTOR for their assistance and cooperation in getting the bill scheduled for consideration in this House.

A true American figure, Samuel Langhorne Clemens, better known to the world as Mark Twain, was born and raised in Missouri amidst the turmoil of the American Civil War. Twain's boyhood home in Hannibal, Missouri, inspired the settings of some of his most beloved stories and helped shape his views on violence and injustice.

The Mark Twain Boyhood Home and Museum in Hannibal commemorates the childhood of a man who grew up to be one of the most recognized names in literature. The museum opened its doors in 1912 and was designated a National Historic Landmark in 1962. I would also like to recognize the museum for its upcoming 100th anniversary, a milestone which will be celebrated on May 15.

Twain would eventually move to Hartford, Connecticut, where he settled and began to work on what would become his most famous work, ''The Adventures of Huckleberry Finn.'' Hartford is home to the Mark Twain House & Museum, dedicated to educating people across the Nation and around the world about Twain, his works, and the time period in which he lived.

In New York, Elmira College breathes new life into the history of Mark Twain, offering fellowships for research on the author. Elmira College also hosts a Mark Twain conference and provides tours of Twain's study, where he sought refuge to write several short stories and some of his most famous novels. The Mark Twain Project at the Bancroft Library of the University of California, Berkeley houses the Mark Twain papers, an extensive archive of virtually every document in Twain's hand known to survive.

The bill we consider today honors the legacy of a great American and will benefit the institutions that continue to spread awareness and educate the public of his great accomplishments and contributions to society. I urge my colleagues to join me in passing this legislation, which is cosponsored by 298 of our colleagues.

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

HOUSE OF REPRESENTATIVES, COMMITTEE ON WAYS AND MEANS,
Washington, DC.

Hon. SPENCER BACHUS,
Chairman, Committee on Financial Services, Washington, DC.

DEAR CHAIRMAN BACHUS: I am writing concerning H.R. 2453, the ''Mark Twain Commemorative Coin Act,'' which is scheduled for floor action the week of April 16, 2012.

As you know, the Committee on Ways and Means maintains jurisdiction over matters that concern raising revenue. H.R. 2453 contains a provision that establishes a surcharge for the sale of commemorative coins that are minted under the bill, and this falls within the jurisdiction of the Committee on Ways and Means.

However, as part of our ongoing understanding regarding commemorative coin bills and in order to expedite this bill for floor consideration, the Committee will forgo action. This is being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation in the future.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 2453, and would ask that a copy of our exchange of letters on this matter be included in the CONGRESSIONAL RECORD during floor consideration.

Sincerely,

DAVE CAMP,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, April 13, 2012.

Hon. DAVE CAMP,
Chairman, Committee on Ways and Means, Washington, DC.

DEAR CHAIRMAN CAMP: I am writing in response to your letter regarding H.R. 2453, the Mark Twain Commemorative Coin Act, which is scheduled for Floor consideration under suspension of the rules on Monday, April 16, 2012.

I wish to confirm our mutual understanding on this bill. As you know, section 7 of the bill establishes a surcharge for the sale of commemorative coins that are minted under the bill. I acknowledge your committee's jurisdictional interest in such surcharges as revenue matters and appreciate your willingness to forego action by the Committee on Ways & Means on H.R. 2453 in order to allow the bill to come to the Floor expeditiously. Also, I agree that your decision to forego further action on this bill will not prejudice the Committee on Ways and Means with respect to its jurisdictional prerogatives on this or similar legislation. Therefore, I would support your request for conferees on those provisions within your jurisdiction should this bill be the subject of a House-Senate conference.

I will include this exchange of letters in the CONGRESSIONAL RECORD when this bill is considered by the House. Thank you again for your assistance and if you should need anything further, please do not hesitate to contact Natalie McGarry of my staff at 202–225–7502.

Sincerely,

SPENCER BACHUS,
Chairman.

Mr. BACA. Mr. Speaker, I yield myself such time as I may consume.

I want to recognize the gentleman from Missouri (Mr. LUETKEMEYER) for his efforts on this meaningful legislation.

I rise today in support of H.R. 2453, the Mark Twain Commemorative Coin Act. This legislation calls for the U.S. Mint to produce a coin in 2016—I state, in 2016—designed to honor Mark Twain's contribution to American history. William Faulkner once called Mark Twain ''the father of American literature.''

One of America's most beloved authors, Mark Twain's life and legacy have left a lasting mark on our Nation. Mark Twain, whose real name is Samuel Clemens, was beloved by many for his wit and sharp satire. Twain worked as a steamboat pilot and a reporter before finding success as a writer.

His hometown of Hannibal, Missouri, later became the setting for his most famous novels, ''The Adventures of Tom Sawyer'' and ''The Adventures of Huckleberry Finn,'' which all of us have seen throughout our lives as young kids. We still love seeing it every time we see this. Twain's other well-known works of fiction include ''The Prince and the Pauper'' and ''A Connecticut Yankee in King Arthur's Court.''

H.R. 2453 directs the U.S. Mint to produce a $1 and a $5 commemorative coin in 2016 and, I state, at no cost to the taxpayers. The simple price of the coin will cover the cost of production. In addition, the sale of the coin will generate revenue for the benefit of four of Mark Twain's institutions: the Mark Twain House & Museum in Hartford, Connecticut; the Bancroft Library at the University of California, Berkeley; Elmira College in New York; and the Mark Twain Boyhood Home and Museum in Hannibal, Missouri.

I urge my colleagues to support this responsible legislation as the recognition of one of America's greatest authors and humorists, Mark Twain.

I reserve the balance of my time.

Mr. LUETKEMEYER. Mr. Speaker, I don't have any further speakers at this time, and continue to reserve the balance of my time.

Mr. BACA. I yield the balance of my time to the gentleman from Connecticut, JOHN LARSON, one of our leaders.

Mr. LARSON of Connecticut. Thank you, Mr. BACA of California, and I thank the Hartford-Hannibal connection. I want to thank Representative LUETKEMEYER for his tireless work and effort in making this bill possible for the great institutions that both he and Representative BACA have illuminated and to stand here today and talk about the literary genius of Mark Twain and to see the institutions that will benefit from this—and, as Representative BACA points out, at no cost to the American public—enriching Americans all across this great Nation, I daresay around the globe, from the visits at these great institutions, whether it be in Hartford, whether it be in Hannibal, whether it be in Elmira or at Berkeley in California, all of whom will benefit directly from Mark Twain.

I'm glad that we're having a voice vote, because I wouldn't want to put what Mark Twain had to say about Members of Congress to a test here on the floor. But as my good friend and colleague JOE BACA has pointed out, the great works of Mark Twain stand throughout the ages. Of course, there's nary a person who hasn't read ''Huckleberry Finn'' or ''Tom Sawyer'' and, as mentioned, ''A Connecticut Yankee in King Arthur's Court.'' Well,

we like to refer to it as, ''A Connecticut Red Sock in King Arthur's Court.''

But, nonetheless I, would be remiss if I didn't thank Jeffrey Nichols, the executive director at the Mark Twain House in Hartford, Connecticut, and those on the entire board there, who have worked tirelessly to make sure that we are able to perpetuate the great legacy of Mark Twain in his literature, in his humor and his satire. It is a gift for the country that everyone should have the opportunity to enjoy.

Just this last year, the house adjoining the Twain house in Hartford is the home of Harriet Beecher Stowe, and we had the members of the Congressional Black Caucus, who came to Hartford to participate in a discussion about race. Of course, even today, as both Mark Twain and the whole issue of ''Huckleberry Finn'' and ''Tom Sawyer'' continue to come under literary discussion and debate, it also focuses on an important issue that the Nation needs to continue to face, and that's the whole issue of humanity as it relates to how man deals with man and the whole issue of racism. There was no stronger proponent in this Nation than Samuel Clemens. Mark Twain was just incredible in terms of his gift, his literary genius, a great ambassador abroad for this country, and heralded on this shore and all across the globe as a humanitarian, and we are so proud.

I again want to thank Representative LUETKEMEYER for his efforts to make this possible. I know that in Hartford and in Hannibal, Elmira, and Berkeley, people are very pleased that this will continue to benefit them and allow this great treasure in this great person of literature, American literature, to continue to enjoy the vast reputation and legacy that all Americans ought to enjoy.

Mr. BACA. I have no further speakers, and I yield back the balance of my time.

Mr. LUETKEMEYER. Mr. Speaker, I just want to close with a few thoughts here.

Again, I thank the gentleman from Connecticut for his hard work in helping to put this together, as well as the gentleman from California (Mr. BACA) for his help today.

It's interesting. When I was the director of tourism for the State of Missouri, we found out just how big an icon Mr. Twain was. Mark Twain not only is an icon who is recognized around the United States, but he is one of the few icons that people from other countries recognize about our country.

□ 1710

If you travel to Hannibal, Missouri, you can see the influence in the surroundings there and the stories that he told, and what kind of an influence it had on him as a youth and the stories as they unfolded. It's quite something.

Again, with that, Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. LUETKEMEYER) that the House suspend the rules and pass the bill, H.R. 2453, as amended.

The question was taken.

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

Mr. BACA. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

RECESS

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

Accordingly (at 5 o'clock and 10 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 3001, by the yeas and nays; and

H.R. 4040, by the yeas and nays.

Proceedings on H.R. 1815 and H.R. 2453 will resume later in the week.

The first electronic vote will be conducted as a 15-minute vote. The remaining electronic vote will be conducted as a 5-minute vote.

RAOUL WALLENBERG CENTENNIAL CELEBRATION ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3001) to award a Congressional Gold Medal to Raoul Wallenberg, in recognition of his achievements and heroic actions during the Holocaust, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. LUETKEMEYER) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 377, nays 0, not voting 54, as follows:

[Roll No. 152]

YEAS—377

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burton (IN)
Calvert
Camp
Canseco
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Cravaack
Crawford
Crowley
Cuellar
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dingell
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hahn
Hall
Hanabusa
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jordan
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (PA)
Myrick
Nadler
Neal
Neugebauer
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Peters
Peterson
Petri
Pingree (ME)
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)
Rokita
Rooney
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schilling
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stark
Stearns
Stivers
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tonko
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (AK)
Young (IN)

NOT VOTING—54

Andrews
Austria
Barton (TX)
Boren
Burgess
Butterfield
Campbell
Cassidy
Cohen
Costello
Crenshaw
Critz
Culberson
Cummings
Dicks
Doggett
Edwards
Filner
Frank (MA)
Franks (AZ)
Grijalva
Gutierrez
Hanna
Hinchey
Johnson (IL)
Johnson, Sam
Jones
Kaptur
Labrador
Landry
Lewis (CA)
Marino
McIntyre
Miller (FL)
Murphy (CT)
Napolitano
Noem
Pascrell
Paul
Perlmutter
Rangel
Rohrabacher
Ros-Lehtinen
Rush
Schiff
Schmidt
Shuler
Slaughter
Stutzman
Tipton
Towns
Velázquez
Waters
Young (FL)

□ 1852

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

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. NAPOLITANO. Mr. Speaker, on Monday, April 16, 2012, I was absent during rollcall vote No. 152 due to a family health emergency. Had I been present, I would have voted "yea" on suspending the rules and agreeing to H.R. 3001—Raoul Wallenberg Centennial Celebration Act.

Mr. CASSIDY. Mr. Speaker, on rollcall No. 152, I was unavoidably detained. Had I been present, I would have voted "yea."

Mr. FILNER. Mr. Speaker, on rollcall No. 152, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "yea."

PROVIDING FOR AWARD OF GOLD MEDAL TO JACK NICKLAUS

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 4040) to provide for the award of a gold medal on behalf of Congress to Jack Nicklaus in recognition of his service to the Nation in promoting excellence and good sportsmanship in golf, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. LUETKEMEYER) that the House suspend the rules and pass the bill.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 373, nays 4, answered ''present'' 1, not voting 53, as follows:

[Roll No. 153]

YEAS—373

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Amodei
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burton (IN)
Calvert
Camp
Canseco
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chabot
Chandler
Chu
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Cravaack
Crawford
Crowley
Cuellar
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dingell
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hahn
Hall
Hanabusa
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinojosa
Hirono
Hochul
Holden
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jordan
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (PA)
Myrick
Nadler
Neal
Neugebauer
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Richardson
Richmond
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schilling
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stark
Stearns
Stivers
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tonko
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (AK)
Young (IN)

NAYS—4

Amash
Chaffetz
Ribble
Rigell

ANSWERED ''PRESENT''—1

Cassidy

NOT VOTING—53

Andrews
Austria
Barton (TX)
Boren
Burgess
Butterfield
Campbell
Cicilline
Cohen
Costello
Crenshaw
Critz
Culberson
Cummings
Dicks
Doggett
Edwards
Filner
Flores
Frank (MA)
Grijalva
Gutierrez
Hanna
Hinchey
Holt
Johnson (IL)
Johnson, Sam
Jones
Kaptur
Labrador
Landry
Lewis (CA)
Lofgren, Zoe
Marino
McIntyre
Murphy (CT)
Napolitano
Noem
Pascrell
Paul
Rangel
Rohrabacher
Ros-Lehtinen
Schiff
Schmidt
Shuler
Slaughter
Stutzman
Tipton
Towns
Velázquez
Waters
Young (FL)

□ 1900

Mrs. HARTZLER changed her vote from ''nay'' to ''yea.''

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. NAPOLITANO. Mr. Speaker, on Monday, April 16, 2012, I was absent during rollcall vote No. 153 due to a family health emergency. Had I been present, I would have voted "yea" on suspending the rules and agreeing to H.R. 4040—To provide for the award of a gold medal on behalf of Congress

to Jack Nicklaus in recognition of his service to the Nation in promoting excellence and good sportsmanship in golf.

Mr. FILNER. Mr. Speaker, on rollcall 153, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "yea."

Mr. JOHNSON of Illinois. Mr. Speaker, on Monday, April 16, 2012 I had a previously scheduled meeting with constituents in Ogden, Illinois. As a result, I am unable to attend votes this evening. Had I been present, I would have voted "yea" on H.R. 3001, the Raoul Wallenberg Centennial Celebration Act; and "yea" on H.R. 4040, to provide for the award of a gold medal on behalf of Congress to Jack Nicklaus in recognition of his service to the Nation in promoting excellence and good sportsmanship in golf.

PERSONAL EXPLANATION

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent for votes in the House chamber today. Had I been present, I would have voted "yea" on rollcall votes 152 and 153.

□ 1900

APPOINTMENT OF MEMBERS TO THE COMMITTEE TO ATTEND FUNERAL OF THE LATE HONORABLE DONALD M. PAYNE

The SPEAKER pro tempore (Mr. HURT). Pursuant to House Resolution 571, and the order of the House of March 6, 2012, the Speaker on March 14, 2012, appointed the following Members of the House to the committee to attend the funeral of the late Honorable Donald M. Payne:

The gentleman from New Jersey, Mr. SMITH

The gentleman from South Carolina, Mr. CLYBURN

The members of the New Jersey delegation:

Mr. PALLONE
Mr. ANDREWS
Mr. FRELINGHUYSEN
Mr. LOBIONDO
Mr. PASCRELL
Mr. ROTHMAN
Mr. HOLT
Mr. GARRETT
Mr. SIRES
Mr. LANCE
Mr. RUNYAN

Other Members in attendance:

Ms. KAPTUR
Mr. LEVIN
Mr. TOWNS
Ms. WATERS
Ms. BROWN (FL)
Mr. RUSH
Mr. SCOTT (VA)
Mr. WATT
Ms. WOOLSEY
Ms. JACKSON LEE (TX)
Mr. JACKSON (IL)
Mr. CLAY
Mr. BUTTERFIELD
Mr. CLEAVER
Mr. AL GREEN (TX)
Ms. MOORE
Ms. CLARKE (NY)
Mr. JOHNSON (GA)
Ms. EDWARDS
Ms. FUDGE
Ms. BASS (CA)
Ms. SEWELL
Ms. NORTON
Mrs. CHRISTENSEN

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4089, SPORTSMEN'S HERITAGE ACT OF 2012, AND FOR OTHER PURPOSES

Ms. FOXX, from the Committee on Rules, submitted a privileged report (Rept. No. 112–444) on the resolution (H. Res. 614) providing for consideration of the bill (H.R. 4089) to protect and enhance opportunities for recreational hunting, fishing and shooting, and for other purposes, which was referred to the House Calendar and ordered to be printed.

CONGRATULATIONS TO KYLE STOCKAMP

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

Ms. FOXX. Mr. Speaker, I rise today to congratulate an outstanding young man from Deep Gap, North Carolina.

Kyle Stockamp is set to graduate from the United States Air Force Academy this May. He will be graduating as squadron commander of his unit and was recently selected to represent the Air Force Academy at the Doolittle Raider reunion.

He was selected as the number one cadet from all of the history and FAS-history majors to serve on the silver goblet detail at this historic event.

Kyle was first nominated for the Air Force Academy in 2006. In 2007, he left the academy to spend time as a missionary in Taiwan and subsequently returned to the academy.

Today, I am proud not only to congratulate Kyle for graduating at the top of his class but proud of his dedication and commitment to God and his country.

May God continue to bless Kyle and his family.

PRESLEY POE, #10

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

Mr. POE of Texas. Mr. Speaker, as the sun rose in the Hill Country shortly before 8 a.m., she breathed her first breath of life. She weighed 6 pounds, 12 ounces, and was 19½ inches long as she arrived in Round Rock, Texas, on April 12 of this year.

Presley Poe is the fourth child born to Suzy and Kurt Poe.

I call Presley #10 since I refer to each of our grandchildren not only by name but by their birth numbers as well.

Anyway, Presley, like all of us, did not choose her family or her place of birth, but she is blessed to be born to a God-fearing family and in a Nation like no other.

There is something about little girls that makes us smile. Maybe it's their happy spirit. Or is it that little glow of angelic quality with a speck of mischief? Or maybe it is we see in their eyes a hope for a better and gentler world. It's all of these, of course.

So, welcome to the world, Presley. As your grandfather, I hope you walk in the path of goodness, giving, and gratitude—and that you attend the University of Texas and not Texas A&M.

And that's just the way it is.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

CONGRATULATIONS TO ANN AND JACK MURPHY ON THEIR 70th WEDDING ANNIVERSARY

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

Mr. GARAMENDI. Mr. Speaker, occasionally, we go to remarkable events, and I did so last Saturday.

A couple that had reached the age of 94 and 92 were celebrating not only the gentlelady's birthday but also their 70th year of marriage. When I told people where I had been, they said, "You've got to be kidding. Seventy years?"

No, they were not married as teenagers, but they were married in their twenties. They happen to be my aunt and uncle, and I love those genes.

So congratulations to Ann and Jack Murphy on Ann's 90th birthday and their 70th anniversary.

AMERICA NEEDS A NEW TAX CODE

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

Mr. PAULSEN. Mr. Speaker, tomorrow is tax day, and as Americans work to file their taxes by midnight tomorrow, they are reminded about how broken our Tax Code and our tax system really is, how burdensome it has become, how complicated it has become, and how it has not kept up with today's economy.

Unfortunately, Mr. Speaker, there are too many in Washington that always believe the answer is only to raise taxes rather than focusing on tax reform. Just a few weeks ago, the United States became the number one country in the developed world for having the highest corporate tax rate. This is something we should not be aspiring to. A new medical device tax is set to start next January that will be a hard-hitting tax on the American success story of medical innovation.

Mr. Speaker, we need a Tax Code that promotes hard work, achievement, innovation, and also savings and investment. Mr. Speaker, we need a Tax Code that is simpler and fair and more

competitive for all taxpayers so we can grow our economy and create jobs.

□ 1910

ACCOUNTABILITY FOR THE SECRET SERVICE AND THE GSA

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

Ms. JACKSON LEE of Texas. Mr. Speaker. I was in Colombia, South America, this past week with the President for what was an outstanding discussion among 30 Presidents, including the President of the United States. The meeting reenforced our commitment to South America and Central America on business opportunities, small business opportunities, human rights, and the controlling of drug trafficking.

At the same time, we had to, in essence, listen and hear about a horrible action that occurred by members of the Secret Service. This does not undermine the Secret Service's long years of service for 147 years, but there must be accountability.

I do not think that we should cede any authority to the House Oversight Committee. This is a question of Homeland Security and national security, and we must begin to act immediately for a full investigation.

Finally, on the General Services Administration, it should be cleaned up and cleaned out. I know for a fact that is true because monies that are being spent on the Mickey Leland Federal Building—the contractor is Gilbane. They are adhering to no rules regarding small businesses, minority-owned businesses, diversity and workforce, nothing at all. They are overseen by the General Service Administration, which has done absolutely nothing to rein in companies like Gilbane that have done nothing as it relates to diversity of small business and are doing nothing to adhere to the American value that everybody must have an opportunity under Federal funding.

GSA, clean up your act.

SUPPORT THE GOVERNMENT OF BAHRAIN

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

Mr. BURTON of Indiana. Mr. Speaker, this past break that we were just on, I had an occasion to visit a great friend and ally in the Persian Gulf area. If we ever needed allies in that area because of Iran, we sure need them right now. I'm talking about the country of Bahrain.

Bahrain is a great friend, not only because they have been historically a friend of the United States, but we have the Fifth Fleet there, and the Fifth Fleet is there to protect the interests of that part of the world as well as the United States of America. The Strait of Hormuz and the Persian Gulf are right there, and the Fifth Fleet is there to guarantee that shipping of oil from that part of the world can get through. So Bahrain is extremely important to the United States, as well as being a friend and an ally. In addition to that, Bahrain is also a free trade agreement partner. We have a great free trade agreement with them, and they've been absolutely great as far as trade is concerned. I think we have a trade surplus with them.

The reason I've brought this up tonight, Mr. Speaker, is because I watch television, and I've seen where there has been a repressive government in Bahrain. There is no question there have been problems in the past. There has been overreaction by the police in certain instances in the past year, year and a half. As a result, there were people who were hurt severely when they were demonstrating in the streets of Bahrain. But the King and the Crown Prince have worked very hard to solve this problem.

One of the problems they have over there is the Iranian Government is working to try to undermine many of the countries in the Persian Gulf, and Bahrain is one of them; and there have been people coming from Iran into Bahrain to try to work with the demonstrators to undermine that government and overthrow it. People from Bahrain who are fairly radical have gone to Iran and Iraq to learn tactics to employ against the government there.

We have found that just recently there have been firebombings of homes of police. There have been firebombings of police in the streets. Some of them have burned to death. Just recently, at one of the homes of a policeman there who was gone, his wife and child were there and their house was firebombed.

The police have been ordered by the government, the King, and the Crown Prince to be very careful in how they react to the demonstrators. As a matter of fact, they don't use ammunition; they use tear gas to control the crowds. So there is no attempt right now to hurt the people there who are trying to hurt the police and the government.

I think it's important that we get the proper perspective on what's going on over there because this is one country that is extremely important to the United States because of energy that we get as well as trade and other things. If the Strait of Hormuz were to be closed down, if the Persian Gulf was closed down, if they sank some ships in there or if they put mines in the Strait of Hormuz or the Persian Gulf, the Fifth Fleet would have to go in and clean those out to make sure that commerce continued through the Persian Gulf and the Strait of Hormuz. So Bahrain is extremely important.

Now I want to make a couple of points tonight that are extremely important.

First of all, the government and the police have made mistakes in the past; there is no question about that. Demonstrators, as I said before, have been infiltrated by outside radical elements. The demonstrators have used terrorist tactics, as I said, to try to destroy and undermine the government, and the Molotov cocktail is one of the things that they've been using. They've also been learning other things from the radicals that come in there or have been trained by the Iranians.

The government has attempted to solve the problems. As a matter of fact, the King appointed an outside commission, and this is the commission report: Report of the National Commission Charged with the Recommendations of the Bahrain Independent Commission of Inquiry (BICI) Report. This is a huge report. It's not by the Government of Bahrain. It's by an outside group of people who were being fair and objective when they made these recommendations to the government. The King and the Crown Prince and the government are doing everything they can to implement these recommendations, and we need to applaud them for doing that.

They are reaching out to the demonstrators and the more radical elements to try to get them to the conference table to solve these problems. So far the demonstrators, supported in large part by these radical elements, will not come to the conference table and discuss these issues. The government is trying to reach out to them, but the demonstrators don't want to. That's something I think the world needs to know and the people in this country need to know. I hope our State Department is paying attention to this, because the State Department has a different view in many respects than what I found when I was there.

I want to stress very clearly tonight that the government has reached out to the demonstrators to discuss their grievances, but they can't get them to sit down with them. The government is reaching out, but the radical elements of the demonstrators are trying to make sure that the government continues to be undermined and stopped.

Let me just end by saying that we don't have a lot of friends in that part of the world. We have seen all kinds of problems in Libya. Libya is now in a state of confusion. If you look at Egypt right now, radical elements are trying to take over the Government of Egypt. That's the biggest country in that area. We see the problems in Syria. People are being killed, and we're trying to see a resolution of that problem through the mitigation of the United Nations and the former head of the United Nations.

But that entire area is in a state of flux, and we need all the friends that we can get. One of the best friends we have in the world, in my opinion, is Bahrain. Since they are our friend and the Fifth Fleet is there and since they are a great trading partner, I think

that we should make sure that the American people and the rest of the world know how important Bahrain is to this country and to the world.

Thirty-five to 40 percent of our energy comes through the Persian Gulf and the Strait of Hormuz. If that area were to be bottled up, we would be in big trouble. Lights would go off. Energy would be curtailed. We would have electricity curtailed, and it would be bad for the industry and the commerce of this country. So the Fifth Fleet being there is extremely important.

Bahrain has been very supportive of our military, very supportive of our intelligence, very supportive of the Navy and the Fifth Fleet, and we need to make sure that that relationship continues for as many years as possible. The best way to do that is to make sure there is stability in the government, and the information that has been coming back through the State Department and others is that the Government of Bahrain has been repressive and that we ought to be putting pressure on them to make positive changes. They have made the changes. They are using tear gas only to stop the demonstrators.

□ 1920

They have reached out to the demonstrators to get them to the conference table to support and change rules and regulations and laws there that will solve the problem. This, again, is a report, an independent report, by outside entities, experts, that came up with a very voluminous report on things that should be changed in Bahrain by the royal family and the government to make sure that everybody can live together in peace and that there will be stability in the region.

I want to stress one more time the demonstrators will not come to the conference table. So tonight I'd like to urge those who are demonstrating to take a step back, take a deep breath and reach out and take the hand of the government, sit down at the conference table and work things out because that's what they want to do. If they do that, I'm sure there will be peace and harmony in Bahrain, and it will be great for the United States of America because a great friend, a great ally and a great government over there will be secure and be able to protect our interests as well as other interests that are very important to the entire world.

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

CONGRESSIONAL BLACK CAUCUS: THE TRAYVON MARTIN CASE AND JUSTICE AND MOURNING THE PASSING OF JOHN PAYTON

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mrs. CHRISTENSEN. Mr. Speaker, I ask unanimous consent that all Member may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the topic of this Special Order.

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

There was no objection.

Mrs. CHRISTENSEN. I would like to again thank the Democratic leader for giving us this time.

Mr. Speaker, tonight the Congressional Black Caucus will use the hour to speak on something that's always at the core of what we fight for and what we legislate for and what we legislate to end, and which is always at the root of much of what we come to the floor every Monday night to talk about, the persistence of inequality and injustice in our country.

It is fitting then that as we do so this evening we call to mind and honor a staunch champion for justice, attorney John Payton, who at the time of his death on March 22 was the sixth president of the NAACP Legal Defense and Educational Fund.

Tonight I'm joined by several of my colleagues, and I begin by yielding such time as she might consume to the former chair of the Congressional Black Caucus, a leader and one of our strongest fighters for justice and equality in this country, the gentlewoman from Oakland, California, Congresswoman BARBARA LEE.

Ms. LEE of California. Thank you very much. First let me just thank Congresswoman Dr. CHRISTENSEN for those very kind remarks, but also for your leadership on this issue and on so many issues and for anchoring these Special Orders week after week. It's so important that the points of view of the Congressional Black Caucus get out to the public, and you've been such a steady and consistent voice, and your presence here is deeply appreciated. Thank you very much.

Also, I just have to thank all of the members of the Congressional Black Caucus, Chairman CLEAVER, for continuing to beat the drum for justice. This past week, we lost a tireless advocate for justice, equality and opportunity, and I am deeply saddened by the passing of my friend and activist, John Payton.

John was a civil rights attorney and served as the president of the NAACP's Legal Defense and Educational Fund and was lead counsel for the University of Michigan in the 2003 landmark case concerning diversity in higher education. John was a California native, yet his legal victories touched those around the globe. At the center of his conviction was the belief that democracy at its core requires that all of the people be included in ''we the people.''

His life was really a testimony to this belief. He was the past president of the District of Columbia Bar Association and served in leadership roles with a number of civil and human rights organizations, including the National Lawyers Committee for Civil Rights under Law and the Free South Africa Movement, and I was very privileged to be with John last year and his wife, my friend, Gay McDougall, in Geneva, Switzerland, as we worked through and I chaired a committee for the U.N. on minority political participation.

John will be deeply missed by so many. My thoughts and my prayers are with his wife, Gay McDougall, and all of his family and his friends. And as we remember John and the progress that we have made with his leadership, we know that the work for justice is far from over. The recent events in Florida are really a grim reminder of the long road ahead.

On February 26, 2012, Trayvon Martin, a 17-year-old African American youth, was tragically gunned down while walking home from a local 7–Eleven store. The gunman, 38-year-old George Zimmerman, was not immediately charged with the murder and was released by the Sanford Police Department.

Sanford Police Chief Bill Lee said that there was not enough evidence to arrest George Zimmerman even though the killer followed the young male in his SUV and confronted the teen before the shooting. More than 40 days later, as a result of the outrage across the country, dedicated reporting from the media, advocacy from community and faith leaders and vocal parents and families and, of course, the facts, which spoke for themselves, the wheels of justice are finally beginning to turn. This is really an unfortunate and tragic defining moment that we must come to grips with. First we must, of course, seek justice for Trayvon and his family, especially in the wake of the circumstances surrounding his killing.

Secondly, we must make certain that this toxic and deadly mix of the power of guns, hate crimes, and racial profiling ends once and for all. Just recently, Bill Cosby said that there is a need to get guns off the street and that people should be taught to use every possible alternative before shooting someone. Yet, of course, there are those who continue to push for vigilante justice. With laws like stand-your-ground, Sanford really could be anywhere. It could be in my own community, and we have many, many of the same challenges as Sanford has.

Racial profiling is real. This young teenager was gunned down, of course, because of how he looked, because of the color of his skin. As the mother of two sons and the proud grandmother of two grandsons, these fears haunted me as I was raising my two sons and continue to haunt me each and every day. The reality is that many black parents live with these fears each and every day.

Again, Sanford could be anywhere. Hate crime must be enforced. Of course, Mr. Zimmerman was fixated and focused on young black males according to neighbors and press reports.

He had been the subject of complaints by neighbors in his gated community for aggressive tactics.

Now, our laws state that you cannot injure or intimidate another based on their race. When these laws are broken, the consequences must be applied appropriately, whether it has been the color of one's skin, their religion, their gender, their disability, national origin or sexual orientation or identity. The sad fact is that too many persons have been the victims of violence, often ending in death simply because of a characteristic of birth. The senseless violence must end. Sanford could be anywhere.

So very many people feel the loss of Trayvon as their own personal loss. While we cannot understand and feel the pain experienced by Trayvon's family, there is universal pain, a national pain; and it is shared far and wide.

We will continue to take up the very critical issues of racial profiling and hate crimes. A recent briefing on these issues successfully raised the level of awareness around the country about the deadly combination of guns, racial profiling, and hate crimes.

Chairman CLEAVER called upon the Department of Justice to investigate the shooting death of Trayvon Martin as a hate crime. On March 19, the Department of Justice launched a full investigation, and, of course, the Congressional Black Caucus is very eager to see this report.

As President Obama said, this is a time of soul searching for our Nation as it comes to grips with this tragedy. This senseless violence must end, and so we all must recommit ourselves to justice, justice for all.

□ 1930

Mrs. CHRISTENSEN. Thank you, Congresswoman LEE.

You reminded me that I had the honor of traveling with you to Geneva for that U.N. conference that focused on the inequalities and the injustice that exist in far too many areas of the world with respect to voter participation. And as we heard from so many marginalized communities in different countries, it was really sad that when it came for my time to speak, I spoke from the experience of the United States and the lack of voter participation; the lack of full representation of the District of Columbia, the capital of the United States; and the inability of the people of the Territories to vote for the President, our Commander-in-Chief.

Ms. LEE of California. That's right. I just want to respond if you will yield for just a minute.

It was really a very important moment, I think, and we were, again, with our great fallen hero, John Payton, when we had this discussion about the disenfranchisement of individuals, the entire population of the District of Columbia. He was totally dedicated to voting rights for the District of Columbia. And I'm so pleased that Congresswoman ELEANOR HOLMES NORTON is continuing to fight the good fight and has made sure that all of us do not forget that we live here during the week and that we also have a real commitment to ensure that there are full voting rights for the residents of the District of Columbia. They pay taxes. They have the full responsibilities and duties of American citizens, and they should be able to vote. And John Payton stood for that throughout his life.

Mrs. CHRISTENSEN. Thank you for adding that.

Before I yield to the Congresswoman from the District of Columbia, I would like to yield such time as she might consume to the gentlelady from Texas, also a very strong voice for justice and equality in this country, not just in her own district, but for Americans and for people across the world, the Congresswoman from Houston, Texas, Congresswoman SHEILA JACKSON LEE.

Ms. JACKSON LEE of Texas. Let me thank the gentlelady again for her leadership—I like to call her Dr. CHRISTENSEN—and for, as my colleague from California indicated, for allowing us to have a vote on a regular basis on behalf of all of America, my constituency, and certainly on behalf of the Congressional Black Caucus, of which I'll never step away from its definition as the conscience of this Congress, but the conscience of America.

I want to thank my colleague, the Honorable BARBARA LEE, who knows what justice and fighting for freedom is all about. I'm reminded of the very unique history of Oakland, California, and I think of the movement of justice through the Black Panthers of early years, who did many things; but I remember them for their early breakfasts and nutrition programs, and I call that justice. Let me just thank her for her leadership on this and on many other issues.

To my colleague from the District of Columbia, the Honorable ELEANOR HOLMES NORTON, let me thank her as well. Let me indicate that this is Emancipation Day. As I understand, there's a big parade. And President Lincoln, just a few steps away from us, signed the freeing of the slaves in Washington, D.C. You don't know the history of the District of Columbia until you hear it from ELEANOR HOLMES NORTON, and I thank her very much. And I know of her friendship and closeness to John Payton.

One of my dear friends and former Federal judges that I know ELEANOR HOLMES NORTON knows, Judge Gabrielle McDonald, likewise came to a similar history. We have talked. I was an Earl Warren legal scholar. And so I know the journey that so many have traveled.

So this is a personal statement as I rise to salute John Payton and also acknowledge his wife, Gay McDougall. And I want to say this on behalf of my husband, Dr. Elwyn C. Lee, a graduate of Yale Law School and who knew Gay very well, and I knew her. What a perfect match and a family of justice fighters, of human rights fighters, of individuals who could be as eloquent on the question of HIV/AIDS, international plagues and devastation that impacts so many vulnerable communities, here they are discussing the worldwide siege of AIDS upon individuals but, likewise, can come home and march along the road of justice here in the United States of America.

I learned in law school that the law—and I know that Congresswoman HOLMES NORTON still teaches—I know the law is a jealous mistress. I would say to you that I found that out. Obviously, I'm now in the United States Congress. But I love the law. I love the purpose and value of lawyers. And I encourage young lawyers that if they want to read a story of sacrifice and someone who epitomizes that it's a jealous mistress, read the history of John Adolphus Payton, born in 1946 and passed this past March 22 in Baltimore, Maryland. He, obviously, is from California, but with a law degree from Harvard Law School. That means that the world was his oyster, and it was open to any manner of choice that he could have made in his lifetime. He was a Federal clerk, but he managed to start his life at WilmerHale, which used to be, I believe, Wilmer Cutler & Pickering, which is where my husband practiced law here in D.C. for a number of years.

What I like most of all is that his reach was so far on the Independent Electoral Commission in South Africa, again, looking for justice. President of the District of Columbia Bar, but he found his way to his calling. He found his way to answer the opportunities that he was given.

Being a 1977 graduate of Harvard Law School, he stood on the shoulders of Thurgood Marshall, a graduate of Howard Law School. He stood on the shoulders of the giants that graduated from law school in Arkansas and the other giants that graduated from Howard, and I think he found his comfort level at the NAACP Legal Defense Fund, becoming the sixth president.

My classmate, Elaine Jones, served in that capacity for a very long time, graduating from the University of Virginia Law School. Today, in the wonderful tributes, she was part of that wonderful memorial service that was held here in Washington, D.C., along with a number of other giants.

Let me just say to you that when we think of justice, we have a combination, from the civil rights leaders to the fallen; Dr. King on the balcony in Memphis, Tennessee. But do we know all the lawyers that were part of the matrix of justice, from Thurgood, who held the hand of Dr. King and a number of civil rights leaders, one after another, some of our giant lawyers down in Alabama and Mississippi who were there to bond them out, to petition their case.

In the likes of those, John Payton became an unselfish fighter for justice,

from his, what I call, victory of Richmond v. Croson, in a 5–4 decision—it was a victory—where he attempted to maintain the affirmative action plan that established just a simple process of assisting businesses to receive opportunities. I want you to know today that because of lawsuits like that, we are suffering in cities all around America because there were those who believed that just a smidgeon of opportunity was too much.

Right in my own city of Houston, under the General Services Administration that I hope will be cleaned up—and I know there are good people there—we have Gilbane, a major company, using stimulus dollars and having no concern about the in-depth minority participation of small businesses—the GSA hopeless and helpless at being able to do anything—and having a nondiverse workforce. Gilbane. Let the number go out as an example of what John Payton was fighting against.

Then, of course, his valiant fight in 2003 at the University of Michigan, the affirmative action case that is maintained today as he defended the school's use of race as their admission processes—again, not using it destructively. That is, I think, one of the arguments that is not a legal argument, but he found a way to justify—the trial court of appeals and the U.S. Supreme Court defending undergraduate school's use of race in their admissions processes and the loss in the United States Supreme Court by 6–3—but in any event, maintaining the fight and taking cases that were not popular.

John, thank you. Thank you, Gay, for sharing him.

And then a 2009 case, Northwest Austin Municipal Utility District Number One v. Holder. The municipal district in Austin, my State, challenged the validity of section 5 of the Voting Rights Act. Payton assisted in the arguments, leading to the Supreme Court's 8–1 decision upholding section 5.

□ 1940

He was our firewall. On the question of section 2 and section 5, he was the holder of the truth, the arbiter, the outside partner to the Department of Justice that wanted and needed to do right.

Finally, the local attorney for the plaintiff in 2010, Lewis v. City of Chicago, in which a group of African Americans seeking to be firefighters contended that they had properly filed a charge of discrimination. It is my understanding that that case has moved along and that John prevailed so that truth would be the call of the day. It is important to hold him up as the man of armor who is nonviolent. And he held as his victory call the Constitution and the laws that were passed to help the unempowered.

I've always said that the Voting Rights Act is not the black Voting Rights Act or the Hispanic Voting Rights Act. It is the Voting Rights Act to have one vote, one person for every single American. My hat goes off to John Payton, and I salute him as a soldier on the battlefield for justice, for what is right, never wavering with his quiet demeanor, and for his strength in the courthouse.

I ask the NAACP Legal Defense Fund to stay the course. I ask you to never whimper and never weaken. And I say to you that your soldier is going on to be a general in the justice cause in a place beyond. I beg of you to carry forward.

Let me just read these citations that were in honor of him, just very briefly, from a statement from the LDF, where they spoke about the city of Chicago, the Lewis case, which vindicated the rights of over 6,000 applicants. As I indicated, that case prevailed. They called him fearless, a guiding light, a brilliant advocate, a mentor and a teacher who believed that American democracy thrives when it embraces all of our voices. Thank you to the Legal Defense Fund. And then, from one of the major law firms, partner Walter Dellinger had this to say:

> John Payton was a towering figure. He was just flat-out brilliant and combined that intellectual power with a deep and empathetic commitment to justice. Everyone who knew John will remember forever his infectious good spirit and uninhibited laugh. Every encounter with John was a learning experience.

Let me close on this note because I know that John would have been in the midst of discussing this travesty of justice as relates to Trayvon Martin. Trayvon obviously was a symbol of the injustice of this Nation when police and a State prosecutor became judge and jury. I don't want to interfere with the process of justice. Mr. Zimmerman is arrested. But let us not rest on our laurels because we pushed for the arrest that should have been. We know that there will be a rocky road proceeding toward holding Mr. Zimmerman accountable.

More importantly, let me make it very clear on the floor of the House that every mode of justice that is needed for a fair trial I support. If it is to remove the judge, as the defense has asked for, let that be considered in an unbiased manner. If by chance the prosecution asks for a change of venue because this jury pool in this region will be tainted, then so be it.

But what we must also say—and let me be very clear—I, as a Democrat, and I hope my friends on the other side, are not afraid of dealing with gun violence and the overuse of guns in America, as responsible legislators should be. And so to my good friend, Bill Cosby, let me say to you that the call has been answered many times. There are many bills dealing with gun violence. There are many bills to rein in the reckless use of guns, the use of the assault weapons, the issue of individuals not being checked at gun shows and the gun show loophole. It only takes responsible leadership to move it forward. And I salute the Brady Center that will be with us in Washington tomorrow for recognizing that there are people who are willing to take a stand—not against your Second Amendment rights. God bless you for those rights. You have those rights. I celebrate those rights.

But I cannot celebrate the fact that a man that was on the Neighborhood Watch, which is the eyes and ears, was walking around with a 9-millimeter and shot dead an unarmed, helpless 17-year-old boy and snuffed his life out because we refused to address the question of everyone being able to carry a gun, whether trained or not. Mr. Zimmerman was not a police officer and should not have acted as if he was the law, the judge, and the jury.

So to my good friends on the floor who will come up after me, let me just end my note by saying to John Payton, in instances like Trayvon, I know that your voice would have been heard on the civil rights of the question, but your voice had been heard through places where many of us were not there and did not know. And so I agree, and salute the words that were offered in tribute to you by so many of your colleagues, certainly these last words that indicate that you were, in fact, fearless; you were, in fact, a guiding light; you were, in fact, a brilliant advocate, mentor, and teacher; you were, in fact, an eagle with wings who stood widespread over America, and when there was a doubt about justice, you led the troops of the NAACP in a nonviolent, Constitutional law-saturated effort to ensure that justice would be done.

May God rest your soul for a job well done, good and faithful servant, and may your family and Gay know how much we loved you and appreciated the war that you waged for justice.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise today to speak about justice in America.

Thank you Congresswoman CHRISTENSEN, and my other CBC colleagues. I appreciate your leadership in convening this Special Order on Justice, Trayvon Martin, and our good friend John Payton of the NAACP Legal Defense Fund.

How ironic that in the span of a couple of months in a historic election year, we lose one of our precious youths to a senseless and irresponsible act of injustice; while at the same time, a man who in the tradition of the late, great Justice Thurgood Marshall, dedicated his life to paving the long, winding road of justice so that the Trayvon Martins of the world could live life, go to school, and travel Westward and Eastward, as they pleased.

That did not happen in Trayvon's case, and that is why I believe these issues of justice are of the utmost importance. It is necessary to figure out the best possible way for this Congress to be involved in addressing racial profiling and hate crimes.

Before we begin I wish to offer my deepest condolences to the family of Trayvon Martin. I was pleased that the Department of Justice (DOJ) and the Federal Bureau of Investigations (FBI) have begun to investigate the circumstances surrounding the tragic death of Trayvon.

And as most of us are surely aware, there was finally an arrest in the case last week of

the man with the gun, who shot the boy, which will get the wheels of justice to start turning.

I hosted a rally in Trayvon's honor in Houston, TX and just returned from another rally in Miami held several weeks ago. There were hundreds of men, women and children all asking for justice. ''I am Trayvon Martin'' and ''We are all Trayvon Martin.'' This case has captured the nation's and indeed the world's attention, as many folks around the world ask what's going on in the United States, the nation which touts liberty and justice on its coins, dollars, and in our engagements with those in the international community.

John Payton, the sixth Director-Counsel and President of the NAACP Legal Defense and Educational Fund, left us late last month, at the age of sixty-five. But his legacy did not leave.

John Payton was one of the most formidable advocates of his generation, and he litigated and argued some of the most important civil rights cases of his time.

In a legal career that spanned private practice, government service, and public interest law. He led the litigation department of the venerable Wilmer, Cutler & Pickering law firm, served as corporation counsel for the District of Columbia, and until the very end, led the NAACP Legal Defense Fund.

A true warrior for justice, John litigated case before the Supreme Court, such as, NAACP v. Claiborne Hardware, in which he won a decision in the U.S. Supreme Court overturning a monetary judgment against the organization under Mississippi's secondary boycott law;

City of Richmond v. J.A. Croson Co., in which he ably, albeit unsuccessfully, defended a minority contracting municipal ordinance; and perhaps most notably, two cases in which he defended the University of Michigan's pursuit of diversity in admissions,

Gratz v. Bollinger, and Grutter v. Bollinger. Most recently, in 2010, John successfully argued and won Williams v. City of Chicago,an employment discrimination case against the city's fire department. Under his leadership LDF won five Supreme Court cases, including a successful defense of the recently extended Voting Rights Act.

I had the privilege of knowing John Payton for many years. It is said that success has many parents, while failure is an orphan. There were many who were responsible for the 2003 landmark affirmative action cases that saved diversity in higher education, thereby keeping the doors open to selective colleges, universities, graduate and professional schools. John litigated both cases in the trial courts, in the court of appeals, and in the Supreme Court. He argued Gratz, and his work was essential to the victory in Grutter.

John's was a passionate voice for racial and social justice. But even in the toughest cases—in which the odds were stacked against his side particularly in the current Supreme Court—John's work and his voice were no less forceful, excellent, and passionate.

When the Supreme Court struck down Richmond, Virginia's minority contracting program in City of Richmond v. Croson by a narrow 5–4 vote, it was in spite of the Herculean effort put in by John Payton and his staff.

It is important to recall that the U.S. Supreme Court has narrowly approved of congressionally mandated racial preferences to allocate the benefits of contracts on federally sponsored public works projects, while generally condemning similar actions taken by state and local entities to promote public contracting opportunities for minority entrepreneurs, which came about because of years and years of de facto and de jure discrimination; some of it documented, but certainly much of it not. Bad actors usually do not leave their scripts lying around.

Disputes prior to City of Richmond v. J.A. Croson generated divergent views as to whether state affirmative action measures for the benefit of racial minorities were subject to the same ''strict scrutiny'' as applied to ''invidious'' racial discrimination under the Equal Protection Clause, an ''intermediate'' standard resembling the test for gender-based classifications, or simple rationality.

In Croson, a 5 to 4 majority resolved that while ''race- conscious'' remedies could be legislated in response to proven past discrimination by the affected governmental entities, ''racial balancing'' untailored to ''specific'' and ''identified'' evidence of minority exclusion was impermissible.

John had done the best that could be done, and a Supreme Court increasingly hostile to programs and efforts specifically designed to include African Americans and others who had been historically excluded from opportunity was on its way to becoming a forum in which they were unlikely to win.

Yet John, in the aftermath of Croson, tirelessly traveled the Country, meeting with attorneys in the public and private sectors in an effort to properly craft contracting programs and to ameliorate the effects of the decision. John did not accept defeat. He simply went back to work.

HATE CRIMES

We stand here on this House Floor to discuss the role our federal government plays in hate crimes enforcement. Hate crimes are real. The loss of life and the impact these types of crimes have on our country, our community, on a family, and on the individual is something that we should never tolerate.

We are here today to shine a spot light on the tensions and issues which arise from these types of crimes. We are here today to ensure that those who act with hatred in their hearts to harm another based upon their race, sexual orientation, gender, disability, ethnicity/nation origin or religion will be brought to justice.

The term ''hate crime'' was coined in the early 1980s but the motivations behind that term are centuries old. ''Hate crime'' is not a distinct federal offense; however, the Department of Justice does investigate and prosecute crimes of bias as civil rights violations, which fall under its jurisdiction.

The actions by the Department of Justice are meant to buttress efforts by state and local authorities, which handle the vast majority of hate crime cases.

The Matthew Shepard and James Byrd, Jr., Hate Crimes Prevention Act provides funding and technical assistance to state, local, and tribal jurisdictions to help them to more effectively investigate, prosecute, and prevent hate crimes.

Today, headlines across the country are reporting the tragic story of Trayvon Martin. Nearly a month ago, Trayvon woke up on a sunny Florida morning filled with life. He was the typical American teenager, who was spending time with his family and friends. By the end of the day he would be laying alone on a cold sidewalk in a pool of his own blood. Trayvon could not have known that morning that he would be shot by a man who accused him of walking ''suspiciously.''

Trayvon was not climbing out of a window, kicking a front door, or picking a lock. He was walking on the sidewalk, talking on the phone with his girlfriend. The man who killed him was not arrested, which means that Mr. Zimmerman was not given a drug test and he was not fingerprinted.

The on-scene investigator literally had to take Mr. Zimmerman at his word that he shot Trayvon Martin in self defense. By reported accounts the on-scene investigator wanted to arrest Mr. Zimmerman and was told not to . . . a trained law enforcement officer was suspicious of Mr. Zimmerman's claims. He wanted to do what law enforcement officers are trained to do . . . arrest the suspect and determine the truth of the assertion made.

I called for Mr. Zimmerman's arrest and again am pleased that at least Trayvon's family has an opportunity to have some justice.

We need to get to the bottom of this. Again, I hosted a rally in Houston supporting the Trayvon Martin family's call for justice. I attended another rally in Miami. I have spoken on the floor. And I am working diligently to ensure that people like Trayvon, who can no longer speak for themselves, have an advocate.

Mr. Zimmerman should be judged by his peers. That is why we have a justice system. I wish to remind everyone here today of other hate crimes . . . lives that should not have been lost and lives that cannot be replaced; however, the families of these victims fought for an attained justice.

It is my fervent hope that Trayvon's family can one day say they received justice. I commend his parents for their strength. I can not attest to the guilt of Mr. Zimmerman, we have a justice system which calls for innocence until proven guilty. I call for the wheels of justice to begin to churn.

JAMES ANDERSON

On June 26, 2011 in Jackson, Mississippi, 49-year-old James Anderson, a black man, was killed in what initially appeared to be a hit-and-run accident. However, surveillance footage which captured the crime on film recently revealed that Anderson was brutally beaten by a group of white teens, and run over by a Ford F–250 pickup truck in the midst of an alleged racially motivated hate crime. It is of great concern that in 2011, in a time when our country's race relations and tolerance have so greatly progressed, that such hatred based purely upon race still exists.

Of even greater concern is the way in which this case was being handled. Of the group of seven teens involved in the brutal attack, only two have received any charges as a result of the incident; 19-year-old Deryl Dedmond, the driver of the truck who intentionally ran Anderson over has been charged with murder, and John Aaron Rice, one of the teens involved in the beating, has been charged with simple assault. Given that this appears to have been a hate motivated crime, attention should be paid to the intent of the other teens involved in the attack.

The driver was convicted and sentenced to two consecutive life sentences. He would have received the death penalty, however, the Anderson family does not believe in the death penalty and requested that his life be spared.

What began as a hate crime has evolved into a family expressing a level of compassion that their loved one should have received. I was unnerved by the possibility that some of the parties involved who may have had similar motivations as those charged, were allowed to roam freely without taking on any responsibility. I was pleased by the recent announcement that the Department of Justice has charged three related defendants with federal hate crimes.

We must always remember that hate crimes involve the purposeful selection of victims for violence and intimidation based upon their perceived attributes. Such targeting for violence removes these actions from the protected area of free expression of belief and speech as enshrined in the First Amendment to the United States Constitution. The crimes are investigated and prosecuted at both the Federal and State and local level, depending upon the facts of the case and the needs of the investigation. A young African American teenage boy was shot to death on the street by an adult male who felt that he was walking ''suspiciously'' and who may have uttered a racial slur. This must be investigated.

In 2008, law enforcement agencies voluntarily reported 6,598 single-bias hate crime incidents (involving 7,775 offenses, 8,322 victims, and 6,219 known offenders) to the FBI. Almost half (48.5 percent) were racially motivated and 19.7 percent were motivated by religious bias. Bias against sexual orientation and ethnicity or national origin accounted for another 18.5 percent and 11.8 percent, respectively

Only 44 percent of hate crimes are reported to the police.

More than 80 percent of hate crimes were associated with violent crimes—a rape or other sexual assault, robbery, or assault.

Between 2000 and 2003, an annual average of 191,000 hate crime incidents were reported by victims.

An estimated 3 percent of all violent crimes were perceived to be hate crimes by the victims.

Nearly 50 percent of hate crimes in 2009 were motivated by race.

Of the 6,604 hate crime incidents reported to police in 2009, 1,700 involved intimidation.

HATE CRIMES TEXAS

Texas' violent history dates to the late 19th century when it was among the South's most lynch-prone states. At least 355 people, most of them blacks, died in Texas mob violence between 1889 and 1918.

Laws outlawing mob and less lethal hate crimes have since been passed, but incidents with possible racial components have continued to occur—even in Jasper, a city with a black mayor and a population that is 45 percent African-American.

In Texas, Austin came in fourth among cities in the number of hate crimes reported in 2006, according to an FBI compilation that canvassed agencies representing 85% of the nation's population. Documented are 7,722 criminal incidents involving 9,080 offenses resulting from bias against race, religion, sexual orientation, ethnicity/national origin, or physical or mental disability. Of 5,449 ''crimes against persons,'' intimidation accounted for 46% of hate crimes, simple assault 32%, and aggravated assault 21.6%. Three murders and six rapes were reported. The report lists offenders as 58.6% white, 20.6% black, 12.9% race unknown, and the rest as other races.

JAMES BYRD

Let me remind you of James Byrd. On June 7, 1998, Byrd, 49, accepted a ride from three men named Shawn Allen Berry, Lawrence Russell Brewer, and John William King. He had already known one of them. Instead of taking him home, the three men beat Byrd behind a convenience store, chained him by the ankles to their pickup truck, stripped the man naked, and dragged him for three miles. Although Lawrence Russell Brewer said that Byrd's throat had been slashed before he was dragged, forensic evidence suggests that Byrd had been attempting to keep his head up, and an autopsy suggested that Byrd was alive for much of the dragging and died after his right arm and head were severed when his body hit a culvert. His body had caught a sewage drain on the side of the road resulting in Byrd's decapitation.

King, Berry, and Brewer dumped their victim's mutilated remains in the town's black cemetery, and then went to a barbecue. A wrench inscribed with ''Berry'' was found within the area along with a lighter that had ''Possum'' written on it, which was King's prison nickname.

The next morning, Byrd's limbs were scattered across a very little-used road. The police found 75 places littered with Byrd's remains. State law enforcement officials along with Jasper's District Attorney Guy James Gray and Assistant Pat Hardy determined that since King and Brewer were well-known white supremacists, the murder was a hate crime, and decided to bring in the FBI less than 24 hours after the discovery of Byrd's remains. One of Byrd's murderers, John King, had a tattoo depicting a black man hanging from a tree, and other tattoos such as Nazi symbols, the words ''Aryan Pride,'' and the patch for the Confederate Knights of America, a gang of white supremacist inmates. In a jailhouse letter to Brewer which was intercepted by jail officials, King expressed pride in the crime and said he realized he might have to die for committing it. ''Regardless of the outcome of this, we have made history. Death before dishonor. Sieg Heil!'', King wrote.

An officer investigating the case also testified that witnesses said King referenced The Turner Diaries after beating Byrd. Brewer and King were sentenced to death. Berry received life in prison.

John King—accused of beating Byrd with a bat and then dragging him behind a truck until he died. King had previously claimed to have been gang-raped in prison by black prisoners and, although he had no previous record of racism, had joined a white-supremacist prison gang, allegedly for self-protection. The testimony phase of his trial started in Jasper, Texas on February 16, 1999. He was found guilty of kidnapping and murder on February 23 and was sentenced to death on February 25.

Lawrence Russell Brewer—another white supremacist convicted of murdering Byrd. Prior to the Byrd murder, Brewer had served a prison sentence for drug possession and burglary, and he was paroled in 1991. After violating the parole in 1994, he was sent back to prison. According to his court testimony, he joined a white supremacist gang with King in order to safeguard himself from other prisoners. A state psychiatrist testified that Brewer did not appear repentant for his crimes. In the end, Brewer was also sentenced to death.

Shawn Allen Berry—the driver of the truck, Berry was the most difficult to convict of the three defendants because there was a lack of evidence to suggest that he himself was a racist. He had also claimed that his two companions were entirely responsible for the crime. Brewer testified that it was Berry who cut Byrd's throat before he was tied to the truck, but the jury decided that there was little evidence to indicate this. As a result, Berry was spared the death penalty and given a life sentence in prison.

MATTHEW SHEPARD

Matthew Wayne Shepard was a student at the University of Wyoming who was tortured and subsequently murdered near Laramie, Wyoming. He was attacked on the night of October 6–October 7, 1998 and died at Poudre Valley Hospital in Colorado, on October 12, from severe head injuries.

During the trial, witnesses stated that Shepard was targeted because he was gay. His murder brought national as well as international attention to the issue of hate crime legislation at the state and federal levels.

Russell Arthur Henderson pleaded guilty to felony murder and kidnapping, allowing him to avoid the death penalty. Aaron James McKinney was convicted of felony murder and kidnapping. Henderson is currently serving two consecutive life sentences and McKinney is serving the same but without the possibility of parole.

Matthew Shepard, oldest son of Dennis Shepard and Judy Shepard, was born in Casper, Wyoming, on December 1, 1976. Shortly after midnight on October 7, 1998, 21–year-old Shepard met McKinney and Henderson in a bar. McKinney and Henderson offered Shepard a ride in their car. Subsequently, Shepard was robbed, pistol whipped, tortured, tied to a fence in a remote, rural area, and left to die. McKinney and Henderson also found out his address and intended to rob his home. Still tied to the fence, Shepard was discovered eighteen hours later by Aaron Kreifels, who at first thought that Shepard was a scarecrow. At the time of discovery, Shepard was still alive, but in a coma.

Shepard suffered a fracture from the back of his head to the front of his right ear. He had severe brain stem damage, which affected his body's ability to regulate heart rate, body temperature and other vital signs. There were also about a dozen small lacerations around his head, face and neck. His injuries were deemed too severe for doctors to operate. Shepard never regained consciousness and remained on full life support. As he lay in intensive care, candlelight vigils were held by the people of Laramie.

He was pronounced dead at 12:53 A.M. on October 12, 1998 at Poudre Valley Hospital in Fort Collins. Police arrested McKinney and Henderson shortly thereafter, finding the bloody gun as well as the victim's shoes and wallet in their truck.

The two men had attempted to get their girlfriends to provide alibis. In court the defendants used varying rationales to defend their actions. They attempted to use the ''gay panic defense'', arguing that they were driven to temporary insanity by alleged sexual advances by Shepard. At another point they stated that they had only wanted to rob Shepard and never intended to kill him.

The prosecutor in the case charged that McKinney and Henderson pretended to be gay

in order to gain Shepard's trust to rob him. During the trial, Chastity Pasley and Kristen Price (the pair's then-girlfriends) testified under oath that Henderson and McKinney both plotted beforehand to rob a gay man. McKinney and Henderson then went to the Fireside Lounge and selected Shepard as their target. McKinney alleged that Shepard asked them for a ride home. After befriending him, they took him to a remote area of Laramie where they robbed him, beat him severely (media reports often contained the graphic account of the pistol whipping and his smashed skull), and tied him to a fence with a rope from McKinney's truck. Shepard begged for his life. Both girlfriends also testified that neither McKinney nor Henderson was under the influence of drugs at the time. The beating was so severe that the only areas on Shepard's face that were not covered in blood were those where his tears had washed the blood stains away.

Henderson pleaded guilty on April 5, 1999, and agreed to testify against McKinney to avoid the death penalty; he received two consecutive life sentences. The jury in McKinney's trial found him guilty of felony murder. As it began to deliberate on the death penalty, Shepard's parents brokered a deal, resulting in McKinney receiving two consecutive life terms without the possibility of parole.

Henderson and McKinney were incarcerated in the Wyoming State Penitentiary in Rawlins but were transferred to other prisons due to overcrowding.

LOYAL GARNER

On Christmas Day 1987, Loyal Garner, a Florien, La., father of six, was arrested for drunken driving. Garner protested that he was sober, and asked for field sobriety and breathalyzer tests, but police took him to the county jail in Hemphill.

Garner asked to be allowed to telephone his wife. Instead, he was taken to the jail detox room and bludgeoned.

In 1990, Hemphill Police Chief Thomas Ladner and two county deputies, Billy Ray Horton and James M. Hyden, were convicted on state murder charges and sentenced to prison.

Horton's conviction was later overturned.

KENNETH SIMPSON

In spring 1988, Kenneth Simpson, a 30–year-old black man arrested for the theft of a fountain pen, died in his Cleveland jail cell after being beaten.

Half the city police force was suspended as a result, but later returned to their jobs after being acquitted. However, Police Chief Harley Lovings remained under public pressure and resigned the following year.

The pen later was found atop a soft drink machine in the police station lobby.

TROY LEE STARLING

In August 1987, Troy Lee Starling, 24, of Mount Enterprise was fatally shot in the neck by a state highway trooper after a high-speed chase in Rusk County.

Though the trooper was cleared by a grand jury, Starling's family filed a civil rights lawsuit against the officer.

Not all incidents involved bloodshed, but still revealed a sordid side of East Texas culture.

Illustrative was the hostility faced by three black families who moved into an all-white public housing project in Vidor in 1994.

The families were part of the third effort to integrate the project. They moved in only after then-Housing and Urban Development Secretary Henry Cisneros allocated $3 million to upgrade security.

But residents were soon frightened by death threats and the obvious patrols of Ku Klux Klan members through the projects displaying high-powered weapons.

The FBI later investigated alleged Klan death plots against William Hale, director of the Texas Commission on Human Rights, and Attorney General Dan Morales. Hale's group had sued the Klan, accusing it of making threats against those trying to integrate the housing project.

Still, Joe Roy, head of the intelligence project of the Southern Poverty Law Center in Montgomery, Ala., suggested such crimes, though stereotypical of the South, no longer are limited to one region.

''I think this is a stark reminder, this case in Texas, of what can happen in this country,'' he said. ''Education is not the sole answer, but it's one of the cornerstones of correcting it.''

The tension between the races is fueled by competition between economically marginal groups, Roy said.

''This episode is a horrendous example of the rage that is out there.''

OTHER TEXAS CASES

Vidor, 1994: Civil rights groups sue the Ku Klux Klan, accusing the group of making threats to stop the integration of an all-white housing project.

Cleveland, 1988: Kenneth Simpson, a black man arrested for stealing an ink pen, dies in his jail cell after struggling with white officers, who are eventually cleared in the death. The police chief resigns under pressure the next year.

Hemphill, 1987: Loyal Garner, a black Louisiana truck driver, is beaten to death in the Sabine County jail. Hemphill's police chief and two county deputies are eventually convicted of murder, although one deputy's conviction is overturned.

Mount Enterprise, 1987: Troy Lee Starling, a 24-year-old black man, is fatally shot in the neck by a state trooper after a high-speed chase in Rusk County. The trooper is cleared but Starling's family files a civil rights suit.

In December 2005, Chris McKee was beaten by two men. McKee, who is gay, said his assailants had followed him after seeing him kiss another man, and anti-gay slurs were audible on a 911 call he made. His assailants were prosecuted under the State hate crimes legislation but they were acquitted.

In May 2006, Joshua Aaron Abbot, now 23, was acquitted in the 2005 death of 40-year-old David Wayne Morrison, a gay Denton resident who was HIV-positive. Abbott stabbed Morrison more than 20 times in the face, neck and chest with a pocketknife.

Abbott, who is straight, had gone to Morrison's residence for unknown reasons, and the pair ended up alone in Morrison's bedroom. At trial, Abbot claimed Morrison tried to rape him, and the jury ruled the defendant acted in self-defense. The prosecutors failed to prosecute the case as a hate crime because it was not clear that Morrison's sexual orientation was the sole motivating factor. However, the prosecutor admitted that Morrison's sexual orientation and HIV-positive status were key.

Since Texas State hate crimes legislation was passed in 2001, there have been few convictions. In 2007, there were only eight convictions.

These cases provide stark evidence that these hate crimes are still perpetrated.

TRAYVON MARTIN FACTS

In fact, Trayvon Martin was killed on Saturday, February 26, 2012, as he walked through a gated community in Sanford, returning from a convenience store, where he had purchased a bag of candy and a can of Iced Tea.

Mr. Zimmerman, a self appointed neighborhood watch volunteer, saw Trayvon while driving down the street and then called police, describing Trayvon as a ''suspicious'' person. I believe that a message should not be sent that needlessly gunning down a small unarmed black teenage boy on a side walk is ever acceptable.

Mr. Zimmerman was told by police to remain in his car. He had reported 50 other incidents to police which included previous calls about ''suspicious'' people walking. Trayvon's only crime was walking in a neighborhood that Mr. Zimmerman felt that he did not belong, was out of place, was ''suspicious.''

According to the Sanford police Mr. Zimmerman has not been arrested because he claims self-defense. To date Mr. Zimmerman shot and killed an unarmed boy one month ago and has yet to be charged with a crime or arrested. He was once again shot by a self appointed Neighborhood Watch volunteer.

NEIGHBORHOOD WATCH PROGRAM

I have a statement from the National Sheriffs Association (NSA) which founded the Neighborhood Watch Program. According to the NSA, a Neighborhood Watch Program from Sanford has never been registered. I have authored a bill that would require anyone who wishes to participate in Neighborhood Watch Programs to get the right training. Neighbors are the ears and eyes of our Neighborhoods. The program is not at issue, it is ensuring that everyone who participates in the program is aware that they are only the eyes and ears. The police should be informed of suspicious activity and address the situation.

I PRESENT TO YOU THIS IMAGE

I will present to you this image. A young teenager walks to the store to purchase a snack. He is having a light conversation with a friend on his cell phone. He walks slowly without a care in the world. He is a perfect example of the typical American teenager.

As he returns to a friend's home he realizes that he is being followed by a strange man in a car. The teenager begins to walk faster hoping the car would stop following him. Instead, the driver pulls over. The driver, a complete stranger, exits his vehicle, approaches the teen and proceeds to address him.

The driver is not a law enforcement officer, he is an absolute stranger. The teenager screams when he sees this man has a gun. The teen armed only with the snacks from the store reacts.

The man shoots the teenager square in the chest . . . not the arm or the leg. It is a fatal shot. The stranger who shot a boy that he pursued then claims self defense and is free to continue his daily routine. I ask you simply this . . . is it more probable that a grown man armed with a 9 mm gun that has stalked then approached a child would be screaming for help or an unarmed teenager being followed by a stranger. This simply does not add up. It is moments like this that captures the public outrage.

The most disturbing facet to his case is that Mr. Zimmerman was instructed to remain

in his car by police. He knew the police were on their way. He was told to stop following this 17 year old. But he chose to continue to follow Trayvon. He chose to exit his vehicle armed, and he chose to confront the teen for of all things . . . walking. And he's claiming "self defense" . . . Please!

Mr. Zimmerman shot this unarmed child in the chest, killing him, as neighbors frantically called 911. Everyone else who called the police remained in their homes awaiting the arrival of the police. Everyone except for Mr. Zimmerman and even so . . . he can still claim self defense and still remain free.

STAND YOUR GROUND—FLORIDA LAW

The lawmakers in Florida may not have realized seven years ago when they passed the "Stand Your Ground" law that it would be used to defend an act that our common sense tells us does not seem just. However, the lawmakers in Florida are now aware of the flaws in this law. This law is just one of 21 such laws around the country and law enforcement, to their credit, have not supported these measures. Yet, is it the law that is the problem or how it is applied.

The "Stand Your Ground" law gives the benefit of the doubt to a person who claims self-defense, regardless of whether the killing takes place on a street or anywhere outside one's home. In Florida, if people feel they are in imminent danger of being killed or badly injured, they do not have to retreat, even if it would seem reasonable to do so. They have the right to "stand their ground" and protect themselves. This could result in a blanket immunity for those who claim self defense. This is disturbing.

I call for justice. I call for justice for all of those who have been victims of hate crimes or racial profiling. I will continue to work with my Colleagues in Congress to stop these types of incidents. This should never happen to another family. That is why we convene here tonight on this House Floor—in the name of Justice.

Again I offer my sympathy for the loss of a handsome young man who to be clear was never in trouble with the law, was not a drug user, and was well like by his peers.

I also offer condolences to the family of John Payton. John Payton's advocacy on behalf of the poor, the disenfranchised, and the excluded reached beyond the United States. He worked against apartheid in South Africa, and traveled around the world in support of human rights. His marriage to Gay McDougall, one of the leading human rights lawyers and advocates across the globe, has been one of the great "power couple" relationships.

We have not finished the journey of justice. The road that leads to the temple of freedom, justice, and righteousness is paved but fraught with danger and life-altering detours.

I close by saying that we can achieve new heights on the great mountain of justice by endeavoring to communicate, tolerate, and work and live with each other in peace and harmony.

Mrs. CHRISTENSEN. Thank you, Congresswoman LEE, for that very strong and impassioned and very well-deserved tribute to John Payton this evening. And as I yield to the gentlelady from the District of Columbia, let me, on behalf of the people of the Virgin Islands who celebrate emancipation on July 3, wish the residents of the District of Columbia happy Emancipation Day.

Ms. NORTON. Well, I thank the gentlelady for yielding. I did not know of the Emancipation Day of the Virgin Islands. I reciprocate and want to know more about the Virgin Islands' Emancipation Day. I want to thank the gentlelady from the Virgin Islands who handles these Special Orders for the Congressional Black Caucus on the floor, for the time and effort you have given this evening.

I want to thank my colleagues who have come down so far for this hour. You've just heard from my good friend, the Congresswoman from Texas (Ms. JACKSON LEE). I thank her for her remarks, and I thank her, as well, for mentioning Emancipation Day here in the District of Columbia, where thousands of residents marched down Pennsylvania Avenue today to claim the rights that every constituent of every Member who pays taxes in the United States already enjoys. I know that I speak for the District when I thank all of you.

And when I say that John Payton was a very, very devoted Washingtonian who would have particularly appreciated Emancipation Day today, I thank Congresswoman BARBARA LEE, whose words always are important to hear as she probes the issues of the hour, and especially what she had to say tonight about John Payton. My condolences, first, to my good friend, Gay McDougall, John's wife, and to his siblings and his family. A memorial service was held today, so it's fitting that we should be able to get this hour to say a few words in tribute. I would like to devote my words to both the man and the lawyer. John was my constituent and my friend. It's important to get a feel for the man.

If I may inquire how much time we have remaining in this hour?

The SPEAKER pro tempore. The gentlewoman from the Virgin Islands has 32 minutes remaining.

Ms. NORTON. Mr. Speaker, there have been only six leaders of the NAACP Legal Defense Fund since Thurgood Marshall first went on the bench. You can imagine what quality of lawyer it takes to fill the role that Thurgood Marshall had at the NAACP Legal Defense and Education Fund.

□ 1950

John Payton was worthy of the role, worthy to become the sixth leader of the Legal Defense Fund.

If one looks at John's professional credentials, you would have thought that's enough of a life for a man, considering particularly that he is an African American who went to college and law school when blacks were only beginning to be admitted to the best colleges and law schools in the country. Before his life was over—much too early—John had been listed on this decade's list of most distinguished lawyers in our country. He had been president of the District of Columbia Bar.

John's life and work, of course, are etched in important Supreme Court cases. However, we, in the District of Columbia, feel especially the loss of John Payton because John Payton was—what was called Corporation Counsel is now called Attorney General of the District of Columbia. He took that post when he was asked by the Mayor to leave private practice in order to become the lead lawyer in the District of Columbia.

To understand John, though, one has to see how this extraordinary man melded his love of the law—including private practice—with the love of his professional life, civil rights. It's clear that John laid down an early marker for what his life would become, that it would be a life dedicated to eliminating racial discrimination.

John went to Pomona College in 1965 when these colleges were just admitting talented African Americans. He found himself at an elite private college surrounded only by people who were not at all like him—they were like him in many ways, but certainly not from his racial background. There were very few African Americans in his college and in the five colleges in Claremont, California, that group of very fine private colleges. So, John began early, right in college, to lobby the administration to recruit more African American students. And of course he wanted a black studies program because he saw that perhaps one of the reasons that there was so little interest in black students is there was too little appreciation for the role of African Americans in our history, so he lobbied for that too.

He pressed the admissions people to in fact recruit more African Americans. And he lobbied so hard the college asked him to take the job. So John, after he insisted that more African Americans be recruited, took the job himself and delayed going to law school. That was John Payton.

He went on to Harvard Law School, but he couldn't leave behind his dedication to human rights. He got involved in the very famous—infamous, one might say—school busing controversy in Boston. While he was a law student, he found himself taking affidavits from black students who were injured because of racial violence in Boston.

In law school, he joined the editorial board of the Harvard Civil Rights and Civil Liberties Law Review. You see the theme developing in John's life. Of course, many students have these themes, and we're pleased that they have them when they do, but there's nothing that says you've got to devote your life to any particular cause, and particularly if you're an African American and experiencing the first opportunities to, for example, join private law firms.

John did just that. He went on to practice corporate law here in Washington, D.C. at a prestigious law firm when it was rare for blacks to practice privately at elite law firms. He moved

up to head litigation in his law firm. And then he did something that describes how John Payton put together all of the ingredients of the life of a man of the law: he took leave from the law firm to become Corporation Counsel for the District of Columbia. He recognized that he had been taking civil rights cases as a private lawyer pro bono, and, yes, he could come and serve his city as the lead counsel.

He met his wife, an Africa expert, interestingly enough, when he was monitoring elections in South Africa. And that was, as my good friend from Texas has said, a meeting that was made in heaven, perhaps—and she did not say it that way, I say it that way—because it's one of those wonderful marriages which bring together people of like heart and like mind.

John, of course, will be remembered for his work in many ways at the NAACP Legal Defense Fund. For example, John continued to take the Legal Defense Fund along the road it had traveled so well as lead law firm and lead litigator for civil rights in our country; but he recognized that the Legal Defense Fund had already won many of the most important cases and that, therefore, the fund had to stay relevant, stay current. To quote him, when asked about whether he thought the problems of African Americans could be solved through litigation, he said:

> I'd say we have a litigation focus, and some of our focus is not litigation. With some things, you want to achieve a solution without filing a lawsuit. You can go to the relevant entities, a school board or mayor, and suggest a solution without having to file a lawsuit.

Here is a man who brought from private practice problem-solving of many varieties, just the man for the Legal Defense Fund in this era.

Of course, John Payton will be remembered for cases of great importance. Sometimes the case needed a lawyer with such a fine technical sense of the law that all of the civil rights, issues revolved around whether you could find a lawyer whose mind was fine enough to tackle such an issue.

Lewis v. City of Chicago was such a case where African American firefighters filed a lawsuit charging discrimination by the city against African American firefighters. The city conceded that it had given an examination which had a disparate effect on minorities in violation of Supreme Court cases, but it argued a statute of limitations issue, that therefore John Payton and his African American plaintiffs could not continue.

It took a lawyer—a lawyer's lawyer—to take that case, argue that statute of limitations issue, go before the Supreme Court and get this Supreme Court to unanimously reverse the lower court, which had found that the statute of limitations voided the case.

Today, one of the core sections of the Voting Rights Act of 1965 is under attack. If that law goes down, we will be set back 50 years. It's the core provision of the Voting Rights Act that requires States which have engaged in intentional voting discrimination in the past to bring all of their voting laws—laws that impact voting rights—so that they can be pre-cleared by the Justice Department before they go into effect.

□ 2000

Northwest Austin Municipal Utility v. Holder was such a case, 8–1 decision upholding section 5.

It is impossible to overemphasize how important John Payton's victory was in sustaining this core provision of the Voting Rights Act. He did it and won a great victory for civil rights.

John Payton also was lead counsel in a case that is still very much discussed, a case, like a similar case that is going before the Supreme Court this very year. I'm speaking of the University of Michigan case, where the plaintiff sought to eliminate affirmative action in higher education, in both law and undergraduate schools. There was great trepidation that much of the progress that had been made over 25 years would end prematurely.

John handled these cases in the lower courts and argued the cases at the Supreme Court as well. The Court upheld the use of race as a factor, one factor, not the only factor, and affirmative action in higher education was saved.

I also would like to submit for the RECORD a piece written by a colleague and friend of John Payton, Joshua Wyner, W-Y-N-E-R. Joshua Wyner wrote a short piece after John Payton died which details one occasion that summarizes the principled nature of John's life. He was on the board of an organization called Appleseed, which does good works for the District of Columbia.

The District of Columbia had a financial control board during a period when the city was going through a financial crisis. The control board took control of the D.C. Board of Education.

The D.C. Board of Education had a terrible reputation. Its members engaged in infighting in order to keep half-empty schools open, for example, and all agreed the Board had done little for education in the District of Columbia.

Mr. Speaker, how much time is remaining? I want to leave some time for my colleague.

The SPEAKER pro tempore. The gentlewoman from the Virgin Islands has 16 minutes remaining.

Ms. NORTON. Mr. Speaker, the control board reached out to take control of the board of education. It had control of virtually every other arm of the D.C. government.

But John Payton and the board of Appleseed knew that the law which set up the control board gave it no authority to take over the board of education. It was an elected body. What to do?

Appleseed very much opposed the board of education. Yet, the control board had done an illegal act, except nobody knew it but technical lawyers or people who paid attention to the fine letter of the law.

The Appleseed board engaged in the appropriate debate as to whether it should sue the control board for illegal action in taking over the board of education. John Payton cast the deciding vote for the lawsuit, and he did so because, he said, he did not want to be part of an organization that failed to stand for the rule of law.

Note how John Payton handled this dilemma. He knew that the board of education didn't stand by the children. What he did, as a member of the Appleseed board, was to settle the case, ultimately returning power to the school board, and then went to work restructuring school governance, giving governance to the Mayor and eliminating the board of education.

So you see what John did. He stood for principle on both occasions. He found a principled way to keep the control board from exceeding its authority, illegally, and he found a principled way to eliminate the D.C. school board without using illegal means.

That is the principled life that John Payton lived. That is why he has left a vacuum in this city where he lived and in the law which he loved.

He said he never regretted leaving corporate law. Remember, while he practiced it, he was also doing pro bono cases for civil rights. But he never regretted leaving private practice, he said, because the best possible job for a man like John Payton was the job he had when he died.

John Payton said, on the 70th anniversary of the NAACP Legal Defense and Education Fund, when everybody was joyful, as well they might have been, for there is no organization that has done more for human rights in our country than the NAACP Legal Defense Fund (LDF). While celebrating the LDF John Payton, its president, its director counsel, said, It's a mistake to celebrate too much about things accomplished when we see that some of the progress has been very uneven.

John was a man of great balance. He understood that, as he said, that African Americans had made extraordinary progress in the 70 years since the NAACP Legal Defense Fund was established, but that what had led him to civil rights in the first place continued and must continue to drive us.

The best way that we can remember our friend, his work, and the man himself is to understand that what he would want us to do is to find a way to help complete the work he was about at the end of his life. His inspiration to young lawyers, his inspiration well beyond the law was so significant that I say to my good friend from the Virgin Islands that I believe that we will have no hesitation, we will find no hesitation in the larger community in seeking to do all we can to continue the work that was the center of the life of John Payton.

We celebrate that extraordinary life today. We celebrate a great life in

American law. We celebrate a great Washingtonian. We celebrate all that John did and was as a man. We mourn his early passing. We celebrate and are grateful that in the time given to him he accomplished so very much.

[From the Washington Post, Mar. 30, 2012]

JOHN PAYTON'S LIFE OF PRINCIPLE

(By Joshua Wyner)

John Payton, who died March 22, was a great friend not only to our nation but also to the place he called home the District of Columbia. To his local and national work, John brought an incredible combination of brilliant thought, deep commitment to principle and unswerving dedication to improving the lives of those who most needed help.

Everyone who loves Washington should take a moment to observe this tremendous loss and remember a great man.

I met John in late 1995, when he and the other four members of the original D.C. Appleseed Center board hired me as executive director of the nonprofit, which works to solve pressing problems facing the city. At the end of Appleseed's first full and quite successful year, the organization faced an enormous dilemma—one that could have sent the organization down the wrong path.

The triggering event took place in November 1996, when the congressionally created financial control board took over the District's public school system.

With fiscal management of the city improving, everyone committed to bettering the city knew that ground zero for reform had to be the District of Columbia Public Schools, where few kids received the education they needed to succeed in life. There was no evidence that the D.C. Board—of Education which was better known for fighting to keep open half-empty school buildings in members' wards than for acting to improve curriculum or teaching—could attract, hire or retain a superintendent who could lead needed reforms.

Yet the control board's takeover was almost certainly illegal. The structure of the school board was written into the city charter, which also contains provisions for how the charter itself can be amended. Nothing in the law authorizing the control board allowed it to change the charter.

Appleseed had a choice: Give in to urgency and follow the straightest path to reform or stand for principle and fight an illegal action by an unelected body. After a lengthy debate, the Appleseed board chose—by a single vote—to sue the control board to reverse the takeover. John cast the deciding vote. He knew from his days as D.C. corporation counsel that desperately needed reform almost certainly would not be led by the school board. But he also made emphatically clear that he (I still recall his words) ''would not be part of an organization that failed to stand for the rule of law.''

Appleseed filed suit and eventually settled with the control board, which returned power over the school system to the school board. Then Appleseed began a project to properly change the governance of the schools. Our research and advocacy helped pave the way for the enactment of a law—approved by referendum—to fundamentally restructure school governance, including a sunset clause that ultimately led to the mayor's assuming responsibility for DCPS. In the end, our city benefited more than would have been possible had the control board succeeded, because the structural change that took place ultimately led to improvements in student outcomes that have long outlived the control board.

Originally opposed to the lawsuit, I learned a great lesson from John (and his colleague Alan Morrison, who filed the lawsuit): Successful pathways to needed reforms can and must be grounded in principle.

I had the great privilege of working with John in recent months on a project to improve our nation's community colleges, where so many of the African American students that John cared deeply about are trying to gain the skills they need to succeed in life. As with everything else he worked on, he asked (and helped answer) the tough questions, demanded adherence to principle and pushed toward solutions that would improve the lives of vulnerable Americans.

Our city and nation are much better off for John's time here. His presence will be missed, but it will also endure in the many people whom he showed how to find thoughtful solutions to persistent problems and ground those solutions in principle.

□ 2010

Mrs. CHRISTENSEN. It was wonderful to have you here, a close friend, a close colleague of John Payton's, to give us a more in-depth history not only of his accomplishments but of the man, himself, and we thank you for joining us as yourself a very strong fighter for justice and equality, a legal scholar like John Payton who has also devoted her life, like he did, to justice and equality.

I want to just close by saying a few words myself about John Payton and the work that we still have yet to do.

It was at the retreat of the Congressional Black Caucus Foundation even as we were remembering, eulogizing, and coming to terms with the loss of our chairman and colleague and friend, Don Payne, that we learned of John's passing. It was distressing and disconcerting to think that at this time when we need strong fighters for equality and justice more than ever, that not only Donald Payne, but now John Payton would also be taken away from us. But we are blessed that we have their legacies, the bodies of their work and contributions and that standing on them and their inspiration we can be strengthened to continue the fight that they led so well.

Later than many of my colleagues, I first came to know John Payton personally in 2003 when he was at the firm of what was then Wilmer, Cutler and Pickering, now known as Wilmer Hale. At that time, as you heard, he was the lead counsel for the 2003 University of Michigan affirmative action cases. In the end, the Supreme Court upheld the law school's affirmative action policy in a related case.

But I also came to know John Payton and his wife, Gay McDougall, as you heard at the conference that I attended with Congresswoman BARBARA LEE, a U.N. conference in Geneva, on voter participation which BARBARA was the director of that conference.

But John's work in civil rights, as you heard, began from his undergraduate time at Pomona College and continued when at Harvard Law School he worked with students injured in the race riots-related violence during the Boston school-busing controversy. Many students at the law schools at Harvard, Howard, and Georgetown where he was a visiting professor at various times were fortunate to have the benefit of his experience and his expertise.

He was active in many domestic and international causes. Along with his wife and international human rights lawyer, Gay McDougall, he was one of the international monitors in South Africa in the very first election in which South African blacks could vote at the time Nelson Mandela was elected President.

The Legal Defense Fund said of him that he was a guiding light, a brilliant advocate, a mentor and a teacher who believed that American democracy thrives when it embraces all of our voices. President Barack Obama called him ''a true champion of equality,'' and said that he helped to protect civil rights in the classroom and at the ballot box.

So as we honor John Payton and his legacy, we recommit ourselves to continue his and our fight for justice.

Last week, I participated in the 2012 National Environmental Justice Conference and training program where administration officials, researchers, and advocates from all over the country convened here in Washington, D.C. It was distressing to hear of the communities in this country which today are suffering health impacts and still in 2012 have to fight to be free of polluting industries and for clean air and water. These persistent environmental injustices cry out for justice.

The case of 17-year-old Trayvon Martin, who was killed by a Neighborhood Watch volunteer as he, Trayvon, walked home, has not only aroused sympathy for the family but justified anger over his senseless killing. It has also revived the long and shameful history of racial profiling in this country and our flagrant and reckless use of guns and the gun culture which so many people promote here. Trayvon's death is tragic in and of itself; but it's sadly a story that has been and continues to be told in countless communities across our Nation. Our children and our families cry out for justice.

The wealth gap continues to widen dangerously in this country. According to the PEW Foundation, the wealth of white families here is 20 times that of African Americans and 18 times that of Latinos. The Health Policy Institute of the Joint Center for Political and Economic Studies has issued several recent reports that showed how poverty, including extreme poverty, and persistent segregation create health, education, economic, and other disparities.

To quote Angus Deaton of Princeton University in a recent paper:

> There are grounds to be concerned about the rapid expansion in inequality at the very top of the income distribution in the United States; this is not only an injustice in itself, but it poses a risk of spawning injustices in education, in health and in governance.

The increasing income inequality in this country also cries out for justice.

I could go on, but let me just end with health.

Every year there are over 80,000 excess deaths in people of color, deaths that could and should and must be prevented. Every minority group suffers some health disparity: African Americans and American Indians and Alaskan Natives more than most. Many of these deaths and the countless disproportionate disabilities could be prevented with the continued implementation of the Affordable Care Act.

It is health injustice that Dr. Martin Luther King, Jr., called the most shocking and inhumane. The countless and seemingly endless years of these tragic health iniquities and the millions of people who have suffered because of them also cry out for justice.

It is for ending these and other injustices that John Payton dedicated his life. In an article in the Civil Rights Monitor, he said:

> The problems of race and inequality in our country have proven to be enduring and deep-seated in nature. But we must recognize that this is a marathon and not a race if we are to find solutions that work.

We are grateful for the leg of the marathon that he ran and the progress that he made in this race while he was with us.

To his wife, Gay; his sisters, Janette Oliver and Susan Grissom; his brother, Glen Spears; the NAACP Legal Defense Fund; and his many colleagues and friends, I join my CBC colleagues in offering our sincere condolences and those on behalf of the people of the U.S. Virgin Islands.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, equality and justice are the underpinnings of our society. By adhering to the rule of law, we as a society place tremendous trust and faith in our judicial system to do what is righteous and just. The judicial branch of government, as established by the Founding Fathers, is the necessary check on the Executive and Legislative branches. Article III of the Constitution guarantees the right to a fair trial and a jury of one's peers.

Justice is not something to be taken lightly or for granted. The integrity of our justice system is only as good as the people who participate in it.

We must continue to work to uphold the integrity of the judicial system by embedding these guiding principles into the fabric of society for future generations.

With the passing of John Payton, we lost a true civil rights pioneer and someone who fought every day to uphold the rule of law. Mr. Payton was a fierce advocate for equality and justice during a time, not so long ago, when such protections under the law were not enjoyed by all.

Mr. Payton frequently appeared before the U.S. Supreme Court, in passionate battles to win equal rights for minorities. Mr. Payton showed us that there was still much work to be done—and now, millions more Americans can enjoy greater equality and enhanced protection from discrimination as a result of his contributions, in pursuing this ideal.

Mr. Speaker, the United States is still a beacon and a moral compass for the rest of the civilized world.

Not only do the people of this country rely on us for our guidance, but so do the people around the globe. As we once again find ourselves fighting to advance social progress, we must ensure that we continue to move forward by upholding the integrity of our laws and our judicial system.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. EDWARDS (at the request of Ms. PELOSI) for today.

Mrs. NAPOLITANO (at the request of Ms. PELOSI) for today and April 17 on account of family health emergency.

Mr. SCHIFF (at the request of Ms. PELOSI) for today on account of work in the district.

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

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

ADJOURNMENT

Mr. JOHNSON of Ohio. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 18 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, April 17, 2012, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

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

5522. A letter from the Chief Information Officer, Department of Agriculture, transmitting the Department's final rule — Modification of Interlibrary Loan Fee Schedule (RIN: 0518-AA04) received March 22, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5523. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the&fnl; Agency's final rule — 2-Propenoic acid, 2-methyl-, 2-ethylhexyl ester, telomere with 1-dodecanethiol, ethenylbenzene and 2-methyloxiraine polymer with oxirane monoether with 1,2-propanediol mono(2-methyl-2-propenoate), hydrogen 2-sulfobutanedioate, sodium salt, 2, 2'—(1,2-diazenediyl)bis[[2-methylpropanenitrile] initiated; Tolerance Exception [EPA-HQ-OPP-2011-0975; FRL-9339-9] received March 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5524. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Acetamiprid; Pesticide Tolerances [EPA-HQ-OPP-2011-0403; FRL-9340-7] received March 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5525. A letter from the Acting Under Secretary, Department of Defense, transmitting authorization of 7 officers to wear the authorized insignia of the grade of brigadier general; to the Committee on Armed Services.

5526. A letter from the Acting Assistant Secretary, Department of Defense, transmitting a proposed change to the Fiscal Year 2010 National Guard and Reserve Equipment Appropriation (NGREA) procurment; to the Committee on Armed Services.

5527. A letter from the Acting Under Secretary, Department of Defense, transmitting the annual report on operations of the National Defense Stockpile (NDS) in accordance with section 11(a) of the Strategic and Critical Materials Stockpiling Act as amended (50 U.S.C. 98 et seq.) detailing NDS operations during the Period of October 2010 through September 2011; to the Committee on Armed Services.

5528. A letter from the Acting Under Secretary, Department of Defense, transmitting the Department's report on activities under the Secretary's personnel management demonstration project authorities for the Department of Defense Science and Technology Reinvention Laboratories; to the Committee on Armed Services.

5529. A letter from the Acting Under Secretary, Department of Defense, transmitting authorization of Rear Admiral (lower half) Sinclair M. Harris, United States Navy, to wear the authorized insignia of the grade of rear admiral; to the Committee on Armed Services.

5530. A letter from the Secretary, Department of Health and Human Service, transmitting fiscal year 2011 Performance Report to Congress for the Animal Drug User Fee Act; to the Committee on Energy and Commerce.

5531. A letter from the Secretary, Department of Health and Human Services, transmitting fiscal year 2011 Performance Report to Congress for the Animal Generic Drug User Fee Act; to the Committee on Energy and Commerce.

5532. A letter from the Correspondence and Regulations Assistant, Department of Health and Human Services, transmitting the Department's ''Major'' final rule — Medicaid Program; Eligibility Changes under the Affordable Care Act of 2010[CMS-2349-F] (RIN: 0938-AQ62) received March 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5533. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's ''Major'' final rule — Patient Protection and Affordable Care Act; Establishment of Exchanges and Qualified Health Plans; Exchange Standards for Employers [CMS-9989-F] (RIN: 0938-AQ67) received March 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5534. A letter from the Correspondence and Regulations Assistant, Department of Health and Human Services, transmitting the Department's ''Major'' final rule — Patient Protection and Affordable Care Act; Standards Related to Reinsurance, Risk Corridors and Risk Adjustment [CMS-9975-F] (RIN: 0938-AR07) received March 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5535. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Current Good Manufacturing Practice in Manufacturing, Processing, Packing, or Holding of Drugs; Revision of Certain Labeling Controls [Docket No.: FDA-1997-N-0518] (formerly 97N-0300) received March 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5536. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Oral Dosage Form New Animal Drugs; Phenylpropanolamine [Docket No.: FDA-2011-N-0003] received March 27, 2012, pursuant to 5

U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5537. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting a report entitled ''Best Practices to Enhance Coordination in the RCRA Program''; to the Committee on Energy and Commerce.

5538. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Inplementation Plans; Commonwealth of Kentucky; Regional Haze State Implementation Plan [EPA-R04-OAR-2009-0783; FRL-9653-8] received March 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5539. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; New Mexico; Construction Permit Fees [EPA-R06-OAR-2005-NM-0006; FRL-9654-2] received March 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5540. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Determinations of Clean Data for the 2006 24-Hour Fine Particulate Standard for the Harrisburg-Lebanon-Carlisle-York, Allentown, and Lancaster Nonattainment Areas [EPA-R03-OAR-2011-0818; FRL-9654-1] received March 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5541. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Connecticut; Determination of Attainment of the One-hour Ozone Standard for the Greater Connecticut Area [EPA-R01-OAR-2010-0380; A-1-FRL-9648-5] received March 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5542. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Secondary National Ambient Air Quality Standards for Oxides of Nitrogen and Sulfur [EPA-HQ-OAR-2007-1145; FRL-9654-4] (RIN: 2060-AO72) received March 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5543. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Operating Permits Program; Commonwealth of Puerto Rico; Administrative Changes [EPA-R02-OAR-2012-0032, FRL-9654-8] received March 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5544. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; New Jersey; Motor Vehicle Enhanced Inspection and Maintenance Program [EPA-R02-OAR-2011-0686; FRL-9635-5] received March 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5545. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Designation of Areas for Air Quality Planning Purposes; State of California; Ozone; Nitrogen Dioxide; Technical Amendments [EPA-R09-OAR-2010-0189; FRL-9649-1] received March 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5546. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Implementation Plans; North Dakota; Regional Haze State Implementation Plan; Federal Implementation Plan for Interstate Transport of Pollution Affecting Visibility and Regional Haze [EPA-R08-OAR-2010-0406; FRL-9648-3] received March 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5547. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Clean Air Act Full Approval of Title V Operating Permits Program: Southern Ute Indian Tribe [EPA-R08-OAR-2011-0015; FRL-9446-8] received March 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5548. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Priorities List, Final Rule No. 53 [EPA-HQ-SFUND-1993-0001, EPA-HQ-SFUND-2011-0064, 0068, 0646, 0648, 0649, 0650, 0651, and 0652; FRL-9647-3] (RIN: 2050-AD75) received March 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5549. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — OHIO: Final Authorization of State Hazardous Waste Management Program Revision [FRL-9646-5] received March 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5550. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Oklahoma: Final Authorization of State Hazardous Waste Management Program Revision [EPA-R06-RCRA-2010-0054; FRL-9647-7] received March 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5551. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to Final Response to Petition From New Jersey Regarding SO2 Emissions From the Portland Generating Station [EPA-HQ-OAR-2011-0081; FRL-9648-9] (RIN: 2060-AR42) received March 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5552. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Transportation Conformity Rule Restructuring Amendments [EPA-HQ-OAR-2009-0128; FRL-9637-3] (RIN: 2060-AP57) received March 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5553. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Volatile Organic Compound Emission Standards for Aerosol Coatings — Addition of Dimethyl Corbonate, Benzotrifluoride, and Hexamethyldisciloxane to Table of Reactivity Factors [EPA-HQ-OAR-2006-0971; FRL-9644-8] (RIN: 2060-AR37) received March 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5554. A letter from the Director, Regulations Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Nevada; Revised Format for Materials Incorporated By Reference [NV 126-NBK; FRL 9634-9] received March 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5555. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 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 [EPA-R04-OAR-2010-1036; FRL-9643-2] received March 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5556. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 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 [EPA-R04-OAR-2011-0029; FRL-9643-3] received March 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5557. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, South Coast Air Quality Management District [EPA-R09-OAR-2011-0875; FRL-9626-6] received March 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5558. A letter from the Director, Regulations Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Texas: Final Authorization of State Hazardous Waste Management Program Revision [EPA-R06-RCRA-2011-0478; FRL-9643-7] received March 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5559. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revocation of TSCA Section 4 Testing Requirements for Certain High Production Volume Chemical Substances [EPA-HQ-OPPT-2005-0033; FRL-9335-6] received March 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5560. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production [EPA-HQ-OAR-2002-0037; FRL-9636-2] (RIN: 2060-AN33) received March 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5561. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Ongoing Review of Operating Experience [LR-ISG-2011-05] received March 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5562. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Notice of Availability of the Model Safety Evaluation for Plant-Specific Adoption of Technical Specifications Task Force Traveler TSTF-505, Revision 1, ''Provide Risk-Informed Extended Completion Times — RITSTF Initiative 4B'' [Project No. 753, NRC-2011-0277] received March 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5563. A letter from the Secretary, Department of the Treasury, transmitting a six-

month periodic report on the National Emergency with respect to persons who commit, threaten to commit, or support terrorism that was declared in Executive Order 13224 of September 23, 2001, pursuant to 50 U.S.C. 1641(c); to the Committee on Foreign Affairs.

5564. A letter from the Secretary, Department of Commerce, transmitting a certification of export to China; to the Committee on Foreign Affairs.

5565. A letter from the Assistant Secretary, Department of Defense, transmitting report on proposed obligations of funds provided for the Cooperative Threat Reduction (CRT) program; to the Committee on Foreign Affairs.

5566. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting extension of the waiver of Section 907 of the FREEDOM Support Act, Pub. L. 107-511, with respect to assistance to the Government of Azerbaijan; to the Committee on Foreign Affairs.

5567. A letter from the Assistant Legal Advisor for Treaty Affairs, Department of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

5568. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's report entitled, ''Human Rights Report for International Military Education and Training Recipients'', in accordance with Section 549 of the Foreign Assistance Act of 1961; to the Committee on Foreign Affairs.

5569. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting forwarded correspondence from the Minister of Foreign Affairs for the Government of the Kyrgyz Republic; to the Committee on Foreign Affairs.

5570. A letter from the Acting Under Secretary, Arms Control and International Security, Department of State, transmitting the Senate's Resolution of Advice and Consent to the Treaty with the United Kingdom Concerning Defense Trade Cooperation (Treaty Doc. 110-07); to the Committee on Foreign Affairs.

5571. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Senate's Resolution of Advice and Consent to the Treaty with the United Kingdom Concerning Defense Trade Cooperation (Treaty Doc. 110-07); to the Committee on Foreign Affairs.

5572. A letter from the Secretary, Department of Treasury, transmitting As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to Somalia that was declared in Executive Order 13536 of April 12, 2010; to the Committee on Foreign Affairs.

5573. A letter from the Director, Office of Insular Affairs, Department of the Interior, transmitting the First Five-Year Review of the Compact of Free Association, As Amended, Between the Governments of the United States and the Republic of the Marshall Islands, pursuant to Public Law 108-188, section 104(h)(1); to the Committee on Foreign Affairs.

5574. A letter from the Director, Office of Insular Affairs, Department of the Interior, transmitting the Department's report on the Compacts of Free Association with the Federated States of Micronesia and the Republic of the Marshall Islands for Fiscal Years 2009 and 2010, pursuant to Public Law 108-188, section 104(h)(1); to the Committee on Foreign Affairs.

5575. A letter from the Director, Office of Insular Affairs, Department of the Interior, transmitting the Department's First Five-Year Review of the Compacts of Free Association between the Governments the United States and the Federated States of Micronesia; to the Committee on Foreign Affairs.

5576. A letter from the Director of Communications and Congressioanl Relations, Special Inspector General For Afghanistan Reconstruction, transmitting the Special Inspector General's final rule — Requests for Testimony or the Production of Records in a Court or Other Proceedings in which the United States is not a Party (RIN: 3460-AA02) received March 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

5577. A letter from the Director of Communications and Congressional Relations, Special Inspector General for Afghanistan Reconstruction, transmitting the Special Inspector General's final rule — Freedom of Information Act and Privacy Act Procedures (RIN: 3460-AA00) received March 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

5578. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting 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'', pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

5579. A letter from the Chairman, Consumer Product Safety Commission, transmitting the Commission's annual report for FY 2011 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. 107-174; to the Committee on Oversight and Government Reform.

5580. A letter from the Acting Chief Executive Officer, Corporation for National and Community Service, transmitting FY 2013 Congressional Budget Justification/FY 2011 Annual Performance Report; to the Committee on Oversight and Government Reform.

5581. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-334, ''Comprehensive Military and Overseas Voters Accommodation Amendment Act of 2012''; to the Committee on Oversight and Government Reform.

5582. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-335, ''Mechanics Lein Amendment Act of 2012''; to the Committee on Oversight and Government Reform.

5583. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-336, ''Green Building Compliance, Technical Corrections, and Clarification Amendment Act of 2012''; to the Committee on Oversight and Government Reform.

5584. A letter from the Secretary, Department of Veterans Affairs, transmitting the Department's annual report for fiscal year 2011, in accordance with Section 203(a) of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

5585. A letter from the Acting Chairman, Federal Deposit Insurance Corporation, transmitting the Corporation's fiscal year 2011 annual report prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

5586. A letter from the General Counsel, Federal Retirement Thrift Investment Board, transmitting the Board's final rule — Change of Address and Electronic Submission of FOIA Requests received February 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5587. A letter from the Chief Execuritve Officer, NeighborWorks America, transmitting Fiscal Year 2011 Annual Program Performance Report; to the Committee on Oversight and Government Reform.

5588. A letter from the Chairman, Nuclear Regulatory Commission, transmitting the Commission's Strategic Plan for Fiscal Years 2008 through 2013; to the Committee on Oversight and Government Reform.

5589. A letter from the Director, Office of Personnel Management, transmitting the Office's Fiscal Year 2011 Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Oversight and Government Reform.

5590. A letter from the District of Columbia Auditor, Office of the District of Columbia Auditor, transmitting copy of the report entitled ''District of Columbia Agencies' Compliance with Small Business Enterprise Expenditure Goals for the 1st, 2nd and 3rd Quarters of Fiscal Year 2011''; to the Committee on Oversight and Government Reform.

5591. A letter from the Director of Legislative Affairs, Railroad Retirement Board, transmitting the Board's Performance and Accountability Report for Fiscal Year 2011, including the Office of Inspector General's Auditor's Report; to the Committee on Oversight and Government Reform.

5592. A letter from the Member of Congress, Ronald Reagan Centennial Commission, transmitting the final report submitted by the Commission; to the Committee on Oversight and Government Reform.

5593. A letter from the Chief Administrative Officer, transmitting the quarterly report of receipts and expenditures of appropriations and other funds for the period January 1, 2012 through March 31, 2012 as compiled by the Chief Administrative Officer, pursuant to 2 U.S.C. 104a Public Law 88-454; (H. Doc. No. 112—96); to the Committee on House Administration and ordered to be printed.

5594. A letter from the Secretary, Department of Health and Human Services, transmitting annual report on Funding Needs for Contract Support Costs of Self-Determination awards for Fiscal Year 2010; to the Committee on Natural Resources.

5595. A letter from the Chief, Branch of Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Revised Endangered Status, Revised Critical Habitat Designation, and Taxonomic Revision for Monardella linoides ssp. viminea [Docket No.: FWS-R8-ES-2010-0076] (RIN: 1018-AX18) received March 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5596. A letter from the Chief, Branch of Recovery and Delisting, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Establishing a Manatee Refuge in Kings Bay, Citrus County, FL [Docket No.: FWS-R4-ES-2010-0079] (RIN: 1018-AX27) received March 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5597. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final

rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pollock in the Bering Sea and Aleutian Islands [Docket No.: 111213751-2102-02] (RIN: 0648-XB038) received March 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5598. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 101126522-0640-2] (RIN: 0648-XB035) received March 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5599. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery of the South Atlantic; Closure [Docket No.: 040205043-4043-01] (RIN: 0648-XA990) received March 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5600. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Shallow-Water Species by Amendment 80 Vessels in the Gulf of Alaska [Docket No.: 101126522-0640-02] (RIN: 0648-XB44) received March 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5601. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Biennial Specifications and Management Measures; Inseason Adjustments [Docket No.: 100804324-1265-02] (RIN: 0648-BB88) received March 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5602. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area [Docket No.: 111213751-2102-02] (RIN: 0648-XB051) received March 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5603. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Pacific Cod by Catcher Vessels Less Than 50 Feet (15.2 Meters) Length overall Using Hook-and-Line Gear in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 101126522-0640-2] (RIN: 0648-XB062) received March 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5604. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 620 in the Gulf of Alaska [Docket No.: 101126522-0640-02] (RIN: 0648-BX049) received March 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5605. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska [Docket No.: 101126522-0640-02] (RIN: 0648-BX036) received March 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5606. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Closure [Docket No.: 001005281-0369-02] (RIN: 0648-XB031) received March 30, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5607. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher/Processors Using Hook-and-Line Gear in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 101126522-0640-2] (RIN: 0648-XB004) received March 30, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5608. A letter from the Acting Division Chief, Conservation and Policy Planning Division, Office of National Marine Sanctuaries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Overflight Regulations for the Channel Islands, Monterey Bay, Gulf of the Farallones, and Olympic Coast National Marine Sanctuaries [Docket No.: 0908041219-1413-02] (RIN: 0648-AX79) received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5609. A letter from the Director, Administrative Office of the United States Courts, transmitting a copy of the Report of the Judicial Conference of the United States for the September 2011 session; to the Committee on the Judiciary.

5610. A letter from the Delegated the Authority of the Staff Director, Commission on Civil Rights, transmitting notification that the Commission recently appointed members to the District of Columbia Advisory Committee; to the Committee on the Judiciary.

5611. A letter from the Delegated the Authority of the Staff Director, Commission on Civil Rights, transmitting notification that the Commission recently appointed members to the Nevada Advisory Committee; to the Committee on the Judiciary.

5612. A letter from the Clerk, Court of Appeals, transmitting the judicial opinion of the United States Court of Appeals for the Seventh Circuit for Sterk, et al. v. Redbox, No. 12-8002; to the Committee on the Judiciary.

5613. A letter from the Assistant Attorney General, Department of Justice, transmitting a follow up letter on a pending case; to the Committee on the Judiciary.

5614. A letter from the Acting Administrator, Department of Transportation, transmitting the Federal Aviation Administration's Capital Investment Plan (CIP) for fiscal years 2013-2017, pursuant to 49 U.S.C. app. 2203(b)(1); to the Committee on Transportation and Infrastructure.

5615. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone; 24th Annual North American International Auto Show, Detroit River, Detroit, MI [Docket No.: USCG-2011-1157] (RIN: 1625-AA87) received March 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5616. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Potomac and Anacostia Rivers, Washington, DC [Docket No.: USCG-2011-1165] (RIN: 1625-AA87) received March 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5617. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Moving Security Zone around escorted vessels on the Lower Mississippi River between mile marker 90.0 above head of passes to mile marker 110.0 above head of passes [Docket No.: USCG-2011-1063] (RIN: 1625-AA87) received March 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5618. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation; HITS Triathlon; Corpus Christi Bayfront, Corpus Christi, TX [Docket No.: USCG-2011-0785] (RIN: 1625-AA08) received March 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5619. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; M/V Del Monte Live-Fire Gun Exercise, James River, Isle of Wight, Virginia [Docket No.: USCG-2012-0010] (RIN: 1625-AA00) received March 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5620. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Mississippi River, Mile Marker 230 to Mile Marker 234, in the vicinity of Baton Rouge, LA [Docket No.: USCG-2011-0841] (RIN: 1625-AA00) received March 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5621. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Ice Rescue Exercise; Green Bay, Dyckesville, Wisconsin [Docket No.: USCG-2011-1161] (RIN: 1625-AA00) received March 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5622. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Gulf Intracoastal Waterway, Mile Marker 35.2 to Mile marker 35.5, Larose, Lafourche Parish, LA [Docket No.: USCG-2011-1128] (RIN: 1625-AA00) received March 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5623. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Atlantic Intracoastal Waterway, Vicinity of Marine Corps Base, Camp Lejeune, NC [Docket No.: USCG-2011-1166] (RIN: 1625-AA00) received March 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5624. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Anchorage Regulations; Newport, RI [Docket No.: USCG-2011-0443] (RIN: 1625-AA01) received March 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5625. A letter from the Acting Administrator, Department of Transportation, transmitting the Department's report for fiscal

year 2011 on foreign aviation authorities to which the Administrator provided services in the preceding fiscal year; to the Committee on Transportation and Infrastructure.

5626. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc (RR) RB211-Trent 800 Series Turbofan Engines [Docket No.: FAA-2010-0755; Directorate Identifier 2010-NE-12-AD; Amendment 39-16956; AD 2012-04-01] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5627. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Various Transport Category Airplanes [Docket No.: FAA-2010-0956; Directorate Identifier 2010-NM-018-AD; Amendment 39-16951; AD 74-08-09 R3] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5628. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Lycoming Engines Reciprocating Engines [Docket No.: FAA-2011-0533; Directorate Identifier 2011-NE-16-AD; Amendment 39-16948; AD 2012-03-07] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5629. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Turbomeca S.A. Turboshaft Engines [Docket No.: FAA-2009-0889; Directorate Identifier 2009-NE-35-AD; Amendment 39-16953; AD 2012-03-11] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5630. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2011-0725; Directorate Identifier 2011-NM-065-AD; Amendment 39-16943; AD 2012-03-02] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5631. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2006-25001; Directorate Identifier 2006-NM-079-AD; Amendment 39-16937; AD 2012-02-14] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5632. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2011-1092; Directorate Identifier 2011-NM-111-AD; Amendment 39-16946; AD 2012-03-05] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5633. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2011-0571; Directorate Identifier 2010-NM-263-AD; Amendment 39-16950; AD 2012-03-09] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5634. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Fokker Services B.V. Airplanes [Docket No.: FAA-2011-1067; Directorate Identifier 2011-NM-034-AD; Amendment 39-16944; AD 2012-03-03] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5635. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; DASSAULT AVIATION Airplanes [Docket No.: FAA-2011-1166; Directorate Identifier 2010-NM-169-AD; Amendment 39-16941; AD 2012-02-18] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5636. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2011-1227; Directorate Identifier 2011-NM-100-AD; Amendment 39-16957; AD 2012-04-02] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5637. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2011-0994; Directorate Identifier 2010-NM-143-AD; Amendment 39-16949; AD 2012-03-08] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5638. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; 328 Support Services GmbH (Type Certificate Previously Held by AvCraft Aerospace GmbH; Fairchild Dornier GmbH; Dornier Luftfahrt GmbH) Airplanes [Docket No.: FAA-2011-0912; Directorate Identifier 2011-NM-035-AD; Amendment 39-16962; AD 2012-04-06] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5639. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc (RR) RB211-535 Series Turbofan Engine [Docket No.: FAA-2009-0994; Directorate Identifier 2009-NE-39-AD; Amendment 39-16934; AD 2012-02-11] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5640. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Lycoming Engines Reciprocating Engines [Docket No.: FAA-2011-0691; Directorate Identifier 2011-NE-26-AD; Amendment 39-16909; AD 71-13-01R1] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5641. 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-2011-0956; Directorate Identifier 2011-NE-23-AD; Amendment 39-16928; AD 2012-02-05] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5642. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Superior Air Parts, Lycoming Engines (Formerly Textron Lycoming), and Continental Motors, Inc., Fuel-Injected Reciprocating Engines [Docket No.: FAA-2011-0547; Directorate Identifier 2011-NE-13-AD; Amendment 39-16947; AD 2012-03-06] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5643. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company Turbofan Engines [Docket No.: FAA-2010-0068; Directorate Identifier 2010-NE-05-AD; Amendment 39-16930; AD 2012-02-07] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5644. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Honeywell International, Inc. TPE331-10 and TPE331-11 Series Turboprop Engines [Docket No.: FAA-2011-0789; Directorate Identifier 2011-NE-04-AD; Amendment 39-16929; AD 2012-02-06] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5645. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2012-0037; Directorate Identifier 2012-NM-003-AD; Amendment 39-16935; AD 2012-02-12] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5646. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; CFM International, S.A. Turbofan Engines [Docket No.: FAA-2011-0946; Directorate Identifier 2011-NE-02-AD; Amendment 39-16926; AD 2012-02-03] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5647. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc Turbofan Engines [Docket No.: FAA-2012-0004; Directorate Identifier 2012-NE-01-AD; Amendment 39-16927; AD 2012-02-04] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5648. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2012-0112; Directorate Identifier 2011-NM-055-AD; Amendment 39-16952; AD 2012-03-10] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5649. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30828; Amdt. No. 3466] received March 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5650. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30829; Amdt. No. 3467] received March 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5651. A letter from the Deputy General Counsel, National Aeronautics and Space Administration, transmitting the Administration's ''Major'' final rule — Claims for Patent and Copyright Infringement (RIN: 2700-

AD63) received March 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science, Space, and Technology.

5652. A letter from the Associate Administrator, Human Exploration and Operations Mission Directorate, National Aeronautics and Space Administration, transmitting the Administration's final rule — Revision to the Tracking and Data Relay Satellite System (TDRSS) rates for non-U.S. Government customers [Notice (12-009)] (RIN: 2700-AD72) received March 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science, Space, and Technology.

5653. A letter from the Chairman, Defense Nuclear Facilities Safety Board, transmitting the Board's quarterly report to Congress on the Status of Significant Unresolved Issues with the Department of Energy's Design and Construction Projects (dated March 7, 2012); jointly to the Committees on Armed Services and Appropriations.

5654. A letter from the Chairman, Defense Nuclear Facilities Safety Board, transmitting the Board's Twenty-Second Annual Report to Congress on health and safety activities; jointly to the Committees on Armed Services and Energy and Commerce.

5655. A letter from the Secretary, Department of Health and Human Services, transmitting a report to Congress on the Implementation of the Medicare Self-Referral Disclosure Protocol; jointly to the Committees on Energy and Commerce and Ways and Means.

5656. A letter from the Chairman, Medicare Payment Advisory Commission, transmitting the Commission's March 2012 Report to the Congress: Medicare Payment Policy; jointly to the Committees on Energy and Commerce and Ways and Means.

5657. A letter from the Chairman, Nuclear Regulatory Commission, transmitting a piece of draft legislation; jointly to the Committees on Energy and Commerce and the Judiciary.

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:

[Pursuant to the order of the House on March 30, 2012 the following report was filed on April 10, 2012]

Mr. CAMP: Committee on Ways and Means. H.R. 9. A bill to amend the Internal Revenue Code of 1986 to provide a deduction for domestic business income of qualified small businesses; with an amendment (Rept. 112–425). Referred to the Committee of the Whole House on the state of the Union.

[Pursuant to the order of the House on March 30, 2012 the following report was filed on April 13, 2012]

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 4089. A bill to protect and enhance opportunities for recreational hunting, fishing and shooting; with an amendment (Rept. 112–426, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

[Submitted April 16, 2012]

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 205. A bill to amend the Act titled ''An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases'', approved August 9, 1955, to provide for Indian tribes to enter into certain leases without prior express approval from the Secretary of the Interior; with amendments (Rept. 112–427). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. S. 292. An act to resolve the claims of the Bering Straits Native Corporation and the State of Alaska to land adjacent to Salmon Lake in the State of Alaska and to provide for the conveyance to the Bering Straits Native Corporation of certain other public land in partial satisfaction of the land entitlement of the Corporation under the Alaska Native Claims Settlement Act (Rept. 112–428). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. S. 897. An act to amend the Surface Mining Control and Reclamation Act of 1977 to clarify that uncertified States and Indian tribes have the authority to use certain payments for certain noncoal reclamation projects and acid mine remediation program (Rept. 112–429). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1545. A bill to establish the Waco Mammoth National Monument in the State of Texas, and for other purposes; with an amendment (Rept. 112–430). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 2915. A bill to repeal the Western Area Power Administration borrowing authority, and for other purposes (Rept. 112–431). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. S. 271. An act to require the Secretary of Agriculture to enter into a property conveyance with the city of Wallowa, Oregon, and for other purposes (Rept. 112–432). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. S. 404. An act to modify a land grant patent issued by the Secretary of the Interior (Rept. 112–433). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. S. 684. An act to provide for the conveyance of certain parcels of land to the town of Alta, Utah (Rept. 112–434). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 491. A bill to modify the boundaries of Cibola National Forest in the State of New Mexico, to transfer certain Bureau of Land Management land for inclusion in the national forest, and for other purposes (Rept. 112–435). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1038. A bill to authorize the conveyance of two small parcels of land within the boundaries of the Coconino National Forest containing private improvements that were developed based upon the reliance of the landowners in an erroneous survey conducted in May 1960; with an amendment (Rept. 112–436). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 2050. A bill to authorize the continued use of certain water diversions located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in the State of Idaho, and for other purposes (Rept. 112–437). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 2060. A bill to amend the Wild and Scenic Rivers Act to adjust the Crooked River boundary, to provide water certainty for the City of Prineville, Oregon, and for other purposes; with an amendment (Rept. 112–438). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 2157. A bill to facilitate a land exchange involving certain National Forest System lands in the Inyo National Forest, and for other purposes (Rept. 112–439). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 2938. A bill to prohibit certain gaming activities on certain Indian lands in Arizona; with an amendment (Rept. 112–440). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 2947. A bill to provide for the release of the reversionary interest held by the United States in certain land conveyed by the United States in 1950 for the establishment of an airport in Cook County, Minnesota (Rept. 112–441). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 3263. A bill to authorize the Secretary of the Interior to allow the storage and conveyance of nonproject water at the Norman project in Oklahoma, and for other purposes (Rept. 112–442). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 3310. A bill to amend the Communications Act of 1934 to consolidate the reporting obligations of the Federal Communications Commission in order to improve congressional oversight and reduce reporting burdens; with an amendment (Rept. 112–443). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Rules. House Resolutions 614. Resolution providing for consideration of the bill (H.R. 4089) to protect and enhance opportunities for recreational hunting, fishing and shooting, and for other purposes (Rept. 112–444). Referred to the House Calendar.

DISCHARGE OF COMMITTEES

[The following action occurred on April 13, 2012]

Pursuant to clause 2 of rule XIII, the Committees on Agriculture and Energy and Commerce discharged from further consideration. H.R. 4089 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. MICA (for himself, Mr. CAMP, and Mr. TERRY):

H.R. 4348. A bill to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Ways and Means, Natural Resources, Science, Space, and Technology, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as

fall within the jurisdiction of the committee concerned.

By Mr. FATTAH:

H.R. 4349. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for contributions to a trust used to provide need-based college scholarships; to the Committee on Ways and Means.

By Mr. CRAVAACK (for himself and Mr. BISHOP of New York):

H.R. 4350. A bill to ensure that certain flight, duty, and rest requirements apply to all-cargo air operations, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. FUDGE (for herself, Ms. NORTON, Mr. DAVIS of Illinois, Mr. CLARKE of Michigan, Mr. RANGEL, Ms. KAPTUR, Mr. BACA, Ms. SCHAKOWSKY, Mr. KUCINICH, Mr. CLAY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. RUSH, Mr. THOMPSON of Mississippi, Ms. JACKSON LEE of Texas, Mr. HOLT, Mr. CLEAVER, Ms. RICHARDSON, Mr. ELLISON, Ms. SEWELL, Mr. CARNAHAN, Mr. QUIGLEY, Ms. PINGREE of Maine, and Mr. LEWIS of Georgia):

H.R. 4351. A bill to provide assistance and opportunity for the creation and support of sustainable agriculture activities in America's cities and to improve access to nutrition in America's cities; to the Committee on Agriculture, 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. HIGGINS (for himself, Ms. HAHN, and Mr. CONYERS):

H.R. 4352. A bill to direct the Secretary of Transportation to establish a transformational infrastructure competitive grant program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. MATSUI:

H.R. 4353. A bill to authorize certain civil works projects, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MULVANEY:

H.R. 4354. A bill to extend the temporary reduction of duty on 4-Propylbenzaldehyde; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 4355. A bill to suspend temporarily the duty on quinaldine; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 4356. A bill to suspend temporarily the duty on Leucoquinizarin; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 4357. A bill to suspend temporarily the duty on 1-Nitroanthraquinone; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 4358. A bill to extend the temporary reduction of duty on 2-Methyl-5-nitrobenzenesulfonic acid; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 4359. A bill to suspend temporarily the duty on Benzenesulfonyl chloride; to the Committee on Ways and Means.

By Mr. MURPHY of Connecticut (for himself and Mr. LARSON of Connecticut):

H.R. 4360. A bill to amend the Wild and Scenic Rivers Act to designate certain segments of the Farmington River and Salmon Brook in the State of Connecticut as components of the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Natural Resources.

By Mr. PETRI (for himself and Mr. LIPINSKI):

H.R. 4361. A bill to promote transportation-oriented development and encourage dedicated revenue sources for urban and regional rail corridor development; to the Committee on Transportation and Infrastructure.

By Ms. WASSERMAN SCHULTZ (for herself and Mr. SMITH of Texas):

H.R. 4362. A bill to provide effective criminal prosecutions for certain identity thefts, and for other purposes; to the Committee on the Judiciary.

By Mr. FATTAH:

H. Res. 613. A resolution supporting the Office of Science and Technology Policy interagency working group to coordinate Federal investments in neuroscience research; to the Committee on Energy and Commerce.

By Mr. FLEMING:

H. Res. 615. A resolution expressing the sense of the House of Representatives that Members who vote in favor of the establishment of a public, Federal Government run health insurance option are urged to forgo their right to participate in the Federal Employees Health Benefits Program (FEHBP) and agree to enroll under that public option; to the Committee on House Administration.

By Mr. FORBES (for himself and Mr. WOLF):

H. Res. 616. A resolution expressing the sense of the House of Representatives regarding United States relations with the People's Republic of China; to the Committee on Foreign Affairs.

By Ms. NORTON:

H. Res. 617. A resolution recognizing the enduring cultural and historical significance of emancipation in the Nation's capital on the 150th anniversary of President Abraham Lincoln's signing of the District of Columbia Compensated Emancipation Act, which established the ''first freed'' on April 16, 1862; to the Committee on Oversight and Government Reform.

By Mr. RANGEL (for himself, Mr. CONYERS, Mr. SAM JOHNSON of Texas, and Mr. COBLE):

H. Res. 618. A resolution expressing support for designation of 2012-2013 as the ''Year of the Korean War Veteran'' and recognizing the 60th anniversary of Korean War; to the Committee on Veterans' Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

187. The SPEAKER presented a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 124 memorializing the Congress to enact a new federal farm bill; to the Committee on Agriculture.

188. Also, a memorial of the Senate of the Commonwealth of Kentucky, relative to House Resolution No. 21 urging the Congress to posthumously promote Colonel Charles D. Young to the rank of brigadier general; to the Committee on Armed Services.

189. Also, a memorial of the Senate of the State of Washington, relative to Senate Joint Memorial 8016 urging the Congress, President, and the Executive Branch Agencies to work together to see that the Beyond the Border Action Plan on Perimeter Security and Economic Competitiveness and the Action Plan on Regulatory Cooperation are carried out; to the Committee on Foreign Affairs.

190. Also, a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 126 reaffirming the relationship between Michigan and Israel; to the Committee on Foreign Affairs.

191. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 178 memorializing Congress to enact the Recreational Fishing and Hunting Heritage and Opportunities Act; to the Committee on Natural Resources.

192. Also, a memorial of the Senate of the Commonwealth of Kentucky, relative to Senate Resolution No. 196 urging the Congress to support the contract held by private industries from Kentucky over contracts with the Federal Prison Industries; to the Committee on the Judiciary.

193. Also, a memorial of the House of Representatives of the State of Oregon, relative to House Joint Memorial 202 requesting to support full funding of the United States Coast Guard's operational readiness and recapitalization requirements; to the Committee on Transportation and Infrastructure.

194. Also, a memorial of the House of Representatives of the State of Illinois, relative to House Resolution No. 717 urging the Congress to pass the Secure Travel and Counterterrorism Program Act of 2011; jointly to the Committees on the Judiciary and Intelligence (Permanent Select).

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. MICA:

H.R. 4348.

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

Article I, Section 8 of the United States Constitution, specifically Clause 1, Clause 3, Clause 7, and Clause 18.

By Mr. FATTAH:

H.R. 4349.

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

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. CRAVAACK:

H.R. 4350.

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

The Commerce Clause (Article I, Section 8, Clause 3) in the United States Constitution.

By Ms. FUDGE:

H.R. 4351.

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

Article I, §8, clause 3, the Commerce Clause.

By Mr. HIGGINS:

H.R. 4352.

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

The constitutional authority of this legislation lies primarily in Article I, Section 8 of the United States Constitution.

By Ms. MATSUI:

H.R. 4353.

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

Article 1, Section 8, Clause 3

By Mr. MULVANEY:

H.R. 4354.

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

Article I, Section 8, Clause 1. ''The Congress shall have Power To lay and collect

Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

Article I, Section 8, Clause 3. ''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.''

By Mr. MULVANEY:

H.R. 4355.

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

Article I, Section 8, Clause 1. ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

Article I, Section 8, Clause 3. ''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.''

By Mr. MULVANEY:

H.R. 4356.

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

Article I, Section 8, Clause 1. ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

Article I, Section 8, Clause 3. ''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.''

By Mr. MULVANEY:

H.R. 4357.

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

Article I, Section 8, Clause I. ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

Article I, Section 8, Clause 3. ''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.''

By Mr. MULVANEY:

H.R. 4358.

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

Article I, Section 8, Clause 1. ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

Article I, Section 8, Clause 3. ''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.''

By Mr. MULVANEY:

H.R. 4359.

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

Article I, Section 8, Clause 1. ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

Article I, Section 8, Clause 3. ''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.''

By Mr. MURPHY of Connecticut:

H.R. 4360.

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

Article 1, Section 8.

By Mr. PETRI:

H.R. 4361.

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

Clause 3, of Section 8, of Article I of the Constitution.

By Ms. WASSERMAN SCHULTZ:

H.R. 4362.

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

The constitutional authority on which this bill rests is the power of the Congress to provide for the general welfare of the United States, as enumerated in Article I, Section 8, Clause 1 of the United States Constitution, and to make all laws which shall be necessary and proper for carrying into execution such power as enumerated in Article I, Section 8, Clause 18 of the Constitution.

ADDITIONAL SPONSORS TO PUBLIC BILLS AND RESOLUTIONS

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

[The following action occurred on April 10, 2012]

H.R. 9: Mr. LONG and Mr. OLSON.

[Submitted April 16, 2012]

H.R. 85: Ms. PINGREE of Maine.

H.R. 104: Ms. GRANGER and Mr. CICILLINE.

H.R. 140: Mr. GOODLATTE.

H.R. 156: Mr. BARTON of Texas and Mr. CARSON of Indiana.

H.R. 178: Mr. TONKO, Mrs. LOWEY, Mr. BACA, Mr. ISRAEL, and Mr. PASCRELL.

H.R. 186: Mr. PASCRELL.

H.R. 192: Ms. DELAURO.

H.R. 265: Mr. NADLER.

H.R. 283: Ms. SCHAKOWSKY.

H.R. 303: Ms. DELAURO and Ms. HAHN.

H.R. 329: Ms. BORDALLO.

H.R. 409: Mr. PETERSON and Mr. MICHAUD.

H.R. 450: Mr. JOHNSON of Ohio.

H.R. 458: Mr. MCGOVERN and Mr. WAXMAN.

H.R. 459: Mr. MCDERMOTT.

H.R. 601: Ms. TSONGAS.

H.R. 663: Mr. MCCAUL.

H.R. 679: Mr. BRADY of Pennsylvania.

H.R. 718: Mr. CICILLINE.

H.R. 719: Mr. WATT, Mr. CARSON of Indiana, Mr. GUTHRIE, Mrs. BLACK, and Ms. MOORE.

H.R. 721: Mr. AUSTIN SCOTT of Georgia.

H.R. 733: Mr. MARCHANT and Mrs. MILLER of Michigan.

H.R. 743: Mr. WELCH.

H.R. 757: Mr. TIPTON and Mr. LUETKEMEYER.

H.R. 807: Mr. BRALEY of Iowa.

H.R. 814: Mr. ROTHMAN of New Jersey.

H.R. 854: Ms. BERKLEY and Mrs. CHRISTENSEN.

H.R. 860: Mr. FLEISCHMANN.

H.R. 864: Mr. COURTNEY.

H.R. 885: Mr. PIERLUISI and Mrs. DAVIS of California.

H.R. 893: Mr. TURNER of New York.

H.R. 931: Mrs. ADAMS and Mr. LONG.

H.R. 949: Mr. MCDERMOTT.

H.R. 1004: Mr. TERRY.

H.R. 1005: Ms. DELAURO.

H.R. 1041: Ms. BUERKLE.

H.R. 1054: Mr. GRIJALVA.

H.R. 1063: Mr. GIBBS.

H.R. 1084: Ms. TSONGAS.

H.R. 1161: Mr. ROKITA and Mr. HARPER.

H.R. 1167: Mrs. BLACK and Mr. STEARNS.

H.R. 1169: Mr. FILNER.

H.R. 1176: Mr. KEATING.

H.R. 1182: Mrs. BLACK.

H.R. 1190: Mr. PAUL, Mr. BLUMENAUER, Mr. JOHNSON of Georgia, Mr. JACKSON of Illinois, Mrs. MALONEY, Mr. FILNER, Mr. MCDERMOTT, Mr. COHEN, Mr. GUTIERREZ, Mr. MCGOVERN, Mr. PASCRELL, Ms. RICHARDSON, Mr. GRIJALVA, Mr. YARMUTH, and Ms. SLAUGHTER.

H.R. 1193: Mr. ISRAEL.

H.R. 1206: Mr. BARTLETT, Mr. HINCHEY, and Mr. TOWNS.

H.R. 1219: Mr. ROSS of Arkansas, Ms. HAHN, Mr. BARTLETT, Ms. LEE of California, Mr. FILNER, Mr. BLUMENAUER, Ms. CLARKE of New York, Mr. MCGOVERN, Mr. CHANDLER, Mr. FARR, and Mr. SMITH of New Jersey.

H.R. 1244: Mrs. MCMORRIS RODGERS.

H.R. 1325: Mr. LATOURETTE.

H.R. 1332: Ms. MATSUI.

H.R. 1370: Mr. STUTZMAN.

H.R. 1381: Mr. PIERLUISI, Ms. LEE of California, Mr. CONNOLLY of Virginia, Mr. DEFAZIO, and Mr. FILNER.

H.R. 1397: Mr. CLAY.

H.R. 1410: Mr. COFFMAN of Colorado.

H.R. 1426: Mr. REYES and Mr. HIMES.

H.R. 1511: Mr. JOHNSON of Illinois.

H.R. 1521: Mr. COHEN and Ms. WILSON of Florida.

H.R. 1523: Mr. ENGEL.

H.R. 1532: Mr. RANGEL.

H.R. 1543: Mr. DEFAZIO.

H.R. 1575: Mr. MICHAUD.

H.R. 1581: Mr. BARTLETT.

H.R. 1595: Ms. BONAMICI.

H.R. 1612: Mr. MICHAUD and Mr. CARSON of Indiana.

H.R. 1620: Ms. BALDWIN, Mr. AMODEI, Mr. FILNER, Mr. MICHAUD, and Mr. PRICE of North Carolina.

H.R. 1639: Mr. JORDAN, Mr. HARRIS, Mr. MILLER of North Carolina, Mr. REED, and Mr. KINGSTON.

H.R. 1653: Mr. SULLIVAN, Mr. SCHILLING, and Mr. NUGENT.

H.R. 1674: Mr. ANDREWS.

H.R. 1681: Mr. CARDOZA and Ms. SLAUGHTER.

H.R. 1700: Mr. WITTMAN and Mr. SULLIVAN.

H.R. 1704: Mr. DOYLE and Mr. MICHAUD.

H.R. 1706: Mr. CLARKE of Michigan and Mr. PRICE of North Carolina.

H.R. 1792: Mr. LEWIS of Georgia and Mr. HINCHEY.

H.R. 1802: Mr. DONNELLY of Indiana.

H.R. 1822: Mr. SCHWEIKERT.

H.R. 1842: Mr. PIERLUISI, Mr. LANGEVIN, Mr. RANGEL, and Mr. GONZALEZ.

H.R. 1897: Mr. HARRIS, Mrs. MYRICK, Mr. BACA, Mr. CLAY, and Mr. ROSKAM.

H.R. 1960: Mr. THOMPSON of Mississippi, Mr. THOMPSON of California, and Mrs. MILLER of Michigan.

H.R. 2000: Mr. GRAVES of Missouri.

H.R. 2003: Ms. SLAUGHTER and Mr. BLUMENAUER.

H.R. 2016: Mr. WAXMAN.

H.R. 2020: Mr. GUTIERREZ and Mr. RIVERA.

H.R. 2051: Mrs. MCMORRIS RODGERS.

H.R. 2071: Mr. SCHRADER.

H.R. 2082: Mr. MCDERMOTT.

H.R. 2085: Mr. SMITH of Washington.

H.R. 2086: Ms. LINDA T. SÁNCHEZ of California, Ms. CLARKE of New York, Mr. PETERS, Mr. HONDA, Ms. WATERS, Mr. FILNER, and Mr. THOMPSON of California.

H.R. 2123: Mr. MORAN.

H.R. 2139: Mr. YARMUTH, Ms. BUERKLE, Mr. MEEKS, Ms. EDWARDS, Mr. WOMACK, Mr. DUFFY, Mr. HOLT, Mr. DUNCAN of Tennessee, Mr. WATT, and Mr. MCNERNEY.

H.R. 2159: Mr. HARRIS, Mr. MICHAUD, and Mr. PETERSON.

H.R. 2179: Mr. LUETKEMEYER and Mr. KISSELL.

H.R. 2206: Mr. GOWDY.

H.R. 2238: Mr. BERG.

H.R. 2288: Mr. PLATTS, Mr. TIBERI, Mr. STIVERS, and Mr. BISHOP of New York.

H.R. 2299: Mr. WITTMAN.
H.R. 2316: Mr. STARK and Mr. FILNER.
H.R. 2376: Mr. YARMUTH.
H.R. 2382: Mr. CROWLEY.
H.R. 2404: Ms. SCHAKOWSKY.
H.R. 2412: Mr. GERLACH, Mr. BERMAN, and Mr. VAN HOLLEN.
H.R. 2418: Mr. BOREN.
H.R. 2479: Mr. MICHAUD.
H.R. 2499: Ms. LORETTA SANCHEZ of California and Mr. CUMMINGS.
H.R. 2502: Mr. LATHAM, Mr. HINCHEY, and Mr. BERG.
H.R. 2524: Mr. CONYERS, Ms. BONAMICI, and Mr. CARSON of Indiana.
H.R. 2529: Mr. WESTMORELAND and Mrs. MYRICK.
H.R. 2543: Mr. TIERNEY and Mr. SMITH of Nebraska.
H.R. 2600: Mr. LOBIONDO.
H.R. 2636: Mr. HINOJOSA.
H.R. 2659: Mr. SMITH of Nebraska.
H.R. 2697: Mr. CONAWAY, Mr. MULVANEY, Mr. PRICE of Georgia, and Mrs. CAPPS.
H.R. 2698: Ms. BONAMICI.
H.R. 2759: Mr. OLVER.
H.R. 2827: Mr. WILSON of South Carolina, and Mr. NEUGEBAUER.
H.R. 2866: Mrs. CAPPS.
H.R. 2881: Mr. PRICE of North Carolina.
H.R. 2960: Ms. TSONGAS.
H.R. 2969: Mr. TOWNS and Mr. BACA.
H.R. 2970: Mr. RENACCI.
H.R. 2977: Mr. MEEKS.
H.R. 2985: Mr. FLAKE and Mr. ALEXANDER.
H.R. 3000: Mr. MANZULLO and Mr. DUNCAN of South Carolina.
H.R. 3032: Mr. TIBERI.
H.R. 3039: Mr. MICHAUD.
H.R. 3059: Ms. WASSERMAN SCHULTZ and Mrs. MILLER of Michigan.
H.R. 3066: Mr. KINGSTON.
H.R. 3086: Ms. WILSON of Florida.
H.R. 3087: Mr. KISSELL, Mr. ROGERS of Alabama, and Ms. WASSERMAN SCHULTZ.
H.R. 3126: Mr. YARMUTH.
H.R. 3151: Mr. MURPHY of Connecticut.
H.R. 3187: Mr. REYES, Mr. GONZALEZ, Mr. BACHUS, Mr. HANNA, Mr. DAVID SCOTT of Georgia, Mr. POSEY, Ms. JACKSON LEE of Texas, Mr. BUCHANAN, Mr. COHEN, Mr. HOLDEN, and Mr. CANSECO.
H.R. 3199: Mr. BROOKS.
H.R. 3207: Mr. CULBERSON.
H.R. 3238: Mr. ISRAEL, Ms. EDWARDS, and Mr. CONYERS.
H.R. 3264: Mrs. BLACK.
H.R. 3269: Mr. ROONEY, Mr. LOBIONDO, Mr. GONZALEZ, Mr. TOWNS, Mr. PETERSON, Mr. SHUSTER, Mr. DUFFY, and Ms. KAPTUR.
H.R. 3286: Mr. STARK, Ms. VELÁZQUEZ, Ms. BONAMICI, and Mr. KEATING.
H.R. 3307: Ms. BALDWIN.
H.R. 3329: Mr. MICHAUD.
H.R. 3337: Mr. THOMPSON of California and Mr. ISRAEL.
H.R. 3364: Mrs. CAPITO, Mr. DAVIS of Kentucky, Mr. LANGEVIN, Mr. ROTHMAN of New Jersey, and Mr. TOWNS.
H.R. 3400: Mr. AUSTIN SCOTT of Georgia.
H.R. 3420: Mr. HINCHEY.
H.R. 3423: Mr. STEARNS, Mr. COFFMAN of Colorado, Mr. PRICE of North Carolina, Mr. GONZALEZ, Ms. CLARKE of New York, Mr. DUFFY, and Mr. RANGEL.
H.R. 3485: Mr. TOWNS and Mr. TONKO.
H.R. 3497: Ms. LEE of California.
H.R. 3511: Mr. BURGESS.
H.R. 3523: Mr. MULVANEY, Mr. HALL, Mr. CUELLAR, Mr. LAMBORN, and Mr. AUSTRIA.
H.R. 3528: Mr. LEWIS of Georgia.
H.R. 3586: Mr. SULLIVAN.
H.R. 3589: Mr. PLATTS.
H.R. 3590: Mr. ROTHMAN of New Jersey.
H.R. 3594: Mr. LAMBORN.
H.R. 3612: Mr. ALTMIRE, Ms. DELAURO, Mr. REYES, Mr. BRALEY of Iowa, and Mr. CICILLINE.
H.R. 3643: Mr. LATHAM.
H.R. 3654: Mr. FILNER.
H.R. 3658: Mr. FILNER, Mr. CAPUANO, Mr. MCNERNEY, and Mr. MICHAUD.
H.R. 3662: Mr. HARPER.
H.R. 3670: Mr. LOEBSACK.
H.R. 3676: Mr. LOEBSACK.
H.R. 3679: Mr. MORAN, Ms. JACKSON LEE of Texas, Mr. FATTAH, Mr. SIRES, and Ms. BONAMICI.
H.R. 3704: Mr. WAXMAN.
H.R. 3710: Mr. BACA.
H.R. 3737: Mr. DEFAZIO and Mr. HARRIS.
H.R. 3769: Mr. HIMES, Mr. HOLT, and Ms. DELAURO.
H.R. 3776: Ms. CLARKE of New York.
H.R. 3808: Mr. FORBES.
H.R. 3824: Mr. MCDERMOTT.
H.R. 3826: Ms. BONAMICI, Mr. OLVER, Mr. DAVIS of Illinois, Mr. RUSH, Ms. DEGETTE, Mr. HEINRICH, Mr. BLUMENAUER, and Mr. KEATING.
H.R. 3828: Mr. BILIRAKIS and Mr. MILLER of Florida.
H.R. 3829: Mr. FILNER.
H.R. 3839: Mr. LATHAM and Mr. JOHNSON of Georgia.
H.R. 3849: Mr. ROGERS of Alabama, Mr. ROE of Tennessee, and Mr. LUCAS.
H.R. 3855: Mr. TONKO, Mr. MICHAUD, Mrs. MALONEY, and Ms. RICHARDSON.
H.R. 3873: Mr. RANGEL.
H.R. 3893: Mr. KINGSTON.
H.R. 3895: Mr. GRIFFIN of Arkansas, Mr. LATHAM, Mr. MCCOTTER, Mr. WITTMAN, and Mr. CALVERT.
H.R. 3903: Ms. HIRONO, Mr. LANGEVIN, Ms. PINGREE of Maine, Ms. WILSON of Florida, Mr. PETERS, Mr. SCOTT of Virginia, Ms. BERKLEY, Mrs. NAPOLITANO, Mr. LARSEN of Washington, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. DINGELL, Mr. CARNAHAN, Mr. PASCRELL, Ms. HAHN, Ms. CHU, Mr. CLAY, Mr. MURPHY of Connecticut, Mr. MORAN, Mrs. MALONEY, Mr. HASTINGS of Florida, Mr. MILLER of North Carolina, and Mr. REYES.
H.R. 3905: Ms. PINGREE of Maine.
H.R. 3981: Mr. MICHAUD.
H.R. 3982: Mr. MCCOTTER.
H.R. 3991: Mr. ROKITA.
H.R. 4005: Mr. RANGEL.
H.R. 4024: Ms. SLAUGHTER.
H.R. 4025: Ms. SLAUGHTER.
H.R. 4040: Mr. CHABOT, Mr. FARENTHOLD, Mr. FLORES, and Ms. GRANGER.
H.R. 4045: Mr. WESTMORELAND, Mr. GRIFFIN of Arkansas, Mr. MORAN, and Mr. SULLIVAN.
H.R. 4057: Ms. MCCOLLUM and Mr. MICHAUD.
H.R. 4069: Mr. POSEY.
H.R. 4070: Ms. WILSON of Florida, Mr. CONNOLLY of Virginia, and Mr. ROTHMAN of New Jersey.
H.R. 4072: Mr. THOMPSON of Pennsylvania.
H.R. 4077: Mr. FILNER and Mr. SMITH of Washington.
H.R. 4079: Mr. MICHAUD.
H.R. 4081: Mrs. ELLMERS.
H.R. 4107: Mr. LUETKEMEYER.
H.R. 4110: Mrs. MYRICK.
H.R. 4120: Mr. MURPHY of Pennsylvania, Mr. ALTMIRE, Mr. PETERSON, and Mr. MICHAUD.
H.R. 4122: Ms. BORDALLO, Ms. LEE of California, and Mr. BLUMENAUER.
H.R. 4124: Mr. LATHAM and Mr. RANGEL.
H.R. 4132: Mr. FILNER and Ms. ESHOO.
H.R. 4133: Mr. COSTELLO, Ms. DELAURO, Mr. DONNELLY of Indiana, Mr. HOLT, Mr. JACKSON of Illinois, Ms. MATSUI, Mr. SERRANO, Ms. SUTTON, Mr. TONKO, Ms. TSONGAS, Mr. WEST, Ms. BUERKLE, Mr. SOUTHERLAND, Mr. WOODALL, Mr. ROGERS of Michigan, Mr. MCCLINTOCK, Mr. HARRIS, Mr. VAN HOLLEN, Mr. BURTON of Indiana, Mr. KING of Iowa, Mr. MARINO, Mr. ANDREWS, Mr. WALDEN, Mr. DUNCAN of South Carolina, Mr. YOUNG of Alaska, Ms. ESHOO, Mr. RAHALL, Ms. ROYBAL-ALLARD, Mr. FRELINGHUYSEN, Mr. BILIRAKIS, and Mr. MEEHAN.
H.R. 4134: Mr. CONNOLLY of Virginia, Mrs. CAPPS, Mr. WALDEN, Mr. PASTOR of Arizona, Ms. LINDA T. SÁNCHEZ of California, Mr. SHUSTER, Mr. SESSIONS, Mr. CARNAHAN, Mr. FLORES, and Mr. CANSECO.
H.R. 4137: Mr. BROOKS and Mr. PETRI.
H.R. 4144: Mrs. NAPOLITANO.
H.R. 4160: Mr. ROSS of Florida.
H.R. 4164: Mrs. BLACK, Mr. MCINTYRE, Mr. LANGEVIN, Mr. CONNOLLY of Virginia, Mr. HEINRICH, Mr. JONES, Mr. SCHILLING, and Ms. HIRONO.
H.R. 4168: Mr. CONNOLLY of Virginia.
H.R. 4169: Mr. DANIEL E. LUNGREN of California, Mr. CLAY, Ms. WATERS, Mr. BERMAN, Ms. SLAUGHTER, Mr. DEFAZIO, Mr. RUSH, Ms. RICHARDSON, Mrs. MYRICK, Mr. ROTHMAN of New Jersey, Mrs. CAPPS, Mrs. MALONEY, Mr. WAXMAN, Mr. DOYLE, Mr. RANGEL, Mr. CRITZ, Mr. CARNAHAN, Mr. KEATING, Mr. SMITH of Washington, Ms. CLARKE of New York, and Mr. STARK.
H.R. 4177: Mr. ROSS of Arkansas.
H.R. 4192: Mr. RANGEL and Ms. RICHARDSON.
H.R. 4200: Mrs. LUMMIS, Mr. BACHUS, Mr. HUIZENGA of Michigan, and Mr. PAUL.
H.R. 4206: Mrs. ELLMERS.
H.R. 4209: Mr. MCGOVERN and Mr. CONYERS.
H.R. 4210: Mr. PETERS, Mr. CLAY, Ms. SEWELL, and Mr. DAVIS of Illinois.
H.R. 4221: Ms. BASS of California.
H.R. 4228: Mr. CARTER and Mr. THORNBERRY.
H.R. 4229: Mr. BILIRAKIS, Mr. FORBES, Mr. RYAN of Ohio, Mr. SIRES, Mr. MURPHY of Connecticut, Mr. PRICE of Georgia, Mr. BOSWELL, Ms. SCHAKOWSKY, Mr. MCCAUL, Ms. RICHARDSON, Mr. FILNER, and Mr. MARINO.
H.R. 4232: Ms. SUTTON.
H.R. 4235: Ms. HAYWORTH and Mr. PETERS.
H.R. 4237: Mr. HULTGREN and Mr. JONES.
H.R. 4249: Mr. CONNOLLY of Virginia and Mr. HIGGINS.
H.R. 4256: Mr. HUIZENGA of Michigan, Mr. KINGSTON, Mr. FARENTHOLD, Mr. GIBBS, Mr. SOUTHERLAND, Mrs. NOEM, Mr. ROE of Tennessee, Mr. DUFFY, and Mr. WEST.
H.R. 4266: Ms. CHU.
H.R. 4271: Mr. HINOJOSA, Ms. RICHARDSON, Mr. COHEN, Mr. HINCHEY, Ms. CLARKE of New York, Mr. VELÁZQUEZ, Mr. CARSON of Indiana, Ms. BASS of California, Mr. ISRAEL, and Mr. KISSELL.
H.R. 4273: Mr. BARTON of Texas.
H.R. 4282: Mr. MILLER of Florida.
H.R. 4301: Mr. MCKINLEY.
H.R. 4313: Mr. LOEBSACK, Mr. BISHOP of Georgia, and Mr. LANDRY.
H.R. 4315: Mr. CRITZ.
H.R. 4325: Mr. GRIJALVA.
H.R. 4328: Mr. HIGGINS.
H.R. 4329: Mr. HINCHEY.
H.R. 4346: Ms. SLAUGHTER and Mr. DEFAZIO.
H. J. Res. 53: Mr. SESSIONS.
H. J. Res. 86: Mrs. CAPPS.
H. Con. Res. 63: Mr. KILDEE and Mr. LANCE.
H. Con. Res. 87: Mr. MCCAUL, Mr. DANIEL E. LUNGREN of California, Mr. MARKEY, and Mr. JOHNSON of Georgia.
H. Con. Res. 110: Mr. WESTMORELAND and Mr. GOODLATTE.
H. Con. Res. 113: Mr. QUAYLE, Mr. LAMBORN, and Mr. YODER.
H. Con. Res. 114: Mr. CANSECO.
H. Res. 16: Mr. BARTON of Texas.
H. Res. 57: Mr. LATHAM.
H. Res. 130: Ms. ROYBAL-ALLARD.
H. Res. 134: Mr. BENISHEK.
H. Res. 271: Mr. ROKITA.
H. Res. 298: Mr. FARR, Mr. CICILLINE, Mr. COSTELLO, Mr. BILBRAY, and Mr. CHANDLER.
H. Res. 319: Mr. HOLT.
H. Res. 351: Mr. LEWIS of Georgia and Mr. SMITH of New Jersey.
H. Res. 367: Mr. CICILLINE.
H. Res. 478: Mr. BLUMENAUER.
H. Res. 526: Mr. SCOTT of South Carolina, Ms. LORETTA SANCHEZ of California, Mrs.

SCHMIDT, Mr. GARAMENDI, Mr. GRIFFIN of Arkansas, and Mrs. ROBY.

H. Res. 549: Mr. CONYERS and Mr. STARK.

H. Res. 560: Mr. LUETKEMEYER and Mr. PETERSON.

H. Res. 568: Mr. COSTELLO, Mr. MEEKS, Mr. KINGSTON, Mr. TIERNEY, Mr. MCNERNEY, Mr. FLEISCHMANN, Mr. WALDEN, Mr. REYES, Mr. FATTAH, Mrs. BLACK, Mr. ANDREWS, Mr. REED, Mr. YOUNG of Alaska, Mr. SCHRADER, Mr. MEEHAN, Mr. VAN HOLLEN, Mr. AUSTIN SCOTT of Georgia, Mr. GIBSON, Mrs. EMERSON, Mr. ALEXANDER, Mr. FRELINGHUYSEN, and Mr. COLE.

H. Res. 583: Mr. DENT, Mr. SCHIFF, Mr. MARINO, Mr. CARSON of Indiana, Mr. TURNER of New York, Mr. SMITH of Washington, Mr. FILNER, Ms. JENKINS, Mr. JOHNSON of Georgia, Mr. CRITZ, Ms. KAPTUR, Mr. PLATTS, and Mr. HEINRICH.

H. Res. 589: Mr. TIERNEY.

H. Res. 592: Mr. HINOJOSA, Mr. KINGSTON, and Mr. CLAY.

H. Res. 601: Mr. MURPHY of Connecticut.

PETITIONS, ETC.

Under clause 3 of Rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

40. The SPEAKER presented a petition of The Common Council, Buffalo, NY, relative to Resolution No. 84 calling for the United States Postal Service to continue with one-day delivery of first-class mail in the city of Buffalo; to the Committee on Oversight and Government Reform.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, SECOND SESSION

Vol. 158 WASHINGTON, MONDAY, APRIL 16, 2012 No. 54

Senate

The Senate met at 2 p.m. and was called to order by the Honorable CHRISTOPHER A. COONS, a Senator from the State of Delaware.

PRAYER

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

Let us pray.

God of might and mercy, we lift our hearts in praise. Thank You for this day with its opportunity for courageous and noble service. Use our lawmakers this day to validate the faith of our forebears through their faithful service to You and country. As they labor, may they feel the nearness of Your presence and be guided by Your wisdom. Equip them to bear the responsibilities they cannot assign to others as You strengthen them for life's noble twists and turns.

Lord, draw near to them and give them Your peace.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable CHRISTOPHER A. COONS 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 legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 16, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CHRISTOPHER A. COONS, a Senator from the State of Delaware, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

BUFFETT RULE

Mr. REID. Mr. President, as millions of Americans prepare to file income tax returns, the Senate will consider one of the basic unfair provisions in the Tax Code. Today the wealthiest 1 percent takes home the highest share of the Nation's income since the early twenties, the Roaring Twenties. But while their bank accounts have grown, their tax bills have become smaller. The wealthiest Americans now pay the lowest tax rate in more than five decades. The rich pay less than they have for more than 50 years. This unfair system has turned a gap between the richest few and everyone else into a gulf, not a gap. Over the last few decades, a small number of Americans have seen their incomes skyrocket by almost 300 percent, but for the rest of Americans wages have barely moved. They have not kept pace with the price of a modest home, college, or, of course, a secure retirement.

Times are tough for many middle-class American families, but millionaires and billionaires are not sharing the pain or the sacrifices—not one bit. Last year there were 7,000 millionaires who did not pay a single penny in Federal income taxes. Seven thousand millionaires did not pay a single penny in taxes. Instead, ordinary Americans footed the bill. That is not fair. In recent years some Americans earning north of $110 million a year paid a lower tax rate than millions of middle-class families. That is also not fair. That is how someone like our friend Warren Buffett winds up paying a lower tax rate than his secretary, which also is not fair.

When the richest few are making more than ever before, they can afford to shoulder their fair share of the burden and make this country prosper. And they should not be allowed to hide behind tax loopholes that rig the system in their favor. The Paying a Fair Share Act, known as the Buffett rule, would restore fairness to a system that has favored the interests of the wealthy for far too long. This legislation would ensure that Americans who earn more than $1 million a year pay at least 30 percent of their income in taxes. The bill would hold harmless nearly every small business in America. In fact, more than 99 percent of small businesses would be held harmless. It would maintain the deduction for charitable giving. It would be a small but important step toward restoring fiscal responsibility as our Nation makes difficult choices about where to spend and what to cut.

Three-quarters of Americans believe millionaires and billionaires should contribute more. Two-thirds of millionaires say it is time to even the playing field. Yet, everywhere, all Republicans except those within the beltway believe that is not the case. Republicans in Congress would rather end Medicare as we know it, set forth in the so-called infamous Ryan budget. They would rather slash education funding, as set forth in that same infamous budget, than ask the richest of the rich to contribute even a penny to make education more meaningful and to continue maintaining Medicare as we know it. As the Senate Democrats work to make our tax system fair for all Americans, Republicans in the House continue to pursue a budget that would hand more tax breaks to the wealthiest few—the so-called Ryan budget I was just talking about.

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

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At its heart, this important debate and the Buffett rule are about setting priorities. America can build a world-class education system that will prepare our children and our grandchildren to compete in the industries of tomorrow. We can honor our commitment to a generation of young men and women who put their lives on the line to serve and protect our freedom, and we can ensure that seniors who worked hard all their lives look forward to a secure retirement and quality, affordable health care or we can keep protecting special tax rates for the richest of the rich. We cannot do both. We must make smart choices.

President Franklin Roosevelt once said:

> In our personal ambitions we are individualists. But in our seeking for economic and political progress as a nation, we all go up or else all go down as one people.

I hope my Republican colleagues will join Democrats this evening as we choose a path toward economic fairness that allows all Americans to rise together as one people.

MEASURE PLACED ON THE CALENDAR—H.R. 5

Mr. REID. Mr. President, H.R. 5 is at the desk. It is due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

> A bill (H.R. 5) to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system.

Mr. REID. Mr. President, I object to any further proceedings at this time.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar.

SCHEDULE

Mr. REID. Mr. President, following any leader remarks, the Senate will resume consideration of the motion to proceed to S. 2240, the Paying a Fair Share Act. At 4:30 today the Senate will proceed to executive session to consider Executive Calendar No. 460, Stephanie Dawn Thacker, of West Virginia, to be U.S. Circuit Judge for the Fourth Circuit, with up to 60 minutes of debate equally divided and controlled between Senators LEAHY and GRASSLEY or their designees. Upon the use or yielding back of that time—at about 5:30—there will be a rollcall vote on the confirmation of the Thacker nomination. There will be a second rollcall vote on the motion to invoke cloture on the motion to proceed to S. 2230, the Paying a Fair Share Act.

RECOGNITION OF THE MINORITY LEADER

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

BUFFETT RULE

Mr. MCCONNELL. Mr. President, if there is one thing on which every American can agree right now it is that we have serious challenges in this country and that time is not on our side. Action needs to be taken soon. To cite a few things, everybody is holding their breath waiting for the Federal debt to catch up with us. It is not a question of if, it is a question of when. Many young people are basically giving up on the American dream. Seniors and those approaching retirement are concerned about the safety and sustainability of entitlements. Working Americans and those who employ them are frustrated by the growth and the reach of government. And nearly 14 million Americans who cannot find work are wondering how it got so hard to land a good-paying job in what is supposed to be the most prosperous economy on Earth. All these people know we are in rough shape. They live it every day and, frankly, a lot of them have given up hope that lawmakers here in Washington are interested in doing anything at all that would help.

But the truth is that there is some good news to report out of Washington; that is, the growing bipartisan consensus not only about the existence of these problems but also about the proper solution. Just about everybody agrees that comprehensive tax reform would help turn this economy around, strengthen entitlements, spur innovation and economic growth, and create jobs.

The problem is that we have a President who seems more interested in pitting people against each other than he is in actually doing what it takes to face these challenges head on and to solve them in a bipartisan manner. And if anybody had any doubt about that, the President's relentless focus on this so-called Buffett tax over the past few weeks should have dispelled it.

This entire debate has been very illuminating for a lot of folks. It has revealed a lot about this President. By wasting so much time on this political gimmick that even Democrats admit will not solve our larger problems, it has shown that the President is actually more interested in misleading people than he is in leading. I know that may sound a little strong to some, but just step back and think about what is going on here. We have a $15 trillion debt. Some call it the most predictable crisis in history. We have the largest tax increase in the history of the country looming that will hit every single American who pays income taxes in less than 9 months from today.

Well, President Obama looked at the options in front of him, sat down with his political advisers, and said: You know what, let's go with a poll-tested tax increase on investment and job creation that will not fix anything and will not pass anyway, instead of actually doing something about the debt and the deficit. It is the same thing on gas prices; the President looked at $4-a-gallon gasoline and said: Let's go with a poll-tested tax on energy manufacturers, which would increase the price at the pump instead of actually doing something to solve the problem. Is this not precisely the kind of thing President Obama campaigned against in the first place—politics as usual? But that is all we get. The worse our problems get, the less serious he becomes. The more people coalesce around a bipartisan solution, the more he focuses on something that is completely irrelevant or that has absolutely no chance of passing.

We are in a crisis here and, sadly, it is all politics all the time. Somewhere along the way this President seems to have forgotten why he was elected. For him, it is not about jobs or the economy, it is about his idea of fairness, about imposing it on others. And if we lose more jobs in the process, oh, well, so be it.

Just take the Buffett tax. Anytime the President proposed anything in the past, he told us how many jobs it would create, whether it was the FAA bill, the highway bill, the stimulus—you name it. Apparently, those days are over. Nobody is even claiming this creates jobs. It is all about the President's idea of fairness now.

I think Americans are tired of the blame game. They want their President to solve problems, not point fingers. They think their President should spend his time working on a solution between the two parties instead of running around the country trying to distract people from his own inability to get the job done, instead of running around lecturing everybody on fairness.

The President is using two arguments in favor of the Buffett tax. First, he says it is a matter of fairness. Second, he thinks the government would do a better job of investing the money than the people he hopes to take it from. First, it is a matter of fairness and, second, he assumes the government would do a better job of using that money than the people he is taking it from.

On the first point, I think most people have heard enough about the President's notion of fairness to know it does not match up with theirs. To most people, what is fair about America is that they can earn their success—earn their success—and expect to be rewarded for it. Nobody ever crossed an ocean or a desert to come here for government health care. People come here because they think everybody has a shot at something more than that.

It is a point my colleague, the junior Senator from Wyoming, hit home pretty well this morning in an op-ed he wrote for Investor's Business Daily. It is entitled ''Buffett Tax Divides Americans, But Solves Nothing.''

I ask unanimous consent that be printed in the RECORD.

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

[From Investor's Business Daily, Apr. 6, 2012]

BUFFETT TAX DIVIDES AMERICANS, BUT SOLVES NOTHING

(By Sen. John Barrasso)

On Monday, the U.S. Senate will vote on President Obama's Buffett tax. The bill is a political gimmick that's supposed to distract Americans from the president's miserable record instead of solving problems.

Americans know by now that the bill won't create a single job and it won't ease the pain at the pump. And President Obama and the White House have finally given up pretending that his new tax will balance the budget.

Even if he did put the new revenue towards the debt, it would only cover what Washington spends in about a day and a half. All this bill does is waste time and continue to push the president's distorted definition of ''fairness.''

President Obama thinks it's fair that our children and grandchildren will be burdened with debt because of his unprecedented reckless spending. Washington borrows 42 cents of every dollar it spends.

He thinks it's fair to pile another $40,000 of debt onto every household in the U.S. over the last three years. He thinks it's fair to use college students as props for his campaign-style rallies, without explaining how his bad policies will leave them in debt.

He thinks it's fair to force hardworking taxpayers to subsidize a wealthy person's purchase of a hybrid luxury car—because it fits his idea for American energy.

He thinks it's fair to hand out hundreds of millions of tax dollars to politically connected solar energy companies that then go bankrupt.

He thinks it's fair to tell thousands of workers they won't have jobs because he blocked the Keystone XL pipeline—to solidify the support of a few far left environmentalists.

And apparently President Obama thinks it's fair that three years of his policies have left us with more people on food stamps, more people in poverty, lower home values, higher gas prices and higher unemployment.

The American people strongly disagree. To the vast majority, fair means an equal opportunity to pursue their dreams. They also recognize that no man and no government can provide a guarantee of success.

To President Obama, fair requires nothing less than a totally equal outcome.

The waves of immigrants who came to our shores over generations did so for freedom and for a chance to succeed. They did not come here to be taken care of, or to have every decision made for them by the government. That's what many of them left behind. When President Obama pushes for equal outcomes instead of equal opportunity, he pits one group of Americans against another. He is telling people it's not right for someone else to have something they don't have. That may be a good campaign tactic, but it's not true—and it's bad for our country.

One person getting more does not mean anyone else has to get less. In America, it's possible for all of us to prosper. That is part of what made America the best from the very beginning. Here all of us can do better—not at the expense of our neighbors, but by our own effort. Our country's social safety net was established to catch people from falling—not to entangle them so they cannot rise. It certainly should never be used to justify burdening taxpayers with trillions of dollars in new debt. Somewhere along the way, Washington twisted the honorable American impulse to care for the least fortunate among us.

The Obama definition of ''fairness'' now threatens to produce a culture of dependency that weakens our society.

Today's debate over this new tax increase demonstrates the two different approaches to this country's future. President Obama may believe it's fair for Washington to dictate the rules so that everyone is equal in the end. Republicans want to promote economic growth for everybody, not equality of outcome at everybody's expense.

Despite what President Obama believes, true fairness requires equal opportunity, so that all may pursue their dreams. America was founded on that idea. That's what will lead us to a more prosperous future for all.

Americans deserve policies that promote growth and opportunity, not more taxes and spending.

Mr. MCCONNELL. Here is some of what he wrote. This is Senator BARRASSO:

President Obama thinks it's fair that our children and grandchildren will be burdened with debt because of his unprecedented reckless spending. Washington borrows 42 cents of every dollar it spends.

The President thinks that is fair.

He thinks it's fair to pile another $40,000 of debt onto every household in the U.S. over the last three years.

The President thinks that is fair.

He thinks it's fair to use college students as props for his campaign-style rallies, without explaining how his bad policies will leave them in debt.

He thinks it's fair to force hardworking taxpayers to subsidize a wealthy person's purchase of a hybrid luxury car—because it fits his idea for American energy.

He thinks it's fair to hand out hundreds of millions of tax dollars to politically connected solar energy companies that then go bankrupt.

He thinks it's fair to tell thousands of workers they won't have jobs because he blocked the Keystone XL pipeline—to solidify the support of a few far left environmentalists.

And apparently, President Obama thinks it's fair that three years of his policies have left us with more people on food stamps, more people in poverty, lower home values, higher gas prices, and higher unemployment.

Senator BARRASSO then explained what he thinks Americans actually think fairness consists of: equality of opportunity and freedom for everybody to pursue their dreams without government blocking the way.

For the President, fairness is about taking from some and giving it to others. It is about taking from taxpayers and giving it to solar companies. It is about taking from the private economy and giving it to government workers so they can blow it on an $823,000 awards dinner for themselves. It is anything but fair.

As for the President's second argument—well, you tell me. What about the way government spends the money it gets from taxpayers makes anybody think they would do a better job with the money they hope to get from this tax? Does anybody seriously think the government would do a better job spending this money than the people from whom they would extract this additional tax? It is completely ludicrous. Until Washington can show that it is a better steward of taxpayer dollars, or that it knows how to invest in a winner, it should not expect people to hand over another penny.

Here is my point: We have serious problems to address, and the President is not behaving seriously. There is a need and a growing desire on both sides of the aisle to do something. The President needs to step up and provide the serious leadership he promised the American people, and our folks—all 306 million people in this country—have every right to expect something better.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

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

IMPOSING A MINIMUM EFFECTIVE TAX RATE FOR HIGH-INCOME TAXPAYERS—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 2230, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to Calendar S. 2230, a bill to reduce the deficit by imposing a minimum effective tax rate for high-income taxpayers.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island is recognized.

Mr. WHITEHOUSE. Mr. President, on a late spring day 27 years ago, President Ronald Reagan addressed a group of high school students in Atlanta, GA. Many of the students in that audience that day were about to join the workforce, and President Reagan spoke about the ''strange''—to use his word—tax system that would soon claim a portion of their paychecks.

In his speech President Reagan pledged:

We're going to close the unproductive tax loopholes that have allowed some of the truly wealthy to avoid paying their fair share.

He went on to note that under the country's complex tax rules, it was ''possible for millionaires to pay nothing, while a bus driver [pays] 10 percent of his salary.'' President Reagan called this inequity with millionaires paying lower rates than bus drivers—to use his word—''crazy.'' He said, ''It's time we stopped it.''

One year later, President Reagan signed into law bipartisan tax reform that closed many of the loopholes and ensured that the highest earning Americans paid a fair share. The 1986 tax reform deal set the tax rate on investment income—overwhelmingly earned by those at the very top of the income ladder—at the same rate as regular wage income.

Unfortunately, in the years that followed, lobbyists have been all over Congress, and Congress has restored many of the loopholes President Reagan cut. It has repeatedly reduced tax rates on investment income. The capital gains tax rate has gone from 28

percent in the bipartisan Reagan tax reform to 15 percent today. Once again, those at the very top of the income spectrum have opportunities to cut their tax bills that are not available to regular middle-class families.

Let's look at where we are today, a quarter century after the last major overhaul of our tax system.

In this photo is a building that has stories to tell. This is the Helmsley Building on Park Avenue in New York City. Because this building is large enough to have its own ZIP Code, we know from public IRS information gathered by ZIP Code that the very wealthy and successful individuals and corporations that call this building home—with an average adjusted gross income of $1.2 million each—paid, on average, a 14.7-percent total Federal tax rate in the last available year for which we have information. A 14.7-percent total Federal tax rate is less than the rate the average New York City janitor, the average New York City doorman, or the average New York City security guard pays. The system is upside down.

It is not just in the Helmsley Building. Each year, the IRS publishes a report detailing the taxes paid by the highest earning 400 Americans. Last May, the IRS published the most recent data on the top 400 taxpayers—for the year 2008. They had an average income of $270 million each. That is not bad. In fact, that is wonderful. That is part of what makes America great.

But here is the ''crazy'' part—to quote President Reagan. On average, these 400 extremely high earning Americans—making $270 million in 1 year—actually paid an average Federal tax rate of just 18.2 percent on adjusted gross income. We have spent a fair amount of time in the Senate debating whether the top income tax rate should be 35 percent or something else—for example, 39.6 percent, as it was in the Clinton boom years. But the ultra rich get around this top rate through a variety of tax gimmicks.

We looked at what level of income a single filer would have to make to start paying 18.2 percent or more in Federal taxes. It is $39,350. If we look at the Department of Labor levels, that is about what a truckdriver, on average, earns in Rhode Island. Mr. President, $40,200 is what an average truckdriver, according to the Bureau of Labor Statistics, earns in Rhode Island—more than the $39,350—which means they are probably paying a higher tax rate as a single truckdriver in Providence, RI, than a millionaire who made $270 million in the last year.

That is just not fair, not right, and that is not the progressive tax system we have always had. I recently heard from one such truckdriver in Rhode Island. Mike Nunes, who is a member of Teamsters Local 251, joined me for a roundtable discussion on tax fairness in Cranston, RI. Mike said:

> I've been a middle-class worker here in Rhode Island since I was in my early twenties. My wife and I pay our taxes, and it's frustrating to hear that multi-millionaires are getting special treatment to pay a lower rate.

Mike is right. I hear the same as I travel around my State. I know my colleagues hear the same as they meet with their constituents across the country. They all agree with President Reagan that a tax system that allows many of the highest income earners among us to pay less than a truckdriver must be fixed.

The problem goes beyond the top 400 income earners in the country. The Congressional Research Service confirms that roughly one-quarter of $1 million-plus earners—about 94,500 taxpayers—pay a lower effective tax rate than over 10 million moderate-income taxpayers. Reuters reported this:

> Taxpayers earning more than $1 million a year pay an average U.S. income tax rate of nearly 19 percent.

The story goes on:

> About 65 percent of taxpayers who earn more than $1 million face a lower tax rate than the median tax rate for moderate income earners making $100,000 or less a year.

Let me read that again:

> About 65 percent of taxpayers who earn more than $1 million face a lower tax rate than the median tax rate for moderate income earners making $100,000 or less a year.

Our tax system is supposed to be progressive. The more one earns, the higher the rate one pays. That is not class warfare; that is tax policy. It has been that way for decades, if not even generations. We undermine that principle when we allow the highest income Americans to pay a lower tax rate than a truckdriver pays. It is no wonder that so many of the Rhode Islanders with whom I have spoken have lost confidence that our tax system gives them a straight deal.

With the top 1 percent of Americans earning 23 percent of our Nation's income and controlling 34 percent of our Nation's wealth—more than one-third—it would be difficult to argue that our system is too progressive.

Let's look at this other graphic. Of all of our Nation's wealth, the top 5 percent of Americans own over 60 percent of it. Of all of our Nation's wealth, the top 5 percent own more than 60 percent of all the wealth in the country. The top 1 percent control over one-third of it. The 400 families at the very top—the 400 I talked about earlier—own almost 3 percent of all America's wealth just among those 400 families. These are proportions we have not seen since the Roaring Twenties, and they are getting steadily worse.

We are not going to overhaul the Nation's tax laws this evening, but in a few hours we will have a chance to advance legislation to restore some fairness into our tax system. This long overdue bill—the Paying a Fair Share Act of 2012—would implement the so-called Buffett rule, after Warren Buffett, who has famously lamented that he pays a lower tax rate than his secretary. To correct this glaring tax inequity, this bill would ensure that those at the very top pay at least the tax rates faced by middle-class families.

I thank Senators AKAKA, BEGICH, LEAHY, HARKIN, BLUMENTHAL, SANDERS, SCHUMER, REED of Rhode Island, ROCKEFELLER, BOXER, DURBIN, and LEVIN for cosponsoring this measure.

I ask unanimous consent to add Senator LAUTENBERG as a cosponsor.

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

Mr. WHITEHOUSE. The structure of our bill is simple: If your total income—capital gains included—is over $2 million, you calculate your taxes under the regular system. If your effective rate turns out to be greater than 30 percent, you pay that rate—the same rate you would pay without the bill.

If, on the other hand, your effective tax rate is below 30 percent—like the 11 percent tax rate Warren Buffett paid in 2010—then you would pay the fair share tax of 30 percent instead.

Taxpayers earning less than $1 million—which is more than 99.8 percent of Americans—would not be affected by this bill at all. For taxpayers earning between $1 million and $2 million, the fair share tax gets phased in. Ultimately, when you earn over $2 million, you are subject to the full 30-percent minimum rate.

The one exception the bill makes to the 30 percent minimum is to maintain the incentive for charitable giving. Under the bill, taxpayers are permitted to subtract the same amount of contributions allowed under the regular income tax from their taxable income. The reason for this one exception should be self-evident: charity benefits others and taxpayers should be encouraged to give.

Some say, given our fragile economic recovery, now is the wrong time to raise taxes on anyone. While middle-class families continue to struggle through the recovery, it seems the boom times have already returned for those at the very top.

According to a recent analysis by University of California at Berkeley economist Emmanuel Saez, 93 percent of the income growth in 2010 went to the top 1 percent of income earners. Even more astounding, 37 percent of the income growth in that year went to the few thousand taxpayers in the top 0.01 percent. With so much income growth at the very top and with looming budget deficits, it is hard to argue that people with 7-, 8-, 9-, or even 10-figure incomes can't afford to pay a reasonable tax rate.

To be clear, it has been said on this floor this is a tax on investment and this is a tax on job creation. That is wrong. This is a tax on one thing: income.

Republicans have criticized the amount of revenue that would be generated by the bill. The ranking Republican on the Senate Finance Committee called the $47 billion the Joint

Committee on Taxation has estimated a meager sum. Well, in Rhode Island, we don't consider $47 billion to be a meager sum. It is enough money, for instance, to permanently keep subsidized student loan interest rates from jumping from the current 3.4 percent to 6.8 percent in July, which they will do unless we act. If we could use this bill to offset the cost of keeping student loan interest rates low, then there are millions of students out there who would call that benefit something other than meager.

We could use the $47 billion on badly needed infrastructure projects and create 611,000 jobs nationwide. In Rhode Island, we have 11 percent unemployment and a long backlog of transportation infrastructure projects. At the top of that list is the viaduct bridge on Interstate 95 through Providence. This critical link along the northeast corridor running up through Rhode Island has wooden boards inserted between the I-beams underneath to prevent the concrete in the roadway from falling in on the traffic below. Also, where the Amtrak rails go underneath, there are wood planks to keep the roadway from falling in on the trains as they pass below. I don't think repair of this bridge and others would be meager at $47 billion worth, particularly if we put it into an infrastructure bank and leverage it for even more jobs.

It is worth noting this legislation would generate far more revenue than the $47 billion the Republicans complain of if the Republicans were to succeed in their quest to extend the very high-end Bush tax cuts. If the Bush tax cuts for people in this bracket continue, the revenue from the bill jumps from $47 billion to $162 billion over a 10-year budget horizon. Operating as a backstop, the Buffett rule can ensure those at the top pay a fair share no matter what loopholes, no matter what special treatments Congress adds to the Tax Code in the future.

Finally, the Senate Republican leader has described the bill as yet another proposal from the White House that won't create a single job or lower the price at the pump by a penny. Well, the minority leader is absolutely right. The aim of this bill is not to lower the unemployment rate or the price of gasoline. However, if you put the $47 billion into infrastructure, you could create 611,000 infrastructure jobs and a lot of good infrastructure as well. And if you put the $47 billion into LIHEAP, you could help millions of Americans pay their energy bills.

But let me add an additional point. The Republicans are claiming this bill, which is a tax fairness bill, not a job-creating bill, will not create a single job. Of course, if you spent the revenue, it would, but that is a separate discussion. At the same time they are making that point, the Republicans in Washington are sitting on our highway bill which creates 3 million jobs and they won't call it up on the House side because they do not want to rely on Democratic votes. Three million jobs are awaiting action in the House on the bipartisan Senate highway bill that had 75 Senators supporting it, and they won't call it up—the Republicans won't call it up—because they do not want to use Democratic votes.

What kind of Washington insider logic is that? People across this country who will go to work on those roads and bridges don't think that makes any sense. For Republicans now to be talking about jobs on this bill, while they have a jobs bill that creates 3 million jobs they are blockading in the House, the word ''jobs'' should turn to ashes in their mouths.

There are plenty of things this narrow tax fairness bill won't do. It will not bring world peace, it won't save endangered whales from extension, it won't cure the common cold. It will do none of that. It will restore the confidence of middle-class Americans in our tax system by assuring those at the very top of the income spectrum are not paying lower rates than regular families do.

In addition to restoring fairness to the Tax Code, the bill will generate considerable revenue to cut the deficit or invest in job creation and critical programs. I happen to think that tax fairness and tens of billions of dollars in revenue or deficit reduction are reasons enough to pass the bill. And if the Republican leader wishes to work with us on taxing other issues, I am wide open to that. But today's vote is about tax fairness. It is about undoing a gimmick in the Tax Code that allows people earning over $¼ billion a year to pay lower tax rates than truckdrivers.

Unfortunately, this has become a partisan issue, which is surprising, because the principle of a progressive Tax Code has always been a basic American tax policy principle. The arguments we are making today about paying a fair share were made exactly by Ronald Reagan. But things have changed and so there is this squabble. Even business owners support this bill. A recent poll conducted by the American Sustainable Business Council, the Main Street Alliance, and the Small Business Majority found that 58 percent of business owners said those making over $1 million a year are not paying their fair share in taxes and 57 percent supported increasing taxes for those at the top. That is out of the small business community.

These business owners know it is simply fair for the most fortunate and successful Americans to pay a larger share of their income in taxes than less successful families do. That is what a progressive tax system is supposed to do. That is what it has always done. Sadly, over the past few decades, as income has soared at the very top, the effective tax rates have plummeted.

This chart, prepared by Budget Committee chairman KENT CONRAD, shows the effective Federal income tax rate for the top 400 income earners since 1992. As you can see, there has been a dramatic drop from 1995 to 2008. These rates are for Federal income tax. If you add in the small amount of payroll taxes paid by those at the very top—which is a separate discussion, but they fall 100 percent on the income of middle-income families but only on a small portion of the income of super-high-end income families—the total Federal tax rate for 2008 goes up to 18.2 percent, counting in that withholding. That is, again, the effective Federal tax rate of that truckdriver in Providence. The trend in falling tax rates for those making seven figures in income or more has eroded the confidence of ordinary Americans who do pay their fair share.

I will conclude with one more quote. This is another quote from President Reagan's 1985 speech on tax fairness. This is President Reagan, the man whom so many conservative Republicans revere. He said:

> What we're trying to move against is institutionalized unfairness. We want to see that everyone pays their fair share, and no one gets a free ride. Our reasons? It's good for society when we all know that no one is manipulating the system to their advantage because they're rich and powerful.

That was President Reagan in 1985. Today, his party is defending that manipulation.

In the 27 years since that speech, the American playing field has been skewed ever more toward the rich and powerful. From bankruptcy reform, which favors big corporations over people, to the Citizens United decision, which has allowed corporations and billionaires to spend unlimited cash to influence American elections, to this lower tax rate for ultra-high income earners, the American people have simply not been getting a straight deal from Washington.

Many are calling the vote we will have on the Buffett rule bill today a test vote, because it is on a procedural motion, and the pundits don't expect it to pass. I agree. This is a test vote. But it is a test of a different sort. This is a test of Washington, DC, to do something that is simple, to do something that is right, and to do something that is fair for the middle class. If we proceed to and pass this bill, it will show the American people that Congress is capable of standing by their side, that Congress is capable of being on their side, that Congress is capable of saying no to a powerful and well-funded special interest. If we fail, it will indicate exactly what President Reagan feared—that the rich and powerful are able to manipulate the system to their advantage and we in Congress will do nothing about it.

One of the things America stands for in this world is that we are fair with each other; we get a straight deal and we give each other a straight deal. That is one of the ways in which America stands as an example to the rest of the world. There are plenty of countries where the internal political and

economic systems amount to a racket—a racket that is rigged for the benefit of the rich and powerful and against farmers and workers and small businesses and ordinary families. Some of those countries are so bad we call them kleptocracies. But that has never been America. That is not the America of the Founding Fathers. It is not the America of Ronald Reagan. It is not the America that shines its light into the four corners of the world as an example to the rest of the world. That is not the America we are here to serve.

We must be vigilant in protecting the ideals that make this country what it is. I urge my colleagues, Democrats and Republicans alike, to heed the words of President Reagan and to support this legislation, which will ensure that a favored segment of the highest earning Americans once again do something as simple as pay their fair share in taxes. Let us show the American people that our Nation does stand apart as an exemplar of fairness and of equal opportunity and of equal responsibility under the law.

I thank the Chair. I see colleagues in the Chamber, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Ohio.

Mr. PORTMAN. Mr. President, we stand here today, the day before tax day—the day when all Americans have to get their income taxes together—and we also stand here in the middle of the weakest economic recovery since the Great Depression—a time when economists across the spectrum agree there is an urgent need for us to take our Tax Code and make it more efficient, to reform our Tax Code to help grow our economy and add jobs. And instead of an administration or leadership in this body proposing serious tax reforms that will actually get people back to work, we are spending this week debating a political proposal that no one can credibly argue will create a single job, except maybe some tax accountants because it adds more complexity to an already way too complex Tax Code. Unfortunately, this has become ''tax gimmick week'' here in Washington.

It is particularly disappointing because as a Nation we are stuck in an historically weak economy with high unemployment, record long-term unemployment, and anemic economic growth. This recovery we are in is different, sadly. We are still millions of jobs down from where we were at the start of the recession, which was about 4 years ago. It is interesting to compare it to other recoveries.

In 2001, the so-called jobless recovery, at this point in the recovery about 4 years after the recession, the Nation had not only brought back all the jobs that were lost in the recession but we had added hundreds of thousands of new jobs.

Even in 1981, considered the deepest recession in modern history before the most recent one, at this time 4 years after the recession we had added 6 million new jobs to the economy.

Unfortunately, today, as we stand here, we are still down 5.5 million jobs. So instead of adding 6 million jobs, as we had during the Reagan administration after the 1981 deep recession, today as we stand here we are still trying to find how to add back the jobs we lost in the recession, 5.5 million jobs, 5.5 million families across this country who continue to look for hope and opportunity.

So in the midst of this weak recovery, the weakest since the Great Depression, I think it is reasonable to expect that the President of the United States and the U.S. Congress would focus on real solutions to create jobs; in particular, real solutions to reform our inefficient, complex, and outdated Tax Code, because there is a consensus out there we need to do that.

To make the Tax Code more pro-jobs, to encourage work and savings and investment requires broad-based reform, and everybody knows it. The President's own commission, called the Simpson-Bowles commission, recommended it. Most recently, the President's own Jobs Council recommended it.

We need a proposal taken up by this Senate that is driven by good economics. Instead, what we are getting this week is one that is driven by campaign rhetoric. My colleagues on the other side of the aisle will soon bring to the floor President Obama's proposed new tax targeting investment income, the Buffett tax, named after businessman Warren Buffett, which imposes a 30-percent minimum tax on anyone earning over a certain amount—$1 million. Interestingly, for all of the chest thumping about this is going to reduce our deficit, this new tax will bring in less than one-half of 1 percent of the annual individual income taxes that are paid. By the way, this will be enough to pay 1 week's interest on our $15 trillion national debt. That is it. So it is certainly not about deficit reduction at a time of trillion-dollar deficits.

The President also says his new tax on investments on American businesses is necessary to, as he said, invest in what will help the economy grow. This apparently means this will result in more government spending. Private enterprises that actually create jobs apparently are not the ones that will be making the investments. Instead, it will be investments through government spending.

I think the Buffett rule is bad economics, I think it is bad fiscal policy, and I think it is a distraction from the broader bipartisan effort underway to achieve fundamental tax reform that is necessary to unleash a true economic recovery—the proposals built, by the way, on this notion that I heard from my colleague a moment ago that the Tax Code is not progressive. We can argue about what progressive means, but here are some statistics:

According to the Tax Policy Center, the top 1 percent of income earners in this country pays a 28-percent Federal tax rate. By contrast, Americans with incomes between $60,000 and $100,000 pay a 19-percent tax rate. Those earning between $35,000 and $60,000 pay a 14-percent tax rate.

Another way to look at this is that the top 1 percent of taxpayers now pays 39 percent of all Federal income taxes. The top 10 percent now pays 86 percent of all Federal income taxes. Those below the 50-percent mark now pay 1 percent of Federal income taxes. Is that progressive or not? I would say it is progressive.

To my colleagues who are saying the income tax is not progressive, I don't think that is the concern here. I think the concern is we have an income tax code that has too many preferences, deductions, credits, exemptions—by the way, mostly taken advantage of by wealthier taxpayers. We ought to reform the Tax Code.

But because the Tax Code is already so progressive, as we talked about, this proposal from the President works primarily by increasing the tax a lot of wealthy people pay on investment income, primarily what is known as long-term capital gains. Capital gains have historically been taxed in this country at a lower rate for individuals, and they are taxed at a lower rate for good reason: Capital gains are the return on longer term investments and enterprises that create jobs. That is something that we have always wanted to encourage in this country. A lower tax on capital gains drives job-creating investment. According to the nonpartisan Congressional Committee on Taxation, it increases wages over the long run. So by having a lower rate for capital investments, long-term investments in job creation, it will increase wages in the long run.

By the way, that is why Presidents Kennedy, Reagan, Clinton, and Bush all backed capital gains rate cuts. As President Kennedy said so well: A rising tide lifts all boats.

Second, we should realize that raising the capital gains rate doesn't translate directly into higher revenues. Why is that? It is because it is an elective tax. Think about it. You only pay it when you choose to sell an asset, when you choose to realize what is called a gain when you sell something. So you don't have to incur this tax. Common sense, economics, and experience teach that a higher capital gains rate causes some investors to hold assets rather than sell them, just as a lower capital gains rate will encourage more people to sell an asset because the rate will be lower. And this is what has happened: After every recent capital gains rate cut, in 1981, 1997, and 2003, capital gains revenues actually increased.

So you had a cut in the rate in 1981, 1997, and 2003, and what happened? The revenues actually increased: Lower rate, higher revenues. How could that be? Well, because with the lower rate people sold more assets and created more economic activity.

Capital gains tax rates increased between 37 and 114 percent over 4 years, and that is after inflation. By contrast, after a capital gains rate increase took effect in 1987—that was talked about a moment ago—capital gains revenues actually dropped 55 percent over the next 4 years.

So we can debate what the rate ought to be, but the fact is to say that there is going to be a direct correlation between raising that rate and more revenue simply is not borne out by historical experience or by common sense.

Third, unlike other types of income, capital gains are often double taxed. Think about a typical capital investment, someone buying corporate stock—that is the most typical one, holding that stock for over 1 year—you have got to hold it for over 1 year—and then selling it for a profit. That gain has already been subject to a 35-percent rate at the corporate level. It is then followed by the capital gains rate, now at 15 percent, when the shareholder sells, for a combined 45-percent tax on that capital investment.

By the way, with global competitors such as Canada, Japan, the United Kingdom, and others moving to cut their corporate tax rates in order to create jobs, this new tax on capital investment would move the United States farther backward in terms of being competitive in the global economy. Our corporate tax rate is already higher than all of our major foreign competitors. As of April 1, Japan lowered theirs, making us No. 1 in the world in something you don't want to be No. 1 in, which is the highest corporate rate. We don't need new barriers to growth and job creation, and that is what would result.

Instead of an election year gimmick that won't help the economy, it is time to focus on fundamental tax reform to make American businesses and workers more competitive again, as the President's own Simpson-Bowles commission has recommended and as the President's own Jobs Council has recommended.

I agree with what former Clinton Budget Director Alice Rivlin said about the Buffett tax, which is the way to fix the Tax Code is to fix the Tax Code, not to add another complication at the margins. The Buffett tax is an election year distraction from serious reform. Why not focus on the elephant in the room—an outdated and complex Tax Code that is hurting our economy, weighing down our economy, making it harder for us to get out of the kind of doldrums we are in right now with this weak recovery.

I believe there is a consensus among economists and serious thinkers across the political spectrum, Republicans, Democrats, and Independents alike, that with an increasingly competitive global economy, we have to reform our Tax Code to help us get out of this rut we are in, this historically weak recovery that leaves too many people vulnerable, too many parents wondering if the future is going to be brighter for their kids and grandkids, as it was for them.

I believe there is also a growing bipartisan consensus about how to do it, which is that we ought to do it by broadening the base—meaning getting rid of some of these growing credits and deductions and exemptions I talked about earlier, lowering the marginal rates on American families and on our businesses to be able to create jobs. That will ensure that those who can afford to pay more will pay their share—their fair share. And the economy will grow, a rising tide lifting all boats, truly helping families who are worried, for good reason, about their economic future.

The American people don't deserve more gimmicks, as we will see this week in Washington. They deserve real leadership.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, it is interesting that my Republican colleagues tend to refer to this as a tax gimmick. It was referred to as tax gimmick week because we are considering having people earning a quarter of a billion dollars pay a rate equal to what a truckdriver pays. That doesn't sound very gimmicky to me. That sounds like pretty Main Street fairness to me.

But the bottom line is there is a gimmick at stake. It is the gimmick in the Tax Code that allows for that to take place, that allows for a hedge fund billionaire to claim a lower rate than a truckdriver. So if there is a gimmick here, it is the gimmick we are trying to remove. It is not a gimmick that we are trying to pursue.

It has been said this is a tax on investment, a tax on job creation. It isn't. It is a tax on income, when it is declared as income. And if our purpose should be how to add back the jobs lost in the recession, we just passed a highway bill with 75 Senators supporting it, only 22 opposed—which, as we know around here in this partisan environment, is a landslide. It came out of the Environment and Public Works Committee unanimously. It had 40 amendments accepted, and now 3 million jobs are bottled up on the other end of this hallway in the House of Representatives because the Republican Speaker doesn't want to use Democratic votes. If you want to do something about jobs, tell the Republican Speaker to pass the Senate highway bill. It is as simple as that, 3 million jobs, bipartisan. So when we talk about jobs, I have a good recommendation: Pass the big highway jobs bill that is being kept bottled up here.

The other point I wanted to make on the question of whether the tax system is progressive, the IRS and the Federal Reserve point out that the top 1 percent in America in terms of wealth controls 33.8 percent of the Nation's wealth, but the top 1 percent in taxes pays only 28.3 percent of the taxes when all taxes are taken into consideration. The top 5 percent controls 60 percent of the Nation's wealth, but the top 5 percent in taxes only pays 44.7 percent. So if you want to take numbers sort of without context, you can make it look as if it is very progressive, but when you measure against the wealth inequality in this country and the income inequality in this country, it is hard to say we actually are running a progressive tax system. And that is why, as Reuters reported, about 65 percent of taxpayers who earn more than $1 million face a lower tax rate than the median tax rate for moderate-income earners making $100,000 or less a year, according to the Congressional Research Service.

MATT RUTHERFORD'S SOLO SAIL

Mr. HARKIN. Mr. President, before the Easter recess, I came to the floor to talk about a truly remarkable American—a visionary, a dreamer, an adventurer, and, most importantly, a young man who has devoted himself to service to others far above and beyond the call of duty. The young man's name is Matt Rutherford, an Ohioan. He turned 31 about a week ago.

Here is what he has done in almost the last year. On June 13 of last year, this then-30-year-old young man got onboard a 36-year-old, 27-foot-long Albin Vega sailboat, a small sloop-rigged sailboat, and he set out on one of the most audacious adventures ever contemplated by any sailor.

He set out to circumnavigate the Americas, solo and nonstop. Here is what he did. On June 13 of last year, he left Annapolis on this small 27-foot sailboat. He sailed out of the Chesapeake Bay, he sailed up around Nova Scotia, Newfoundland, Labrador, all the way up by Greenland—all by himself—and then sailed the Northwest Passage, all the way through the Northwest Passage here.

If I remember right, he has been certified by the Scott Polar Institute in Cambridge, England; he has been recognized as the first person in recorded history to make it through the fabled Northwest Passage alone and nonstop in such a small sailboat. He came through the Northwest Passage, rounded Alaska, went from Alaska all the way down to Cape Horn.

Again, if you know anything about the treacherous waters of Cape Horn, you know someone in a small 27-foot boat probably doesn't have much chance of making it, but he did it. He went around Cape Horn, all the way up the coast of South America, up through the Caribbean, and today as I stand here and speak, he is just outside of the mouth of the Chesapeake Bay, off the coast of Virginia, the North Carolina-Virginia border, and is going to make landfall this Saturday in Annapolis, 313 days after he started—solo, nonstop, never touched land. This is one of the most historic adventures ever undertaken by a human being,

solo, nonstop, around the Americas—313 days in treacherous waters. He has not set foot on dry land for the entire journey. He has not stopped.

I have had the privilege of talking to Matt. I never met the young man—not yet—but I had the privilege of talking with him on his satellite phone just last week, when he said to me it would probably be the last phone call he would make because all of his equipment is now starting to fail. He said: It is like the boat is talking to me, and it knows the journey is almost over. His solar panels have died, his wind generator is gone, his engine doesn't work, and he is out of power. He is only under sail, he has no engine any longer, and he says that when big waves hit, the boat creeks and groans. He is just about to make it into the mouth of the Chesapeake Bay. What a tremendous adventure. Right now he is about 15 miles off of Kitty Hawk, NC. So 313 days after he began, he will make landfall this Saturday at the National Sailing Hall of Fame dock in Annapolis, MD. That will be the first time he will set foot on dry land in 313 days.

I am in awe of Matt's courage, his character, and his audacity to do this. He is in a class with a tiny group of explorers and adventurers, pathbreakers who defied odds to accomplish greatness. I think of Joshua Slocum, the first person to sail singlehandedly around the world. It took him 3 years. He covered 46,000 miles. He made many stops, but he did it between 1895 and 1898—the first known solo circumnavigation of the Earth. I think of Sir Francis Chichester, who sailed from Plymouth, England, in 1966, the first person to achieve a true circumnavigation of the world solo, from west to east, via the great capes. He did so in 226 days with one stop in Australia. I think of Dick Rutan and Jeana Yeager and their Voyager aircraft—now hanging in the Smithsonian—in 1986, the first to fly around the world nonstop without refueling. I think of the extraordinary feats of physical endurance and courage of Robert Peary in 1909, the first person to reach the North Pole; Roald Amundsen in 1911, the first person to reach the South Pole; and Sir Edmund Hillary in 1953, the first person to climb Mount Everest. Matt Rutherford now finds himself in this very exclusive company and club of audacious adventurers.

However, I would say Matt Rutherford has in important ways surpassed the feats of, say, Slocum and Chichester because Slocum and Chichester made stops during their voyages. Matt is accomplishing his voyage solo, nonstop, on a small 36-year-old boat, 27 feet long, best suited for weekend sailors who do not want to venture outside of the Chesapeake Bay. As I said, the Scott Polar Institute in England has already recognized him as the first person in recorded history to make this sail solo through the Northwest Passage in a small sailboat.

Here, again, is where Matt is in a class by himself. Why is he doing it? Yes, he is going to set a very fantastic record. It has never been done before. But he is doing it to raise money for Chesapeake Region Accessible Boating—CRAB for short. It is an Annapolis-based organization that provides sailing opportunities for physically or developmentally disabled persons. You can see now why I am so interested, as the lead sponsor of the Americans With Disabilities Act. I am deeply impressed by the fact that Matt has undertaken this historic voyage in a cause larger than himself to make it possible for more people with disabilities to have the opportunity to experience and enjoy boating and sailing. One of the fundamental goals of the Americans With Disabilities Act is that people with disabilities should be able to participate fully in all aspects of society, and that includes recreational opportunities such as sailing, which can be exhilarating and empowering for children and adults with a wide range of disabilities.

I salute Matt for his courage. He is almost home. He will be here this Saturday. Here is the young man sitting on his boat. I assume that picture was taken when he was up in the Northwest Passage because he looks pretty cold, but he is a young man with extreme courage. What an audacious undertaking. People advised him no, that he could never do it, that the odds of him surviving through all these treacherous waters were very small, but he decided to do it nonetheless. He is setting a tremendous record. I salute him for wanting to share his love of sailing with the disability community, for using his adventure to raise awareness and expand access to sailing to Americans with disabilities.

I say to all, if you want to learn more about Matt and the mission, you can go to his Web site. It is very easy to remember; it is just solotheamericas.org, www.solotheamericas. You can go back and follow him through this entire journey around the Americas—solotheamericas.org.

I applaud Matt Rutherford for his vision and spirit. I wish him safe passage during this final leg of this epic journey. I hope to have the honor of meeting him and thanking him upon his return. Matt Rutherford is one of those remarkable human beings who dream big, driven by big challenges, who refuse to accept the limits and boundaries so-called reasonable people readily acknowledge, who put aside fear in order to accomplish great and good things, not just for themselves but for others. That is Matt Rutherford. I again applaud him for his courage and for sticking with it. It is one of the great feats of ocean sailing that have taken place in the entire history of sailing the great oceans. He will be back this Saturday. As I said, we hope he has fair winds and a following sea for the next 4 or 5 days.

The ACTING PRESIDENT pro tempore. The Senator from South Dakota.

Mr. THUNE. Mr. President, very soon the Senate is going to be voting on whether to invoke cloture on the motion to proceed to Paying a Fair Share Act of 2012, to enact the so-called Buffett rule. It is ironic that we would be debating that subject right now because there is so much work we ought to be doing that would actually address the fundamental problems our economy is facing right now.

If you look at the President's focus on this particular issue and you look at what his economic record consists of since he became President, here is what we are looking at. Gas prices are up 111 percent since President Obama took office. There are now 38 months in a row where we have had unemployment that exceeded 8 percent. We have seen college tuition go up by 25 percent. We have seen health care costs go up by 23 percent. The number of people on food stamps in this country is up by 45 percent. The Federal debt we are handing off to our children and grandchildren is up by 47 percent. That is this President's economic record.

It is ironic that we are here today talking about something even the White House admits is a gimmick that would do nothing to reduce the Federal debt, strengthen the economy, or move us toward the fundamental tax reform that is sorely needed for this country.

On April 1, just over 2 weeks ago, America claimed the dubious distinction of having the highest combined corporate tax rates among advanced economies when Japan implemented its corporate rate tax reduction. Yet, rather than debate how best to reform our Tax Code to help American companies compete in a global economy, we are instead spending our time on a politically motivated measure that everybody knows is not going to become law.

Before we consider why the Buffett rule is bad tax policy, let me start by acknowledging just how inconsequential this change in law would be. According to the Joint Committee on Taxation, the bill offered by Senator WHITEHOUSE would raise tax revenue by $47 billion over the next 10 years. This means the legislation, if enacted, would raise each year about half of what the Federal Government spends every single day. Think about that for just a moment. President Obama has been flying around the country touting the importance of a proposal that, if enacted, would raise about half of 1 day's worth of Federal spending. So between now and this time tomorrow we will actually spend more Federal tax dollars than what this would bring in in an entire year. Put another way, the revenue this legislation would raise each year amounts to .03 of 1 percent of the $15.6 trillion national debt—.03 of 1 percent of the Federal debt. This bill would raise less than 1 percent of the $6.4 trillion in deficits projected over the next decade under the Obama administration's budget.

This bill is clearly not about deficit reduction or taking any meaningful action to get our fiscal house in order.

What then is this legislation about? The President and many Democratic Members of Congress stated they believe the Buffett rule is about ''tax fairness.'' Their view is that wealthy Americans are not paying their ''fair share.'' Unfortunately for supporters of this legislation, the facts simply don't support that view.

According to the Organization for Economic Cooperation and Development, the United States already has the most progressive income tax system among its 34 member nations. In fact, in 2009 the top 1 percent of taxpayers by adjusted gross income paid 37 percent of all Federal income taxes even though they only accounted for 17 percent of all income. Let's take the top 5 percent of taxpayers. They paid 60 percent of all income taxes even though they only accounted for 32 percent of all income. In 2009, taxpayers with over $1 million in adjusted gross income accounted for 10 percent of income reported but paid 20 percent of income taxes.

In terms of effective income tax rates, the Congressional Research Service recently reported that the average effective tax rate among millionaires is already 30 percent. It is true that some millionaires such as Warren Buffett pay a lower effective tax rate because they get a large percentage of their income from capital gains and dividends. The lower tax rate on investment income is not a tax loophole; it is the result of a deliberate policy by Congress and past Presidents to encourage new investments in our economy.

In fact, in 1997, Democratic President Bill Clinton signed into law a reduction in the capital gains tax rate from 28 percent to 20 percent. What was the result of that rate reduction? Taxable capital gains nearly doubled over the next 3 years. Unemployment fell below 4 percent, and the increased Federal revenue from capital gains realization held a Federal budget surplus.

But rather than learning the lesson that lower taxes on investment income lead to more investment, the Buffett tax would take us in the opposite direction. The Buffett tax is nothing more than a backdoor tax on the nearly 60 percent of all capital gains and dividend income earned by upper income taxpayers. We can debate about how best to encourage new investments in clean energy and high technology or in other important sectors of our economy, but I hope we can all agree that raising taxes on these investments is not the best way to encourage them.

We should bear in mind that the current U.S. integrated tax rate is 50.8 percent, the fourth highest among OECD nations. It is bad enough that America has the highest combined corporate tax rate. Perhaps some supporters of the Buffett tax would also wish us to have the highest tax on investment income as well. Simply put, the Buffett tax is a solution in search of a problem. Wealthy Americans are already paying a huge share of income taxes. And for that small minority of wealthier Americans such as Warren Buffett who feel compelled to pay higher taxes to the Federal Government, I propose that we make it easier for them to do so.

Last October I introduced the Buffett Rule Act of 2011, which currently has 40 cosponsors here in the Senate. My legislation would create a box on the Federal tax forms that individuals or businesses could check if they wish to donate additional dollars to the Federal Government for debt reduction. We should make it as easy as possible for those who want to pay higher taxes to voluntarily make those payments, but let's not impose a new tax on entrepreneurs and small business owners who believe they can spend their own dollars better than Washington can.

Some have attempted to characterize this bill as a step toward comprehensive tax reform. When I say this bill, I am talking about the bill we are going to be voting on later. Unfortunately, it is exactly the opposite. Comprehensive tax reform is needed for many reasons, but one major reason is because we desperately need to simplify our convoluted tax system. How is a bill that adds a new layer of complexity to the Tax Code a step toward comprehensive tax reform? It is bad enough that we already have an alternative minimum tax that snares millions of American families. The Buffett tax, if it is enacted, would become an alternative alternative minimum tax. It would be a new layer of unnecessary complexity on top of an already existing layer of unnecessary complexity.

We should not forget that the alternative minimum tax was originally put in place back in 1970 to ensure that 155 wealthy Americans paid a higher rate of tax. Yet this year over 4 million Americans are going to be hit by the alternative minimum tax. In fact, if Congress does not act to enact the AMT patch for tax year 2012, the Congressional Budget Office projects that more than 30 million Americans will be subject to higher taxes due to the alternative minimum tax. Clearly Congress's record of targeting tax increases at only the very wealthy is not very good.

The Obama administration has stated that its intent is for the Buffett rule to replace the existing alternative minimum tax. Yet according to an analysis by the Joint Committee on Taxation, replacing the existing AMT with the Buffett tax would add nearly $800 billion to the deficit over the next 10 years. It is time for the gimmicks to stop and the Senate to get serious about the real tax issues that are facing us. The reality is we have a $5 trillion tax increase over the next 10 years—the largest tax increase in our Nation's history—staring us in the face come next year. If we don't act to extend the lower individual tax rates, the lower estate tax rates, the lower rates on capital gains and dividend and other expiring provisions, our economy will face a tax increase of over $400 billion in 2013.

Allowing 2001 and 2003 tax rates to expire would be an enormous tax increase on our economy equal roughly to 2.5 percent of the GDP. According to the Congressional Budget Office, allowing the new tax increase to go into effect would slow GDP from 0.3 percent to 2.9 percent. That would mean a loss of at least 300,000 jobs and could mean the loss of as many as 2.9 million jobs. This massive tax increase could mean the difference between a sustained economic recovery and falling back into recession.

Yet here we are today discussing a bill that would not extend tax relief for hard-working Americans. It would not forestall a massive tax increase on our economy. The bill before us would do one thing and one thing only, and that is target higher taxes on a smaller subset of our population in order to serve a political purpose. It is time to end the class warfare of pitting one group of Americans against another and instead move forward with ensuring that tax relief is there for all Americans. I hope that once the cloture motion fails later today, we can pivot to what most American people want us to do and that is to enact measures that grow the pie, to expand our shared prosperity rather than the politics of envy and wealth redistribution.

The opportunity cost of all of these tax-the-rich proposals offered by our Democratic colleagues—whether the millionaire surtax or Buffett tax—is that they distract us from what should be our focus, and that is fundamental tax reform.

The former Director of the CBO, Doug Holtz-Eakin, recently released a study where he estimated that comprehensive tax reform could raise the rate of GDP growth by at least 0.3 percentage points annually. This faster rate of GDP growth would result in increased Federal revenues in the range of $80 billion to $100 billion each year, much more than the Buffett tax is projected to raise.

So I will say to my Democratic colleagues, if you want tax policies that raise more Federal government revenue, broad-based, comprehensive tax reform is the way to get there. But, of course, tax reform is going to be difficult and it will require Presidential leadership as much as it required Presidential leadership back in 1986. It is easier to promote measures such as the Buffett tax that do nothing to improve our tax or our economy but that make for a good 30-second political ad.

I understand why some of my colleagues want us to have this political debate today, but I hope we can move quickly to real progrowth tax reforms. That would be the best means by which to promote real tax fairness for all Americans. I believe all Americans want to see this Congress working in a way that expands the pie, not redistributes it.

We should be looking at ways we can grow the economy and make and create more jobs for more Americans, raise the standard of living, quality of life Americans enjoy in this country. It is clear the one way not to do that is to raise taxes on the people who invest and create jobs in this country, and that is precisely what this particular tax would do. It is the wrong approach. It is clearly motivated by political purposes, nothing more than to create a good 30-second political ad in an election year. If the American people see through this, they understand what plagues Washington, DC, is not a revenue problem, it is a spending problem.

For those who want to pay more, we have a way of doing that. Let's enact legislation that allows people in this country who have that kind of income to be able to check a box to contribute more in tax revenue toward tax reduction, but let's not impose and require and mandate these types of taxes on the people in this country who are creating the jobs and have an opportunity to help us grow this economy and put more people back to work. After all, that is what the American people want us to be focused on.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Montana.

Mr. BAUCUS. Mr. President, I ask to speak as in morning business.

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

MONTANA NATIONAL GUARD

Mr. BAUCUS. Mr. President, tomorrow 145 Montana Guardsmen will kiss their husbands and wives, hug their children, say goodbye to their friends, and get on a plane from Billings, MT to Afghanistan. Two weeks from today 95 more Montanans will do the same. Together these 240 Montana Guardsmen are in the long line of thousands of Montanans to deploy since 9/11. More Montanans signed up for service after 9/11 than any other State in the country per capita. Since then, 6,668 Montana Guardsmen were deployed. Montana's Guard has deployed at among the highest rate in the country.

Each and every deployment requires enormous sacrifices from the Guardsmen themselves, their families holding down the fort at home, their employers, and entire communities. They make these sacrifices quietly. They perform their missions with excellence, professionalism, and without bragging. So I want to do a little bragging on their behalf and salute each and every one as they prepare for combat.

The 484th Military Police Company leaving tomorrow is based in Malta, Glasgow, and Billings. Their mission will be to help train the Afghan national police. They will be immersed in the Afghan culture, working hand in hand with the local officers deep in the heart of the city precincts. What an incredibly important and challenging task, and they are ready.

They have been training hard for this job for more than a year. Many of them will bring invaluable experience in civilian law enforcement that will be critical to this mission.

The 260th Engineering Support Company will also leave Montana April 30 for a year-long tour in Afghanistan. The unit is from Miles City, Culbertson, and Sidney. They will perform the dangerous mission of clearing explosives off roads and protecting U.S. convoys from Taliban attacks. The 95 members of this unit have received specialized explosive training and they are ready to go.

This past February 60 members of the Bravo Company 1st of the 189th General Support Aviation Brigade left Helena for a tour in Afghanistan. Their unit flies and maintains six CH–47 Chinook helicopters and has a lifeline of supplies, ammunition, food, and water for air troops. They help get the troops where they need to go to accomplish their missions quickly and safely.

Last March, 12 Montana Guardsmen returned from duty in Iraq and Kuwait. They flew C–12s, getting troops where they needed to go to accomplish top-priority missions.

In 2011, nearly 100 Montana troops deployed again to Iraq. They were Charlie Company 1st of the 189th, and they were among the last of the combat troops on the ground. They provided medevac support for the famous road march that brought our troops out of Iraq from Camp Adder, near Nasiriyah, to the Khabari border crossing into Kuwait.

In 2010, more than 600 Montana Guard troops served in Iraq, and thousands more had deployed there in previous years.

Our Air Guard has been busy. In 2010, 99 members of the Red Horse squadron, an engineer unit, spent a year working in Afghanistan. They built about every kind of structure you can imagine to support the mission on the ground, from fixing airfields, so our troops could land and take off safely, to constructing observation towers vital to intelligence on the ground, to drilling wells to bring water to some of the most dangerous parts of the country.

At the same time, dozens of Montana airmen have deployed to support the Air Sovereignty Alert in the Pacific. They are our first line of defense in the Pacific, on call 24 hours a day, 7 days a week.

On top of all this, 53 Montana Airmen deployed individually to support missions over the course of the last year in Bahrain, Cuba, Djibouti, Kuwait, Kyrgyzstan, and a number of other locations around the world.

The Guard has their mission at home as well. When flooding hit Montana last week, the Montana National Guard troops were some of the first folks to respond with a helping hand. When Highway 12 was washed out, the town of Roundup basically became an island. The Montana Guard was their bridge, carrying supplies back and forth.

It is an understatement to say these guys are busy. They are volunteers, and they are balancing their military service with their civilian careers at home. We can't thank them enough for what they are doing.

It is hard to capture the nature of their service unless one has seen it firsthand. During my visit to Afghanistan, I was so impressed by the service and professionalism of our troops serving there. They were remarkable.

One brief story from a guardsman serving in Iraq in 2011 captures the spirit of who those men and women are. Montana Specialist Chvilicek was serving as a medic in a convoy near Balad. His convoy hit an IED which cut Specialist Chvilicek's arm and ear with shrapnel. Instead of attending to his own wounds, Specialist Chvilicek immediately sprang into action, providing medical care to his fellow soldiers. That is remarkable, but it is not uncommon. That is exactly the kind of spirit these troops have.

Our Nation has been at war now for more than 10 years. These men and women represent the 1 percent of our country serving in the military who are bearing a very heavy load for the rest of us.

Montanans do not take these men and women for granted. Friends, families, neighbors and communities show up to wish them well when they deploy and greet them when they return home. They send care packages overseas and fill in as babysitters here at home. They provide hands to hold and ears to listen.

To every Montanan serving as part of that support system and to every employer of a national guardsmen: thank you for what you do.

Last year I had the honor of attending a deployment ceremony in Helena. A mother told me about what it was like when her husband was deployed.

To sum up what she said: It's not easy for these families. For months, there is one fewer helping hand around the house to help out with the carpools, the homework, the leaky faucets, the lawn mowing, and everything else that goes into raising a family day to day.

Our military families shoulder a heavy load to support the loved ones who deploy. But you will never hear them complain. They are proud of their service.

It is our job to do our part to make sure our troops and our families are taken care of when they come home. A big part of that is making sure they have jobs to come home to. Recent unemployment figures show that 9.1 percent of current or past members of the Reserve or National Guard were unemployed. In Montana that number is as high as 20 percent for our troops returning from Iraq and Afghanistan. We need to work hard to bring that figure down.

I was proud to work on getting a tax credit to help businesses hire our veterans.

And this week I am meeting with representatives from the Military Officers Association of America to discuss more ways we can help.

One important piece is simply getting the word out. With the help of the Iraq and Afghanistan Veterans of America the Employer Support of the Guard and Reserve, the American Legion, and the Veterans of Foreign Wars, we can make sure that both veterans and employers know about it and take full advantage of the credit.

In 1776, Thomas Paine wrote: ''These are the times that try men's souls. The summer soldier and the sunshine patriot will, in this crisis, shrink from the service of their country; but he that stands by it now, deserves the love and thanks of man and woman.''

The Montana Guardsmen leaving this month, their families and entire communities, will face a true trial in Afghanistan. We thank them deeply for their service and sacrifice.

To every Guardsmen deploying tomorrow: Thank you for your service. And good luck. Please know you are on our minds and in our hearts each and every day.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I have risen many times over the past 3 years to talk about the bad policy choices of the Obama administration and the harmful effects of these policies on our economy and on the American people.

In many ways, the President's decisions have made things worse in our country. The bill before us today would impose what is being called the Buffett tax. It is just one more example of a policy that will hurt our economy, not help it. This tax will take money from the pockets of small businesses that they would use to create jobs. More than one-third of all business income reported on individual returns would be hit by this tax increase.

Back in September President Obama said this tax hike on American families would raise enough money not only to pay for his increased spending but it would ''stabilize our debt and deficits for the next decade.'' Back then he said: ''This is not politics; this is math.''

Of course, we now know the Buffett tax is only about one thing: politics. The increased tax revenue would amount to about $5 billion this year, which is about the same amount of money Washington will borrow over the next day and a half. The President would have to collect his so-called Buffett tax for more than 200 years just to cover the Obama deficit from last year alone. That is not just my math; that is the math from the Joint Committee on Taxation.

The Buffett tax will not fix Washington's debt because Washington doesn't have a revenue problem; it has a spending problem. Even one of President Obama's top economic advisers finally admits the Buffett tax will not ''bring the deficit down and the debt under control.'' Based on his record, it is clear the President would not put a single dollar raised by his new tax toward the debt. He will just spend it.

So the President has now changed his story once again. Now he says this is no longer a way to pay down the deficit. Now he says it is just a matter of fairness.

President Obama has been using the word ''fair'' in quite a few of his campaign speeches lately. It is a word of great appeal to most people. Just like ''hope'' and ''change''—the buzz words of the 2008 Presidential campaign—people can interpret it to fit their own meaning. President Obama's idea of fairness doesn't match up with the American people's idea of fairness.

Senator MCCONNELL earlier made reference to an editorial I wrote in Investors Business Daily. President Obama thinks it is fair that our children and grandchildren will be burdened with debt because of Washington's reckless spending, such as borrowing 42 cents of every $1 it spent so far this year. President Obama thinks it was fair to pile another $40,000 of debt onto every household in the United States over the last 3 years.

President Obama thinks it is fair to use college students as props for his campaign-style rallies without explaining how his bad policies will leave them in debt. President Obama thinks it is fair to force hard-working taxpayers to subsidize a wealthy person's purchase of a hybrid luxury car because it fits into his idea for American energy.

President Obama thinks it is fair to hand out hundreds of millions of taxpayer dollars to politically connected solar energy companies that then go bankrupt. President Obama thinks it is fair to tell thousands of workers they will not have jobs because he has blocked the Keystone XL Pipeline. Why? To solidify his support with a few far-left environmentalists.

President Obama thinks it is fair that more than half of his biggest fundraisers won jobs in his administration. That is right, more than half, which has been reported in the Washington Post. President Obama thinks it is fair to give important jobs to people who fail to pay their own taxes, such as his own Treasury Secretary.

Apparently, President Obama thinks it is fair that 3 years of the Obama economy have left us with more people on food stamps, more people in poverty, lower home values, higher gas prices, and higher unemployment.

There are many ways in which the American people's understanding of ''fairness'' differs from the way President Obama has been using the word. To the vast majority of Americans, ''fair'' means an equal opportunity to succeed. To President Obama, ''fair'' requires nothing less than a total equal outcome regardless of effort.

To most Americans, fairness allows for the pursuit of their own dreams. It also recognizes that no man and no government can provide a guarantee of success.

The waves of immigrants who have come to our shores over generations did so for freedom and for a chance to succeed. They did not come to be taken care of and to have every decision made for them by the government. That is what many of them were leaving behind.

When President Obama pushes for equal outcomes instead of equal opportunity, he is trying to pit one American against another. He is telling people it is not fair that someone else has something they don't have. That may be a clever campaign tactic, but it is not true, and it is bad for our country. One person getting more does not mean someone else has to get less. In America, it is possible for all of us to prosper. That is what made America different from the very beginning—the prospect that all of us can do better—not at the expense of our neighbors but by our own effort.

There is something that threatens to keep all of us from success. It is the thing that threatens to keep us all from passing on to our children the hope for their own prosperity. It is the crushing debt, the debt this administration has been forcing onto the backs of American workers. It is the mountain of bureaucracy that stifles American opportunity.

The old maxim says that a rising tide lifts all boats. President Obama seems to think it is better to put holes in all of the boats as long as that means they are all equal in the end. That is what he seemed to be saying in 2008 during one of the Democratic Presidential debates.

Moderator Charles Gibson asked then-Senator Obama why he favored raising taxes on capital gains. Our history clearly showed that when the tax rate has gone up, government revenues actually went down. Senator Obama said he wanted to raise taxes anyway ''for purposes of fairness.''

In the name of achieving what he considers to be fair, the President was willing to hurt millions of hard-working families who already paid taxes on their income—families who invested some of that income and now would have to pay higher taxes again when they decide to sell some of those investments. The President didn't even care if Washington ended up with less money as a result of his efforts to punish success. The only important thing was that he thought it would be more fair.

That is a pretty extreme definition of what ''fair'' means, and it is not one the American people share. In any fair society, doing better should be a consequence of one's efforts. To President Obama, fairness means getting something for nothing.

The American dream is about people using ingenuity, ambition, and hard work. It is about overcoming obstacles. Americans admire the inventor who works long hours in the garage, building and failing and trying again and again until this inventor succeeds. Americans speak with pride about having worked their way through college washing dishes, pouring concrete, flipping hamburgers—whatever it took for them to reach their goals.

Most Americans don't speak with pride about being bailed out by Washington or cashing a government check. The idea of people earning their success has been a vital part of our Nation's character since our founding. It does not come from government. It cannot be redistributed.

The more government tries to redistribute success, the more strings it attaches because a handout from Washington always comes with strings attached.

The President's health care law is a perfect example. It is built on shifting millions of people onto Medicaid, a program designed to take care of low-income Americans. Putting more people on Medicaid is not the same as giving them access to the medical care they need.

Giving people unemployment benefits and funding short-term stimulus jobs is not the same as freeing up employers to hire more workers and providing long-term jobs and actual careers. Handing out benefits from Washington may provide a safety net in the short run, but when the short run turns permanent it robs people of the tools and incentives they need to succeed. It does even greater damage to our economy when President Obama pays for it by piling more debt on the backs of American taxpayers.

We all recognize the value of the social safety net. None of us—I repeat, none of us—wants to eliminate that protection. To be true to this country's greatest traditions, it must be a real safety net to catch people who are falling. It must never become a net to entangle them so they cannot rise nor a comfortable hammock on which they choose to recline.

Somewhere along the way Washington twisted the honorable American impulse to care for the most vulnerable among us. That shift now threatens to produce a culture of dependency that weakens our society and hurts the people it was meant to help.

A half century ago, John F. Kennedy appealed to the great spirit of America when he said:

> "Ask not what your country can do for you, ask what you can do for your country."

Today, the Obama administration is trying to make Washington irreplaceable in the lives of Americans. The great irony, the great tragedy, is that no one is more trapped by this failed redistribution than the poorest—the people the President so often claims to be trying to help. That is part of the downside to the culture of dependency. It is why Washington can never provide for people as well as people could and should provide for themselves.

President Obama is focused on fixing all of the faults he sees in the American people. Republicans are focusing on giving the American people the opportunity to succeed using their talents and their hard work. When Washington tells people: Don't worry; your government will take care of all your needs, it does them no service. It only deprives people of their freedoms to make their own choices, to stand on their own two feet, and to earn their success.

The American people don't want Washington to pick winners and losers. They want a fair chance to win on their own. That is why they are asking for a clear and limited set of rules and the assurance that those rules apply to all of us, even those who donate to President Obama's reelection campaign. They are asking that the rules not change on the whims of some unelected bureaucrat in Washington. They want to know they still have the right to control their own choices.

President Obama says it is fair for Washington to make the decisions so that everyone is equal in the end. He says it is fair to take more money from hard-working families and small businesses through the so-called Buffett tax we are debating today.

Tax increases will not help our fragile economy, and they will not put the brakes on Washington's out-of-control spending. Republicans want to promote economic growth for everyone, not equality of outcome at everyone's expense.

Despite what President Obama may believe, America is not an unfair place. True fairness requires equal opportunity so all may pursue their American dream. That is what America was founded on, and that is the philosophy that must be allowed to lead us to a more prosperous future for all.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I rise to speak on the Buffett rule. How much time is allocated to me?

The ACTING PRESIDENT pro tempore. There is 18 minutes remaining on the Senator's side of the aisle.

Ms. MIKULSKI. Mr. President, I will take no more than 5 minutes.

I support the Buffett Rule because I do believe in fundamental fairness that if people live in the United States of America, if they benefit from the United States of America, both its national security and its public institutions, and the public progress because of that—such as public education, land-grant colleges—they need to pay their fair share. This is what America is all about, fairness. And we are all in it together.

I have heard all afternoon about, oh, this hard-working entrepreneur, and, oh, this hard-working small business person. Nobody gets to be that hard-working entrepreneur without the United States of America. They have gone to public schools. They have enjoyed public transportation. I could go through a variety of public institutions—safety in our dams, now cybersecurity, wars that are fought by our military for which they will not go or will never go. So we need to have a way of paying our bills.

When we hear the great President John F. Kennedy quoted saying: "Ask not what your country can do for you, ask what you can do for your country," it is called pay your share.

Let's talk about what the Buffett rule actually is and what the Senator from Rhode Island is advocating—and I salute him for offering it. This would ensure that high-earning Americans who make more than $1 million a year pay at least 30 percent income tax on their effective rate on their second $1 million.

Let me repeat what this is. People's first $1 million they keep at the same tax rate it is right this afternoon. What we are talking about is changing the tax rate not on their first $1 million but on their second $1 million. I do not think that stifles entrepreneurship. I do not think it breaks the neck of small business.

I know so many small businesses. They like to make that million bucks and then pay that. What the small business needs is not more tax breaks; they need more customers, which is about more jobs.

I think this bill talks about this fairness. It would phase in additional tax liability for taxpayers earning between $1 million and $2 million to avoid a tax cliff, and they are saying: Oh, well, let's keep our money so we can give it to charity. This preserves the incentive for charitable giving.

Quite frankly, from what we are told, the highest earning 400 Americans make about $270 million each. They are the ones who paid an effective tax rate of 18 percent. Just think, they make $270 million. That is not exactly the entrepreneur in a garage. That is not exactly that small businessperson, a florist, or like my grandmother running that Polish bakery or like my father with his little grocery store.

Mr. President, $270 million each—they pay 18 percent. So here it is April 16, they paid 18 percent. That, by the way, is the rule. All we are saying is they can pay that 18 percent on their first $1 million, but on that second $1 million they have to get into the game and start to pay 30 percent.

I think this is a great idea. I want my colleagues, when we vote for cloture, to be able to do this. The Buffett rule supports fairness in the Tax Code so executives do not pay a lower rate than the people who work in the mail room or on the FedEx trucks delivering their products. It does support prosperity and entrepreneurship. As I said, it does not kick in until their second $1 million, and then it is phased in slowly.

A lot of people are saying: We do not want these handouts from the Federal

Government. It wrecks our entrepreneurship, our get-up-and-go.

I do not believe that. I do not believe that at all. If that were true, then why is it who gets the biggest handouts in our country but those who get tax earmarks. We eliminated them in the Appropriations Committee, but we are yet to eliminate the tax earmarks in the Tax Code.

Look how hard it was to get rid of the ethanol subsidy. Oh, my God. When we wanted to get rid of the oil and gas subsidy, one would think we were Darth Vader on the Senate floor.

So every time we want to take away a lavish tax break that only helps a few get more, we are stymied or stifled. Actually if they employed as many people in their businesses as they employ lobbyists in Washington, we would be able to lower the unemployment rate.

So the other party was willing to bring us to the brink of default—remember when we were dealing with the debt ceiling—rather than tax billionaires. We continue now to have that same fight. This legislation we would pass is a modest downpayment on reforming the Tax Code. We do have to make it fairer, but this is a firm way to be able to do it.

Sure, we have to look at the corporate tax code. We have to look at how to bring expatriated money overseas back home. Yes, we have to look at rates. Yes, by the way, we have to reward entrepreneurship and acknowledge the special challenges of being a small- and medium-size business. But that is long range, and under the arcane rules of our Senate we are now so stymied in bringing up that legislation.

We could at least take one giant step forward to make our Tax Code fairer by passing the legislation called the Buffett rule, named after Warren Buffett, one of our great American people, a guy who gives capitalism real meaning in our country. He says: Let me pay, and people like me pay, the same rate of taxes as my administrative assistant in the front office.

I think Buffett had a good idea. Let's codify it. Let's pass it in the Senate today.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. KYL. Mr. President, let's ask ourselves a question. What is the purpose of taxes? Do we tax people to punish them for their success or do we do it to raise revenue for the government? Well, the answer is, of course, at least up to now, the purpose of taxes is to raise the revenue the government needs to perform its duties and to do that in the least harmful way possible.

President Obama, however, has a different idea about the purpose of taxes. He thinks the government should take more from some people just because they are rich, even if the tax increases hurt the economy.

So this week the Senate will vote on what is called the Pay A Fair Share Act or, as described by President Obama, the Buffett tax. This legislation would create a new 30-percent alternative minimum tax for filers who make $1 million or more, which would include many successful small businesses. Unfortunately, the legislation would hurt small businesses more than it would raise revenue for the government.

Today I want to talk about why this legislation is fundamentally misguided and why it would be harmful to businesses, workers, and the economy. The Buffett tax may make for good politics for President Obama on the campaign trail, but it is bad policy. It is deeply flawed.

First, let's start with its premise. There is a key misconception about Warren Buffett's tax rate. The notion that Mr. Buffett pays a lower tax rate than his secretary is based on a fundamental misunderstanding of the Tax Code.

Mr. Buffett—and, I would add, many older Americans—obtains most of his income from investments. That income is taxed at the capital gains rate. Mr. Buffett and President Obama would have us believe capital gains income gets preferential treatment in the Tax Code, but that does not tell the real story.

Capital income is actually taxed twice. First, it is taxed at the 35-percent rate that corporations pay on their income—it is taxed; the money is paid to the government—and then it is taxed again when the distribution of capital gains or dividends is made to the investors, when it is passed on to shareholders as dividends or capital gains. That means the tax rate is already far higher than 30 percent. It is actually not exactly 30 plus 15 percent, but it is higher than 30 percent, and it is closer to 45 percent.

President Obama ignores these facts when he says Mr. Buffett pays a lower tax rate than his secretary. We have to count it twice, not just the second time.

That leads me to my second point: the fairness of the current Tax Code. Does it really favor the wealthy at the expense of others, as President Obama argues? Perhaps one could cherry-pick some random statistics to show that one person or another pays more or less, but the actual tax numbers show the real progressivity of the American Internal Revenue Code. Interestingly enough, among all the industrialized countries in the world ours is the most progressive.

In other words, the U.S. income-tax code has the wealthier people paying a far higher percentage of income taxes than any other country in the industrialized world—yes, even more than Sweden and even more than France and even more than the other countries in Europe.

According to Congressional Budget Office data, the average tax rate paid by middle-income Americans is 14.2 percent. In contrast, the average tax rate paid by a high-income American is 31.2 percent, more than twice as much. So the average tax the secretary or somebody else like that might pay is 14.2 percent. The average tax paid by high-income Americans is 31.2 percent.

Incidentally, President Obama's effective tax rate this year is 20.5 percent. Should he be paying more or is that enough? He has a tough job.

Here are some other interesting tax facts. The top 1 percent of taxpayers pays 38 percent of total income taxes—actually, I think these numbers are dated; it is now closer to 40 percent—and that top 1 percent of taxpayers only earns 20 percent of the total income.

So here is the question of fairness: We have the top 1 percent—they are the top 1 percent because they earn the top 20 percent of all income, the top fifth, but they pay almost twice as much in taxes, 38 percent in total income taxes.

How about the top 2 percent of taxpayers? Well, they pay 48.68 percent—nearly 50 percent, in other words—of income taxes, and they earn 27.95 percent of total income. So we have the top 2 percent paying almost half of all income taxes. Is that fair?

The top 5 percent pays 58.7 percent; earns 34.7 percent. The top 10 percent pays 69.9 percent—let's say 70 percent—so we have the top 10 percent of taxpayers paying 70 percent of all the taxes, earning 45 percent of the income.

Well, those are certainly the wealthy, and they are certainly paying a big share.

How about the less wealthy? Well, the bottom 95 percent—in other words, everybody but the top 5 percent—pays 41.3 percent of income taxes; earns 65 percent of the income. Is this fair? Maybe it is not fair that the top 2 percent pays almost half of all the income taxes. How much would be fair? Should they pay 90 percent, 95 percent?

How about the 50 percent of households that pay no taxes and yet receive the same or greater benefits than those who do? Is that fair?

The Joint Committee on Taxation estimates that 51 percent of all households, which includes both filers and nonfilers, had either zero or negative income tax liability in 2009. People who do not share in the sacrifice of paying taxes have little direct incentive to care whether the government is spending and taxing too much. Maybe that is why the President has no problem with even more Americans getting a free ride.

Here are a few more statistics. The highest 1 percent of income earners have not seen the share of the income tax burden decline. In fact, their share of income is essentially the same as it was in 2000, but their share of taxes paid is higher. Collectively, only taxpayers with incomes greater than $100,000 a year pay a share of taxes that is greater than their share of income.

Actually, I think it is hard to argue that our current Tax Code that taxes the wealthy to such a high degree is

unfair. While the President says it is not fair, I find it interesting that his own Treasury Secretary seems to agree that the current system is fair.

Let me read a portion of the transcript from a Finance Committee hearing with Secretary Geithner earlier this year. I asked him: Do you think it is fair that the top 1 percent of earners in the United States pays just about 40 percent of the income taxes? Secretary Geithner's response: I do, because I do not see how the alternatives are more fair. Next, I asked him if he thought it was fair that the top 3 percent pays as much as the other 97 percent of taxpayers in income tax. Secretary Geithner responded, ''Again, I do.'' So if we want an income tax system that is fair according to the Obama administration's own standards, we already have it. The argument that top-tier earners are not doing enough just does not hold water.

The third problem with the Buffett tax is that it would harm many small businesses. According to the most recent Treasury Department data, 392,000 tax returns reported income of $1 million or more. Of those, 331,000 reported business income and 311,000 met the Treasury's definition of ''business owner.'' So this is a tax that would disproportionately affect small businesses and other job creators.

Four out of five tax filers that would be affected by the Buffett tax are the very businesses we are counting on to lead us back to an economic recovery. If enacted, these tax increases would have a negative effect on employers trying to create jobs. And this is not just my opinion. Take, for example, the International Franchise Association, which recently said this: Franchise business owners could be significantly challenged to grow and create new jobs as a result of the Buffett rule, a tax increase on individuals and small business owners.

It continues:

> Taxing job creators will seriously impede the ability of franchise businesses to expand their operations and to create new jobs, particularly multi-unit franchise operators and the majority of franchise businesses who file their business income on their own personal tax return.

So these are the very folks the Treasury Department identified as paying taxes as individuals but who are, in fact, business owners.

Under current law, a massive tax increase on income, capital gains, and dividends is already set to occur on January 1 of next year. In addition, under ObamaCare, some Americans will be hit with a 3.8-percent investment surcharge beginning next year. Imagine what all of these taxes will do to small businesses and startup companies.

But that is not enough new taxing for President Obama in his war against investments and success. According to economist Stephen Entin, tax increases on capital are some of the most destructive to the economy. He estimates that tax hikes on capital gains, dividends, and the top two individual tax rates, which are already scheduled to occur in 2013, will shrink the economy by 6 percent, will lower wages by 5 percent, will decrease capital stock by almost 16 percent, and will lose the Federal Government almost $100 billion in tax revenue.

Adding an additional Buffett tax on capital will only decrease wages and economic growth even further. Why is this? Because high taxes on income, particularly investment income, depress capital formation. There are fewer investments, which damages the abilities of businesses to grow, to create jobs, or to pay higher wages.

I challenge my colleagues to ask a roomful of economists this question: Does increasing the cost of capital lead to higher or lower economic growth and job creation? Well, the answer is obvious. As President Kennedy said when he endorsed a capital gains tax cut, ''The tax on capital gains directly affects investment decisions, the mobility and the risk flow of capital, as well as the ease or difficulty experienced by new ventures in obtaining capital and thereby the strength and potential for growth in the economy.''

It is also important to remember that we are not making tax policy in a vacuum. We are competing for capital and investments with every other nation on Earth. The President has conceded that our high corporate tax rate harms our international competitiveness and has expressed tepid support for lowering it. But those benefits would be erased if capital gains taxes are increased dramatically.

As the Wall Street Journal points out, ''Lowering the corporate tax rate makes the U.S. more competitive, but the tax change is self-defeating if it's combined with an even larger rise in the investment income taxes on capital gains and dividends.''

According to a recent Ernst & Young study, the integrated tax rate on capital gains is already over 50 percent—50.8 percent to be exact. That is more than twice the rate in China, for example.

If Congress does nothing, capital gains rates will rise again to 56.7 percent next year. That is the second highest in the world. If the Buffett tax increase is layered on top, taxes will consume almost two-thirds of capital gains, and we will have the highest integrated rate by far of any of our international competitors. We have to remember that in a mobile world economy, capital is highly mobile. Does anyone believe that such a confiscatory capital gains rate imposed by the Buffett tax would not lead to less investment in the United States and more in other countries? As somebody said, this is not just shooting ourselves in the foot, it is shooting ourselves in the head.

Let me address President Obama's suggestions that the Buffett tax somehow constitutes fundamental tax reform and that President Reagan would have supported it. I think I can imagine President Reagan responding: Well, there you go again.

The Washington Post has a Fact Checker op-ed, and here is how they set the record straight on President Obama's claim that he was pushing the same concept—his words—as President Reagan:

> Contrary to Obama's suggestion that President Reagan was specifically arguing for a new tax provision aimed at the super-wealthy, Reagan was barnstorming the country in an effort to reduce taxes for all Americans, mainly by cutting rates, simplifying the tax system, and eliminating tax shelters that allowed some people to avoid paying any taxes at all. In other words, Reagan was pushing for a tax cut for everyone, not just an increase on a few.
>
> Obama and Reagan did use similar anecdotes—and even the phrase ''fair share''—but in service of different goals.

President Reagan's tax reform should never be confused with a harmful political gimmick such as the Buffett tax.

I would like to show how higher capital gains taxes have a negative effect on revenue.

Ever since the bipartisan capital gains cut in 1978, a pattern has repeated itself over and over: Raising the capital gains rate reduces revenues. Lowering it has led to revenue increases. That is partially because capital gains taxes are an elective tax. The tax is only paid when investors sell their assets. And frequently they wait to sell their assets for the rates to go down when it will cost them less to sell those assets.

The Wall Street Journal recently produced a chart to this effect, and I am just going to summarize it.

In 1978 President Carter signed an amendment into law that cut the capital gains rate from 40 to 28 percent. What was the result? Less revenue? No. Revenue from capital gains increased by nearly $3 billion, and yet the rate was reduced.

Congress cut the capital gains rate again to 20 percent in 1981 as part of the Reagan tax cuts. As the Journal notes, revenue did not fall in 1982. By 1983 capital gains revenues soared to $18.7 billion: Lower rate, higher revenue.

In 1986 the capital gains tax rate was returned to 28 percent as part of the tax reform package. Guess what. Revenues soared as investors cashed in their gains before the tax increases hit and then plunged in 1987.

The point is investors get to play. They get to decide. When the rate goes down, they can sell their property with less cost. When the rate goes up, they hang on to their property. They do not sell it because they will have to pay more when they do.

In 1997 President Clinton and congressional Republicans cut the rate back to 20 percent, and revenues from capital gains doubled by the year 2000 to $127.63 billion.

The Journal notes:

> Congress shouldn't be fooled by government forecasters who predict a revenue boost

from a higher capital gains rate. They've blown this call every time.

My last point addresses what the Buffett tax would do for the Federal debt. The answer is next to nothing.

Let's examine the nonpartisan Joint Committee on Taxation's estimate of the revenue that would be raised from the Buffett tax. Bear in mind that these estimates do not include the effect on economic growth, which could dramatically reduce rather than raise Federal revenues, as history has shown. But let's take the score at face value. Even without counting the negative impact on the economy, the Buffett tax would raise a mere pittance in the scope of Federal budgets.

When President Obama first proposed the tax, he declared that ''it could raise enough money to stabilize our debt and deficits for the next decade.'' He said, ''This is not politics, it's math.'' Well, let's look at the math. The Joint Committee on Taxation estimate shows that the Buffett tax would raise only about $1 billion this year. So instead of a deficit this year of $1.079 trillion, we would have a deficit of $1.078 trillion. That does not exactly raise enough money to stabilize our debt and deficits for the next decade, as the President said.

Over the first 5 years, the Joint Tax Committee shows that the Buffett tax would collect about $14.7 billion. To put it in perspective, that will amount to less than. 08 percent of the projected national debt in 5 years. And in the year 2014 the proposal is estimated to actually lose over $6 billion in revenue. Why is this? Again, because capital gains taxes are largely voluntary. The investors targeted by the Buffett tax are generally able to decide when to sell an asset. They can manipulate their sale to stay below the triggering threshold of $1 million in the bill. This produces a lock, in effect, on capital as investments stay stagnant. So what is the end result? Little if any revenue is actually raised. Business investments decline. In turn, wages and hiring decline.

Again, if the purpose of taxes is to raise needed revenue rather than punish people, this bill completely flunks the test. So while this proposed tax increase might make some people feel good, it will not solve any of our budget problems. It will likely destroy jobs and growth, and, as history has shown, depressed economic growth from a tax increase will make our budget problems even worse than they are now.

In conclusion, the economy, as we know, is limping along at an anemic growth rate. Gas is $4 a gallon or more, and 20 million Americans are unemployed or underemployed. The economic downturn has taken a huge toll on American families. They want Washington to focus on legislation that will have an impact on jobs and gas prices. Instead, we are debating a show bill that has no chance of passing and would not create a single American job. What happened to jobs, jobs, jobs? Remember that four-letter word, ''jobs''?

The President claims to be focused like a laser on the economy. Instead, it appears that there is only one job that he is focused on with this political proposal. I submit that here in the Senate we should be focused on jobs and energy legislation that can pass, not tax hikes through show votes that are designed to fail.

Mr. ENZI. Mr. President, I rise today to express my disappointment that the administration and my friends on the other side of the aisle continue to avoid making the hard decisions to address our Nation's significant debt and annual deficits. Instead, they are turning the Nation's attention to a talking point, a shell, a sham, a political hoax designed to distract this country from our real financial problems and the real solutions we will need to get us out of this mess.

The Paying a Fair Share Act of 2012, dubbed the Buffett rule, that they describe as restoring tax fairness does nothing to address the fiscal disaster we are facing. The Buffett rule is, by President Obama's own admission, a gimmick. My friends, our country can no longer afford photo-op governance.

The national debt has risen to over $15 trillion, or nearly $48,000 per person in the United States, and this figure keeps rising under an administration that consistently fights spending cuts of any kind. We must make spending cuts if we are going to solve our fiscal problems.

Remember the President's debt commission, the Simpson-Bowles debt commission the President appointed then summarily ignored? Not everyone has ignored it. I continue to work with my colleagues on legislation to get the country back on track financially. I have introduced a bill called the one cent solution. It is also known as the penny plan or the 1-percent solution. My one cent solution bill would cut spending by 1 percent for 7 years and achieve a balanced budget in the eighth year. Every family can imagine taking one penny out of every dollar they spend. The Federal Government should be able to do the same.

In February, President Obama submitted his fiscal year 2013 budget proposal to Congress. I hope it was the last budget proposal he will have the opportunity to submit. Like his budget last year in the Senate, the President's Budget in the House this year failed to get a single vote. Even Democrats shunned it. It failed 414 to 0. The Buffett rule is pulled from the same bag of tricks.

Despite his promises of fiscal discipline and cutting the deficit in half by the end of his first term, President Obama presented the American people with another budget that spends too much, borrows too much, and taxes too much.

It is time for a change. Congress should take the lead by passing a budget that includes strong deficit reduction provisions and sets the country on a path out of our $15 trillion debt. When you are in a hole, you stop digging. When you are broke, you stop spending.

Rather than crafting a bipartisan measure to deal with these issues, the administration instead has turned its attention to the Buffett rule. This bill is symptomatic of a much larger problem plaguing this administration—the unwillingness to address the country's long-term fiscal imbalance and the diversion of the Nation's attention to a provision marketed as enhancing ''tax fairness'' that ultimately could impact very few taxpayers and does little to address the Nation's debt and deficits. The Buffett rule is estimated by the Joint Committee on Taxation to raise approximately $47 billion over 10 years under current law. Even if current tax rates are extended past their current expiration date of December 31, 2012, the bill is estimated to raise approximately $160 billion over 10 years. The Nation's debt level is now over $15 trillion, and yearly deficits are running over $1 trillion under this administration. This bill is not a significant debt and deficit reduction measure; instead, it is simply an attempt to raise taxes on owners of capital and job creators when they can least afford it. And, no, it is not a step in the right direction because it distracts us from real solutions. It is a political stunt.

The administration is ignoring the fact that four out of five people with incomes over $1 million and who would be hit by higher taxes as a result of the Buffett rule or any other millionaire tax are business owners, and these are the people the country needs to create new jobs. A millionaire tax increase like the Buffett rule means that over one-third of all business income reported on individual income tax returns would be taxed more. Particularly for those small businesses with narrow profit margins, these additional taxes would take even more money out of their businesses and make it more difficult to invest, expand, and hire.

Warren Buffett, for whom this bill is named, generated most of his $40 million in taxable income in 2010 from dividends and capital gains, which under current law is taxed at 15 percent. Taking into account his wages of approximately $100,000 that are taxed at up to 35 percent, Mr. Buffett's effective tax rate was approximately 17.4 percent. What if Mr. Buffett and other millionaires who are corporate shareholders were instead taxed like most small business owners who operate flow-through business such as sole proprietorships, partnerships, and S corporations, and are taxed immediately on their business profits at ordinary income tax rates of up to 35 percent? Mr. Buffett's tax rate would have been about 35 percent, double what he is reportedly paying now. Given that his share of the corporate profits in any year could be much greater than the dividends he currently receives, Mr.

Buffett himself could be paying significantly more in taxes to the Federal Government. I wonder if this would cause Mr. Buffett to reconsider his position on tax fairness. My friends, I am concerned that under the guise of tax fairness this administration will continue to raise taxes in order to support its out-of-control spending binge.

This administration either fails or chooses not to recognize that the current-law alternative minimum tax, or AMT, was put in place nearly 30 years ago to do exactly what the Buffett rule is intended to do—ensure that high-income taxpayers pay at least a minimum amount of U.S. tax, regardless of various tax deductions and tax credits that they might be able to claim on their tax return. In that regard, this bill simply layers on yet another complex tax provision on top of the already complex U.S. tax system rather than addressing the underlying problems of the overall Tax Code. The country needs and deserves comprehensive tax reform that makes the system simpler and fairer for all taxpayers. At the very least, the administration should start by focusing on fixing the current Tax Code before adding yet another layer of complexity to it.

Those who named this bill want you to think it is an appropriate method by which to ensure everyone pays their fair share. We need fairness; however, the manner in which that goal is achieved is just as important as the goal itself. In that regard, the Buffett rule misses the mark for each of the reasons I have just mentioned.

This bill is yet another missed opportunity for this administration to address the most pressing issues of the day, including significant tax issues that confront us at the end of 2012. The most notable tax issues include the prevention of a massive tax hike on all taxpayers on January 1, 2013, as a result of the expiration of current income tax rates, the extension of tax provisions that expired at the end of 2011 and that are scheduled to expire at the end of 2012, providing a patch for the AMT for 2012 so that it does not ensnare millions of middle-income taxpayers, and reforming the estate tax to prevent a significant rate hike on January 1, 2013.

Taking all of this into account, is the President flying around the country trumpeting the Buffett rule as the solution to what he perceives is a tax fairness problem really the best use of his and the country's time? We have more to think about than his reelection. There is a better path forward to achieve the desired result of the Buffett rule. That path includes comprehensive tax reform that results in a tax code that is simple, fair, and progrowth. If we combine that with appropriate spending cuts, our country will be able to get out from under the heavy weight of our current and escalating debt burden.

Ms. COLLINS. Mr. President, today I will vote in favor of proceeding to the President's latest tax plan because it is essential we begin the debate on comprehensive tax reform. I do this despite my disappointment that the President has not proposed a serious starting point. Our Nation's tax code needs to be overhauled, from top to bottom. The tax plan offered by the bipartisan Bowles-Simpson Commission—a commission the President himself created—offered a proposal a year and a half ago that should have been the foundation for a serious debate for such an overhaul. But the President failed to show leadership, and allowed that proposal to wallow. Instead, he has asked us to consider a bill today that he himself has called ''a gimmick.''

I believe we should be debating comprehensive tax reform aimed at creating a simpler, fairer, pro-growth tax code. Such reform should lower rates for job creators and middle-income Americans, while increasing the share of taxes paid by the wealthy.

A key to reform is simplification: just last year, according to the IRS, there were 579 changes to a tax code that is already more than 65,000 pages long. No one can keep up such complexity—it hobbles our economy, and exasperates the American taxpayer.

I have said that multimillionaires and billionaires can pay more to help us deal with our deficit, and I have voted for surtaxes on the very wealthy in the past. In fact, I have even introduced legislation calling for such surtaxes. However, I have maintained that any such legislation must include a ''carve out'' to protect small business owners who pay taxes through the individual income tax system. Our nation's small businesses must not be lumped-in with millionaires and billionaires and exposed to the same type of taxes designed for the very wealthy. That is why a ''carve-out'' to shield small businesses owners from tax increases is so important. These small business owner-operators are on the front lines of our economy, and of the communities in which they live. The income that shows up on their tax returns is critical to their ability to finance investment, and grow their businesses. Left in their hands, this income will lead to more jobs, and will buy the tools that help American workers compete.

Comprehensive tax reform and simplification is not only a matter of fairness, but is essential to laying the foundation for our nation's long-term economic growth. There is no contradiction between fairness and growth—both can be advanced together. I urge my colleagues to join me in seeking true reform that advances both of these goals.

The PRESIDING OFFICER (Mr. BLUMENTHAL). The Senator from Vermont.

Mr. SANDERS. Mr. President, I rise in strong support of the Paying a Fair Share Act. I commend Senator WHITEHOUSE for introducing this important legislation.

It is absurd that at a time when our country has a $15 trillion national debt and enormous unmet needs, the wealthiest people in this country have an effective tax rate that is lower than many middle-class workers. It makes no sense that the richest 400 people in our country who earned an average of more than $270 million each in 2008 pay an effective tax rate of just 18 percent, which is less than many small businessmen, nurses, teachers, police officers, et cetera. That is wrong from a moral perspective. It is also very bad economic policy.

The issue we are debating speaks to a much larger crisis that is taking place in America; that is, that in many important ways the United States is departing from its democratic tradition, which has always included a strong and growing middle class, and is moving rapidly into an oligarchic form of government in which almost all wealth and power resides in the hands of the very richest people in our society—the top 1 percent. That is not what America is supposed to be about.

Let me mention a recent study that shows not only why we should pass this Buffett rule but why we should go, in fact, much further. An economist at the University of California, Professor Emmanuel Saez, studying tax returns, found that in 2010, 93 percent of all new income generated during that year went to the top 1 percent. Let me repeat that. Between 2009 and 2010—the last year we have statistics on this issue—93 percent of all new income went to the top 1 percent, while the rest of the people—the bottom 99 percent—were able to receive 7 percent. Even more incredible is the fact that 37 percent of that new income went to the top one-hundredth of 1 percent. In other words, of the $309 billion in new income gained in 2010, $288 billion went to the top 1 percent. Only $21 billion in new income went to the bottom 99 percent.

Today the top 1 percent earns over 20 percent of all income in this country, which is more than the bottom 50 percent. In terms of the distribution of wealth, accumulated income, as hard as it may be for us to believe, as a country that believes in mobility, a country that believes in equality, today we have a situation where the 400 wealthiest people in America now own more wealth than the bottom half of America—150 million people. Four hundred people here own more wealth than the bottom 150 million Americans, and that gap between the very rich and everybody else is now wider than it has been in this country since the late 1920s. We have, by far, the most unequal distribution of income and wealth of any major country on Earth.

That is where we are as a nation, and it is not a good place to be. The richest people and the largest corporations are doing phenomenally well, while the middle class is collapsing and poverty increases. This is not what democracy looks like; this is what oligarchy and plutocracy look like.

To compound this extremely unfair situation, when millionaires and billionaires are paying nearly the lowest effective tax rate for the rich in decades, our deficit problems only grow worse. In other words, not only are the real and effective tax rates for the rich lower than for many middle-class workers, their low effective tax rates are having a very negative impact on our deficit. In fact, as a result of the tax breaks given to the wealthy and large corporations, revenue as a percentage of GDP is at 14.8 percent, the lowest in more than 50 years.

Let us pass the Buffett rule today, but let us do much more in the future. Instead of cutting Social Security, Medicare, Medicaid, education, and other programs of vital importance to middle-class and working families in this country, as many of my Republican colleagues would like to do, let us develop both personal and corporate tax policies that are fair and will protect the best interests of our country.

Nobody should be talking about maintaining huge tax breaks for millionaires and billionaires and in the same breath talk about cutting Social Security, Medicare, Medicaid—the needs of our children and the needs of the most vulnerable people in our country. That is wrong and that is not what America is about.

With that, I yield the floor.

Mr. INOUYE. Mr. President, I come from humble beginnings. We did not have a lot growing up but we always had what we needed. My mother and father worked very hard to provide for our family and you can be sure they paid their fair share of taxes on their living wage. In the nearly 50 years that I have served in the Senate, I have watched the very rich and their supporters in the Congress whittle away at the Tax Code to the extent that today the average tax rate paid by the highest earning Americans has fallen to the point that one in four taxpayers with an annual income greater than $1 million pays less than millions of working middle-class families. How is that fair? We are making critical decisions about how we cut and spend government funds and it will go a long way to reestablishing fiscal fairness in this country if the very wealthy pay their fair share to support government services and initiatives.

Mr. LEVIN. Mr. President, one of the unfortunate characteristics of the American economy for the last few decades has been the rising gap between upper and middle-income Americans. Increasingly, those in the upper echelons of income and wealth have seen their fortunes rise, while the vast majority of Americans have coped with stagnant income and increasing insecurity. In recent decades, most families have had to cope with a reduced ability to afford the things middle-class Americans once took for granted a comfortable home, college educations for the kids, and a secure retirement. At the same time, incomes have risen remarkably for those at the very top of the income scale. Today, by some measures, income inequality is greater in our country than at any time since just before the Great Depression.

This should worry us all. It should worry us because a way of life has become endangered. That way of life—one in which, if you work hard, play by the rules and plan for the future, you and your family will prosper came to be known as the ''American way.'' But increasingly, the American way has been replaced by one in which the very wealthy do well while everyone else struggles. Instead of all boats rising together, it is the yachts that have risen—good economy or bad—while all the other boats have been stuck in place and taking on water.

Today we have a chance to begin the work of closing that income gap between the wealthiest Americans and the middle class. We can, by adopting this motion to proceed, begin the debate on how best to address the worrisome and growing gap. But that debate cannot begin unless our colleagues on the Republican side agree to allow it to begin. I, for one, am eager to have this debate—I believe the American people want and deserve this debate. Our Republican colleagues have very different ideas about this problem, and may even deny there is a problem. But the people we represent believe this is a problem, and we should respond to their concerns.

There are some who question whether income inequality is rising. These denials melt away in the face of enormous evidence to the contrary. To deny rising income inequality is to deny plain facts. Here are a few of those facts.

As of 2008, the richest 1 percent of Americans took home almost 24 percent of total income. This is up from 10 percent in 1980. Half of all income in the United States went to the top 10 percent of Americans. And, the vast majority of Americans, the bottom 80 percent, received less than a quarter of total income in the United States.

The nonpartisan Congressional Budget Office issued a report last year on changes in income distribution since 1979. CBO's researchers found that over that period, after-tax income ''for households at the higher end of the income scale rose much more rapidly than income for households in the middle and at the lower end of the income scale.'' CBO found that for the wealthiest one percent of Americans, real after-tax income grew by 275 percent. Those in the next 19 percent—that is, the top 20 percent minus the one percent at the very top—saw after-tax income growth of 65 percent. And for the 60 percent of Americans in the middle of the income scale, between the top and bottom 20 percent, after-tax income grew by just 40 percent. So, income for the top 1 percent of Americans grew at a rate nearly seven times greater than growth in middle-class incomes.

There are two striking things about CBO's findings. The first is that the biggest driver of growing inequality is the growing gap between those at the very top of the scale and everyone else. Even those in the top 20 percent of incomes—those doing very well by anyone's standards—have fallen behind the top 1 percent.

The second striking finding is what CBO found about the effects of federal tax and transfer policy. In fact, CBO reported that while the rise in inequality stems from a number of factors, one significant contributor is federal policies—including the decisions we all make here in this Congress. For instance, CBO said that the rise in after-tax income for the top 1 percent may come in part from tax changes we made in 1986. Those changes lowered the top personal income tax rate below the top corporate tax rate, encouraging many wealthy Americans to reclassify corporate income as personal income to qualify for the lower rate.

More worrisome is the fact that CBO found that federal tax policy has actually made inequality worse. Inequality of after-tax income is higher than inequality of pre-tax income. In part, that is because our tax system has shifted away from income taxes—which are progressive, asking the wealthier to pay a higher rate—to payroll taxes, a burden that falls on all income-earners regardless of how wealthy. These are the kinds of changes that have led to billionaire investors and hedge-fund managers paying a lower tax rate than their secretaries.

One way that government could fight this rising gap is with transfer payments—benefits paid by government to the less wealthy to try to counteract difference in income. Some, including some of our Republican colleagues, have made the case that transfer payments are growing larger, or that government policy is making people increasingly dependent on government handouts. The CBO report answers this argument. CBO found: ''The amount of government transfer payments—including federal, state, and local transfers—relative to household market income was relatively constant from 1979 through 2007, ranging between 10 percent and 12 percent with no discernible trend.'' So, while there has been a rising gap in pre-tax income since 1979, and government tax policy has widened that gap, federal transfer payments have done nothing to balance it.

These facts are telling. But we should not forget that behind all these numbers, all these facts and figures, are real people—and most of those people are struggling to get by. They should be uppermost in our minds.

The rise in inequality is not the result of a single factor, and it did not happen overnight. So we will not reverse it overnight. It will take sustained effort. That effort starts with acknowledging that there is a problem, and I hope our Republican colleagues will avoid the denialism that is all too

prevalent on this issue. But if we can first acknowledge the problem, we then can do something about it, beginning with this vote today.

The proposal before us simply says that those at the very top of the income ladder, those making more than $1 million a year, will, at a minimum, pay a federal income tax rate of 30 percent on their income above $1 million. Most Americans consider that simple common sense. The fact that wealthy corporate executives pay a lower tax rate than construction workers or waitresses or teachers or police officers is fundamentally unfair. And at a time when budgets are extraordinarily tight, and getting tighter, it makes no sense for government to subsidize, through tax policy, the growing income gap between the top few and ordinary Americans.

This bill will not solve all our problems. Even if it passes, there will be much more work to do—especially because this problem is, through tax policy in particular, a problem Congress has helped to create. But that work must start somewhere. The debate must begin—and it will begin, if we vote to let it begin. I hope we will begin that debate today.

Mrs. BOXER. Mr. President, I support the Paying a Fair Share Act because it will help bring fairness to our Tax Code. In large part because of the irresponsible policies of President George W. Bush, the very wealthiest taxpayers have seen their tax rates drop by half over the last 50 years, even as their incomes have skyrocketed. The Tax Code has become so out-of-balance that one in four millionaires pays a lower tax rate than do millions of middle-class families, and in 2011 an estimated 7,000 millionaires paid no Federal income tax at all.

Responsible millionaires understand that a fair tax system is in our country's best interest. One Californian, Andy Rappaport, told my staff that over the past 8 years, his average Federal tax rate has been only 16 percent after charitable contributions. Meanwhile, working families making $60,000 to $100,000 per year pay average Federal tax rates of 17 or 18 percent.

Mr. Rappaport said: ''Those of us who are doing unprecedentedly well have built our success on a foundation of widespread well being and opportunity, not to mention adequate investments in education, research, and infrastructure. . . . It's not fair to ask those who make less than us to do without or to shoulder more than their share of our national investment burden.'' California entrepreneur Garrett Gruener wrote in the Los Angeles Times: ''For nearly the last decade, I've paid income taxes at the lowest rates of my professional career. . . . For the good of the country, we need to tax people like me more.''

In addition to opposing this commonsense proposal, our Republican colleagues want to cut valuable social programs to pay for another tax cut for the rich. The House-passed Ryan Budget would give high-income taxpayers an additional tax cut of at least $150,000 per year—a tax cut equal to three times the median household income, and more than ten times the average annual Social Security benefit—while cutting programs like food stamps and Pell Grants which provide security and opportunity to millions of lower-income Americans. Our Republican colleagues seem devoted to the interests of the wealthiest 1 percent above all else.

The Paying a Fair Share Act would only affect the top one-tenth of 1 percent of taxpayers, those with adjusted gross income over $1 million per year. It preserves the incentive for charitable giving, which is so important for our religious organizations, nonprofits, and universities.

And these millionaires and billionaires are not the ''job creators'' the Republicans say they are, because the vast majority of job creators are small business owners who earn far less than $1 million per year. In 2009, only 1.3 percent of taxpayers with business income made more than $1 million per year. The bill is supported by small business groups including the Main Street Alliance, American Sustainable Business Council, and the California Association for Micro Enterprise Opportunity. It also has the support of AFCSME, AFL–CIO, the International Brotherhood of Teamsters, United Auto Workers, the National Education Association, and many others. I urge my colleagues to support this important legislation, which will bring much-needed fairness to our Tax Code.

Mr. REED. Mr. President, I rise today to join my fellow Senator from Rhode Island's effort to restore a basic level of fairness to our Tax Code. Senator WHITEHOUSE has done an extraordinary job in fighting to return some sense of balance to a broken system.

Most Americans agree Senator WHITEHOUSE's legislation is fundamentally fair and they want to see it become law because as we all know, the Tax Code is riddled with loopholes that benefit the wealthiest Americans. It is past time we take this first step towards fixing a system that allows millionaires and billionaires to pay a lower tax rate than middle-class Americans. This is a defining vote—it is about who you stand for and with, working men and women or multimillionaires and billionaires. This legislation signals to middle-class Americans that the government should be focused on helping them, by ensuring that everyone pays their fair share to support essential government programs that invest in education, infrastructure and our nation's future.

The Tax Code stacks the deck for the wealthy at the expense of the middle-class. The middle-class has already been squeezed enough by stagnant wages and a complex tax system that does not work for them. The revenue raised through this measure is deficit reduction that is not taken out on the backs of seniors or working American families. This legislation will only impact 0.2 percent of Rhode Islanders that earn more than $1 million in income per year.

Senator WHITEHOUSE's Paying a Fair Share Act would prevent millionaires and billionaires from using tax loopholes that allow them to pay a lower effective tax rate than a school teacher in Rhode Island.

Of millionaires in 2009, a full 22,000 households making more than $1 million annually paid less than a 15 percent income tax rate. Our Tax Code, riddled with loopholes and special giveaways, leads to lopsided and inequitable results. It is past time we correct these glaring loopholes and restore some fairness to our Tax Code.

The 400 highest-income households in 2008, who made on average $271 million—paid just an 18.1 percent rate. This is nearly half the 29.9 percent rate those households paid on average in 1995 under President Clinton.

According to the Center on Budget Policy Priorities analysis, the top 1 percent have seen their after tax income grow by 277% since 1979. The middle 60 percent of Americans have only seen a 38 percent increase and the bottom 20 percent have only seen an 18 percent increase. This is a result of a broken Tax Code that over the past several decades has been tilted to benefit the wealthiest Americans and not the middle-class.

The tax benefits for the wealthiest Americans have contributed to staggering deficits. These deficits have increased pressure on our budget and motivated Republicans to slash services that benefit middle-class Americans in the name of deficit reduction.

This is exactly why I opposed the reckless Bush tax cuts that skewed so heavily towards the wealthy, the segment of our society that needed the least help. In fact, it is estimated that the House Republican budget would give millionaires an additional $265,000 in tax cuts each year; unsurprisingly, Republicans want to double down on the misguided Bush tax cuts that disproportionately benefited the wealthy.

We need comprehensive tax reform, but not reform that skews the Tax Code even more towards the wealthy while asking for more sacrifice from the middle-class. The Paying a Fair Share Act is a first step in reversing this trend and reforming the Tax Code by restoring fairness.

Making sure that millionaires and billionaires don't pay a lower tax rate than middle-class Americans will help make our Tax Code fairer while addressing our budget deficit. This is common sense and I hope Republicans will join us in taking the first step towards restoring fairness to our tax laws.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator from Rhode Island has 3 minutes. The Republicans have 4 minutes.

Mr. WHITEHOUSE. It is my understanding there are no further speakers

on the Republican side. If somebody comes, I will, of course, yield the 4 minutes.

The latest report is that there are no further speakers until we move on to the judicial nomination.

I wished to use the time remaining to respond to two of the points that have been made. Before I do that, let me just say that as I have kept track during the debate, the minority party has discussed debt, bureaucracy, Presidential appointments, punishment of success, ObamaCare, jobs, fuel prices, picking winners and losers, campaign contributions, out-of-control spending, equal opportunity, and massive new tax increases.

The subject at hand is actually much smaller than this; that is, the indisputable fact that at the very high end of the American income spectrum, people are paying lower tax rates than regular American families—whether it is Warren Buffett's self-proclaimed example of paying only 11 percent in total taxes or the average of all the 400 highest income earners in the country being only 18.2 percent. These are people earning—in the case of the 400—over one-quarter of a billion dollars each in 1 year and paying the rate equivalent to what a single Rhode Island truckdriver pays. That is the issue.

We should have a progressive Tax Code. One of the speakers said we do have a progressive Tax Code and that the income tax generates 31.2 percent of the total income tax revenue from high-income folks versus 14.2 percent from the middle as their rate. But it is worth focusing on the fact that when my Republican colleagues talk about taxes and they focus on income taxes, they leave out the payroll taxes, which virtually every American pays or a great number of Americans—more pay payroll taxes than income tax, I believe.

If we look at all those taxes and put them together, we find that the top 1 percent of Americans do indeed pay 28.3 percent of the taxes. One percent pays 28.3 percent of the taxes. That sounds pretty progressive, until we realize the top 1 percent in America controls more than one-third of the Nation's wealth; the top 1 percent holds more than one-third of the Nation's wealth but pays only 28 percent of the taxes. That is not progressive, if we are measuring in what we are usually taxing, which is income and wealth, not just the existence of a human being on the planet.

If we go to 5 percent, then the top 5 percent pays 44.7 percent of all our taxes, which again is a lot. It is progressive but not when we consider that 5 percent owns or controls more than 60 percent of the Nation's wealth. We are a country in which more than half the wealth of the country—more than 60 percent of it is concentrated in the hands of one-twentieth of the population, the top 5 percent. So for them to pay a higher rate makes a lot of logical sense. What we find is that they actually pay a lower rate all too often.

The other point I wish to address is the argument that this will take money from the pockets of small businesses. If we look at the Office of Taxation and Treasury's definition of a small business and look at how many would be affected by this bill, it would be 3.3 percent; nearly 97 percent of small businesses would have zero effect from this bill. Of the 3.3 percent that would be affected, it is hard to know how many of those are high-income individuals who incorporated themselves for tax purposes but don't fit the ordinary definition of a small business.

When we look at the fact that Americans across the country have spent the last week sitting down going through their receipts, filing their tax returns, sitting at the kitchen table trying to make sense of it all and get it filed on time, for a great number of those folks, what they know from Warren Buffett and others is that the people making one-quarter of a billion dollars a year are paying lower rates than they are, and it is not right. It is not just me saying that is not right; it is Ronald Reagan saying that is not right. He said it was ''crazy''—his word—that a millionaire should pay a lower tax rate than a busdriver pays.

The PRESIDING OFFICER. The Senator from Rhode Island has exhausted his time. The Senator from Tennessee is here to speak.

Mr. WHITEHOUSE. I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee has 1 minute.

Mr. CORKER. Mr. President, this last March, 64 Senators—32 on each side—wrote a letter to the President asking for real tax reform and real entitlement reform.

I think most of us know today's exercise is a political exercise. It is not intended to deal with deficits. It is intended to divide.

Last week, I heard the President speaking at a college in Florida about the Buffett tax. In that speech, he was talking about spending all that money on things they were interested in. In other words, this money is not being used, per the President's speech, in any way to reduce deficits.

I encourage all those on both sides of the aisle—32 Senators on each side—who have spoken earnestly and sincerely about progrowth tax reform and entitlement reform to not follow this folly of division but to hold together, as we need to do something that is great for our country.

It is my hope that by later this year—possibly in a lameduck, although I hope something happens sooner than that—all of us who truly care about solving problems, not about scoring political points, which this bill is about, will come together and do something great for our country.

I yield the floor.

EXECUTIVE SESSION

NOMINATION OF STEPHANIE DAWN THACKER TO BE UNITED STATES CIRCUIT JUDGE FOR THE FOURTH CIRCUIT

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

The legislative clerk read the nomination of Stephanie Dawn Thacker, of West Virginia, to be United States Circuit Judge for the Fourth Circuit.

The PRESIDING OFFICER. Under the previous order, there will be 60 minutes of debate equally divided and controlled in the usual form.

The Senator from Vermont.

Mr. LEAHY. Mr. President, let me make sure I understand. The time is now divided for an hour until the vote?

The PRESIDING OFFICER. That is correct.

Mr. LEAHY. I thank the distinguished Presiding Officer, and I welcome him back after the break and all Senators on both sides of the aisle.

The Senate is going to consider the nomination of Stephanie Dawn Thacker, of West Virginia, to fill a judicial vacancy of the Fourth Circuit Court of Appeals, and I know the distinguished Senator from West Virginia, Senator MANCHIN, will be coming to speak in a few moments.

I would note this is a judicial vacancy on which the Senate Judiciary Committee voted unanimously more than 5 months ago, as the distinguished Presiding Officer will recall, in favor of this nomination. After thorough debate and background, we voted for her unanimously. That was 5 months ago. She should not have had to wait this long.

She should have been confirmed last year. With nearly 1 in 10 judgeships across the Nation vacant and the judicial vacancy rate remaining nearly twice what it was at this point in the first term of President George W. Bush, the Senate needs to do more to reduce judicial vacancies so that all Americans can have the quality of justice that they deserve.

The Federal Judiciary has been forced to operate with the heavy burden of 80 or more judicial vacancies for more than 3 years now. There is nothing to justify this extended period with years of vacancies numbering more than 80 around the country. Congress has not created scores of new judgeships, as we did in a bipartisan fashion during the Republican administration of Ronald Reagan and George Herbert Walker Bush. Indeed, when the Senate was confirming 205 circuit and district court nominees during the first term of President George W. Bush, we lowered vacancy rates more than twice as quickly.

I will include for the RECORD at the conclusion of my remarks a copy of the Internet article entitled, ''1000 days,''

by Doug Kendall and Ryan Woo of the Constitutional Accountability Center, on this point.

I also remind the Senate of the study by the Congressional Research Service on the historically high vacancies for record amounts of time about which I spoke earlier this year. This level of vacancies has been perpetuated for the entire Presidency of President Obama because Senate Republicans have adopted ''new standards'' and refused to enter into prompt agreements to schedule votes on qualified, consensus nominees.

Today's vote is pursuant to the agreement reached by the majority leader and the Republican leader last month. This is the first Court of Appeals nominee to receive a vote pursuant to that agreement. This is only the second Court of Appeals nominee to receive a Senate vote all year. Both were qualified, consensus nominees who should have been confirmed last year and would have been but for Republican filibusters.

It should not have taken 4 months and 2 days after being reported by the Senate Judiciary Committee for the nomination of Judge Adalberto Jordan to be considered by the Senate. Judge Jordan of Florida was finally allowed to fill a judicial emergency vacancy on the Eleventh Circuit. Finally, after a 4-month Republican filibuster that was broken by an 89 to 5 vote, and after Republicans insisted on 2 additional days of delay, the Senate voted to confirm him 94 to 5. A superbly-qualified nominee, he is the first Cuban-American to serve on the Eleventh Circuit. His record of achievement is beyond reproach. Judge Jordan is by any measure the kind of consensus nominee who should have been confirmed without such delay. Despite the strong support of his home state Senators, Senator NELSON, a Democrat, and Senator RUBIO, a Republican, Senate Republicans filibustered and delayed his confirmation in October, in November, in December, and in January. It should not have taken another 2 days after the Senate voted overwhelmingly to bring the debate to a close to have the confirmation vote.

The nomination of Stephanie Thacker is similar, and Senate Republicans have acted in a similar, all too familiar pattern. When confirmed, Stephanie Thacker will be the first woman from West Virginia to serve on the United States Court of Appeals for the Fourth Circuit. She, too, is strongly supported by both her home state Senators. She, too, is a qualified, consensus nominee. She has been forced to wait 5½ months for Senate consideration, with no good purpose. Hers is not a nomination that should have been delayed and filibustered by Senate Republicans after it was reported unanimously by the Senate Judiciary Committee last November 3.

Ms. Thacker is the kind of qualified, consensus nominee who in past years would have been considered and confirmed by the Senate within days of being reported unanimously by the Judiciary Committee. She is an experienced litigator, who, in her 21-year career as a Federal prosecutor and private defense attorney, has tried nearly two dozen cases to verdict or judgment and argued appeals before the Fourth Circuit and the West Virginia Supreme Court. Much of her career has been dedicated to public service. She served as an Assistant U.S. Attorney for the Southern District of West Virginia for 5 years and participated in the first prosecution in this country under the Violence Against Women Act—an important piece of legislation that I am working with Senator CRAPO to reauthorize.

She continued her career as a Federal prosecutor for another 7 years in the Child Exploitation and Obscenity Section of the Criminal Division of the Department of Justice. There, she focused on prosecuting cases dealing with child pornography, child sexual exploitation, sex trafficking, sex tourism, obscenity, and criminal nonsupport offenses. She rose to Deputy Chief of Litigation and then to Principal Deputy Chief. While at the Justice Department, Ms. Thacker was awarded the Attorney General's Distinguished Service Award.

Why would any Senator stall confirmation of this consensus nominee? What purpose did it serve? Must all nominees of President Obama be delayed and obstructed and stalled?

I thank the majority leader for scheduling this vote. He has secured an agreement to vote on the long-delayed nomination of Judge Jacqueline Nguyen of California to fill one of the judicial emergency vacancies plaguing the Ninth Circuit, the busiest circuit in the country. She, too, is a consensus nominee who could and should have been confirmed last year. Her consideration has been delayed more than 5 months and will not occur until May 7. But there are two more Ninth Circuit nominees to fill judicial emergency vacancies who are before the Senate awaiting final consideration. Paul Watford of California was reported favorably by the Senate Judiciary Committee in early February. His nomination should be scheduled for a confirmation vote without further delay. Justice Andrew Hurwitz of Arizona was reported favorably by the Senate Judiciary Committee in early March. His nomination should also be scheduled for a confirmation vote. There is no good reason for delay. The 61 million people served by the Ninth Circuit are not served by this delay. The Circuit is being forced to handle double the caseload of any other without its full complement of judges. The Senate should be expediting consideration of the nominations of Judge Jacqueline Nguyen, Paul Watford, and Justice Andrew Hurwitz, not delaying them.

The Chief Judge of the Ninth Circuit, Judge Alex Kozinski, a Reagan appointee, along with the members of the Judicial Council of the Ninth Circuit, have written to the Senate emphasizing the Ninth Circuit's ''desperate need for judges,'' urging the Senate to ''act on judicial nominees without delay,'' and concluding ''we fear that the public will suffer unless our vacancies are filled very promptly.'' The judicial emergency vacancies on the Ninth Circuit are harming litigants by creating unnecessary and costly delays. The Administrative Office of U.S. Courts reports that it takes nearly 5 months longer for the Ninth Circuit to issue an opinion after an appeal is filed, compared to all other circuits. The Ninth Circuit's backlog of pending cases far exceeds other Federal courts. As of September 2011, the Ninth Circuit had 14,041 cases pending before it, more than three times that of the next busiest circuit.

If caseloads were really a concern of Republican Senators, as they contended last year when they filibustered the nomination of Caitlin Halligan to the D.C. Circuit, they would not be delaying the nominations to fill judicial emergency vacancies in the Ninth Circuit. If caseloads were really a concern, Senate Republicans would consent to move forward with all three of these Ninth Circuit nominees to allow for a final up or down vote by the Senate without these months of unnecessary delays.

None of these nominees should be controversial. They are all mainstream nominees with bipartisan support. Judge Nguyen, whose family fled to the United States in 1975 after the fall of South Vietnam, was confirmed unanimously to the district court in 2009 and the Senate Judiciary Committee unanimously supported her nomination to the Ninth Circuit last year. When confirmed, she will be the first Asian Pacific American woman to serve on a U.S. Court of Appeals in our history.

Paul Watford was rated unanimously well qualified by the ABA's Standing Committee on the Federal Judiciary, the highest rating possible. He clerked at the United States Supreme Court for Justice Ruth Bader Ginsburg and on the Ninth Circuit for now Chief Judge Alex Kozinski. He was a Federal prosecutor in Los Angeles. He has the support of his home state Senators and bipartisan support from noted conservatives such as Daniel Collins, who served as Associate Deputy Attorney General in the Bush administration; Professors Eugene Volokh and Orin Kerr; and Jeremy Rosen, the former president of the Los Angeles Chapter of the Federalist Society.

Justice Hurwitz is a respected and experience jurist on the Arizona Supreme Court. He also received the ABA Standing Committee on the Federal Judiciary's highest rating possible, unanimously well qualified. This nomination has the strong support of both his Republican home state Senators JOHN MCCAIN and JON KYL.

Chief Justice Roberts and the Attorney General have both spoken about the serious problems created by persistent judicial vacancies. More than

160 million Americans live in districts or circuits that have a judicial vacancy that could be filled today if Senate Republicans would just agree to vote on the nominations now pending on the Senate calendar. The Senate should act to bring an end to the harm caused by delays in overburdened courts and we should start with the Ninth Circuit. Senate Republicans should consent to votes on the Ninth Circuit nominees without more delay and obstruction.

I ask unanimous consent that the article to which I referred be printed in the RECORD.

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

[From the Constitutional Accountability Center, Mar. 27, 2012]

1000 DAYS

(By Doug Kendall and Ryan Woo)

Today marks the 1000th consecutive day during which our judicial system has been operating with the burden of 80 or more vacancies on the federal bench. Aside from a completely anomalous period following the creation of 85 new judgeships in 1990, this is far and away the longest period of time during which the federal courts have been forced to operate at such an understaffed level. Across the country, these vacancies have translated into rising caseloads for overworked judges and unacceptable delays for the countless Americans seeking justice in the courts. While it is possible that the vacancy total will dip below 80 in the coming days due to a slow drip of confirmations secured by a recent and hard-fought-for deal in the Senate to allow confirmation votes on 14 judicial nominees, this slow trickle is not anywhere close to the decisive action that is needed to resolve the vacancy crisis that has been plaguing the country for nearly three years.

Although much has changed over the past 1000 days, one thing that has remained constant is the partisan obstruction by Republicans in the Senate that has kept the judicial confirmation process moving at a crawl. While a backlog in vacancies is typical at the beginning of a presidential term, the vacancy rate is usually brought down to a more manageable level well before a president's fourth year in office. Indeed, by this point in the first terms of Presidents Bill Clinton and George W. Bush, the vacancy totals were 55 and 45, respectively, and the Senate had already confirmed 181 of President Clinton's nominees to the lower federal courts and 172 of President Bush's. By comparison, the Senate has only confirmed 134 of President Obama's nominees.

The glacial confirmation pace that has kept the vacancy number so high for the past 1000 days can be traced back to Republican obstruction at all levels of the judicial confirmation process. Most important, even uncontroversial nominees are facing unprecedented cloture votes before they can be confirmed. The process of delaying floor votes for nominees has resulted in an average wait time of 111 days between the Judiciary Committee vote and Senate confirmation vote for President Obama's nominees. In sharp contrast, President George W. Bush's nominees waited an average of just 22 days.

There should never again be a period when the federal judiciary faces such a high number of vacancies for so long; if the vacancy total dips below 80 in the coming days, it will hardly be a cause for celebration. Rather, it will be a reminder that even in an election year, the Senate must put partisan wrangling aside and continue to staff the federal judiciary. The Senate owes nothing less to the judges and everyday Americans who bear the brunt of this politically-inflicted judicial vacancy crisis.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2011

Mr. LEAHY. Mr. President, speaking of the Senate Judiciary Committee, as we begin to work now after the Easter/Passover recess, I wish to thank all Senators who have come to the floor in recent weeks to express their bipartisan support of the Violence Against Women Reauthorization Act and who have emphasized, and I agree, the need for the Senate to take up and reauthorize this landmark legislation.

For almost 18 years, the Violence Against Women Act—called VAWA—has been the centerpiece of the Federal Government's commitment to combating domestic violence, dating violence, domestic assault, and stalking. The impact of this landmark law has been remarkable. It has provided lifesaving assistance to hundreds of thousands of men, women, and children, and the annual incidence of domestic violence has dropped by 50 percent since the act was passed.

Support for the Violence Against Women Act has always been bipartisan, and I appreciate the bipartisan support this reauthorization bill has already received. Senator CRAPO and I introduced the reauthorization of the Violence Against Women Act in November. With Senators HELLER and AYOTTE joining as cosponsors in March, we now have 61 cosponsors in the Senate from both sides of the aisle. I hope the Senate will take up and pass this bill soon.

The Violence Against Women Act is about responding to domestic and sexual violence. Its programs are vitally important. Our legislation has looked at and learned from the experiences and needs of survivors of domestic and sexual violence from all around the country. We have also heard the recommendations of those tireless professionals who work every single day—I might say virtually every single night—to serve. It builds on the progress that has been made in reducing domestic and sexual violence and makes vital improvements to respond to unmet needs, as we have each time we have reauthorized the Violence Against Women Act.

The provisions that a minority on the Judiciary Committee labeled controversial are, in fact, modest changes to meet the genuine, unmet needs that service providers have told us they see every day as they work with victims all over the country. This is what we have done on every single VAWA reauthorization. We have looked at what we have learned since the last one and then taken steps to recognize those needs of victims that are not being met and find ways to meet them. That is nothing new or different. It is what we have always done. Because we have improved it each time, it is one of the reasons domestic violence has dropped. This should not be a basis for a partisan division or delay.

The legislation also improves important changes to respond to current economic realities. We all know while the economy is now improving, these remain difficult economic times, and we have to be responsible in how we spend the taxpayers' money. That is why in our bill we consolidate 13 programs into 4. We remove duplication and bureaucratic errors. It is another thing we do each time we reauthorize to make it better. It would cut the authorization level for VAWA by more than $135 million a year. That is a decrease of nearly 20 percent from the last reauthorization.

The legislation also includes significant accountability provisions, including audit requirements, enforcement mechanisms, and restrictions on grantees and costs. Again, we are saying we want to do the right thing in the Violence Against Women Act, but we also want to protect the taxpayers' dollars. That is why it is a bipartisan bill. It is a product of careful consideration, and that is why it has widespread support.

There is no reason not to take it up and debate it and pass it. The Judiciary Committee passed this bill after considering a number of amendments, including a substitute offered by the minority. I have reached out to the distinguished ranking member, Senator GRASSLEY, and asked about possible amendments and time agreements for consideration. We should do what we have always done ever since the first VAWA years ago and pass it with strong bipartisan support. These problems are too serious for us to delay.

Any one of us who has served in law enforcement has gone to a scene where somebody has been severely battered, sometimes killed. I know when I have gone to the scenes I never heard a police officer say: Is this a Republican or a Democrat? They say, is this a victim? What do we do to help them? That is what this is. It is not a Republican or Democratic bill; it is a sensible bill to help the victims of violence.

This is crucial, commonsense legislation. It has been endorsed by more than 700 State and national organizations, numerous religious and faith-based organizations, as well as our law enforcement partners. The last two times the Violence Against Women Act was reauthorized, it was unanimously approved by the Senate. It seems sometimes that partisan gridlock has become the default in the Senate in recent years. We are better than that. We should rise above gridlock. There is no reason we should delay considering this bill. It has the support of 61 cosponsors across the aisle. Let us pass it.

As I have said before, domestic and sexual violence know no political party. Violence happens to too many people in this country. Its victims are Republicans and Democrats. They are rich and poor, young and old. They are male and female. They are straight and gay. Nobody falls into a category where they are immune to this kind of violence. So let us work together and

pass this strong VAWA reauthorization legislation and let us do it without delay. It is a law that has saved countless lives. For my fellow Senators, I would say this is an example of what we in the Senate can accomplish if we work together.

PAYING A FAIR SHARE ACT

Lastly, before I came to the floor, I heard the strong support for the Paying a Fair Share Act. It has been called the Buffett rule. The Buffett rule is a commonsense bill, ensuring that taxpayers at the top of the economic ladder pay at least the same tax rate paid by hard-working middle-class families in my State of Vermont and all other States. No longer should handsomely compensated CEOs or those who live off trust funds pay a lower effective tax rate than the people who work for them.

Frankly, I think it is remarkable and regrettable that such a principle of tax fairness should evoke controversy. It is more regrettable still that opponents have erected a supermajority barrier in an effort to prevent debate on this straightforward principle. We should debate whether the wealthiest should pay at least the same rate of taxes as hard-working middle America and then vote for it or vote against it. If a Senator wants to vote to protect the wealthiest Americans, fine, stand and vote that way or vote to protect hard-working American families. But when we filibuster, what we are doing is voting maybe. That is voting maybe.

Let's have the courage to vote for the millionaires and protect them from any kind of a tax such as ordinary Americans pay or vote for ordinary Americans and say everybody should pay the same kind of tax. Vote one way or the other, but don't duck it by having a filibuster, where we can say: I looked at it and I voted maybe. We are not elected to vote maybe.

I am pleased to join Senator WHITEHOUSE and others as a cosponsor of the bill which calls for a minimum 30-percent tax rate for taxpayers with adjusted gross incomes above $1 million. This just says they are going to pay at least the tax rate paid by middle-class families, and it also will reduce the deficit by $47 billion over the next decade.

While hard-working Vermont families and small businesses are struggling to make ends meet in a difficult economy, tax fairness has continued to erode, benefiting the wealthiest 1 percent at the expense of the rest of the country. Right now, a very large proportion of millionaires pay a smaller percentage of their income than do a larger share of moderate-income taxpayers.

Warren Buffett, one of the wealthiest people in the world, noted in a New York Times op-ed article last year that he paid taxes of only 17.4 percent on his taxable income—a lower percentage than paid by any of his 20 employees. They paid from 33 to 41 percent. In fact, the nonpartisan Congressional Research Service studied these claims and confirmed Mr. Buffett's assertion that a large proportion of millionaires pay a smaller percentage of their income than average working Americans and Vermonters do.

Let us end the loopholes. Tax day is upon us. Let us stand and say we are going to end the loopholes, we are going to end these special provisions that allow some of the wealthiest to pay less than hard-working Americans. It is simply a matter of fairness.

Again, let us vote yes or no. If someone wants to vote to protect the millionaires, then, fine, vote no. If someone wants to say have it be fair, then vote yes. But let us vote. Having a filibuster means we vote maybe. None of us get elected or paid to vote maybe.

Mr. President, I see the distinguished senior Senator from West Virginia on the floor and I see his distinguished colleague.

I am sorry, I now see the Senator from Pennsylvania. Before I yield the floor, I ask unanimous consent, if there are quorum calls during this hour, the time be divided equally.

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

Mr. LEAHY. Mr. President, I ask unanimous consent when the time goes back to this side, that first the distinguished senior Senator from West Virginia be recognized and then his distinguished colleague from West Virginia, Senator MANCHIN, be recognized, both to speak for the time remaining to the Senator from Vermont.

I ask unanimous consent that when time is yielded back to me, the time remaining to the Senator from Vermont, which will be approximately 15 minutes, be divided between the two Senators from West Virginia.

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

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I ask unanimous consent to speak as though in morning business.

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

TAX FAIRNESS

Mr. TOOMEY. Mr. President, I rise this afternoon to speak against the so-called Buffett rule. This is a gimmick. It is a political gimmick. This is not a serious effort to deal with a ridiculously broken Tax Code. This is not a serious effort to deal with a completely broken budget. And, frankly, it is very disappointing to me that we are wasting time on this instead of dealing with both of those things.

We have a Tax Code that is ridiculous, impossible to understand, counterproductive to economic growth, and that badly needs a complete overhaul that would simplify the Code, get rid of much unfairness, lower marginal rates, broaden the base, and encourage strong economic growth. Instead, we have this little gimmick because we don't have the political leadership to deal with the underlying real problem of a badly flawed Tax Code.

Likewise on budget policy, this does nothing meaningful for our massive budget deficits that we have been running. In fact, this body chooses again for the third consecutive year not to even have a budget. It is unbelievable. Instead, we are going to waste time arguing about this political stunt.

The President proposed a budget, at least. Unfortunately, it was not a serious budget, not a serious attempt to deal with the massive deficits we are running. It is the fourth consecutive year of trillion dollar deficits. Instead of dealing with that, we have this gimmick.

Let's be clear. This is not a serious attempt to deal with tax reform or the budget. This so-called Buffett rule, this tax increase, would raise less than $5 billion a year. That amounts to about one-half of 1 percent of the $1 trillion deficit the President has proposed that we run. In fact, it would cover about 2 days' worth of the deficits we are running for 2013.

Here is a chart that illustrates the deficit we will have under the President's policies without the Buffett tax. Here is the deficit we will have if we pass the Buffett tax. If you can't tell the difference, it is because there is no meaningful difference.

Folks, we ought to be dealing with the real tax reform that we need to encourage economic growth and help reduce this deficit. Instead, we are wasting time with this.

Since we are not doing what we ought to do, why are we having this argument? Unfortunately, it looks as though it is an effort on two fronts. One is to simply engage in class warfare, generate envy and resentment, and try to use that for political gain. And, secondly, it is an effort to distract from the underlying mismanagement of economic policy and fiscal policy we have seen from this administration.

I know what the claim is from the other side. We hear this is all about making sure the rich pay their fair share. I have to say I have a little trouble taking lectures on fairness from folks who think taxpayers ought to be made to put $500 million into a solar energy company that does not have a competitive product, which drives it into bankruptcy at the cost to the taxpayers, from the same folks who want to force taxpayers to continue subsidizing plug-in cars people don't want to buy. That kind of crony capitalism and distorting of our economy at the expense of taxpayers doesn't strike me as fairness, so I have a hard time taking a lecture on fairness from people who advocate those things.

But let's look at this Tax Code. If we want to talk about fairness, that is fine. How about the fact that, according to the Joint Committee on Taxation, almost half of all Americans today pay no income tax at all or actually receive money through the income tax code? The other half pays all of the taxes. We are hearing from our friends

that that is not enough; they need to pay still more.

My second chart will illustrate the point that according to the CBO, if we look at all Federal taxes, the middle quintile, the middle 20 percent of wage earners in America, pays about 14 percent as an average tax when you combine all the kinds of Federal taxes that are paid. The top 1 percent pays 30 percent. So it is more than twice as high—29.5, actually.

If we look at just the income tax, the disparity is even bigger. If we look at the income tax alone, the middle quintile, the middle class, the middle 20 percent, when it comes to income tax alone on average pays about 3.3 percent as an effective average income tax rate. The top 1 percent pays 19 percent; that is, on average, almost 6 times as high.

The fact is we have a very progressive tax system, not just by the historical measures of our own previous tax systems, but look everywhere else in the world. In fact, the United States, according to the OECD, has the most progressive tax system in the industrialized world.

This is a chart that measures progressivity. Greater progressivity is in this direction; less is in this direction. As you can see, this ranking shows all the countries around the world that have less progressivity than the United States, which means that higher income Americans pay a greater share of income taxes and taxes generally than in any other country in the world. But again, we are told this is not enough.

Clearly there is something else going on here, and here is what concerns me the most. The real consequence of this so-called Buffett rule, this tax increase, are that it is meant to be a tax on investment returns. It is a tax on capital gains and dividends. It is a tax that would upend decades of established law with respect to the differentiation we have put in place with respect to dividend income versus wage income. And it disregards the very sound reasons why we have created that distinction, one of which is that investment returns are taxed multiple times.

We don't hear so much about that during this debate from my friends who are advocates for this new tax increase. But the fact is, first of all, it is only aftertax income that can be invested in the first place. So someone had to pay taxes on their earnings, and then after they have spent what they need to for their cost of living and if they have managed to save something which they then invest, they have already paid tax on that. Now the investment they have made—and let's say this is an investment in a corporate stock. Let's keep in mind that that corporation has to pay tax before they have an opportunity to provide a return on the investment that is made. And as it happens, in the United States, our corporations pay the highest corporate tax in the entire industrialized world, 35 percent.

We have got a terrible corporate Tax Code that needs to be reformed in many ways. One of them is to lower this top marginal rate, but right now it is 35 percent. And what the proponents of this rule are saying is that after a corporation pays that 35 percent tax on whatever income they can earn, and when they then choose to dividend some of that remaining aftertax income to the people who own that company, they want those owners to pay yet another tax that is even higher than we pay now.

We have a chart here that illustrates what the net effect of this is. Given that we have a 35-percent top corporate tax rate, and if we were to adopt this proposal to impose this 30-percent minimum tax, for an individual who has dividend income, first the company in which they invest pays a tax. Not all companies pay the 35-percent rate, but that is the top rate and it is in effect on many companies. Well, if the company has to pay 35 percent of a given $100 of income, they are left with $65 in corporate aftertax income. If that company then decides that the people who own it ought to get a dividend reflecting their ownership on that $65 that is available to be paid out as a dividend to investors, the proponents of the Buffett rule would have those investors pay another 30 percent. That is $19.50, leaving the investors with $45.50 out of the $100 of income. In other words, the government takes the lion's share of the income from this investment.

The net effect of that, of course, is that it diminishes the incentive to make these investments in the first place. It makes other countries more attractive places to invest capital, to invest in a business to try to generate a return.

There is another aspect that is disturbing about this which is, if you ask me, it is very reminiscent of the alternative minimum tax. We tried that once. In 1969, Congress decided there were some people who weren't paying enough in tax, and they said we are going to target a handful. Literally, it was 15 people—not 155,000 but 155 people who were subject to the alternative minimum tax, which was this confession of the absurdity of the Tax Code in the first place. Right? Junk the entire existing Tax Code and have yet a second parallel Code that will apply to just those rich 155 people. Well, guess what. Today that applies to tens of millions of Americans, and every year Congress has to do a temporary fix because it wasn't intended to do that.

I would suggest if we go down this road, we are going to find that this tax—which we are told today would only apply to millionaires and billionaires, well, pretty soon the hard cold reality of the fact that it doesn't generate any revenue to speak of if you apply it just to millionaires and billionaires, means it is going to be expanded to the middle class and far more people, very much to our detriment.

Finally, let me say that it is a bad idea to confiscate the capital which is the lifeblood of an economy. This next chart illustrates the critical role that investment plays in economic growth and in job creation.

A couple of squiggly lines. But one thing you notice if you take a quick look is there is an inverse relationship here. When the black line goes up, the red line is going down. The black line is investment as a percentage of our economy. And when investment climbs—the red line is unemployment—you see, unemployment goes down. This is very well understood. It is capital invested in the economy that creates growth and creates jobs. What this rule would do is it would impose a new layer of additionally higher taxes on that very lifeblood of our economy.

It is capital also that drives wages higher. We should never forget that fact. It is capital that allows the hunter-gatherer to have a hoe and become a farmer. It is capital that allows the farmer with a hoe to cast aside the hoe and drive a tractor and become far more productive. It is capital that allows the laborer who is digging with the shovel to put aside the shovel and drive a backhoe. And as I think everybody understands or should understand, the farmer who is using a tractor is producing more and has a higher income than the poor guy who is using a hoe. And the guy who is operating a backhoe has far more income and is far more productive than the guy who is using a shovel. It is capital that makes that possible.

There is a metaphor I like about this, and I am not sure who to credit it to, but certainly I didn't invent it. I may not do it justice, but the gist of it is this:

The comparison to the economy is that of a fruit tree.

A farmer who has a fruit tree cultivates that tree so it will produce fruit, and the fruit is the income the farmer earns from the work he puts into cultivating that tree.

If the government comes along and takes some of the fruit as a tax, as long as it doesn't take too much it still makes sense for the farmer to cultivate that tree so he can have that aftertax income. And as long as the government only takes a portion of the fruit, then the government is not diminishing the ability of the tree to produce that fruit.

But if the government comes along and says in addition to taking a whole lot of the fruit, we want to saw off a branch because we want some firewood, that is a whole different matter. Because whatever you think of how many of those apples or whatever portion of that fruit you wish to take from the farmer, once you start cutting at the tree you are diminishing the ability of the tree to produce income for the good of the farmer and for society.

That is what happens when we restrict capital, and I am afraid this is the path we would be going down if we

adopt this. This is bad economic policy. We already have the most progressive Tax Code in the world, and very progressive by our own historical standards.

For the sake of job growth, economic growth, and in the hopes that we will instead have a meaningful discussion about budget policy and tax reform, I urge my colleagues to vote no today on the cloture motion on the Buffett rule.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. ROCKEFELLER. Mr. President, 1 year ago last month our Nation lost an esteemed public servant and an outstanding human being, Judge M. Blane Michael, who served on the U.S. Court of Appeals for the Fourth Circuit for a number of years.

With his passing, we were therefore left with a great void not only on the Federal judiciary but also in the hearts of his family and his many friends. So it is with a profound sense of obligation to the people of West Virginia and America that I set out to find a nominee to fill his vacancy. My duty to provide advice and consent took on, to me, additional significance.

In West Virginia, we are fortunate to have many talented and worthy lawyers who are capable of serving—and willing to serve—on the Federal bench.

But the nominee before the Senate today, Stephanie Dawn Thacker, completely stood out to me—and (in turn) to President Obama—as someone who is uniquely qualified to carry on in her own way, Judge Michael's legacy of independence, humility, and intellectual honesty as a Federal judge.

There is no question that Stephanie Thacker has reached the heights of the legal profession, both as an award-winning public servant and as an esteemed lawyer in private practice.

Her rise is all the more impressive because of the challenges she overcame The circumstances of Stephanie Thacker's early life were not easy. Her home town, Hamlin, WV, is in one of the poorest counties in the nation—a place where nothing is taken for granted and where every success is hard-earned.

Stephanie credits a supportive family and community, and the influence of two strong women who assumed her ability to achieve against the odds.

While still in the crib, Stephanie's mother and grandmother told her every day that she would go to college, and then in college they told her she would succeed in law school. They instilled in her the value of education and a strong sense of public service and duty to her country, which we fulfill again today.

Ms. Thacker heeded their advice, graduating magna cum laude from Marshall University and second in her class from the West Virginia University College of Law, where she was an editor of the Law Review.

Over the next 21 years her passion and respect for the law, along with her drive to seek justice for her clients, resulted in an illustrious career. Ms. Thacker's reputation is as a compassionate yet tough attorney who makes thoughtful, very well-researched, and therefore confident arguments that are always based on the law and facts of her cases.

These skills and character are evident in her 12 years of service as a federal prosecutor, where she rose to be Principal Deputy Chief of the Department of Justice's Child Exploitation and Obscenity Section. Among her accomplishments are prosecuting the first federal Violence Against Women Act case and helping to develop the nationwide Innocence Lost initiative to combat child sex trafficking, which to date has led to the rescue of more than 1,600 children and the conviction of more than 700 sex offenders.

She co-authored the Federal Child Support Prosecution handbook, worked reviewing and amending West Virginia's domestic violence laws, prosecuting notorious child sex offender Dwight York, and training national and international law enforcement officials on the prosecution of child exploitation crimes.

This body of work has rightfully earned her bipartisan praise over the years from United States Senators, FBI Director Mueller and former Attorney Generals Gonzales and Ashcroft, who awarded her the Distinguished Service Award, which is among the Department's highest commendations.

These accomplishments are illustrative of the experience and qualifications that Stephanie Thacker offers in service to the U.S. Court of Appeals for the Fourth Circuit.

She has the courage to make tough decisions, and will not back down from a challenge.

She has the superior intellect necessary to analyze the complex legal issues that come before the Federal appeals courts. She will look at every case with a fair and open mind and will issue opinions that are guided by our Constitutional principles and always grounded in the law and she will never forget her solemn duty to uphold fairness and justice for everyone, regardless of social status or economic means.

In conclusion, it is with great optimism, pride, and a renewed spirit that I look to the future, knowing that this important appellate vacancy will be filled with such a qualified nominee as Stephanie Dawn Thacker.

I yield the Floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, I rise today first of all to thank the senior Senator, my friend Senator ROCKEFELLER, for nominating such a qualified jurist upon the passing of our dear friend, Judge Blane Michael.

Stephanie Dawn Thacker is a native of Hamlin, WV. We are awaiting her confirmation this afternoon with a vote which I know will be in the affirmative. It is my privilege and my honor to speak on her behalf also.

Stephanie Thacker's impressive background and extensive list of accomplishments in both the public and private sectors make her an exceptional judge for the 4th Circuit. She is renowned in our state for her mastery of the law and of the courtroom, and I have no doubt that she will make a highly successful federal judge.

Ms. Thacker has dedicated much of her career to fighting some of the worst offenses in our society. As a trial attorney, Deputy Chief of Litigation, and Principal Deputy Chief, she spent several years prosecuting cases, as you have heard, on Child Exploitation and Obscenity at the Department of Justice. Her outstanding work and leadership earned her a number of honors at the Department of Justice, including four ''Meritorious'' Awards and two ''Special Achievement'' awards.

Her impressive performance in prosecuting the case of United States v. Dwight York earned her the Attorney General's ''Distinguished Service'' award, one of the Department's highest honors. She was also a recipient of the Assistant Attorney General's awards for ''Special Initiative'' and ''Outstanding Victim and Witness Service.''

Prior to her service at the Department of Justice, Ms. Thacker worked with the U.S. Attorney's Office for the Southern District of West Virginia, where she prosecuted a wide variety of criminal cases, including money laundering and fraud. While at the U.S. Attorney's Office, Ms. Thacker participated on the trial team prosecuting United States v. Bailey, the first case ever brought under the Violence Against Women Act.

Since 2006, Ms. Thacker has been a partner at the law firm of Guthrie & Thomas in Charleston, West Virginia. There, she has concentrated on cases involving product liability, environmental and toxic torts, complex commercial defense, and criminal defense.

Ms. Thacker was a model student in both her undergraduate and legal studies. She earned her Bachelor's degree in Business Administration, magna cum laude, from Marshall University, and her J.D., Order of the Coif, from West Virginia University College of Law. While at West Virginia University she was a recipient of the Robert L. Griffin Memorial Scholarship and Editor of West Virginia Law Review's Coal Issue. She has also recently been named ''Outstanding Female Attorney'' by WVU Law's Women's Caucus.

Ms. Thacker's wide-ranging expertise in civil and criminal matters, her impressive track record in the courtroom as both a prosecutor and a defense attorney, and her outstanding academic accomplishments will make her a first-rate addition to the 4th Circuit. I am proud to call her a fellow West Virginian and I am pleased that she will finally be confirmed.

THE BUFFETT RULE

Mr. MANCHIN. Mr. President, I had the enormous privilege to spend the

last 2 weeks traveling around my great State to hear from the people of West Virginia.

It is always so refreshing to get a dose of commonsense from people who are working hard every day to balance their family budget, put food on the table and give their kids a better life.

And I can tell you that the people of West Virginia are so frustrated and losing confidence in this government, especially when it comes to our broken tax system.

Whether it was in Beckley, Ravenswood or Wheeling, I heard the same thing from the people of my great State.

We just don't understand why hardworking, middle income people are paying a much higher tax rate than some of the wealthiest people in this country. Take our coal miners, who go to the mine every single day to make a living for themselves, for their families, but who are paying a higher tax rate than some people making a million dollars a year. Where I come from, that's not fair. Where I come from, that doesn't make any sense.

Where I come from, that means our system needs to be fixed—in a real, responsible and fiscally sound way that reduces our debt.

Now, let me be clear: I am not begrudging anyone who's worked hard, who has taken a risk or who has done well. But we have to have a solid country under us to achieve those goals. And we need to put fairness back in the tax system to get this country on solid ground again. And if we want a fair system, that means that there should not be privileges that allow the very wealthy to pay a lower rate than hardworking, middle class Americans.

Right now, the average person does not have those opportunities or privileges. But when people believe the American Dream is in reach, they will all pull harder.

Today I rise to speak about my support for the Buffett Rule, which would take a small step toward fixing this unfair system and paying down this country's nearly $16 trillion debt.

A lot of people here believe that this bill will fail because of politics on a mostly party line vote. That is a shame because the only line we should vote is the American line.

For a year-and-a-half, I have been coming to the Senate floor to urge my colleagues to put party and politics aside and vote for the good of the next generation, whether it is a Democratic idea or a Republican idea.

But even though this vote on the Buffett Rule might fail today on party lines, we cannot give up—we have to find a way to come together for the next generation.

I have said before that the Buffett Rule alone does not address the full scope of the problem. All it does is nibble around the edges of our broken tax code. We still have too many corporations that can take advantage of too many loopholes, credits and exemptions. We are pushing $16 trillion dollars in debt and we are still spending more than a trillion dollars more than we take in every year. That does not make sense.

We have to fix the whole thing so that we can start reducing our deficit, paying down our debt and putting our fiscal house back in order for the next generation.

To do that, we have a plan with bipartisan support—the Bowles-Simpson framework, which would reduce loopholes, exemptions and credits across the board, lower tax rates and get everyone to pay their fair share. Just as importantly, it would cut spending and start paying down our debt.

I can't tell you how important that is to the people of West Virginia, the taxpayers in every single income bracket who don't trust the government to spend their tax dollars wisely.

Just like all Americans have the responsibility to pay their fair share, Washington has the responsibility to show the people of this country—no matter how much money they make—that we are using their tax dollars wisely and effectively—just as we did in West Virginia.

That is why I believe we must—and I will continue to fight—to cut back on our spending. We have to eliminate the $125 billion dollars that we spent in waste, fraud and abuse last year alone. And most importantly, we have to pay down the nearly $16 trillion dollar debt hole that has been dug for the next generation.

The Buffett Rule would take a small step to show the American people that we are trying to correct those problems and—most importantly—put some basic fairness back into our tax system.

Even though this vote might fail, in West Virginia we will continue to work hard. We will continue to pay our taxes. And we will continue to fight to make sure that when our coal miners send in their taxes, that people who bring in a million dollars a year aren't getting away with paying less.

The future of this country depends on those of us here in Washington working together to restore confidence in this great nation because when people believe that everyone is paying their fair share, they are all willing to pull their load a little harder. And if people start believing in this country again, there's no stopping us.

I yield the floor.

Mr. GRASSLEY. Mr. President, again we are moving forward under the regular order and procedures of the Senate. This year we have been in session for about 37 days, including today. During that time we will have confirmed 15 judges. That is an average of better than one confirmation for every 2½ days we have been in session. With the confirmations today, the Senate will have confirmed nearly 75 percent of President Obama's article III judicial nominations.

Despite this progress, we still hear complaints about the judicial vacancy rate. We are filling those vacancies. But again, I would remind my colleagues that of the 82 current vacancies, 50 have no nominee. That is over 60 percent of vacancies with no nominee.

Another complaint we hear, which is a distortion of the record, is the so-called delay in confirming nominees. Those who raise this complaint only focus on the time a nominee is reported out of committee until confirmation. But the confirmation process is more than just Senate floor action.

For those who may not be familiar with the confirmation process, let me review. Once a nomination is received, the committee takes an appropriate amount of time to review the nominee's Senate questionnaire and background and review written materials. The Committee holds a hearing on judicial nominees and then holds the record open for additional written questions. Of course there is debate on the nomination in committee, then the nomination is reported to the floor. All of this takes time. Every step is important. Not all nominees make it through each step.

The average time for this process for President Bush's circuit judge nominees was 350 days. That means it took, on average, nearly 12 months from the time a nomination was received in the Senate until final confirmation.

For President Obama's circuit nominees the average time from nomination to confirmation is 243 days. That means President Obama's circuit nominees are being confirmed faster than those of President Bush. So to those who ask What's different about this President? I would respond that one thing that is different is that this President's circuit nominees are being treated much more fairly than President Bush's nominees were treated.

As I stated, not all nominees make it through every step of the process. In the case of our nominee today, she completed that process in about 220 days, below the average for President Obama and much quicker than the average for President Bush. She will likely be confirmed and take her place on the Court of Appeals for the fourth circuit.

This was not the outcome for many of President Bush's nominees to the fourth circuit. Let me review just a few of the highlights from those failed nominations.

I wonder if my colleagues remember William Haynes, President Bush's nominee to sit on the fourth circuit. In the 108th Congress, my Democratic colleagues held up his nomination for 638 days on the Senate calendar alone before it was returned to the President. All in all, he put his life on hold for 1,173 days and never received an up-or-down vote.

Later, at a point during the 110th Congress, the fourth circuit had a vacancy rate of 33 percent and desperately required judges. The President

did his duty and submitted four nominations. Unfortunately, all of them were needlessly delayed.

Judge Robert Conrad was nominated to a seat on the fourth circuit which had been designated as a judicial emergency, Both home State Senators supported his nomination. Furthermore, he had received unanimous support from the Senate on two prior occasions—first when he was confirmed to be a United States Attorney and again when he was confirmed by voice vote to be a United States District Judge for the Western District of North Carolina. The American Bar Association's Standing Committee on the Federal Judiciary unanimously gave him a rating of well qualified.

Judge Conrad met every standard to be considered a well qualified, noncontroversial, consensus nominee. Yet, his nomination stalled. He was nominated on July 17, 2007. Despite his extensive qualifications, a hearing was never scheduled. On October 2, 2007 Senators BURR and Dole sent a letter to the chairman asking for a hearing for Judge Conrad. On April 15, 2008 they sent a second letter to the chairman requesting a hearing for Judge Conrad.

Their request was never granted. After waiting 585 days for a hearing that never came, Judge Conrad's nomination was returned on January 2, 2009.

Steve Matthews was another nominee to the fourth circuit, nominated on September 6, 2007. He was a graduate of Yale Law School and had a distinguished career in private practice in South Carolina. He also had the support of his home State Senators. On April 15, 2008 Senators GRAHAM and DEMINT sent a letter to the chairman asking for a hearing for Mr. Matthews. Despite his qualifications, Mr. Matthews waited 485 days for a hearing that never came. His nomination was returned on January 2, 2009.

Rod Rosenstein was nominated to a fourth circuit seat designated as a judicial emergency on November 15, 2007. The American Bar Association's Standing Committee on the Federal Judiciary unanimously rated him well qualified. Previously, in 2005 he had been confirmed by a noncontroversial voice vote as U.S. Attorney for Maryland. Prior to his service as U.S. Attorney, he held several positions in the Departm6nt of Justice under both Republican and Democratic administrations.

On June 24, 2008 Senator Specter, the ranking Republican Member, sent a letter to Mr. Rosenstein's home State Senators pointing out that the seat to which Mr. Rosenstein had been nominated had been vacant since August 2000—at the time nearly 8 years. He requested they return their blue slips on his nomination. That request was declined, reportedly because the nominee lacked ties to Maryland and was doing too good of a job as the U.S. Attorney for Maryland. I find that rationale somewhat perplexing, if not inconsistent.

Nevertheless, despite his stellar qualifications, Mr. Rosenstein waited 414 days for a hearing that never came. His nomination was returned on January 2, 2009.

Judge Glen Conrad was another failed nomination to the fourth circuit. Nominated on May 8, 2008 he had the support of his home State Senators, one a Republican, the other a Democrat. Judge Conrad had previously been supported by the full Senate when he was confirmed to be a United States District Judge for the Western District of Virginia by a unanimous, bipartisan vote of 89–0 in September 2003. Despite his extensive qualifications, Judge Glen Conrad waited 240 days for a hearing that never came. His nomination was returned on January 2, 2009.

What was the reaction to this Democratic obstruction to President Bush's fourth circuit nominees? A December 2007 Washington Post editorial lamented the dire straits of the fourth circuit writing: ''[T]he Senate should act in good faith to fill vacancies—not as a favor to the president but out of respect for the residents, businesses, defendants and victims of crime in the region the 4th Circuit covers. Two nominees—Mr. Conrad and Steve A. Matthews—should receive confirmation hearings as soon as possible.''

In 2008, another Washington Post editorial stated that ''blocking Mr. Rosenstein's confirmation hearing . . . would elevate ideology and ego above substance and merit, and it would unfairly penalize a man who people on both sides of this question agree is well qualified for a judgeship.''

I would note that the seat to which Mr. Rosenstein was nominated went vacant for over 9 years. When President Obama made his nomination to that vacancy, the nominee fared far better. He received a hearing a mere 27 days after his nomination and received a committee vote just 36 days later.

So today, as we confirm another of President Obama's nominees to the fourth circuit, I hope my colleagues understand, recognize, and acknowledge that President Obama's nominees are being treated in a fair manner.

Stephanie Dawn Thacker is nominated to be United States Circuit Judge for the fourth circuit. She graduated with honors from West Virginia University College of Law in 1990 and received her B.A., magna cum laude, from Marshall University in 1987. Ms. Thacker began her legal career as an associate in the Pittsburgh office of Kirkpatrick & Lockhart, now K&L Gates. There she worked on complex commercial and asbestos defense litigation.

In 1992, she worked for a brief period as an assistant attorney general in the Environmental Division of the Office of the West Virginia Attorney General. There she represented the State of West Virginia on environmental issues involving permitting and compliance. She then joined King, Allen & Betts—now Guthrie and Thomas—as an associate, where she worked from 1992 to 1994 on cases involving commercial litigation defense, white collar criminal defense, and legal malpractice and professional responsibility defense.

In 1994, she joined the United States Attorney's Office for the Southern District of West Virginia as an assistant United States attorney in the General Criminal Division. As an assistant United States attorney, she prosecuted cases on a wide range of criminal matters including money laundering, fraud, firearms, and tax evasion matters. She eventually developed a niche in domestic violence, child support enforcement, and coal mine safety.

In 1999, she became a trial attorney with the Department of Justice's Child Exploitation and Obscenity Section. She was promoted to deputy chief for litigation in 2002 andl principal deputy chief in 2004. As a trial attorney, she prosecuted cases around the country involving child pornography, child sexual exploitation, sex trafficking, and obscenity. As deputy chief and principal deputy chief, she was responsible for the management and professional development of the section trial attorneys.

In 2006, she became a partner at Guthrie and Thomas—formerly King, Betts & Allen—where she previously worked basis as an associate. She has specialized in complex litigation, environmental and toxic tort litigation, representing large companies, as well as handling some criminal defense cases representing individuals.

A substantial majority of the ABA Standing Committee on the Federal Judiciary gave her a rating of well qualified; a minority of that committee rated her as qualified.

The PRESIDING OFFICER. Under the previous order, the question is on the nomination.

Mr. ROCKEFELLER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Stephanie Dawn Thacker, of West Virginia, to be United States Circuit Judge for the Fourth Circuit?

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. AKAKA), the Senator from Colorado (Mr. BENNET), and the Senator from Connecticut (Mr. LIEBERMAN) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Wyoming (Mr. ENZI), the Senator from Utah (Mr. HATCH), and the Senator from Illinois (Mr. KIRK).

Further, if present and voting, the Senator from Utah (Mr. HATCH) would have voted ''yea.''

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

The result was announced—yeas 91, nays 3, as follows:

[Rollcall Vote No. 64 Ex.]

YEAS—91

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

NAYS—3

DeMint	Lee	Vitter

NOT VOTING—6

Akaka	Enzi	Kirk
Bennet	Hatch	Lieberman

The nomination was confirmed.

The PRESIDING OFFICER (Mrs. HAGAN). Under the previous order, the motion to reconsider is made and laid upon the table. The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

IMPOSING A MINIMUM EFFECTIVE RATE FOR HIGH-INCOME TAXPAYERS—MOTION TO PROCEED

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, I ask unanimous consent there be 2 minutes equally divided prior to the cloture vote on the motion to proceed.

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

The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, many Americans sat down last week to prepare their taxes, knowing from Warren Buffett and others that the highest income Americans very often are paying a lower tax rate than they have to. The 400 highest income Americans, the most recent data shows, paid an all-in tax rate of 18.2 percent, on average. Some paid a lot less. One year Warren Buffett paid an 11-percent tax rate.

Reuters reported today that about 65 percent of taxpayers who earn more than $1 million face a lower tax rate than the median tax rate for moderate-income earners making $100,000 or less a year. This bill will raise between $47 and $162 billion that could go for deficit reduction or hundreds of thousands of infrastructure jobs or to keep student interest rates at 3.4 percent and end the absurd inequity in our Tax Code that lets a hedge fund billionaire pay a lower tax rate than a Rhode Island truckdriver. I hope my colleagues will vote yes.

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

The Senator from Arizona.

Mr. KYL. Madam President, everyone knows this is not going to pass. This is a political exercise. I urge my colleagues to vote no. The fact is on average the people in the upper two brackets pay more than twice as much in their income tax rates as the people we call the middle-class taxpayers.

So the basis, the factual basis upon which this is allegedly founded is incorrect. The truth is this legislation will do nothing with regard to job creation, with regard to gas prices, with regard to economic recovery, or any of the other matters the American people care about. As a result, to focus attention on something like this is to try to draw attention away from the issues about which the American people are most concerned.

I urge my colleagues to vote no.

CLOTURE MOTION

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 339, S. 2230, a bill to reduce the deficit by imposing a minimum effective tax rate for high-income taxpayers.

Harry Reid, Sheldon Whitehouse, John D. Rockefeller IV, Barbara Boxer, Patrick J. Leahy, Jeff Bingaman, Richard J. Durbin, Daniel K. Akaka, Al Franken, Jack Reed, Mark Begich, Sherrod Brown, Carl Levin, Richard Blumenthal, Bernard Sanders, Debbie Stabenow, Charles E. Schumer, Patty Murray.

The PRESIDING OFFICER. By unanimous consent the mandatory quorum call has been waived. The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 2230, a bill to reduce the deficit by imposing a minimum effective tax rate for high-income taxpayers, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. AKAKA) and the Senator from Connecticut (Mr. LIEBERMAN) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Utah (Mr. HATCH) and the Senator from Illinois (Mr. KIRK).

Further, if present and voting, the Senator from Utah (Mr. HATCH) would have voted ''nay.''

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

The yeas and nays resulted—yeas 51, nays 45, as follows:

[Rollcall Vote No. 65 Leg.]

YEAS—51

Baucus	Gillibrand	Murray
Begich	Hagan	Nelson (NE)
Bennet	Harkin	Nelson (FL)
Bingaman	Inouye	Reed
Blumenthal	Johnson (SD)	Reid
Boxer	Kerry	Rockefeller
Brown (OH)	Klobuchar	Sanders
Cantwell	Kohl	Schumer
Cardin	Landrieu	Shaheen
Carper	Lautenberg	Stabenow
Casey	Leahy	Tester
Collins	Levin	Udall (CO)
Conrad	Manchin	Udall (NM)
Coons	McCaskill	Warner
Durbin	Menendez	Webb
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wyden

NAYS—45

Alexander	Enzi	Moran
Ayotte	Graham	Murkowski
Barrasso	Grassley	Paul
Blunt	Heller	Portman
Boozman	Hoeven	Pryor
Brown (MA)	Hutchison	Risch
Burr	Inhofe	Roberts
Chambliss	Isakson	Rubio
Coats	Johanns	Sessions
Coburn	Johnson (WI)	Shelby
Cochran	Kyl	Snowe
Corker	Lee	Thune
Cornyn	Lugar	Toomey
Crapo	McCain	Vitter
DeMint	McConnell	Wicker

NOT VOTING—4

Akaka	Kirk
Hatch	Lieberman

The PRESIDING OFFICER. On this vote, the yeas are 51, the nays are 45. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Mr. LIEBERMAN. Mr. President, I know there are many who dismiss the President's proposal of the so-called Buffett rule as an election year tactic which has no chance of being enacted. But, for me, it must be taken as a serious proposal because it touches important economic principles at a very difficult economic time for our country. Although I was unable to be present for this afternoon's vote, I would have voted against the motion to proceed to the Paying a Fair Share Act of 2012, S. 2230, and I want to explain why.

I am not opposed to the Buffett rule because I am opposed to raising income taxes on the wealthiest Americans. I am opposed to the Buffett rule because it would double to 30 percent the capital gains tax on one group of investors and therefore reduce exactly the kind of capital investments we need to get our economy growing again and create jobs. To protect America from being drowned in public debt we will eventually have to raise revenues, hopefully through broad tax reform, and, of course, we will also have to cut expenditures, particularly the rate of increased spending on so-called entitlement programs. But that is different from the question of how to tax gains on capital investments. I have long believed in the value of having a lower tax on capital gains than on regular income because capital investments are

one of the engines that has driven this great economy of ours, made us the land of opportunity, and created the American middle class. Someone once said that if you take the ''capital'' out of capitalism, all you have left is an ''ism.'' There is a lot of truth in that play on words.

My support for a lower capital gains rate was probably born when one of the great political inspirations of my life, President John F. Kennedy, advocated lower capital gains taxes as part of his ''a rising tide raises all boats'' fiscal policy. During my first term in the Senate in 1989, I supported President George H.W. Bush's proposal to lower the capital gains tax. I was one of a small group of Democrats to do so. During the 1990s, I worked alongside the late, great Jack Kemp in support of lower capital gains rates, especially for gains made on capital investments in low-income urban and rural areas which we called enterprise zones. Throughout the years, I cosponsored broad proposals to lower the capital gains tax with Senator HATCH and other Members of the Senate from both political parties. To me, economic history proves that lower capital gains taxes grow our economy and higher capital gains taxes don't increase revenues. This particular tax increase is especially ill-timed, since it is clear that literally billions of dollars are now being held back from new investments in America by individuals and businesses because they are uncertain about the future of our economy and the future of government policies that will affect their businesses and their investments. The best thing we could do to regenerate economic growth is to adopt broad-based tax and entitlement reform that would bring our government books into balance and give American businesses and investors a sense of certainty about the economic environment in which they will be living for years to come. The Buffett rule, on the other hand, targets a particular kind of economic activity—capital investments—which are what America's economy and people urgently need now. And that is why I would have voted against the Buffett rule.

MORNING BUSINESS

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

SURFACE TRANSPORTATION ACT

Mr. WHITEHOUSE. Mr. President, I will be closing the Senate very shortly, but before I do I want to say a few words about a topic that came up today. Obviously, I was pleased that a majority of the Senate, indeed a bipartisan majority of the Senate, has just voted to eliminate an unfortunate gimmick in the Tax Code that allows people who make north of a quarter of a billion dollars a year to pay lower tax rates than a Providence, RI truck-driver pays if he is single. I think that is pretty hard to justify, frankly. I think a lot of Americans spent last week preparing their taxes and having heard from Warren Buffett who 1 year paid an 11-percent all-in Federal tax rate, a rate obviously higher than his secretary paid, something Mr. Buffett himself has complained about, there is a pretty wide sense that the American Tax Code serves special interests and people who have phenomenal amounts of wealth much better than it serves regular middle-class taxpayers.

That is particularly true if you avoid doing what my Republican colleagues have done, which is focus on the most progressive part of the Tax Code, the income tax part, and ignore the most regressive part of the Tax Code which hits the working families the hardest, which is payroll taxes. Almost everything they will say about the American Tax Code conveniently omits the taxes that most Americans pay—more Americans pay than the income tax, frankly.

But we had a good discussion on that subject. I think because it was so difficult for so many of my colleagues to come out in favor of an upside-down tax situation in which somebody making a quarter of a billion dollars pays a lower rate than somebody making $100,000 or $90,000, other topics were brought up. We kind of had a march through all the topics one could think of. One of them, very central to all of us here in the Senate today, is jobs, and it was pointed out that the tax fairness bill is not a jobs bill. Of course it would be if you took the $47 billion to $162 billion in revenue it creates and put it toward infrastructure. Then it would create literally hundreds of thousands of jobs. But because it does not define where the revenue is going to go I cannot say it is a jobs bill. It is a tax fairness bill. That was its intention.

But we do have a jobs bill here in Congress. We have a very significant jobs bill. We have a highway transportation bill. The Presiding Officer serves with me on the Environment and Public Works Committee and knows how hard we worked to get that bill through the Environment and Public Works Committee. It is exactly the kind of bill that people from outside of Washington, looking in at Washington, want to see us do. You had a chairman on the Environment and Public Works Committee, BARBARA BOXER of California, and a ranking member on the Environment and Public Works Committee, Senator INHOFE of Oklahoma, who are from about as polar opposite political points of view as they could be, but they found a way to come together on this bill. They worked with all of us on the committee. As a result the bill passed out of the Environment and Public Works Committee unanimously, every Republican and every Democrat.

Then it came to the floor, and there are complaints from time to time around here that stuff gets jammed on the floor and there is not enough of an open amendment process. There were 5 weeks of debate and amendment of this bill on the Senate floor. I think 41 amendments were added to the bill, either by vote or by agreement during the course of that—Republican amendments, Democratic amendments. When the dust settled on the whole process and everybody had their say and everybody had their votes and all the amendments that could be considered were considered, we voted on it and 75 Senators either voted for it or were out of town and have said that they would have voted for it had they been here. So you had an effective vote of 75, I think, to 22. By our standard here that is a colossal bipartisan landslide.

The bill itself was supported by everybody from the U.S. Chamber of Commerce—which is probably the most active Republican lobbying and political organization in the country—to environmental groups, to the labor unions. This is a bill that everybody supports. From a jobs point of view it is 2.9 million jobs. It is 9,000 jobs in my home State of Rhode Island. This is a big deal.

The bill was sent over to the other side of the Capitol and there it sits. The Speaker will not take it up. What I hear is because he does not want to count on Democratic votes. To somebody who wants a job or who wants a cousin or a sister to have a job—to be out working, rebuilding roads, rebuilding bridges, rebuilding highways, rebuilding our national infrastructure—it is pretty hard to explain why you would walk away from a bill that creates 3 million jobs, a bill that is bipartisan, that went through a full process in the Senate, when they have no bill whatsoever of their own, and do so because they do not want to use Democratic votes. That is sort of the ultimate Washington insider reason for not doing something important for the country.

When we talk about jobs in the Senate, until we get action in the House that creates a real bill, I don't think we should be getting any lectures about jobs from our Republican colleagues. I am told that the House is passing another extension. As the Presiding Officer knows, these extensions cost a ton in the way of jobs. It has been estimated by our Director of Transportation that it would be a thousand jobs lost in Rhode Island from the extension we have already agreed to through the end of June. If we pass that through the end of September, there goes the entire building season. That is going to hurt.

I spent time in Rhode Island when we were home over the recess period with the Director of Transportation, who is a very able Director. He has worked under Republican and now Independent Governors. He describes that they have a list this long of projects that they

want to get done this summer, in the building season, but if they do not know until July what the funding is going to be, he said, I have to drop a lot of those projects off the bottom. When I do that, that is a lot of jobs. It is unnecessary. We could be passing this bipartisan Senate bill through the House very quickly. Democrats would vote for it. Many Republicans would vote for it. All those jobs would be able to start up right away. If we extend it further into September, that makes it even worse. So it is urgent that we not continue down a path of delay and delay of the bill.

It is not only me saying this. The folks at Standard & Poor's have come out with a report that is entitled ''Increasingly Unpredictable Federal Funding Could Stall U.S. Transportation Infrastructure Projects.'' They point out that:

> As the construction season begins in the northern half of the country, this continuing uncertainty in funding could force states to delay projects rather than risk funding changes or political gridlock come July.

That is exactly what Director Lewis told me, that simply the uncertainty will move jobs off the list that can be done in this construction season. The report continues that '' . . . the political gridlock in Washington, DC''—i.e. the Speaker being unwilling to call up a bipartisan, 75 to 22, Senate bill with Democratic and Republican amendments, everybody supporting it, unwilling to call that up because he doesn't want to have to rely on Democratic votes, that is political gridlock for sure—''and the doubts surrounding federal funding are making it difficult for issuers throughout the infrastructure sector to define long-term plans for funding necessary capital projects.''

Then this report goes on to say:

> Once a long-term authorization is approved, we believe it will provide an impetus for transportation agencies to reconsider high priority projects that have been shelved because of lack of funds, but if the authorization is extended by even more continuing resolutions, such high priority projects will remain in limbo.

Jobs are at stake. It is a multi-million-jobs bill. It is sitting over there, not because of any problem they have with the bill per se. They don't have a bill of their own. They don't have anything they prefer. I hear they are going to send over another extension to September—arguably, if I hear correctly, with some politically very contentious issues attached, which makes it even more difficult. Remember, this was a bipartisan bill here on the Senate side. That is where we are stuck.

So I wished to take the time this evening to urge my colleagues on the Republican side of the aisle to use whatever powers they have of conversation or persuasion to get the House to call up the bill. If we have to get this bill over, the alternative is, if it is only another extension, that is going to cost—I don't know—another 1,000 jobs in Rhode Island. We need to make sure we have a bill that will take us to conference and that we get to conference as quickly as possible. Once we are in conference, we need to pass a real authorization that avoids these problems as quickly as possible. The American people expect no less.

It is not rocket science to pass a transportation bill. Congress has been doing this since the days when President Eisenhower established the Federal highway program. If we cannot get this done, what does that say about our prospects of doing something complicated, such as cybersecurity or other issues we will have to face? This should be a slam dunk, particularly with a bipartisan bill that everybody supports that came through the Senate after such a clear, transparent, rigorous, and open process. I will end my remarks there.

ARTS ADVOCACY DAY 2012

Mr. HARKIN. Mr. President, at a recent HELP Committee hearing on education and the economy, representatives of the business community told us that it is not enough for our education system to produce graduates who can read, write, and do math. Employers need workers who can apply creativity, collaboration, and communication in their jobs to solve problems, produce ideas and make connections. These are the keys to innovation and success in the knowledge economy of the 21st century. Indeed, they are essential if we are to move our economy forward, create jobs, and ensure our national security. But I ask you, How can we produce graduates who are creative and collaborative if we don't value the arts in our society and teach it in our schools?

Today is Arts Advocacy Day. Advocates for the arts have come to Washington to remind their elected officials about the importance of Federal investments in the arts. Why investment at the Federal level? Because arts are essential to the fabric of our society. Arts education teaches critical skills—not just creativity, but also a rigorous and practical application of other skills. The arts make us think. The arts improve our quality of life. The arts provide an outlet for personal and political expression. Collectively, our arts express who we are as a nation. This very building, the United States Capitol, an enduring symbol of freedom and democracy, is an especially powerful example. Federal funds built this building. Federal funds also support vital programs such as the Iowa Arts Council Big Yellow School Bus grants, to pay the costs of busing students to museums or live orchestra concerts. For many students, this is the only opportunity they have to experience the arts.

It is imperative that we continue to promote a society where all citizens are exposed to the arts and where all students—no matter their socioeconomic background, community, family, or ability—have equitable access to a high-quality, public, well-rounded education that includes the arts.

Unfortunately, recent data from the Department of Education show that inequities persist. Schools serving the poorest students are less likely to offer instruction in the arts. For example, availability of music instruction in secondary schools on average has remained at about 90 percent for the last 10 years. Meanwhile, it has actually decreased, from 100 percent to 81 percent for schools with the highest poverty concentration—a 19 percentage point decrease.

We all want our kids to succeed in school, and to be inspired in school. Many students find the motivation to learn through participation in the visual arts, drama, band, orchestra, choir, or dance. Every child should have the opportunity to do something that inspires and excites them, that teaches them creativity, collaboration, and communication, no matter their socioeconomic status, their neighborhood, their local tax base. Research has shown that arts education improves not only children's creativity, but also their ability to learn and be productive in school, as well as their self-confidence and social skills.

Christine Dunn, a music teacher at Harlan Community Elementary School in Harlan, IA, wrote me a letter urging me to continue my support for the arts. She told me that without the arts, ''our students may never be able to see, understand or express feelings, thoughts and ideas fully. I try to imagine a world without the arts and it looks very bleak. The arts give us creativity and the freedom to be ourselves.''

Today on the occasion of Arts Advocacy Day, I would like to recognize the outstanding advocacy of Iowans like Ms. Dunn, Barry Griswell, and Suku Radia—and the wonderful contributions that Iowans have made to the arts throughout our nation's history.

TRIBUTE TO MASTER SERGEANT CHARLES ROBERT 'BOB' STOKES

Mr. MCCONNELL. Mr. President, I rise today to pay tribute to a distinguished veteran of our Nation's great Armed Forces, Master Sergeant Charles Robert ''Bob'' Stokes of East Bernstadt, KY. MSG Stokes enlisted in the United States Air Force on June 6, 1955. He had just graduated from London High School the week before; he was 18 years old.

There was a wide variety of disciplines Bob could have entered within the Air Force. He prayed all throughout his basic training for God to put him in the field he would be best suited to. Being the son of a mechanic, he possessed natural tendencies to fix things, and had worked on machinery previously in his life. So after much praying, Bob was assigned to be an aircraft mechanic, an act he later would refer to as a ''divine intervention.''

Stokes had never traveled much before the service, but he soon found himself stationed all around the country at Air Force bases in Missouri, Arkansas, and Puerto Rico, to name a few. Stokes eventually landed a spot on the presidential squadron put in charge of the famous presidential aircraft, Air Force One. He was part of that outfit throughout the administrations of Lyndon Johnson, Richard Nixon, and Gerald Ford.

Stokes's career in the Air Force continued to prove fortuitous. He saw the world through the window of Air Force One, visiting places that he had dreamed of seeing his entire life. He witnessed monumental historic events, like Nixon's resignation, from an arm's length away. He executed his job superbly, ensuring the President would always arrive safely on the ground. And finally, Bob received the greatest benefit he would ever come across while running the presidential squadron, meeting his wife Varlene. She too was serving on Andrews AFB at the time.

Bob and Varlene retired to East Bernstadt in 1976, where they reside to this day. The two have three children—Robert Jr., Tricia, and Ward, all of whom appreciate the dedication their mother and father have shown to our great Nation throughout the years.

Mr. President, in November 2011 there was an article published in Laurel County, Kentucky's local periodical magazine, the Sentinel Echo: Silver Edition. The article noted the accomplishments of Mr. Stokes throughout his many years of service in the United States Air Force.

At this time, Mr. President, it is my wish that my colleagues in the United States Senate join me in honoring Master Sergeant Charles Robert Stokes for his dedication to our great country; and I ask unanimous consent that said article be printed in the RECORD.

There being no objection, the article was ordered to appear in the RECORD as follows:

[From the Sentinel-Echo: Silver Edition, Nov. 2011]

HISTORY IN THE MAKING

(By Carrie Dillard)

When retired Master Sergeant Charles Robert ''Bob'' Stokes was in basic training at Sampson Air Force Base, N.Y., waiting to speak to a counselor about which career field he would be best suited for, he prayed.

Having enlisted in the U.S. Air Force, Stokes knew he couldn't be a cook—he can't cook, he said, but he likes to eat. He didn't want to be an air policeman either. But he had a mechanical background, came by it honest from his father. ''It was in my blood,'' he said.

So when only two men in his class were assigned to be in aircraft mechanics, Stokes called it divine intervention—a guiding hand that led him into the company of presidents, and ultimately to meet his wife.

Stokes graduated from London High School on May 28, 1955. He went into the service on June 6.

''I didn't have a summer vacation that year,'' he said. But he would get to see and experience many places in the United States and around the world that he had never dreamed of visiting.

For a small town boy from Laurel County, New York was quite a culture shock.

''How green I was,'' he said. ''I'd never even seen a pizza in my life, never tasted one until I went to New York. It looked terrible.''

But Stokes changed his mind about the pizza, and adapted to his new surroundings, albeit with a lot of homesickness. He completed aircraft and engine school in Amarillo, Texas, and was then stationed at Whiteman Air Force Base, Mo.

''I was a homesick boy,'' Stokes said. ''I don't think I'd been any place other than Ohio and Tennessee before that, besides Kentucky.''

At 18 years old, he was the youngest crew chief, or ''glorified mechanic,'' at Whiteman AFB, maintaining B–47s. He'd later be stationed in Arkansas, Puerto Rico, and back to Missouri again, where he received orders to deploy to Guam.

Stokes was aboard B–52s, flying combat missions over Vietnam. As a crew chief, Stokes would fly beside the pilot.

''I supposed it made the pilot feel better knowing there was someone beside him who knew how to fix the plane,'' he said.

As the person who made sure the craft was ''airworthy'' by keeping it properly maintained and fueled up, it was rare for Stokes not to feel confident in an airplane. He said there was only one time when he felt like he might perish in one. It was during his time at Andrews Air Force Base.

Stokes was stationed at Andrews AFB during the administrations of Lyndon Johnson, Richard Nixon, and Gerald Ford. He saw the world through the window of Air Force One, as a crew chief on the presidential squadron.

The presidential outfit was made up of 30 to 40 planes to be used by anyone from the president or vice president to cabinet officials. There were smaller jets used to shuttle dignitaries between Andrews AFB and Camp David, and Marine helicopters to fly the president back and forth between the White House and Andrews. Stokes was assigned to a VC–135, a plush plane strictly for VIP travel.

As a man who loves to study history, the 74-year-old realizes now, more than ever, that he had a ''window'' into American and world history.

''I saw history,'' he said. ''The poor people's march on Washington, riots of the 1960s, Watergate.''

He remembers the day Nixon returned from a diplomatic trip to China. It was the first time a U.S. president had visited the People's Republic of China, strongly considered an adversary at the time.

''It [the trip] was very hush-hush,'' said Stokes. ''But when he came back, they let all the Air Force personnel and their families know about it. We gathered around the hangar as he taxied into the hangar.''

He also remembers the day Nixon resigned. Actually, he saw him leave.

''When Nixon left, he got on a plane to California,'' Stokes said. ''We liked Nixon. But he got involved in that Watergate.''

On the flight where he thought he might perish, the presidential squadron had flown a delegation to a state funeral in Brazil. While it was standard to fly with enough fuel to make a landing at nearby alternate locations, the plane was nearly to their destination when they discovered the airport had closed. Low visibility and haze kept the plane from landing in Brazil, and they burned up most of the fuel circling the runway.

''I was sweating bullets. It was the closest I've ever come to losing my life in an aircraft.''

Truth be told, Stokes didn't want to go to Andrews AFB in 1967 when he was selected.

''I tried to get out of it, Stokes said. ''I was on B–52s, in combat, making combat pay, I was staff sergeant. I was living pretty good.''

Andrews AFB had the safest flight record and highest standard of excellence in maintenance. ''If you were selected, you were the cream of the crop. You had to be good or you wouldn't last,'' Stokes said.

But at the time, he didn't know what Andrews was all about; he didn't even know what he'd been selected for.

Upon arrival at Andrews AFB, SSG Stokes was escorted into the hangar bay by a master sergeant. Another master sergeant, at the time, was taking out the trash.

''I thought it was unusual to see a master sergeant doing this type of work, and what are they going to be having me, the staff sergeant, doing, scrubbing toilets,'' he said.

''But that's just the way it was. The master sergeant (escorting me) told me 'every man on crew takes a turn at hangar detail.' '' And they did.

''We'd sweep and mop that hangar floor. You could eat off it. I'd wax and polish the airplanes. Nobody was scared to work.''

Besides, it had to be perfect. It was the home of the Air Force One, and Stokes had just made presidential squadron.

''When we were overseas, nobody would touch that airplane but me,'' Stokes said. ''I'd check the oil, pre-flight and post-flight and put it to bed.''

Upon landing anywhere in the world, Stokes would service the plane, fuel it up and make sure it was ready to go for the return trip. He was the last person to see and touch the plane before guards were stationed around the plane—inside the hangar and outside the hangar. No other soul was getting near it.

It's why one night when Stokes got a call that he needed to check the plane due to a bomb threat, he said ''no way.'' He was confident how he'd left the plane.

''I said no way,'' he said. ''But we had to inspect it. I went over it from top to bottom, couldn't find anything.''

But tensions were high then. Not long after the alleged bomb threat, they heard word there'd been an attack on the Vice President's (Spiro Agnew) motorcade in Dallas, Texas. However, it wasn't a sniper, but heat, that had made the back window shatter on the car.

Stokes met his wife, Varlene, while serving at Andrews AFB. She was working for the Department of Agriculture at the time. The two met at a cookout hosted by a mutual friend.

Although Stokes claimed he was a ''confirmed bachelor'' at the age of 31, he said Varlene ''changed his mind.'' They were married in October 1968.

''The best thing that ever happened to me was meeting her,'' he said.

The couple raised three children—Robert Jr., Tricia, and Ward. After every trip, Stokes would bring home a boon for his young family. A spoon for Bobby, a doll for Tricia, and foreign coins for his wife, Varlene, although he wasn't actually supposed to keep the coins. ''We were supposed to turn them in before we left the country,'' he said. The Stokes's third child, Ward, wouldn't come along until after he left Andrews AFB, missing out on the collections.

The couple retired to East Bernstadt in 1976, where they still live today.

''The more you look back on it, I'm just blessed,'' Stokes said.

TRIBUTE TO MR. MARTIN YOUNG

Mr. MCCONNELL. Mr. President, I rise today in honor of a devoted and loyal serviceman from the United

State Navy: Mr. Martin Young of London, KY. Martin enlisted in the Navy on September 22, 1942, when he was 19 years old. His brother was in the Army, so Martin decided to go a different route. He knew that he would have to leave home, but what he didn't know is that he was going to explore a variety of foreign locales and cross the Atlantic Ocean 14 times.

Up until his enlistment in the Navy, Martin had lived in Perry County, KY, his entire life. He was first sent to basic training at Great Lakes Training Center in Illinois. After basic training, Mr. Young decided he would attend gunnery school in San Francisco Bay, CA.

After his 6-week stint in gunnery school, Martin was finally prepared to take to the high seas. He was assigned to the Joseph Gale, a supply ship that carried ammunition and supplies as well as airplanes. During his first deployment on a ship, Mr. Young remembers that he didn't see land for 32 long days.

While aboard the Joseph Gale, Mr. Young traveled through New Guinea and the Loyalty Islands in the South Pacific; Tocapilla, Chili in South America; the West Indies; and Cuba, all before an emergency port in St. Albans, NY. The ship's bow was badly damaged by a torpedo from a German submarine and the crew had no choice but to stop for repairs on dry land.

Once in New York, Mr. Young returned to work on the tanker SS Manassas, a ship that hauled fuel to England. He would go on to make the journey 14 times while serving on that ship. Looking back, Mr. Young remembers the tension amidst the crew on the Manassas during the French Invasion. Although not involved in the attack, the ship was in the English Channel, and all members had to constantly be on alert, ready at a moment's notice to enter the fight.

Once Mr. Young returned to the States, he was given a 32-day furlough in which he and some Navy buddies hitchhiked from San Francisco to St. Louis before finally taking a bus to his eastern Kentucky home. During his leave the war ended, and Mr. Young returned to the Navy without the threat of combat looming over him.

Although the war was over, Mr. Young still had time in the Navy to complete, so when he heard about an opening in the Naval Barber Shop, he applied. He got the job, and cut hair during the days while attending barber school in the evenings. He enjoyed it so much that when he returned to Perry County on August 8, 1946, he continued to wield the scissors in the Commonwealth.

The Navy offered Martin Young the journey of a lifetime. He traveled around the world more than once and had the opportunity to port in breathtaking and beautiful locations on several continents.

Now retired, Martin Young enjoys the finer things in life, such as spending time with his children, grandchildren, and great-grandchildren. Although he has retired from cutting hair, he still uses his hands to make woodcrafts and play several different musical instruments. While Martin would probably say the Navy has given him so much, today I wish to recognize him and say that it is he who has given us so much. Martin Young's service to his country during World War II is something that each and every American to this day should be truly grateful for.

An article was recently published in London, KY's local newspaper magazine, the Sentinel-Echo: Silver Edition. The article highlighted the many achievements made by Martin Young throughout his eventful lifetime.

At this time, I wish to invite my colleagues in the U.S. Senate to join me in commemorating Mr. Martin Young and his dedication to our great Nation, and I ask unanimous consent that said article be printed in the RECORD.

There being no objection, the article was ordered to appear in the RECORD as follows:

[From the Sentinel-Echo: Silver Edition, Nov. 2011]

BACK ON HIS HOME LAND

(By Sue Minton)

Martin Young, 89, a member of what has become known as ''America's Greatest Generation,'' enlisted in the Navy on Sept. 22, 1942. In the Spring of '42, Young graduated from high school, and that fall the 19-year-old ventured forth on a journey that would take him across the Atlantic 14 times.

He traveled from his home in Perry County to Louisville to be processed, examined and sworn in. ''My brother was in the Army, so I decided on the Navy,'' Young said.

Following basic training at Great Lakes Training Center in Illinois, Young chose gunnery school over submarine duty and was transferred to Treasure Island in San Francisco Bay, Calif. ''We trained on three guns, the 20-millimeter, 5-inch 38, and 3-inch 50.'' After completing six weeks of gunnery school, Young was assigned to U.S. Navy Gunner Armed Guard Unit.

After the gun crew assignment, Young and his comrades departed for Portland, Ore., to begin their first sea duty. They boarded the Joseph Gale, a supply ship that carried a cargo of ammunition and supplies as well as airplanes. This voyage also included a training trip along the west coast, down to San Francisco and then across the Pacific Ocean. ''For 32 days I did not see land,'' Young recalls.

I wanted to be out there,'' Young said. ''But I got seasick on the first ship.'' He remembers a gunner mate telling him he had a sure cure for seasickness. ''They called us all Mack,'' he said. ''He said to me, 'Mack, go lay down under a big shade tree,' but where would you find a shade tree out in the ocean?''

The Joseph Gale and crew members sailed to the South Pacific and dropped off supplies at various ports New Caledonia, Loyalty Islands, Solomon Island, and New Guinea.

After crossing the Pacific, Young and his shipmates returned to South America Antofagasta and Tocopilla, Chili,'' he said.

From South America, the crew sailed back to the States, docking in Charleston, S.C. There they boarded a destroyer escort also used to transport supplies.

For a short time the crew sailed the waves of the Caribbean Sea. ''The Caribbean Sea was a hot spot, a lot of ships were sunk there,'' Young recalled.

While in the Caribbean, the bow of Young's ship was severely damaged by a torpedo from a German submarine. The sailors abandoned the ship and the wounded were sent to Cuba, Young among them. After arriving in Cuba, the wounded boarded the SS Shiloh en route to the U.S. Navy Hospital in St. Albans, N.Y. Seaman Young remained at the hospital for two months recovering from his injuries and surgery.

Young returned to duty on the tanker SS Manassas hauling fuel to England. This ship made seven trips from New York to England (14 trips across the Atlantic). ''We also hauled gasoline from Port Arthur, Texas,'' Young said. ''We would sail up the coast and join a convoy, maybe 60 ships. Several ships were sunk by German submarines during the seven crossings.''

The Manassas was rammed by an Allied vessel in the English Channel and was docked at Belfast, Ireland, a short time for repairs. ''While the ship was docked for repairs, we still carried on with our duties,'' Young said. ''This was just before the invasion of France, and the crew had to be alert at all times.''

Young recalls being in the English Channel after the invasion of France and once again was transferred to a supply ship, the SS Willard Gibbs. ''This time we took supplies and ammo to Omaha Beach,'' he said.

The Willard Gibbs could not get near the beach, so supplies were loaded onto barges and transported to the beach. ''During the unloading of the ship, the crew members went ashore and walked on Omaha Beach,'' Young said. ''This was about a month after the invasion.''

Once more Young's ship returned to New York, reloaded with supplies, and returned through the Panama Canal across the Pacific Ocean to the Philippine Islands Leyte, Luzon and Samar as well as the Mariana Islands, Caroline Island, and several others.

This passage was to be Young's last ocean voyage. When he arrived back in Los Angeles aboard the SS Willard Gibbs, he received 32 days travel time to return to New York.

Instead of taking a bus to the east coast, Young and three crew members hitchhiked. ''We were on Old Highway 66, and we got a ride with one fellow all the way to St. Louis,'' he said. ''It took us three days and nights, and at St. Louis we split up, got bus tickets and headed home.''

After a short furlough at his home in Perry County, Young went back to New York. But during his 32 days travel time, the war ended.

After his furlough was over, Young reported to Lido Beach, Long Island, New York, where he was told there was a possibility he would not have to go back out to sea but would have shore duty. The New York base was turned into a USN Personnel Separation Center, and Young remained on land.

While Young was finishing his tour of duty in New York, he attended barber school. ''An announcement came over the loudspeakers that barbers were needed for 12 chairs at the Navy barber shop, and I applied,'' Young stated. ''On the ships, we didn't have any barbers so we cut each other's hair. I enjoyed it.'' While working mornings in the barber shop, Young attended barber school in the afternoons and evenings.

On Aug. 8, 1946, just a few weeks short of four years since his enlistment, Young was discharged from the U.S. Navy. He returned to his native eastern Kentucky home, went to Frankfort, took and successfully passed the State Barber Board examination, and received his barber's license.

While serving in the U.S. Navy, Young received several medals the Good Conduct

Medal, the American Theater Medal, the European Theater Medal, the Asiatic Pacific Medal, the Philippine Liberation Medal, and the Victory Medal.

Three years after being discharged, he married Lela Baker of Hazard, and for 20 years he lived and cut hair in his hometown.

In 1965, Young, his wife, Lela, and two children, David and Judy, moved to the Sublimity area of Laurel County. In 1995, his wife passed away, and today Young's family includes son David and wife, Lillie; daughter, Judy Smith and husband, G.J.; three grandchildren, David Ryan Young, Cameron Justin Smith, and Trey Jordan Smith; and one great-grandson, David Rylan Young.

Young retired from the swivel chair and scissors several years ago, but his hands do not remain idle he makes wood-crafted items and plays several musical instruments. This talent got him an appearance in 1947 on the first official broadcast of the Hazard radio station.

Today, not in good health, like most World War II veterans, Young spends his days reminiscing and visiting with family and friends who stop by Laurel Heights Home for the Elderly.

TRIBUTE TO MASTER SERGEANT MICAH B. MASON AND PRIVATE FIRST CLASS MICAH J. MASON

Mr. MCCONNELL. Mr. President, today I wish to pay tribute to a father and son who are bravely serving in our Armed Forces simultaneously: MSG Micah B. Mason and his son, PFC Micah J. Mason, both of London, KY. Master Sergeant Mason has served in the National Guard for 28 years. He now has had the opportunity to see his son, Private First Class Mason, learn, work, and grow in the same organization that the elder Mason began his career in almost three decades ago.

Not only are the Mason men both involved in the same service branch, they also served on the same mission, in the same truck. Master Sergeant Mason was excited to be given the opportunity to work alongside his son in ''real world'' missions. He feels that he is lucky to be able to experience a work environment firsthand with his son in a way very few parents get the chance to do.

Private First Class Mason is excited to be able to go on missions with his father. The 22-year-old didn't know that his father was going to be on the same truck as him until the day they deployed. He is overjoyed to show his father the proficiency at which he does his job on a day-to-day basis.

There is obviously a certain level of concern when deploying on a mission solo, and that level increases when there are not one but two members of the same family on a single mission. Nonetheless, the two have expressed that at the end of the day, they are glad they have each other for support.

The resiliency and strength shown by these two individuals in such a tolling work environment is truly remarkable. With men like the Masons serving in our Armed Forces, we have little reason to doubt our military's abilities. These men are true American heroes who have given much so that we may sleep soundly at night and know that our freedoms and liberties will always be protected.

Master Sergeant Mason and his son Private First Class Mason deserve a great deal of recognition, just as all those in military service do, for what they have done to protect the citizens of their community, the great State of Kentucky, and our great country of the United States of America.

Mr. President, I would like to ask my colleagues in the Senate to join me in recognizing the hard work, dedication, and sacrifice of MSG Micah B. Mason and his son, PFC Micah J. Mason.

There was recently an article printed in Whitley County, Kentucky's local newspaper, The Times-Tribune, which highlighted the outstanding service of this father and son duo who have so graciously contributed to our Nation's defense throughout the years. Mr. President, I ask unanimous consent that said article be printed in the RECORD.

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

[From the Times-Tribune, Oct. 12, 2011]

FATHER AND SON TEAM UP TO GO OUTSIDE THE WIRE

(By Corbin, special to the Times-Tribune)

As soldiers complete their pre-mission checks and get everything loaded for transport, it would seem the job of escorting supply trucks from Joint Base Balad to Contingency Operating Site Mosul is just another mission for the soldiers of Delta Company, 1st Battalion, 149th Infantry Regiment, 77th Sustainment Brigade, 310th Expeditionary Sustainment Command.

However, a rare occasion has been marked, not only in the 149th Infantry Regiment, but in the military as a whole. A father and son are going out together on not only the same mission, but in the same truck.

''It's a unique experience for sure to actually be doing real-world missions with your son as a gunner and seeing him in that atmosphere,'' said Master Sgt. Micah B. Mason, an assistant operations noncommissioned officer with Headquarters and Headquarters Company, 149 Inf. Regt., a native of London. ''It's something very few parents get to do. I'm excited to actually go on a mission and experience it first-hand with my son.

Master Sgt. Mason, 46, who served in the Guard for over 28 years, usually watches convoy escort missions unfold as a shift battle NCO in charge of the 149th Inf. Regt.'s tactical operations center. However, the unit sent him on this mission as part of their ongoing efforts to ensure everyone in the tactical operations center is able to see what goes on first-hand during the missions they monitor on a daily basis.

''I have a lot of concerns . . . if something does happen (on the mission),'' said Master Sgt. Mason. ''I'm glad I'm there with him, though.''

Master Sgt. Mason said he's only told two people back home about him and his son doing this mission together and that ''they're just in awe.''

''I didn't know he was going, 'til I saw him sitting out by the trucks,'' said 22-year-old Pfc. Micah J. Mason, a gunner with Delta Company, 1/149th Inf. Regt., also a native of London. ''It just makes me happy to actually do something with him, to let him see what I do on a day-to day basis.''

Pfc. Mason said he had been waiting to be able to go on a mission with his father, as not many people can say that they have done that. After the mission, Master Sgt. Mason had only good things to say.

''Things went very smooth,'' he said. ''The convoy escort team knew their jobs very well and were professional every step of the way. Being out with my son was the chance of a lifetime. It was very strange to see him doing his job, being in control. But in the same sense, I was very proud.''

TRIBUTE TO FIRST CLASS SEAMAN JAMES FRANCIS

Mr. MCCONNELL. Mr. President, today I wish to pay tribute to an exceptional veteran of the United States Navy who wore the uniform during World War II, First Class Seaman James Francis of Laurel County, KY.

James was born in Monroe County, KY, in 1924. His family lived on a farm where they raised just about everything they ate. The family moved to Indiana in 1937 when James' father got a job working for the railroad. James was drafted into the Navy in 1941, on his 19th birthday.

Although James never entered combat, he was an intricate part of the war effort in the South Pacific. He was stationed on a Merchant Marine ship that delivered ammunition to the soldiers who were on the front lines. After his time aboard ship, James spent 18 months in Hong Kong cutting hair at a G.I. barber shop. He was discharged in May 1946.

Mr. James Francis is most assuredly deserving of commemoration for the sacrifices he made for each one of us and for our great Nation, as well as his years of service to the betterment of his community and to the Commonwealth of Kentucky.

There was recently a feature article published in the Sentinel Echo: Silver Edition magazine in November 2011, highlighting the upstanding legacy of Mr. James Francis and his commendable dedication to our Nation's Armed Forces.

Mr. President, it is my wish that my colleagues in the United States Senate join me in honoring the loyalty and bravery shown by Kentucky's own James Francis. And I ask unanimous consent that said article be printed in the RECORD.

There being no objection, the article was ordered to appear in the RECORD as follows:

[From the Sentinel Echo, Nov. 2011]

NAVY SUPPLIER

(By Carol Mills)

First Class Seaman James Francis was a Merchant Marine during World War II.

In time of war, the Merchant Marine is an auxiliary to the Navy and delivers troops and supplies for the military.

Francis went to Great Lakes Boot Camp in Illinois, near North Chicago, and gunnery school in Gulf Port, Miss., and then went to California and caught a ship.

''We were shipped out,'' Francis said. ''I went to the Philippines the first trip, came back to the States, and then went to Australia and the South Pacific for six months

and then came back again. I served on a Merchant Marine ship. We didn't do any fighting. We took a load of ammunition to the Philippines, 150 tons, unloaded it, and the Japanese blew it up that night. We took supplies to other countries, but I can't remember. It's been 65 years since I got out. I stayed in Hong Kong, China, cutting hair for 18 months in a G.I. barber shop before I came home. I didn't have enough points to get out (Navy).'' Navy training counts for retirement points, so Francis decided to learn how to cut hair.

Besides ammunition, Francis also delivered airplane fuel to the Philippines.

Francis was discharged in May 1946. His experience in the Navy was all good.

''There was no bad. I won't take nothing for what I seen went on, but I wouldn't go do it again.''

Francis, 86, was born in Monroe County in 1924 to Herman and Maye Francis. His father had a farm between Tomkinsville and Mud Lick.

''We raised about everything we ate,'' Francis said.

The family moved to Indiana in 1937, where his father got a job working for the L&N Railroad.

When Francis was 19, he was drafted into the U.S. Navy on Dec. 2, 1941, on his birthday. Two or three years after he was discharged, he married Irene Barton when he was 27 or 28.

''She was a Kentucky woman. I met her in Indiana,'' Francis said. ''We moved back down here in 1966. She was born and raised in Corbin. When she died, I married Lola Boggs. I've been a widower for about two years now. When she (Lola) died, I moved to Carnaby Square Apartments. I'm too old to get married again.''

TRIBUTE TO WILLIAM A. SANTOR

Mr. MCCONNELL. Mr. President, I stand before you today to pay tribute to a man who has been successful in serving his country, in his career, and in building longlasting relationships with family and friends, all because he has learned to incorporate his passion into all that he does: Mr. William ''Bill'' A. Santor of Lexington, KY.

Bill Santor lives on the Griffin Gate golf course with his wife of 72 years, Nettie. He tries to play golf at least twice a week, sometimes more. Mr. Santor turned 100 years old on Easter Sunday of this year. Despite his age, he is a competitor through and through; he recently accumulated an astonishing score of 42 strokes after playing 9 holes.

Mr. Santor truly loves the sport of golf, so much, in fact, that he passed his knowledge of the game down to both of his children as they were growing up. Now they, too, have fit the game into their livelihoods in one way or another. His son, Tom, played golf in college at the University of Kentucky, while his daughter, Patty Driapsa, instructs professional golfers at the Club Pelican Bay in Naples, FL. Both children are not only amazed that their father is still able to play the game but are also awestruck by how good he is. Despite his age, after a long lifetime of practice, he still has exceptional skill.

Bill was first exposed to the game when he began caddying in Youngstown, OH, at age 12. The pay he received was usually 25 cents for working an entire 18-hole game. He picked up a few spare clubs here and there and began playing himself at the age of 15. Bill quickly found that he was a natural-born golfer, and he began playing in and winning local tournaments.

When World War II began Bill enlisted, but he never ceased to play golf. He was stationed at Fort Knox, close to the Lindsey Golf Course, where Bill would eventually play against Byron Nelson, winner of two Masters, a U.S. Open, and a PGA, in the Kentucky Open in 1943. Although Bill didn't win the tournament that year, just being able to participate is one of Bill's fondest memories to this day.

Not long after the Open, Bill was deployed to Europe, but again he found himself in close proximity with the game he loved so dearly. Bill worked maintaining a golf course on the Czechoslovakia-Germany border. Military officers would come to the course when they were on leave to play, relax, and enjoy their time off. One of the visitors was Bob Hope, with whom Bill had the opportunity to play nine holes. All these years later, Bill will be the first to tell you he won that game.

When Bill returned home after the war, golf was a big part of his family and work life. His wife Nettie remembers most of their family vacations were to golf destinations, where the whole family would play. Bill worked for a business equipment company for almost 50 years and he spent a lot of time with clients discussing business over a game of golf. But Bill's competitive nature would never allow him to let a client win.

To this day Bill tries to fit a round of golf into his schedule every chance he gets, which is something he has done his whole entire life. Bill can drive a golf ball 175 yards, and he has a running count of 10 holes-in-one to this day. Bill's children both agree that golf is what keeps their father going; it is something that he has built his life around. Golf has opened many doors for Bill throughout his life, and for that he is grateful.

It is my wish at this time that my colleagues in the Senate join me in celebrating the successful and still very active life of Mr. William ''Bill'' A. Santor.

Mr. President, there was recently an article published in the Lexington newspaper the Herald-Leader. The article featured the legacy of Mr. Bill Santor and the love and passion he has for his country, his State, his family, and the game of golf. I ask unanimous consent that said article be printed in the RECORD.

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

[From the Lexington Herald-Leader, Apr. 1, 2012]

AT ALMOST 100, BILL SANTOR LOOKS BACK ON HIS COLORFUL LIFE IN GOLF

(By Mike Fields)

To Mark Twain, golf was a good walk spoiled, but to Bill Santor, who will mark his 100th birthday on Easter Sunday, golf has been and still is a wonderful life lived.

''It's given me so much,'' Santor said. ''Great experiences and great memories.''

Like when he competed against Byron Nelson in the Kentucky Open. Or when he played nine holes with Bob Hope during World War II. Or when he teed it up in the same tournament as Babe Ruth. Or when he made two holes-in-one in a two-week period at age 87.

In his prime, Santor was one of the best amateurs in Ohio. He passed the golf gene on to his children. His son, Tom, played at the University of Kentucky. His daughter, Patty, played at Bowling Green State and is now a teaching pro in Florida.

Bill Santor still plays golf a couple times a week at Griffin Gate, where he's lived since 1991 with his wife of 72 years, Nettie.

His legs are failing him, and so is his eyesight, but Santor is still capable of scoring well. Just last week, he carded a 42 for nine holes.

He has shot his age so many times that he laughs off the accomplishment as if it were a tap-in putt.

''It's crazy,'' his son Tom said when asked about his dad's knack for still hitting the sweet spot.

''He's a freak show.''

Patty Driapsa, who works at the Club Pelican Bay in Naples, Fla., said she finds it ''incredible'' how solid her father still hits the ball. ''He has a little trouble maneuvering in and out of the cart, but hey, at 100 years old, you'd expect to have a few challenges.''

Bill Santor's introduction to golf came when he began caddying as a 12-year-old in Youngstown, Ohio. He earned 25 cents for 18 holes.

He got a few hand-me-down clubs and started playing when he was 15. A natural athlete, he quickly found his groove and was winning area tournaments within a few years.

He continued to caddy on occasion to earn entry-fee money for tournaments. One of his best gigs was looping for Ben Fairless, president of U.S. Steel.

''He'd give me $30 for expense money,'' Santor said. ''That was like $300 then.''

In 1935, Santor played in a tournament in Cleveland and the field included Babe Ruth, the most famous athlete on the planet at the time.

When World War II began, Santor enlisted in the Army and was stationed at Fort Knox. He was upset when he was told the post's golf course was mostly restricted to officers. But Santor's golf talent and gift of gab got him playing privileges.

He was second low amateur in the 1943 Kentucky Open, which was held on Fort Knox's Lindsey Course. Byron Nelson, who had already won four majors (two Masters, a U.S. Open, and a PGA), won that Kentucky Open.

When Santor was shipped overseas during the war, he still played some golf.

As a staff sergeant, he was part of a Third Army team that won a military golf competition in Paris in 1945. The spoils of victory included an engraved gold watch that he's worn for 65 years.

Part of Santor's time in Europe was spent running the golf course at a resort called Marienbad on the Czechoslovakia-Germany border. It was where troops on leave would go for rest and relaxation. And it was where Bob Hope visited during a USO trip.

''The manager came up to me one day and said, Billy, you've got to play with Bob Hope this afternoon.' I said, What?!' I went out and played nine holes with him, and I beat him,'' Santor said.

Before he returned home after the war, Santor got in a lot of golf at Marienbad.

''I played every weekend with a captain, a colonel and a general, and here I was a staff sergeant,'' he said.

''They gave me the colonel for a partner, and he couldn't hit a bull in the ass with a handful of gravel. I'd have to take out $6 every time we played.''

Golf was also an integral part of Santor's civilian life.

Patty remembers that family vacations were usually golf destinations. Nettie also played in those days, so there was a family foursome.

Bill worked for a business equipment company for almost 50 years, and he did his share of schmoozing on the golf course. Ever the competitor, however, he never lost to a client on purpose.

''One guy asked me if I played customer golf.' I said no, and I threw a 68 at him,'' Santor said, laughing.

While luck is a factor in getting a hole-in-one, there's skill involved, too, especially when you've had 10, Santor's running total. In 1999, he aced the par-3 fourth hole at Griffin Gate on May 3, and aced it again on May 14.

New technology in golf clubs and balls has helped Santor stay in the swing of things after 85 years in the game. His odd-looking interlocking grip his left thumb is tucked under the club still allows for a smooth stroke that can send a drive 175 yards.

''I can't swing too hard, but I can still hit it OK,'' Santor says proudly.

Patty Driapsa said golf ''is basically what keeps my dad going. It's the world he lives in. It's been a game of a lifetime for him, that's for sure.''

Tom Santor, who lives in Columbus, Ohio, said golf has been ''one of the cornerstones'' of his father's life ''his family life, his business life, his social life. When he's on a golf course, wherever that might be, he feels like he's home.

''I think that's where he's most at peace.''

And still fairly close to par.

TRIBUTE TO VETERANS OF FOREIGN WARS POST 4075 HONOR GUARD

Mr. McCONNELL. Mr. President, I rise today to pay tribute to a group of individuals who have been working to make a difference in the lives of local veterans in their community for over 60 years. The honor guard of Frankfort, Kentucky's Veterans of Foreign Wars Office Post 4075 has been providing an official military funeral ceremony for local veterans in the central Kentucky area since the 1950s.

Veterans K.B. Johns, Ralph Spooner, Bill Hampton, and Charlie Mauer founded the first VFW Post 4075 color guard over 60 years ago. The men worked together to increase the size of the color guard over the next decade into a full honor guard with 11 members: 2 flag folders, 7 riflemen, 1 bugler, and 1 leader. The honor guard takes any and all requests to play at a fellow serviceman's funeral, free of charge.

The honor guard is made up of veterans from World War II, the Vietnam war, the Korean war, Operation Desert Storm, and Operation Iraqi Freedom. They may be from different generations, but they all share the same respect for one another. Charlie Mauer is the only surviving original member of the troop; he is 85 years old.

Mr. Mauer is joined by three other World War II veterans: Mr. Burnett Napier fought with the U.S. Marines in the Battle of Peleliu in the Pacific Theater at the age of 19. He is now 87 years old, and he is the recipient of the Purple Heart and the Silver Star, two of the highest honors awarded by the U.S. military. Mr. Charlie Hinds, who is 88 years old, served as a scout for GEN George Patton for 2 years. He enlisted in the Army at age 18. The youngest of the WWII veterans at age 84 is Jim Wolcott. He was stationed in Europe from 1944 to 1947.

According to Charlie Mauer, the honor guard is ''a great bunch of guys.'' The men have conducted ceremonies for hundreds of funerals throughout the program's lifetime and expected nothing in return. They are driven by compassion for their fellow servicemen who have gone on and their families who are left behind with only the memories of their loved one. The men are honored to get the chance to pay tribute to Frankfort veterans who have passed away. When asked, all of the men say that they plan to stay involved in the honor guard as long as they are able to.

It is inspiring to witness others who truly receive joy and satisfaction from helping their fellow man. The men of Frankfort's VFW Post 4075 honor guard will sometimes perform at as many as three funerals a day, all for free. These men have all been involved in historic battles throughout our Nation's history, and they have served their country valiantly. And although they have already given so much, they are still far from done giving back to their community, State, and country.

Mr. President, at this time I ask that my fellow colleagues in the Senate join me in recognizing the valiant dedication to service shown by these brave individuals. There was recently an article published in the Lexington Herald-Leader that featured Frankfort's Veterans of Foreign Wars Office Post 4075. Mr. President, I ask unanimous consent that said article be printed in the RECORD.

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

[From the Lexington Herald-Leader, Mar. 26, 2012]

FRANKFORT VFW'S HONOR GUARD MEMBERS FEEL PRIVILEGED TO SERVE

(By Kayleigh Zyskowski)

When the phone rings at the Frankfort Veterans of Foreign Wars Post on Second Street, 85-year-old Charlie Mauer answers it.

On the other end is not a question about the day's soups or the next bingo night, but a request for the VFW Post 4075 honor guard to pay final respects to a fellow veteran.

It's a call Mauer, honor guard commander, has been answering for years, and he's honored to take it.

K.B. Johns, Ralph Spooner, Bill Hampton and Mauer the only living original member founded the first VFW Post 4075 color guard in the early 1950s.

Within the next decade they were able to support a full honor guard, which takes at least 11 members: two flag folders, seven riflemen, one bugler and one leader.

Four of the current members are World War II veterans, and the rest served in Vietnam, Korea, Desert Storm and Operation Iraqi Freedom. They are from different generations, but the men say they share the same respect for each other.

''We've got a good bunch of guys,'' Mauer said.

Mauer, a World War II veteran, says serving the community and paying tribute to Frankfort veterans is something he's glad to do. And because he grew up in Frankfort, he knows many of those who've died, which makes the job more important to him.

Several days after the call comes in, Mauer arrives at the post ready to greet the other members and prepare the equipment.

''We don't get paid,'' says World War II veteran Jim Wolcott, ''other than a free lunch and a beer.''

The men arrive wearing dark-blue uniforms decorated with gold cords, white gloves and polished black shoes.

They shuffle into the game room of the VFW where the rifles are stored in a locked cabinet.

After they are prepared to leave for the funeral service, the group stands in the doorway teasing each other about their weight and asking the kitchen crew what's for lunch.

There's no need for practice or rehearsal; each man knows his role because the group has done it so often.

The group has attended as many as three funerals in one day, Mauer says, but the number is usually several per month. Over the years, they have provided services for hundreds of funerals.

The men have braved every kind of weather for funerals, and this morning is chilly and rainy. Luckily, they've heard the sky will clear before the service starts.

The 11 men divide into separate vehicles and make their way up East Main Street to Frankfort Cemetery.

As they wait for the family to arrive at the cemetery's chapel, Charlie Hinds asks Burnett Napier, ''What are you doing lately?''

''As little as possible,'' Napier jokes.

Both Napier and Hinds are World War II combat veterans—Napier in the Marines and Hinds in the Army.

By 19, Napier was fighting in one of the Marine's deadliest battles in the Pacific on Peleliu Island with the 1st Marine Division.

It was September 1944 when Napier ended up on the coral island fighting against the Empire of Japan. He was a corpsman, or medic, when he ran to the side of a fallen Marine, performed first aid on the man under machine-gun fire before carrying him to safety.

Shrapnel hit him later in the same battle, and he suffered a concussion.

Napier, an honor guard member for 15 years, received the Purple Heart and the Silver Star while in combat on the island, which is present day Palau Islands.

''They didn't stay in one place for too long. I was all over the Pacific,'' he said.

''According to the citation, a Marine was caught in crossfire with machine guns, and, according to the citation, I administered first aid under fire and carried him back to relative safety,'' Napier said.

Charlie Hinds, 88, has been a member of the honor guard for about 16 years.

He served in seven campaigns and was an Army scout for General George Patton for two years.

''He wasn't a really nice guy; he wouldn't ever come up and want to know about you personally,'' Hinds said about Patton. ''He just wanted to tell you what to do, but he was a good general.''

Hinds and his brother enlisted after graduating from high school because his father didn't have enough money to send him to school. He was 18 years old.

''With about two weeks left in the war, I was the only (one) left in my platoon,'' Hinds said.

Family members of the deceased begin to arrive at Frankfort Cemetery. Vince LaFontaine—who has played in hundreds of Frankfort funerals since he was a teenager—warms up with scales, and the men take their positions.

The weather predictions were correct. The sky clears, the sun comes out and the air warms in time for the ceremony to begin.

Mauer stands in the doorway of the cemetery chapel where about 15 members of the deceased veteran's family sits. He signals the riflemen after the flag is precisely folded.

''Ten-hut,'' he says sternly.

The seven riflemen fire three shots that echo over the cliff and around South Frankfort before silence takes over, and the bugler plays ''Taps.''

''I've heard Taps' over a thousand times it seems, but it's always emotional for me,'' Wolcott says back at the VFW over a lunch of beef stew and corn bread.

Mauer says he never gets used to hearing ''Taps'' played, either.

''There's something about Taps'; it hits an emotion you can't really describe,'' he says.

Wolcott, who at 84 takes claim as the youngest of the four honor guard World War II veterans, was stationed in Europe from 1944 to 1947.

The four men sit at the circular table over lunch for about an hour before they decide they need to get home. They agree their health will decide when it's time to hang up their duties with the honor guard.

''When you become our age you don't look ahead too far,'' Napier said.

''We go day by day, but we'll be here as long as we can.''

TRIBUTE TO LANCE CORPORAL DAVID MAYS

Mr. MCCONNELL. Mr. President, I stand before you today to commend and pay tribute to a Kentuckian who spent time with the Marines serving in Afghanistan in 2009. Although he was far from home and a visitor in a foreign land, LCpl David Mays of London, KY, treated the Afghan people with the utmost respect, proving that he exemplified the characteristics the U.S. Marine Corps upholds: character, compassion, honor, courage, and the integrity to always do what is right. Lance Corporal Mays enlisted during his senior year of high school at the age of 18.

In May of 2009, just 2 days before his second deployment with the Marines, David's firstborn son, Landon, came into the world. David left for Afghanistan before his newborn son was able to leave the hospital in London. Although David was greatly saddened about having to leave his baby boy behind, he proudly answered the call of duty, and for the second time David returned to the Middle East. However, this time around, David was a different man: he was a father now. Fatherhood caused him to take an interest in the local Afghan children. David felt that interacting with the children helped him to not miss his own son as much.

David missed his boy back home terribly, but he would play with the Afghan children and buy them gifts. In turn, the children would offer David and his fellow marines fruit as a token of their gratitude. The kinship David and his men built with the local children was the foundation of a successful relationship with the local Afghan tribe leaders.

During his time overseas, David had limited contact with his family in Kentucky, but his mother, Wanda Caudill, sent letters and care packages as frequently as possible. She would also send photos of Landon. The gifts from home and the relationships David made with the local people, local children, and fellow marines all helped to console him until he finally returned home just before Christmas in 2010.

It had been almost a year since David had seen his son Landon, who was only 2 days old at their last meeting, There was no way that the little boy could have remembered his father's presence. But when David first saw his son Landon at the airport that December, Landon reached for him as if he had never left and kissed him three times.

David has since joined the London-Laurel County Rescue Squad and London Fire Department. He is still in the Marines Active Reserve, but he plans to stay as involved as he can in his 2-year-old son's life. David decided that missing 1 year of his son's life is enough, and he is not missing any more.

Mr. President, an article appeared in the Laurel County publication the Sentinel-Echo: Silver Edition in November 2011 that profiled the upstanding character of LCpl David Mays. I ask unanimous consent that said article be printed in the RECORD.

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

[From the Sentinel Echo, Nov. 2011]

FINDING FAMILY FAR FROM HOME

(By Magen McCrarey)

He left his first-born son, Landon, at the hospital in May of 2009, born two days before his second deployment. David Mays, a lance corporal of the 1st Battalion, Fifth Marines, hoped to take Landon home for a warm welcome; instead he arrived in Afghanistan with one of his own.

''As we landed we heard bullets ricocheting off the helicopter,'' Mays said. ''We were there, and there was no turning back.''

The sweltering desert heat was in excess of 115 degrees as Mays and his squad walked three days with more than 100 pounds strapped to their backs heading towards Helmand Province. Their compound was far off from any city and water was limited.

With a shovel-like tool in hand, Mays began digging a hole for his bed and covered it with a tarp.

''Everybody dug their own hole, scattered, in case we got attacked by mortars,'' Mays said. ''I told my buddy if we're worried about mortars, we dug our graves right here so it don't matter.''

Mays always wanted to be a Marine. When Mays was in fourth grade at Cold Hill Elementary, his class received a visit from a U.S. Marine, a pilot shot down behind enemy lines and a Kentucky native. The Marine's recollection of brotherhood and camaraderie influenced Mays in more ways than just portraying an intriguing narrative.

''It was like a family away from your own family, and I'd get to see the world and meet people,'' Mays said.

He and a group of friends enlisted in the Marines their senior year of high school at 18 years old. They knew they may not be placed in the same company throughout their service, but they all had the same objective.

''We all had one thing on our minds: to become Marines together,'' Mays said.

The objective of the Marines within the Helmand Province was to win the hearts and minds of the Afghans. With the British recently vacating the country, Afghans were apprehensive about the Marines' arrival.

Tribe leaders would only converse with Marine commanders. They'd offer tips about the Taliban's whereabouts and when they were arriving in the area. The Taliban had a reputation for entering into towns at night.

Mays and his squad of four would respond to the information given and perform night operations to keep watch over a town. Walking 20 miles and back again to keep watch for suspicious travelers was a frequent and meticulous task.

''We did what we had to do. We were doing our job protecting each other,'' Mays said, ''just like anybody around here will protect their family.''

Contact with family via satellite while in Afghanistan was few and far between, but they received mail often. Mays's mother, Wanda Caudill, sent a letter every chance she got, and many care packages.

''She sent me newspapers and I knew exactly what was going on in London,'' he said.

Caudill also sent photos of Mays's son so he wouldn't feel as if he was missing out on his child's life. Away from his own child, Mays often thought about the children in Afghanistan.

''We'd give the kids rides on our shoulders, and we'd buy them stuff,'' Mays said.

The Afghan boys would offer fruit to the Marines and even allowed them to participate in their Muslim holiday of Ramadan. As the sun set, the day of fasting would cease and they would enter in an evening feast. They had offered a goat for slaughter to the men, and taught them how to give it a death without suffering.

''I think it made me think about when my son was going to get that age, and didn't make me miss him as much. But, of course, I missed him because he was my boy,'' Mays said.

After days of patrolling a foreign country, battling an unseen enemy, and losing men that were a part of his family away from home, Mays returned to his own. Days before Christmas 2010, Mays arrived at the Louisville airport greeting his family with one gripping hug after another, saving his son for last.

''I was scared he was going to cry and not recognize me,'' Mays said.

But Landon came right to him as if he never missed a beat. He reached for Mays and kissed him three times.

''My mom started crying and said, 'He never kissed nobody,' Mays recalled. ''It was like I was gone only a minute or so.''

After returning from deployment, Mays has learned to appreciate the small things in life and take advantage of every opportunity to serve the public, he said. He's joined the London-Laurel County Rescue Squad and London Fire Department. Mays has completed four years of active duty in the Marines and is currently in the four-year active

reserve program. He said if he didn't have his son before he began active duty, he would have made a career out of the Marines.

''I decided one year's enough,'' Mays said. ''I'm not missing any more of his life.'' Landon is now two years old.

TRIBUTE TO MASTER SERGEANT CHARLES HAYES

Mr. MCCONNELL. Mr. President, I rise today in honor of MSgt Charles Hayes of London, KY. Master Sergeant Hayes served in the U.S. Air Force from 1972 to 1996, and was involved in both the Vietnam and gulf wars. Hayes volunteered to join at age 21 and continued to be a volunteer for the duration of his two-decade stint in the military.

During Hayes's extended period of time in the Air Force, he had the opportunity to visit a variety of foreign countries, including Germany, Turkey, and Thailand, just to name a few. Hayes enjoyed every aspect that went along with being a part of the Armed Forces. He flourished as a member of the U.S. Air Force in more ways than one.

What Hayes enjoyed most about the service was experiencing history in the making. Hayes remembers participating in the evacuation of Saigon, South Vietnam, in April 1975. It was a mission in which Hayes and his team were given the objective of recovering an American merchant ship that had been pirated by the Khmer Rouge navy. The ship was successfully recovered on May 13, 1975, and Hayes was an instrumental part of the operation, one that many of us remember paying close attention to while back home in the States.

Hayes also enjoyed the Air Force because it inspired its members to show initiative. In 1987, Charles was assigned public affairs duties for his section. He remembers how difficult and ''utterly impossible'' the men told him it was to get an article published in the base newspaper. Hayes took on the challenge of getting a story published head on, and that year he had 37 articles and 17 pictures with captions published in the newspaper.

Lt. Col. Richard Vaught recalls that Hayes was one of the best sergeants he has ever commanded. It wasn't unusual for those who worked with Hayes to speak highly of him. While serving as the squadron safety noncommissioned officer from 1990 to 1996, Hayes's unit received numerous honors and awards, including Best Small Unit Safety Program Award and Best Additional Duty Safety NCO Award.

Many different attributes have been used to describe Charles Hayes over the years. Talented, ambitious, reliable, and persevering are just a few of the countless positive references of the master sergeant. Lieutenant Colonel Vaught is recorded as saying, ''Charlie always knew how to get everything when nobody else could. If you go to war, he's the one you want to go with you. He'll get you everything and then some.''

Charles Hayes exemplifies every characteristic of a successful member of our Nation's Armed Forces. His dedication and service to our great country over 24 years will most certainly not go unnoticed and is the very cause of my standing here today. It is my wish that my colleagues in the Senate join me in commemorating MSgt Charles Hayes at this time.

There was an article published in Laurel County's local news magazine, the Sentinel-Echo: Silver Edition, in November of 2011. The article highlighted Charles Hayes and the outstanding dedication he has shown throughout the years in his involvement with the U.S. military. Mr. President, I ask unanimous consent that said article be printed in the RECORD.

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

[From the Sentinel-Echo: Silver Edition, Nov. 2011]

A PART OF HISTORY

(By Carol Mills)

Master Sergeant Charles Hayes, a Vietnam and Gulf War veteran, volunteered to join the United States Air Force when he was 21, serving from 1972 to 1996. He worked for 12 years in security police and 12 years in computers.

What Hayes liked most about his 24 years of service was being a part of history.

''While my part was very small, the unit I was assigned to (56 SPS, Nakhon Phanom RTAF, Thailand) was responsible for assisting in the evacuation of Saigon, South Vietnam, and Phenom Phen, Cambodia, in April 1975,'' 60-year-old Hayes said. ''We were part of the recovery of the American merchant ship, Mayaguez, which had been pirated by the Khmer Rouge Navy. I lost 18 buddies on May 13, 1975, during the operation.''

During the 1991 Gulf War, his unit (608 APS, Ramstein AFB, Ramstein, Germany) was responsible for shipping all munitions to the air bases in the desert, as well as thousands of tons of other supplies.

''I remember looking at what seemed to be miles of pallets and wondering when we would get them all shipped down range.''

After the Gulf War, Hayes's unit was kept busy supporting United Nations' humanitarian missions in Eastern Europe and Africa. In 1992, one of Russia's largest cargo planes arrived at Ramstein AFB to receive donations. He was in charge of ground safety while his unit loaded the plane.

''We weren't able to use forklifts because the plane wasn't configured for them. Because I was all over the operation, the plane's crew must have figured I was a big wheel of some kind and gave me three cases of Russian vodka.''

Hayes also liked the Air Force because it allowed him to show initiative.

''While sometimes routine duties were a little mundane, additional duties allowed personnel an opportunity to show initiative. In 1987, I was assigned public affairs duties for my section. I was told that it was almost 'impossible' to get an article printed in the base newspaper and utterly 'impossible' to get an article published anywhere else.''

That year, Hayes had 37 articles and 17 pictures with captions published in the base newspaper. Two articles were published in command-level publications and two in a local newspaper.

Lt. Col. Richard Vaught said Hayes was one of the best master sergeants he ever commanded.

''He's the type that if you needed anything done, he always found a way to get it done when everyone else couldn't,'' he said. ''He was the ultimate scrounger. I would say he was a very talented individual. Charlie always knew how to get everything when nobody else could. If you go to war, he's the one you want to go with you. He'll get you everything you need and then some. He just knew how to use all the various avenues. I was quite happy to have him in my command.''

From 1990 through 1996, he was assigned the additional duty of squadron safety noncommissioned officer. During his tenure as safety NCO, his unit received a Best Explosives Safety Program Award from both the command and USAF as well as a Best Small Unit (under 600 personnel) Safety Program Award. He also received a Best Additional Duty Safety NCO Award.

Hayes also liked associating with other patriots.

''When situations got tough, everyone got tougher,'' he said. ''We all regarded a challenge as something to overcome, not something to shy away from. Esprit de corps was highest when things were toughest. I served with some of the best people in the world.''

Hayes enjoyed the opportunities the Air Force had to offer. ''I always held the attitude that I was stationed in the best section of the best squadron on the best Air Force base in the United States. I learned that education was the least expensive hobby a person could have and completed a master's in education before I retired.''

During his service he traveled throughout the British Isles, France, Germany, Luxembourg, Belgium, Turkey, Thailand, and several other countries to a lesser degree, and has driven through every state except Maine, New Hampshire and Vermont. He has also been to Alaska and Hawaii during his service.

Before Hayes had lived in London, Ky., for five months, he had spent more time in London, England, than in London, Ky.

2012 NATIONAL DAYS OF REMEMBRANCE

Mr. BLUMENTHAL. Mr. President, today I wish to pay my respects to the victims, survivors, and heroes of the Holocaust. April 19, 2012, marks Holocaust Remembrance Day, which is observed during a week-long memorial, the National Days of Remembrance, created by Congress in 1980 and led by the U.S. Holocaust Memorial Museum. Through this year's theme, ''Choosing to Act: Stories of Rescue,'' we remember the courageous men, women, and children who stood up and saved lives, at grave risk and sometimes deadly consequences to themselves. On the anniversary of the Warsaw ghetto uprising and the liberation of European concentration camps, we honor all who embraced their own humanity to save others, abandoning self-interest for selfless bravery.

This week of commemoration that spans Sunday, April 15 to Sunday, April 22, is deeply personal. My father came to this country in 1935 to escape persecution. Speaking barely any English, he set down my family's roots with very little but memories of loved ones who had perished in the Holocaust and faith in the American dream.

The Days of Remembrance is a living memorial, altered by every citizen who

dares to speak up and open their mind and heart. It is more than an oral history project. It ties the past with our present, inspiring proactive, positive transformation in our daily lives. We recall that the brave individuals whose stories we bring to light were acting out of loyalty to their neighbors. Small communities held each other tightly. Each year, we come together at a national ceremony in the Capitol Rotunda, but this collective power is also felt through smaller groups, including State and local governments, civic organizations, places of worship, schools, offices, and military bases.

Organizations such as the Holocaust Child Survivors of Connecticut document the personal histories of living survivors—children of the Holocaust. Sadly, as time goes on, our future generations will not have the privilege of hearing from them. We must work to perpetuate their messages beyond words. We must teach our Nation's children the lessons we have learned—about human betrayal, war crimes, and genocide, about heroes, hope, and honor—through our own activism.

This Wednesday, the Holocaust Memorial Museum is awarding Aung San Suu Kyi the Elie Wiesel Award at their 2012 National Tribute Dinner for ''her exceptional courage in resisting tyranny and advancing the dignity and freedom of the Burmese people.'' By honoring a woman who is a living hero for victims of a present-day dictatorship, the Holocaust Memorial Museum seamlessly unites history with the persecutions of today to create a new space of memory and action for generations to come.

As we soberly recall those who were not rescued, we can remain hopeful through the memory of the rescuers—those who followed their heart, beliefs, or religion to help victims in desperate need. This compassion is inspirational for me, and I hope for all those who witness human suffering and confront feelings of helplessness. As we gather this week to remember, we are choosing to be actively compassionate. Memories of the Holocaust inspire us to live today and every day with kindness, generosity, and an undying commitment to strengthening our bonds as human beings.

TRIBUTE TO SENATOR BARBARA MIKULSKI

Mr. BLUMENTHAL. Mr. President, today I join my fellow Senators in paying tribute to my dear colleague and friend Senator BARBARA MIKULSKI for the tremendous landmark she has reached as of March 17, 2012. She is now the longest serving female Member of our Congress. But the number of years is inadequate as a measure or metric. More telling are her monumental accomplishments and record of successfully tackling tough problems and making a real difference in lives. Senator MIKULSKI is unquestionably one of the most dedicated, inspiring, and influential public servants in our Nation's history.

Her generous spirit, flair, and eloquence as a speaker make her both loved and powerful as an advocate. Her standard of intellect and integrity has motivated me and inspired countless others. Like Senator MIKULSKI, I am humbled and driven by the legacy of members of my family who emigrated from Europe, striving for the American dream with a strong work ethic and a firm belief in progress. I am especially drawn to Senator MIKULSKI's determination to fight for her constituents and her deep sense of caring. She is an excellent role model for women and girls around the globe—and for anyone, whether a freshman Senator such as myself or a veteran legislator—devoted to a life of public service.

I am proud to work with Senator MIKULSKI on the Committee on Health, Education, Labor, and Pensions, joining her, for example, as a cosponsor of her Paycheck Fairness Act to continue the civil rights debate that started decades ago and is unfortunately still unresolved. We must, once and for all, secure protections for women in the workforce, reaching pay equity and ending all instances of sex discrimination.

I respect Senator MIKULSKI's efforts to reduce costs while furthering innovation and am a strong supporter of her focus on research and drug development for chronic conditions, as laid out in her SPRINT Act. Her advocacy for America's seniors and success leading immigration reform are equally inspiring, and I am proud to be a cosponsor of her Visa Waiver Program Enhanced Security and Reform Act.

I especially enjoyed partnering with Senator MIKULSKI to advance the education we provide to our Nation's students. We offered an amendment together in the Elementary and Secondary Education Act to increase funding and research to meet the unique needs of gifted and talented students.

Special recognition is past due for Senator MIKULSKI, who makes the time to recognize others, most recently sponsoring S. Res. 310, designating 2012 as ''Year of the Girl'' and congratulating the Girl Scouts for its centennial.

Senator MIKULSKI has been an extraordinary mentor and model for countless men and women who emulate her dedication and drive, her commitment and common sense. She leads by her example, particularly for women who endeavor to hold public office. When considering the opportunity to run, they can look to the legacy she has built and the path she has traveled from social worker to city council member to a national figure in the Halls of Congress.

I look forward with pleasure and pride to serving alongside Senator MIKULSKI for years to come. I congratulate her on making history and giving her colleagues, fellow public servants, constituents, and the American people the opportunity to engage in history-making for the good of our Nation.

ADDITIONAL STATEMENTS

TRIBUTE TO BEA ABRAMS COHEN

• Mrs. BOXER. Mr. President, today I salute the life and achievements of Bea Abrams Cohen, who at 102 years old is California's oldest living woman veteran. Still active in veterans and community affairs, Mrs. Cohen was recently the guest of honor at a California Department of Veterans Affairs, CalVet, reception honoring the achievements of women in the military during Women's Military History Week.

As CalVet noted, ''Women have contributed to the rich military history of our country even before they were officially allowed to serve. The first known American woman soldier was Deborah Sampson of Massachusetts who, disguised as a man, served in the Revolutionary War. Throughout the history of our country, women have consistently shown themselves as dedicated patriots, willing to put their lives on the line in order to protect our nation and the freedoms of our people.''

The life of Bea Cohen is a living testament to the incredible contributions our service women make each and every day. Born in Romania in 1910, Bea Abrams came to America through Ellis Island in 1920 with her mother, brother, and sister. When the United States entered World War II, Bea vowed to do all she could to help her adopted country. She went to school to learn the machinist trade and then worked at Douglas Aircraft Company in Santa Monica as a real-life Rosie the Riveter.

Though she loved this work, Bea wanted to do more. In 1942, at age 33, she joined the Women's Army Auxiliary Corps, WAAC, turning down a salary increase at Douglas. After going through basic training in Iowa, she did administrative work for the WAAC in Utah and Colorado.

By 1943, Bea took a second oath to become part of the new Women's Army Corps, WAC, which unlike the WAAC was now a part of the Regular Army. She was soon shipped overseas. Crossing the Atlantic Ocean on a ship that zigzagged to avoid enemy submarines, Bea arrived in England just in time for D-day. There, she worked in Army headquarters producing documents and operating a low-cost printing machine called a mimeograph. After 2 years of service, Bea was honorably discharged and returned to Los Angeles.

In late 1945, Bea met Marine MSgt Ray Cohen through family friends. Ray Cohen had served in the Pacific and had been a prisoner of War on the Philippine island of Corregidor for 3½ years. Bea and Ray were married the following year and had two daughters, Janiece and Susan. Later, during the Korean war, Ray was deployed for over

a year while Bea raised the girls and volunteered with the Jewish War Veterans of the United States.

After Ray retired in 1955, the Cohens remained active with the Jewish War Veterans. To this day, Bea volunteers at the Veterans Affairs Medical Center in Los Angeles. For her 102nd birthday party, Bea displayed her lifelong dedication to troops by asking her guests to bring socks for veterans rather than presents for herself. Bea has dedicated more than 70 years to providing support for American troops and their families. She is an enduring reminder of the contributions of this nation's veterans.

Mr. President, I know all of my colleagues will join me today in honoring Bea Abrams Cohen.●

REMEMBERING MR. JAMES A. BRENNAN, JR.

● Mr. NELSON of Florida. Mr. President, I wish to honor one of Florida's great public servants, Mr. James A. Brennan, Jr. Mr. Brennan passed away on December 20, 2011.

Mr. Brennan was a long-time aide to Florida Congressman Claude Pepper. He worked for Mr. Pepper from 1963 to 1989, when Mr. Pepper was in the U.S. House of Representatives. He was Mr. Pepper's closest advisor through the Congressman's chairmanships of the House Aging Committee and House Rules Committee.

Mr. Brennan was devoted to Florida. One of his biggest priorities was helping Florida's seniors, both as Mr. Pepper's aide and later as a board member and advisor to the Claude Pepper Foundation in Tallahassee.

Throughout his years working for Mr. Pepper, Mr. Brennan had the support of his wife Yolanda. They had 12 children and 28 grandchildren.

Florida is lucky to have had a public servant like Mr. Brennan, and his service to the State and the country will not be forgotten.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE DURING ADJOURNMENT

Under the authority of the order of the Senate of January 5, 2011, the Secretary of the Senate, on March 30, 2012, during the adjournment of the Senate, received a message from the House of Representatives that the House agrees to the concurrent resolution (S. Con. Res. 38) providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives, without amendment.

The message also announced that, pursuant to section 703(c) of the Public Interest Declassification Act of 2000 (50 U.S.C. 435 note), the Minority Leader reappoints the Honorable David E. Skaggs of Longmont, Colorado, to the Public Interest Declassification Board.

MESSAGE FROM THE HOUSE

At 2:03 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res 112. Concurrent resolution establishing the budget for the United States Government for fiscal year 2013 and setting forth appropriate budgetary levels for fiscal years 2014 through 2022.

MEASURES DISCHARGED

The following concurrent resolutions were discharged from the Committee on the Budget, pursuant to section 300 of the Congressional Budget Act, and placed on the calendar:

S. Con. Res. 40. Concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2013, revising the appropriate budgetary levels for fiscal year 2012, and setting forth the appropriate budgetary levels for fiscal years 2013 through 2022.

H. Con. Res. 112. Concurrent resolution establishing the budget for the United States Government for fiscal year 2013 and setting forth appropriate budgetary levels for fiscal years 2014 through 2022.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 5. An act to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system.

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. BEGICH:

S. 2284. A bill to amend the Internal Revenue Code of 1986 to provide expensing for small businesses; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2285. A bill to increase civil penalties for institutions of higher education that fail to comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act; 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. BROWN of Ohio (for himself, Mrs. HUTCHISON, Mr. INOUYE, Mrs. MURRAY, Mr. ALEXANDER, Mr. TESTER, and Mr. BAUCUS):

S. Res. 418. A resolution commending the 80 brave men who became known as the ''Doolittle Tokyo Raiders'' for outstanding heroism, valor, skill, and service to the United States during the bombing of Tokyo and 5 other targets on the island of Honshu on April 18, 1942, during the Second World War; to the Committee on Armed Services.

By Mr. PAUL (for himself, Mr. DEMINT, and Mr. LEE):

S. Con. Res. 40. A concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2013, revising the appropriate budgetary levels for fiscal year 2012, and setting forth the appropriate budgetary levels for fiscal years 2013 through 2022; placed on the calendar.

ADDITIONAL COSPONSORS

S. 17

At the request of Mr. ISAKSON, his name was added as a cosponsor of S. 17, a bill to repeal the job-killing tax on medical devices to ensure continued access to life-saving medical devices for patients and maintain the standing of United States as the world leader in medical device innovation.

At the request of Mr. ALEXANDER, his name was added as a cosponsor of S. 17, supra.

S. 154

At the request of Mr. KOHL, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 154, a bill to authorize the Secretary of Education to make grants to support early college high schools and other dual enrollment programs.

S. 219

At the request of Mr. TESTER, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. 219, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 253

At the request of Mr. ROCKEFELLER, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 253, a bill to establish a commission to ensure a suitable observance of the centennial of World War I, and to designate memorials to the service of men and women of the United States in World War I.

S. 274

At the request of Mrs. HAGAN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 274, a bill to amend title XVIII of the Social Security Act to expand access to medication therapy management services under the Medicare prescription drug program.

S. 362

At the request of Mr. WHITEHOUSE, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 362, a bill to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative, and for other purposes.

S. 534

At the request of Mr. KERRY, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 534, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain small producers.

S. 658

At the request of Ms. KLOBUCHAR, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 658, a bill to provide for the preservation by the Department of Defense of documentary evidence of the Department of Defense on incidents of sexual assault and sexual harassment in the military, and for other purposes.

S. 958

At the request of Mr. CASEY, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 958, a bill to amend the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs.

S. 1069

At the request of Mr. JOHANNS, his name was added as a cosponsor of S. 1069, a bill to suspend temporarily the duty on certain footwear, and for other purposes.

S. 1299

At the request of Mr. MORAN, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 1299, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Lions Clubs International.

S. 1397

At the request of Mr. CARPER, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1397, a bill to amend the Internal Revenue Code of 1986 to provide for an investment tax credit related to the production of electricity from offshore wind.

S. 1460

At the request of Mr. BAUCUS, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1460, a bill to grant the congressional gold medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II.

S. 1591

At the request of Mrs. GILLIBRAND, the names of the Senator from North Dakota (Mr. CONRAD) and the Senator from Colorado (Mr. UDALL) were added as cosponsors of S. 1591, a bill to award a Congressional Gold Medal to Raoul Wallenberg, in recognition of his achievements and heroic actions during the Holocaust.

S. 1670

At the request of Mr. CARDIN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1670, a bill to eliminate racial profiling by law enforcement, and for other purposes.

S. 1821

At the request of Mr. COONS, the names of the Senator from Tennessee (Mr. CORKER) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 1821, a bill to prevent the termination of the temporary office of bankruptcy judges in certain judicial districts.

S. 1880

At the request of Mr. BARRASSO, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1880, a bill to repeal the health care law's job-killing health insurance tax.

S. 1979

At the request of Mr. CONRAD, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1979, a bill to provide incentives to physicians to practice in rural and medically underserved communities and for other purposes.

S. 1981

At the request of Mr. HELLER, the names of the Senator from Wyoming (Mr. BARRASSO) and the Senator from New Hampshire (Ms. AYOTTE) were added as cosponsors of S. 1981, a bill to provide that Members of Congress may not receive pay after October 1 of any fiscal year in which Congress has not approved a concurrent resolution on the budget and passed the regular appropriations bills.

S. 1984

At the request of Mr. KERRY, the names of the Senator from Maine (Ms. SNOWE) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 1984, a bill to establish a commission to develop a national strategy and recommendations for reducing fatalities resulting from child abuse and neglect.

S. 1990

At the request of Mr. NELSON of Nebraska, his name was added as a cosponsor of S. 1990, a bill to require the Transportation Security Administration to comply with the Uniformed Services Employment and Reemployment Rights Act.

At the request of Ms. KLOBUCHAR, her name was added as a cosponsor of S. 1990, supra.

S. 2003

At the request of Mrs. FEINSTEIN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2003, a bill to clarify that an authorization to use military force, a declaration of war, or any similar authority shall not authorize the detention without charge or trial of a citizen or lawful permanent resident of the United States and for other purposes.

S. 2010

At the request of Mr. KERRY, the name of the Senator from Nevada (Mr. HELLER) 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. 2051

At the request of Mr. REED, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 2051, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans.

S. 2112

At the request of Mr. BEGICH, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 2112, a bill to amend title 10, United States Code, to authorize space-available travel on military aircraft for members of the reserve components, a member or former member of a reserve component who is eligible for retired pay but for age, widows and widowers of retired members, and dependents.

S. 2121

At the request of Ms. KLOBUCHAR, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 2121, a bill to modify the Department of Defense Program Guidance relating to the award of Post-Deployment/Mobilization Respite Absence administrative absence days to members of the reserve components to exempt any member whose qualified mobilization commenced before October 1, 2011, and continued on or after that date, from the changes to the program guidance that took effect on that date.

S. 2160

At the request of Mr. MORAN, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 2160, a bill to improve the examination of depository institutions, and for other purposes.

S. 2165

At the request of Mrs. BOXER, the names of the Senator from Arkansas (Mr. PRYOR), the Senator from Florida (Mr. NELSON) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 2165, a bill to enhance strategic cooperation between the United States and Israel, and for other purposes.

S. 2179

At the request of Mr. WEBB, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of 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.

S. 2206

At the request of Mr. LAUTENBERG, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added

as a cosponsor of S. 2206, a bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to provide educational counseling to individuals eligible for educational assistance under laws administered by the Secretary before such individuals receive such assistance, and for other purposes.

S. 2219

At the request of Mr. WHITEHOUSE, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 2219, a bill to amend the Federal Election Campaign Act of 1971 to provide for additional disclosure requirements for corporations, labor organizations, Super PACs and other entities, and for other purposes.

S. 2230

At the request of Mr. WHITEHOUSE, the names of the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 2230, a bill to reduce the deficit by imposing a minimum effective tax rate for high-income taxpayers.

S. 2233

At the request of Mr. SCHUMER, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 2233, a bill to amend the Immigration and Nationality Act to stimulate international tourism to the United States.

S. 2241

At the request of Mrs. MURRAY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2241, a bill to ensure that veterans have the information and protections they require to make informed decisions regarding use of Post-9/11 Educational Assistance, and for other purposes.

S. 2270

At the request of Mr. HARKIN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2270, a bill to amend the Farm Security and Rural Investment Act of 2002 to improve energy programs.

S. 2274

At the request of Ms. STABENOW, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 2274, a bill to require the Secretary of Agriculture to establish a nonprofit corporation to be known as the Foundation for Food and Agriculture Research.

S. 2279

At the request of Mr. KERRY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2279, a bill to amend the R.M.S. Titanic Maritime Memorial Act of 1986 to provide additional protection for the R.M.S. Titanic and its wreck site, and for other purposes.

S. 2280

At the request of Mr. DURBIN, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 2280, a bill to amend the Truth in Lending Act and the Higher Education Act of 1965 to require certain creditors to obtain certifications from institutions of higher education, and for other purposes.

S.J. RES. 21

At the request of Mr. MENENDEZ, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S.J. Res. 21, a joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

S.J. RES. 39

At the request of Mr. CARDIN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S.J. Res. 39, a joint resolution removing the deadline for the ratification of the equal rights amendment.

S. RES. 400

At the request of Ms. STABENOW, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. Res. 400, a resolution supporting the goals and ideals of Professional Social Work Month and World Social Work Day.

S. RES. 413

At the request of Mr. CASEY, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. Res. 413, a resolution supporting the designation of April 2012 as National Autism Awareness Month.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 418—COMMENDING THE 80 BRAVE MEN WHO BECAME KNOWN AS THE ''DOOLITTLE TOKYO RAIDERS'' FOR OUTSTANDING HEROISM, VALOR, SKILL, AND SERVICE TO THE UNITED STATES DURING THE BOMBING OF TOKYO AND 5 OTHER TARGETS ON THE ISLAND OF HONSHU ON APRIL 18, 1942, DURING THE SECOND WORLD WAR

Mr. BROWN of Ohio (for himself, Mrs. HUTCHISON, Mr. INOUYE, Mrs. MURRAY, Mr. ALEXANDER, Mr. TESTER, and Mr. BAUCUS) submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 418

Whereas 80 brave American airmen volunteered for an ''extremely hazardous mission'' without knowing the target, location, or assignment and willingly put their lives in harm's way, risking death, capture, and torture;

Whereas the mission was the first offensive action by the United States military following the attack on Pearl Harbor on December 7, 1941;

Whereas the Doolittle Raid represented the first time in which the Army Air Corps and the Navy collaborated in a tactical mission by flying 16 Army B–25 medium bombers off of the USS Hornet;

Whereas the flying of bombers from a Navy carrier had never been done before, making the mission extremely hazardous from the very start;

Whereas after encountering Japanese picket ships 170 miles from the prearranged launch point, the Raiders, led by Lieutenant Colonel James Doolittle, proceeded to launch 650 miles from the target of Tokyo;

Whereas by launching more than 170 miles early the Raiders deliberately accepted the risk that the B–25s might not have enough fuel to make it beyond the Japanese lines in occupied China;

Whereas the additional risk virtually sealed the fate of the Raiders to crash land in China or on the home islands of Japan, subjecting them to imprisonment, torture, or death;

Whereas because of that deliberate choice, after hitting their military and industrial targets in Tokyo and five other cities on the island of Honshu, low on fuel and in setting night and deteriorating weather, none of the 16 airplanes reached the prearranged Chinese airfields;

Whereas the total distance traveled averaged 2,250 nautical miles over a period of 13 hours is the longest combat mission ever flown in a B–25 Mitchell bomber;

Whereas of the 8 Raiders who were captured, 3 were executed, 1 died of disease, and 4 came home; and

Whereas, the Doolittle Raid led the fight for the eventual victory of the United States in the Second World War: Now, therefore, be it

Resolved, That the Senate—

(1) commends the 5 living members and 80 original members of the Doolittle Tokyo Raiders for their participation in the Tokyo bombing raid of April 18, 1942; and

(2) recognizes the valor, skill, and courage of the Raiders that proved invaluable to the eventual defeat of Japan during the Second World War; and

(3) acknowledges that the actions of the Raiders helped to forge an enduring example of heroism in the face of uncertainty for the Army Air Corps of the Second World War, the future of the Air Force, and the United States as a whole.

SENATE CONCURRENT RESOLUTION 40—SETTING FORTH THE CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2013, REVISING THE APPROPRIATE BUDGETARY LEVELS FOR FISCAL YEAR 2012, AND SETTING FORTH THE APPROPRIATE BUDGETARY LEVELS FOR FISCAL YEARS 2013 THROUGH 2022

Mr. PAUL (for himself, Mr. DEMINT, and Mr. LEE) submitted the following concurrent resolution; which was placed on the calendar:

S. CON. RES. 40

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

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2013.

(a) DECLARATION.—Congress declares that this resolution is the concurrent resolution on the budget for fiscal year 2013 and that this resolution sets forth the appropriate budgetary levels for fiscal years 2013 through 2022.

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

Sec. 1. Concurrent resolution on the budget for fiscal year 2013.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Sec. 101. Recommended levels and amounts.

Sec. 102. Social Security.
Sec. 103. Major functional categories.
TITLE II—RESERVE FUNDS
Sec. 201. Deficit-reduction reserve fund for the sale of unused or vacant Federal properties.
Sec. 202. Deficit-reduction reserve fund for selling excess Federal land.
Sec. 203. Deficit-reduction reserve fund for the repeal of Davis-Bacon prevailing wage laws.
Sec. 204. Deficit-reduction reserve fund for the reduction of purchasing and maintaining Federal vehicles.
Sec. 205. Deficit-reduction reserve fund for the sale of financial assets purchased through the Troubled Asset Relief Program.
TITLE III—BUDGET PROCESS
Subtitle A—Budget Enforcement
Sec. 301. Discretionary spending limits for fiscal years 2012 through 2022, program integrity initiatives, and other adjustments.
Sec. 302. Point of order against advance appropriations.
Sec. 303. Emergency legislation.
Sec. 304. Adjustments for the extension of certain current policies.
Subtitle B—Other Provisions
Sec. 311. Oversight of Government performance.
Sec. 312. Application and effect of changes in allocations and aggregates.
Sec. 313. Adjustments to reflect changes in concepts and definitions.
Sec. 314. Rescind unspent or unobligated balances after 36 months.
TITLE IV—RECONCILIATION
Sec. 401. Reconciliation in the Senate.
Sec. 402. Directive to the Committee on the Budget of the Senate to replace the sequester established by the Budget Control Act of 2011.
TITLE V—CONGRESSIONAL POLICY CHANGES
Sec. 501. Policy statement on social security.
Sec. 502. Policy statement on medicare.
Sec. 503. Policy statement on tax reform.
TITLE VI—SENSE OF CONGRESS
Sec. 601. Regulatory reform.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2012 through 2022:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2012: $1,896,000,000,000.
Fiscal year 2013: $1,615,000,000,000.
Fiscal year 2014: $1,740,000,000,000.
Fiscal year 2015: $2,261,000,000,000.
Fiscal year 2016: $2,406,000,000,000.
Fiscal year 2017: $2,651,000,000,000.
Fiscal year 2018: $2,965,000,000,000.
Fiscal year 2019: $3,186,000,000,000.
Fiscal year 2020: $3,419,000,000,000.
Fiscal year 2021: $3,663,000,000,000.
Fiscal year 2022: $3,822,000,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2012: −$23,000,000,000.
Fiscal year 2013: −$675,000,000,000.
Fiscal year 2014: −$845,000,000,000.
Fiscal year 2015: −$537,000,000,000.
Fiscal year 2016: −$559,000,000,000.
Fiscal year 2017: −$521,000,000,000.
Fiscal year 2018: −$365,000,000,000.
Fiscal year 2019: −$312,000,000,000.
Fiscal year 2020: −$257,000,000,000.
Fiscal year 2021: −$214,000,000,000.
Fiscal year 2022: −$263,000,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2012: $3,519,858,000,000.
Fiscal year 2013: $3,084,004,000,000.
Fiscal year 2014: $3,106,658,000,000.
Fiscal year 2015: $3,117,000,000,000.
Fiscal year 2016: $3,283,243,000,000.
Fiscal year 2017: $3,458,011,000,000.
Fiscal year 2018: $3,659,956,000,000.
Fiscal year 2019: $3,893,357,000,000.
Fiscal year 2020: $4,090,845,000,000.
Fiscal year 2021: $4,262,660,000,000.
Fiscal year 2022: $4,464,458,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2012: $3,565,725,000,000.
Fiscal year 2013: $3,109,085,000,000.
Fiscal year 2014: $3,098,368,000,000.
Fiscal year 2015: $3,092,240,000,000.
Fiscal year 2016: $3,256,795,000,000.
Fiscal year 2017: $3,408,942,000,000.
Fiscal year 2018: $3,594,222,000,000.
Fiscal year 2019: $3,842,333,000,000.
Fiscal year 2020: $4,027,530,000,000.
Fiscal year 2021: $4,208,224,000,000.
Fiscal year 2022: $4,417,978,000,000.

(4) DEFICITS.—For purposes of the enforcement of this resolution, the amounts of the deficits are as follows:

Fiscal year 2012: $1,043,000,000,000.
Fiscal year 2013: $795,000,000,000.
Fiscal year 2014: $631,000,000,000.
Fiscal year 2015: $62,000,000,000.
Fiscal year 2016: $31,000,000,000.
Fiscal year 2017: −$111,000,000,000.
Fiscal year 2018: −$285,000,000,000.
Fiscal year 2019: −$302,000,000,000.
Fiscal year 2020: −$395,000,000,000.
Fiscal year 2021: −$504,000,000,000.
Fiscal year 2022: −$501,000,000,000.

(5) PUBLIC DEBT.—Pursuant to section 301(a)(5) of the Congressional Budget Act of 1974, the appropriate levels of the public debt are as follows:

Fiscal year 2012: $11,368,000,000,000.
Fiscal year 2013: $12,197,000,000,000.
Fiscal year 2014: $12,912,000,000,000.
Fiscal year 2015: $13,084,000,000,000.
Fiscal year 2016: $13,230,000,000,000.
Fiscal year 2017: $13,147,000,000,000.
Fiscal year 2018: $12,912,000,000,000.
Fiscal year 2019: $12,631,000,000,000.
Fiscal year 2020: $12,261,000,000,000.
Fiscal year 2021: $11,787,000,000,000.
Fiscal year 2022: $11,328,000,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:

Fiscal year 2012: $11,242,000,000,000.
Fiscal year 2013: $12,089,000,000,000.
Fiscal year 2014: $12,812,000,000,000.
Fiscal year 2015: $12,966,000,000,000.
Fiscal year 2016: $13,076,000,000,000.
Fiscal year 2017: $13,017,000,000,000.
Fiscal year 2018: $12,784,000,000,000.
Fiscal year 2019: $12,534,000,000,000.
Fiscal year 2020: $12,191,000,000,000.
Fiscal year 2021: $11,739,000,000,000.
Fiscal year 2022: $11,290,000,000,000.

SEC. 102. SOCIAL SECURITY.

(a) SOCIAL SECURITY REVENUES.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of revenues of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2012: $627,000,000,000.
Fiscal year 2013: $698,000,000,000.
Fiscal year 2014: $728,000,000,000.
Fiscal year 2015: $770,000,000,000.
Fiscal year 2016: $819,000,000,000.
Fiscal year 2017: $868,000,000,000.
Fiscal year 2018: $914,000,000,000.
Fiscal year 2019: $958,000,000,000.
Fiscal year 2020: $1,004,000,000,000.
Fiscal year 2021: $1,049,000,000,000.
Fiscal year 2022: $1,096,000,000,000.

(b) SOCIAL SECURITY OUTLAYS.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2012: $770,420,000,000.
Fiscal year 2013: $813,569,000,000.
Fiscal year 2014: $857,048,000,000.
Fiscal year 2015: $901,705,000,000.
Fiscal year 2016: $950,000,000,000.
Fiscal year 2017: $1,004,219,000,000.
Fiscal year 2018: $1,063,321,000,000.
Fiscal year 2019: $1,127,719,000,000.
Fiscal year 2020: $1,197,313,000,000.
Fiscal year 2021: $1,269,310,000,000.
Fiscal year 2022: $1,345,264,000,000.

(c) SOCIAL SECURITY ADMINISTRATIVE EXPENSES.—In the Senate, the amounts of new budget authority and budget outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for administrative expenses are as follows:

Fiscal year 2012:
(A) New budget authority, $5,822,000,000.
(B) Outlays, $5,793,000,000.
Fiscal year 2013:
(A) New budget authority, $5,868,000,000.
(B) Outlays, $6,108,000,000.
Fiscal year 2014:
(A) New budget authority, $6,043,000,000.
(B) Outlays, $6,269,000,000.
Fiscal year 2015:
(A) New budget authority, $6,223,000,000.
(B) Outlays, $6,386,000,000.
Fiscal year 2016:
(A) New budget authority, $6,418,000,000.
(B) Outlays, $6,379,000,000.
Fiscal year 2017:
(A) New budget authority, $6,616,000,000.
(B) Outlays, $6,379,000,000.
Fiscal year 2018:
(A) New budget authority, $6,838,000,000.
(B) Outlays, $6,794,000,000.
Fiscal year 2019:
(A) New budget authority, $7,071,000,000.
(B) Outlays, $7,024,000,000.
Fiscal year 2020:
(A) New budget authority, $7,304,000,000.
(B) Outlays, $7,257,000,000.
Fiscal year 2021:
(A) New budget authority, $7,543,000,000.
(B) Outlays, $7,494,000,000.
Fiscal year 2022:
(A) New budget authority, $7,796,000,000.
(B) Outlays, $7,745,000,000.

SEC. 103. MAJOR FUNCTIONAL CATEGORIES.

Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2011 through 2021 for each major functional category are:

(1) National Defense (050):
Fiscal year 2012:
(A) New budget authority, $549,397,000,000.
(B) Outlays, $559,626,000,000.
Fiscal year 2013:
(A) New budget authority, $562,462,000,000.
(B) Outlays, $587,049,000,000.
Fiscal year 2014:
(A) New budget authority, $562,462,000,000.
(B) Outlays, $587,807,000,000.
Fiscal year 2015:
(A) New budget authority, $570,643,000,000.
(B) Outlays, $574,208,000,000.
Fiscal year 2016:
(A) New budget authority, $579,797,000,000.

(B) Outlays, $580,181,000,000.
Fiscal year 2017:
(A) New budget authority, $591,058,000,000.
(B) Outlays, $583,077,000,000.
Fiscal year 2018:
(A) New budget authority, $602,310,000,000.
(B) Outlays, $587,825,000,000.
Fiscal year 2019:
(A) New budget authority, $613,550,000,000.
(B) Outlays, $603,494,000,000.
Fiscal year 2020:
(A) New budget authority, $625,785,000,000.
(B) Outlays, $615,208,000,000.
Fiscal year 2021:
(A) New budget authority, $638,070,000,000.
(B) Outlays, $627,214,000,000.
Fiscal year 2022:
(A) New budget authority, $651,718,000,000.
(B) Outlays, $645,558,000,000.
(2) International Affairs (150):
Fiscal year 2012:
(A) New budget authority, $57,684,000,000.
(B) Outlays, $50,501,000,000.
Fiscal year 2013:
(A) New budget authority, $14,024,000,000.
(B) Outlays, $20,680,000,000.
Fiscal year 2014:
(A) New budget authority, $20,680,000,000.
(B) Outlays, $15,069,000,000.
Fiscal year 2015:
(A) New budget authority, $11,666,000,000.
(B) Outlays, $11,423,000,000.
Fiscal year 2016:
(A) New budget authority, $11,423,000,000.
(B) Outlays, $12,347,000,000.
Fiscal year 2017:
(A) New budget authority, $12,746,000,000.
(B) Outlays, $13,359,000,000.
Fiscal year 2018:
(A) New budget authority, $13,359,000,000.
(B) Outlays, $13,471,000,000.
Fiscal year 2019:
(A) New budget authority, $14,318,000,000.
(B) Outlays, $14,318,000,000.
Fiscal year 2020:
(A) New budget authority, $14,619,000,000.
(B) Outlays, $11,335,000,000.
Fiscal year 2021:
(A) New budget authority, $14,921,000,000.
(B) Outlays, $11,541,000,000.
Fiscal year 2022:
(A) New budget authority, $15,217,000,000.
(B) Outlays, $11,742,000,000.
(3) General Science, Space, and Technology (250):
Fiscal year 2012:
(A) New budget authority, $29,836,000,000.
(B) Outlays, $31,175,000,000.
Fiscal year 2013:
(A) New budget authority, $19,605,000,000.
(B) Outlays, $18,914,000,000.
Fiscal year 2014:
(A) New budget authority, $19,962,000,000.
(B) Outlays, $19,222,000,000.
Fiscal year 2015:
(A) New budget authority, $20,319,000,000.
(B) Outlays, $18,518,000,000.
Fiscal year 2016:
(A) New budget authority, $20,682,000,000.
(B) Outlays, $18,849,000,000.
Fiscal year 2017:
(A) New budget authority, $21,052,000,000.
(B) Outlays, $19,186,000,000.
Fiscal year 2018:
(A) New budget authority, $21,249,000,000.
(B) Outlays, $19,529,000,000.
Fiscal year 2019:
(A) New budget authority, $21,812,000,000.
(B) Outlays, $19,878,000,000.
Fiscal year 2020:
(A) New budget authority, $22,203,000,000.
(B) Outlays, $20,234,000,000.
Fiscal year 2021:
(A) New budget authority, $22,600,000,000.
(B) Outlays, $20,596,000,000.
Fiscal year 2022:
(A) New budget authority, $23,005,000,000.
(B) Outlays, $20,964,000,000.
(4) Energy (270):
Fiscal year 2012:
(A) New budget authority, $9,886,000,000.
(B) Outlays, $18,342,000,000.
Fiscal year 2013:
(A) New budget authority, $923,000,000.
(B) Outlays, $2,882,000,000.
Fiscal year 2014:
(A) New budget authority, $976,000,000.
(B) Outlays, $2,349,000,000.
Fiscal year 2015:
(A) New budget authority, $1,003,000,000.
(B) Outlays, $1,649,000,000.
Fiscal year 2016:
(A) New budget authority, $857,000,000.
(B) Outlays, $801,000,000.
Fiscal year 2017:
(A) New budget authority, $886,000,000.
(B) Outlays, $829,000,000.
Fiscal year 2018:
(A) New budget authority, $914,000,000.
(B) Outlays, $856,000,000.
Fiscal year 2019:
(A) New budget authority, $944,000,000.
(B) Outlays, $885,000,000.
Fiscal year 2020:
(A) New budget authority, $973,000,000.
(B) Outlays, $912,000,000.
Fiscal year 2021:
(A) New budget authority, $1,003,000,000.
(B) Outlays, $940,000,000.
Fiscal year 2022:
(A) New budget authority, $1,021,000,000.
(B) Outlays, $955,000,000.
(5) Natural Resources and Environment (300):
Fiscal year 2012:
(A) New budget authority, $37,109,000,000.
(B) Outlays, $42,242,000,000.
Fiscal year 2013:
(A) New budget authority, $24,206,000,000.
(B) Outlays, $23,864,000,000.
Fiscal year 2014:
(A) New budget authority, $23,864,000,000.
(B) Outlays, $23,928,000,000.
Fiscal year 2015:
(A) New budget authority, $24,441,000,000.
(B) Outlays, $22,864,000,000.
Fiscal year 2016:
(A) New budget authority, $24,912,000,000.
(B) Outlays, $23,178,000,000.
Fiscal year 2017:
(A) New budget authority, $25,401,000,000.
(B) Outlays, $23,571,000,000.
Fiscal year 2018:
(A) New budget authority, $26,392,000,000.
(B) Outlays, $24,430,000,000.
Fiscal year 2019:
(A) New budget authority, $26,745,000,000.
(B) Outlays, $24,747,000,000.
Fiscal year 2020:
(A) New budget authority, $27,636,000,000.
(B) Outlays, $25,441,000,000.
Fiscal year 2021:
(A) New budget authority, $27,558,000,000.
(B) Outlays, $25,561,000,000.
Fiscal year 2022:
(A) New budget authority, $27,904,000,000.
(B) Outlays, $25,787,000,000.
(6) Agriculture (350):
Fiscal year 2012:
(A) New budget authority, $22,686,000,000.
(B) Outlays, $19,646,000,000.
Fiscal year 2013:
(A) New budget authority, $20,143,000,000.
(B) Outlays, $22,255,000,000.
Fiscal year 2014:
(A) New budget authority, $20,600,000,000.
(B) Outlays, $19,523,000,000.
Fiscal year 2015:
(A) New budget authority, $20,545,000,000.
(B) Outlays, $20,545,000,000.
Fiscal year 2016:
(A) New budget authority, $20,567,000,000.
(B) Outlays, $19,628,000,000.
Fiscal year 2017:
(A) New budget authority, $20,518,000,000.
(B) Outlays, $19,549,000,000.
Fiscal year 2018:
(A) New budget authority, $20,811,000,000.
(B) Outlays, $19,765,000,000.
Fiscal year 2019:
(A) New budget authority, $21,010,000,000.
(B) Outlays, $19,990,000,000.
Fiscal year 2020:
(A) New budget authority, $21,275,000,000.
(B) Outlays, $20,266,000,000.
Fiscal year 2021:
(A) New budget authority, $21,560,000,000.
(B) Outlays, $20,514,000,000.
Fiscal year 2022:
(A) New budget authority, $21,631,000,000.
(B) Outlays, $20,583,000,000.
(7) Commerce and Housing Credit (370):
Fiscal year 2012:
(A) New budget authority, $42,288,000,000.
(B) Outlays, $42,685,000,000.
Fiscal year 2013:
(A) New budget authority, $12,386,000,000.
(B) Outlays, $11,996,000,000.
Fiscal year 2014:
(A) New budget authority, $12,332,000,000.
(B) Outlays, −$552,000,000.
Fiscal year 2015:
(A) New budget authority, $12,332,000,000.
(B) Outlays, −$1,240,000,000.
Fiscal year 2016:
(A) New budget authority, $11,997,000,000.
(B) Outlays, −$4,202,000,000.
Fiscal year 2017:
(A) New budget authority, $15,199,000,000.
(B) Outlays, −$4,255,000,000.
Fiscal year 2018:
(A) New budget authority, $15,864,000,000.
(B) Outlays, −$5,765,000,000.
Fiscal year 2019:
(A) New budget authority, $16,368,000,000.
(B) Outlays, $2,829,000,000.
Fiscal year 2020:
(A) New budget authority, $16,930,000,000.
(B) Outlays, $2,174,000,000.
Fiscal year 2021:
(A) New budget authority, $17,448,000,000.
(B) Outlays, $1,283,000,000.
Fiscal year 2022:
(A) New budget authority, $17,820,000,000.
(B) Outlays, $230,000,000.
(8) Transportation (400):
Fiscal year 2012:
(A) New budget authority, $88,325,000,000.
(B) Outlays, $91,171,000,000.
Fiscal year 2013:
(A) New budget authority, $77,499,000,000.
(B) Outlays, $80,200,000,000.
Fiscal year 2014:
(A) New budget authority, $76,644,000,000.
(B) Outlays, $80,149,000,000.
Fiscal year 2015:
(A) New budget authority, $77,240,000,000.
(B) Outlays, $81,869,000,000.
Fiscal year 2016:
(A) New budget authority, $78,217,000,000.
(B) Outlays, $83,149,000,000.
Fiscal year 2017:
(A) New budget authority, $79,069,000,000.
(B) Outlays, $84,439,000,000.
Fiscal year 2018:
(A) New budget authority, $79,014,000,000.
(B) Outlays, $83,270,000,000.
Fiscal year 2019:
(A) New budget authority, $80,669,000,000.
(B) Outlays, $84,969,000,000.
Fiscal year 2020:
(A) New budget authority, $81,266,000,000.
(B) Outlays, $85,940,000,000.
Fiscal year 2021:
(A) New budget authority, $81,783,000,000.
(B) Outlays, $87,078,000,000.
Fiscal year 2022:
(A) New budget authority, $82,635,000,000.
(B) Outlays, $88,495,000,000.
(9) Community and Regional Development (450):
Fiscal year 2012:
(A) New budget authority, $18,783,000,000.
(B) Outlays, $24,628,000,000.

Fiscal year 2013:
(A) New budget authority, $11,998,000,000.
(B) Outlays, $13,439,000,000.
Fiscal year 2014:
(A) New budget authority, $12,036,000,000.
(B) Outlays, $13,336,000,000.
Fiscal year 2015:
(A) New budget authority, $12,256,000,000.
(B) Outlays, $12,761,000,000.
Fiscal year 2016:
(A) New budget authority, $12,478,000,000.
(B) Outlays, $12,725,000,000.
Fiscal year 2017:
(A) New budget authority, $12,701,000,000.
(B) Outlays, $11,854,000,000.
Fiscal year 2018:
(A) New budget authority, $12,932,000,000.
(B) Outlays, $11,621,000,000.
Fiscal year 2019:
(A) New budget authority, $13,163,000,000.
(B) Outlays, $11,835,000,000.
Fiscal year 2020:
(A) New budget authority, $13,401,000,000.
(B) Outlays, $12,073,000,000.
Fiscal year 2021:
(A) New budget authority, $13,645,000,000.
(B) Outlays, $12,325,000,000.
Fiscal year 2022:
(A) New budget authority, $13,890,000,000.
(B) Outlays, $12,647,000,000.
(10) Education, Training, Employment, and Social Services (500):
Fiscal year 2012:
(A) New budget authority, $88,578,000,000.
(B) Outlays, $105,484,000,000.
Fiscal year 2013:
(A) New budget authority, $33,898,000,000.
(B) Outlays, $42,292,000,000.
Fiscal year 2014:
(A) New budget authority, $30,868,000,000.
(B) Outlays, $32,933,000,000.
Fiscal year 2015:
(A) New budget authority, $32,868,000,000.
(B) Outlays, $29,490,000,000.
Fiscal year 2016:
(A) New budget authority, $33,437,000,000.
(B) Outlays, $29,870,000,000.
Fiscal year 2017:
(A) New budget authority, $42,660,000,000.
(B) Outlays, $37,022,000,000.
Fiscal year 2018:
(A) New budget authority, $46,337,000,000.
(B) Outlays, $43,104,000,000.
Fiscal year 2019:
(A) New budget authority, $49,313,000,000.
(B) Outlays, $45,960,000,000.
Fiscal year 2020:
(A) New budget authority, $49,859,000,000.
(B) Outlays, $47,385,000,000.
Fiscal year 2021:
(A) New budget authority, $50,122,000,000.
(B) Outlays, $50,122,000,000.
Fiscal year 2022:
(A) New budget authority, $50,554,000,000.
(B) Outlays, $47,920,000,000.
(11) Health (550):
Fiscal year 2012:
(A) New budget authority, $357,821,000,000.
(B) Outlays, $358,737,000,000.
Fiscal year 2013:
(A) New budget authority, $338,159,000,000.
(B) Outlays, $334,163,000,000.
Fiscal year 2014:
(A) New budget authority, $348,397,000,000.
(B) Outlays, $338,935,000,000.
Fiscal year 2015:
(A) New budget authority, $359,620,000,000.
(B) Outlays, $357,023,000,000.
Fiscal year 2016:
(A) New budget authority, $365,157,000,000.
(B) Outlays, $364,094,000,000.
Fiscal year 2017:
(A) New budget authority, $374,943,000,000.
(B) Outlays, $373,308,000,000.
Fiscal year 2018:
(A) New budget authority, $385,894,000,000.
(B) Outlays, $381,726,000,000.
Fiscal year 2019:
(A) New budget authority, $397,015,000,000.
(B) Outlays, $392,850,000,000.
Fiscal year 2020:
(A) New budget authority, $417,710,000,000.
(B) Outlays, $403,283,000,000.
Fiscal year 2021:
(A) New budget authority, $419,586,000,000.
(B) Outlays, $415,086,000,000.
Fiscal year 2022:
(A) New budget authority, $431,913,000,000.
(B) Outlays, $427,453,000,000.
(12) Medicare (570):
Fiscal year 2012:
(A) New budget authority, $487,762,000,000.
(B) Outlays, $487,661,000,000.
Fiscal year 2013:
(A) New budget authority, $509,976,000,000.
(B) Outlays, $510,212,000,000.
Fiscal year 2014:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2015:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2016:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2017:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2018:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2019:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2020:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2021:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2022:
(A) New budget authority, $0.
(B) Outlays, $0.
(13) Income Security (600):
Fiscal year 2012:
(A) New budget authority, $534,107,000,000.
(B) Outlays, $533,175,000,000.
Fiscal year 2013:
(A) New budget authority, $355,125,000,000.
(B) Outlays, $347,966,000,000.
Fiscal year 2014:
(A) New budget authority, $362,716,000,000.
(B) Outlays, $355,966,000,000.
Fiscal year 2015:
(A) New budget authority, $362,163,000,000.
(B) Outlays, $357,163,000,000.
Fiscal year 2016:
(A) New budget authority, $369,163,000,000.
(B) Outlays, $369,695,000,000.
Fiscal year 2017:
(A) New budget authority, $368,254,000,000.
(B) Outlays, $364,817,000,000.
Fiscal year 2018:
(A) New budget authority, $371,087,000,000.
(B) Outlays, $636,453,000,000.
Fiscal year 2019:
(A) New budget authority, $385,838,000,000.
(B) Outlays, $383,743,000,000.
Fiscal year 2020:
(A) New budget authority, $396,715,000,000.
(B) Outlays, $395,180,000,000.
Fiscal year 2021:
(A) New budget authority, $408,219,000,000.
(B) Outlays, $407,134,000,000.
Fiscal year 2022:
(A) New budget authority, $422,855,000,000.
(B) Outlays, $427,176,000,000.
(14) Social Security (650):
Fiscal year 2012:
(A) New budget authority, $779,797,000,000.
(B) Outlays, $776,213,000,000.
Fiscal year 2013:
(A) New budget authority, $823,017,000,000.
(B) Outlays, $819,677,000,000.
Fiscal year 2014:
(A) New budget authority, $866,901,000,000.
(B) Outlays, $863,317,000,000.
Fiscal year 2015:
(A) New budget authority, $912,103,000,000.
(B) Outlays, $908,091,000,000.
Fiscal year 2016:
(A) New budget authority, $960,918,000,000.
(B) Outlays, $956,379,000,000.
Fiscal year 2017:
(A) New budget authority, $1,075,559,000,000.
(B) Outlays, $1,010,794,000,000.
Fiscal year 2018:
(A) New budget authority, $1,075,559,000,000.
(B) Outlays, $1,070,115,000,000.
Fiscal year 2019:
(A) New budget authority, $1,140,590,000,000.
(B) Outlays, $1,134,743,000,000.
Fiscal year 2020:
(A) New budget authority, $1,210,617,000,000.
(B) Outlays, $1,204,570,000,000.
Fiscal year 2021:
(A) New budget authority, $1,283,153,000,000.
(B) Outlays, $1,276,804,000,000.
Fiscal year 2022:
(A) New budget authority, $1,360,160,000,000.
(B) Outlays, $1,353,009,000,000.
(15) Veterans Benefits and Services (700):
Fiscal year 2012:
(A) New budget authority, $126,263,000,000.
(B) Outlays, $126,262,000,000.
Fiscal year 2013:
(A) New budget authority, $132,924,000,000.
(B) Outlays, $133,660,000,000.
Fiscal year 2014:
(A) New budget authority, $135,032,000,000.
(B) Outlays, $135,471,000,000.
Fiscal year 2015:
(A) New budget authority, $138,369,000,000.
(B) Outlays, $138,367,000,000.
Fiscal year 2016:
(A) New budget authority, $147,201,000,000.
(B) Outlays, $146,698,000,000.
Fiscal year 2017:
(A) New budget authority, $146,175,000,000.
(B) Outlays, $145,526,000,000.
Fiscal year 2018:
(A) New budget authority, $145,004,000,000.
(B) Outlays, $144,303,000,000.
Fiscal year 2019:
(A) New budget authority, $154,685,000,000.
(B) Outlays, $153,943,000,000.
Fiscal year 2020:
(A) New budget authority, $159,160,000,000.
(B) Outlays, $158,409,000,000.
Fiscal year 2021:
(A) New budget authority, $163,701,000,000.
(B) Outlays, $163,701,000,000.
Fiscal year 2022:
(A) New budget authority, $173,802,000,000.
(B) Outlays, $172,995,000,000.
(16) Administration of Justice (750):
Fiscal year 2012:
(A) New budget authority, $51,700,000,000.
(B) Outlays, $54,471,000,000.
Fiscal year 2013:
(A) New budget authority, $50,998,000,000.
(B) Outlays, $38,113,000,000.
Fiscal year 2014:
(A) New budget authority, $41,766,000,000.
(B) Outlays, $40,926,000,000.
Fiscal year 2015:
(A) New budget authority, $42,296,000,000.
(B) Outlays, $40,215,000,000.
Fiscal year 2016:
(A) New budget authority, $45,028,000,000.
(B) Outlays, $42,812,000,000.
Fiscal year 2017:
(A) New budget authority, $43,922,000,000.
(B) Outlays, $41,759,000,000.
Fiscal year 2018:
(A) New budget authority, $44,527,000,000.
(B) Outlays, $42,294,000,000.
Fiscal year 2019:
(A) New budget authority, $45,216,000,000.
(B) Outlays, $41,863,000,000.
Fiscal year 2020:
(A) New budget authority, $45,915,000,000.
(B) Outlays, $41,951,000,000.
Fiscal year 2021:

(A) New budget authority, $46,787,000,000.
(B) Outlays, $42,718,000,000.
Fiscal year 2022:
(A) New budget authority, $51,306,000,000.
(B) Outlays, $47,151,000,000.
(17) General Government (800):
Fiscal year 2012:
(A) New budget authority, $24,163,000,000,000.
(B) Outlays, $30,033,000,000.
Fiscal year 2013:
(A) New budget authority, $21,262,000,000.
(B) Outlays, $18,354,000,000.
Fiscal year 2014:
(A) New budget authority, $21,414,000,000.
(B) Outlays, $19,949,000,000.
Fiscal year 2015:
(A) New budget authority, $21,586,000,000.
(B) Outlays, $20,149,000,000.
Fiscal year 2016:
(A) New budget authority, $21,762,000,000.
(B) Outlays, $20,373,000,000.
Fiscal year 2017:
(A) New budget authority, $22,114,000,000.
(B) Outlays, $20,531,000,000.
Fiscal year 2018:
(A) New budget authority, $22,470,000,000.
(B) Outlays, $20,836,000,000.
Fiscal year 2019:
(A) New budget authority, $22,893,000,000.
(B) Outlays, $21,252,000,000.
Fiscal year 2020:
(A) New budget authority, $23,227,000,000.
(B) Outlays, $21,614,000,000.
Fiscal year 2021:
(A) New budget authority, $23,622,000,000.
(B) Outlays, $21,904,000,000.
Fiscal year 2022:
(A) New budget authority, $23,933,000,000.
(B) Outlays, $22,217,000,000.
(18) Net Interest (900):
Fiscal year 2012:
(A) New budget authority, $224,064,000,000.
(B) Outlays, $224,064,000,000.
Fiscal year 2013:
(A) New budget authority, $183,281,000,000.
(B) Outlays, $183,281,000,000.
Fiscal year 2014:
(A) New budget authority, $184,653,000,000.
(B) Outlays, $184,653,000,000.
Fiscal year 2015:
(A) New budget authority, $211,497,000,000.
(B) Outlays, $211,497,000,000.
Fiscal year 2016:
(A) New budget authority, $293,109,000,000.
(B) Outlays, $293,109,000,000.
Fiscal year 2017:
(A) New budget authority, $361,394,000,000.
(B) Outlays, $361,394,000,000.
Fiscal year 2018:
(A) New budget authority, $440,040,000,000.
(B) Outlays, $440,040,000,000.
Fiscal year 2019:
(A) New budget authority, $501,224,000,000.
(B) Outlays, $501,224,000,000.
Fiscal year 2020:
(A) New budget authority, $536,534,000,000.
(B) Outlays, $536,534,000,000.
Fiscal year 2021:
(A) New budget authority, $565,473,000,000.
(B) Outlays, $565,473,000,000.
Fiscal year 2022:
(A) New budget authority, −$588,933,000,000.
(B) Outlays, −$588,933,000,000.
(19) Allowances (920):
Fiscal year 2012
(A) New budget authority, −$45,400,000,000.
(B) Outlays, −$45,400,000,000.
Fiscal year 2013:
(A) New budget authority, −$57,358,000,000.
(B) Outlays, −$57,358,000,000.
Fiscal year 2014:
(A) New budget authority, −$71,118,000,000.
(B) Outlays, −$71,118,000,000.
Fiscal year 2015:
(A) New budget authority, −$79,148,000,000.
(B) Outlays, −$79,148,000,000.
Fiscal year 2016:
(A) New budget authority, −$92,742,000,000.
(B) Outlays, −$92,742,000,000.
Fiscal year 2017:
(A) New budget authority, −$91,236,000,000.
(B) Outlays, −$91,236,000,000.
Fiscal year 2018:
(A) New budget authority, −$86,010,000,000.
(B) Outlays, −$86,010,000,000.
Fiscal year 2019:
(A) New budget authority, −$56,114,000,000.
(B) Outlays, −$56,114,000,000.
Fiscal year 2020:
(A) New budget authority, −$58,063,000,000.
(B) Outlays, −$58,063,000,000.
Fiscal year 2021:
(A) New budget authority, −$58,990,000,000.
(B) Outlays, −$58,990,000,000.
Fiscal year 2022:
(A) New budget authority, −$55,589,000,000.
(B) Outlays, −$55,589,000,000.
(20) Undistributed Offsetting Receipts (950):
Fiscal year 2012:
(A) New budget authority, −$91,535,000,000.
(B) Outlays, −$91,535,000,000.
Fiscal year 2013:
(A) New budget authority, −$95,678,000,000.
(B) Outlays, −$95,678,000,000.
Fiscal year 2014:
(A) New budget authority, −$96,030,000,000.
(B) Outlays, −$96,030,000,000.
Fiscal year 2015:
(A) New budget authority, −$101,010,000,000.
(B) Outlays, −$101,010,000,000.
Fiscal year 2016:
(A) New budget authority, −$104,680,000,000.
(B) Outlays, −$104,680,000,000.
Fiscal year 2017:
(A) New budget authority, −$117,921,000,000.
(B) Outlays, −$117,921,000,000.
Fiscal year 2018:
(A) New budget authority, −$123,045,000,000.
(B) Outlays, −$123,045,000,000.
Fiscal year 2019:
(A) New budget authority, −$133,352,000,000.
(B) Outlays, −$133,352,000,000.
Fiscal year 2020:
(A) New budget authority, −$138,451,000,000.
(B) Outlays, −$138,451,000,000.
Fiscal year 2021:
(A) New budget authority, −$144,197,000,000.
(B) Outlays, −$144,197,000,000.
Fiscal year 2022:
(A) New budget authority, −$150,911,000,000.
(B) Outlays, −$150,911,000,000.
(21) Global War on Terrorism (970):
Fiscal year 2012:
(A) New budget authority, $126,544,000,000.
(B) Outlays, $126,544,000,000.
Fiscal year 2013:
(A) New budget authority, $50,000,000,000.
(B) Outlays, $50,000,000,000.
Fiscal year 2014:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2015:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2016:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2017:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2018:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2019:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2020:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2021:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2022:
(A) New budget authority, $0.
(B) Outlays, $0.
(22) Congressional Health Insurance for Seniors (990):
Fiscal year 2012:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2013:
(A) New budget authority, $3,125,000,000.
(B) Outlays, $3,125,000,000.
Fiscal year 2014:
(A) New budget authority, $539,435,000,000.
(B) Outlays, $532,135,000,000.
Fiscal year 2015:
(A) New budget authority, $466,210,000,000.
(B) Outlays, $468,810,000,000.
Fiscal year 2016:
(A) New budget authority, $494,278,000,000.
(B) Outlays, $494,278,000,000.
Fiscal year 2017:
(A) New budget authority, $513,342,000,000.
(B) Outlays, $511,342,000,000.
Fiscal year 2018:
(A) New budget authority, $544,406,000,000.
(B) Outlays, $542,406,000,000.
Fiscal year 2019:
(A) New budget authority, $577,470,000,000.
(B) Outlays, $575,470,000,000.
Fiscal year 2020:
(A) New budget authority, $623,534,000,000.
(B) Outlays, $623,534,000,000.
Fiscal year 2021:
(A) New budget authority, $666,598,000,000.
(B) Outlays, $664,598,000,000.
Fiscal year 2022:
(A) New budget authority, $712,662,000,000.
(B) Outlays, $710,662,000,000.

TITLE II—RESERVE FUNDS

SEC. 201. DEFICIT-REDUCTION RESERVE FUND FOR THE SALE OF UNUSED OR VACANT FEDERAL PROPERTIES.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by selling any unused or vacant Federal properties. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 202. DEFICIT-REDUCTION RESERVE FUND FOR SELLING EXCESS FEDERAL LAND.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by selling any excess Federal land. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 203. DEFICIT-REDUCTION RESERVE FUND FOR THE REPEAL OF DAVIS-BACON PREVAILING WAGE LAWS.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills,

joint resolutions, amendments, motions, or conference reports from savings achieved by repealing the Davis-Bacon prevailing wage laws. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 204. DEFICIT-REDUCTION RESERVE FUND FOR THE REDUCTION OF PURCHASING AND MAINTAINING FEDERAL VEHICLES.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by reducing the federal vehicles fleet. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 205. DEFICIT-REDUCTION RESERVE FUND FOR THE SALE OF FINANCIAL ASSETS PURCHASED THROUGH THE TROUBLED ASSET RELIEF PROGRAM.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by selling financial instruments and equity accumulated through the Troubled Asset Relief Program. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

TITLE III—BUDGET PROCESS

Subtitle A—Budget Enforcement

SEC. 301. DISCRETIONARY SPENDING LIMITS FOR FISCAL YEARS 2012 THROUGH 2022, PROGRAM INTEGRITY INITIATIVES, AND OTHER ADJUSTMENTS.

(a) SENATE POINT OF ORDER.—

(1) IN GENERAL.—Except as otherwise provided in this section, it shall not be in order in the Senate to consider any bill or joint resolution (or amendment, motion, or conference report on that bill or joint resolution) that would cause the discretionary spending limits in this section to be exceeded.

(2) SUPERMAJORITY WAIVER AND APPEALS.—

(A) WAIVER.—This subsection may be waived or suspended in the Senate only by the affirmative vote of two-thirds of the Members, duly chosen and sworn.

(B) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution. An affirmative vote of two-thirds of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(b) SENATE DISCRETIONARY SPENDING LIMITS.—In the Senate and as used in this section, the term ''discretionary spending limit'' means—

(1) for fiscal year 2012, $1,201,863,000,000 in new budget authority and $1,308,512,000,000 in outlays;

(2) for fiscal year 2013, $934,104,000,000 in new budget authority and $1,023,435,000,000 in outlays;

(3) for fiscal year 2014, $891,861,000,000 in new budget authority and $965,519,000,000 in outlays;

(4) for fiscal year 2015, $906,188,000,000 in new budget authority and $943,141,000,000 in outlays;

(5) for fiscal year 2016 $921,824,000,000 in new budget authority and $955,362,000,000 in outlays;

(6) for fiscal year 2017, $939,918,000,000 in new budget authority and $964,874,000,000 in outlays;

(7) for fiscal year 2018, $958,654,000,000 in new budget authority and $974,728,000,000 in outlays;

(8) for fiscal year 2019, $977,693,000,000 in new budget authority and $998,696,000,000 in outlays;

(9) for fiscal year 2020, $997,939,000,000 in new budget authority and $1,018,172,000,000 in outlays;

(10) for fiscal year 2021, $1,018,340,000,000 in new budget authority and $1,038,189,000,000 in outlays; and

(11) for fiscal year 2022, $1,040,081,000,000 in new budget authority and $1,064,838,000,000 in outlays;

as adjusted in conformance with the adjustment procedures in subsection (c).

(c) ADJUSTMENTS IN THE SENATE.—

(1) IN GENERAL.—After the reporting of a bill or joint resolution relating to any matter described in paragraph (2), or the offering of an amendment or motion thereto or the submission of a conference report thereon—

(A) the Chairman of the Committee on the Budget of the Senate may adjust the discretionary spending limits, budgetary aggregates, and allocations pursuant to section 302(a) of the Congressional Budget Act of 1974, by the amount of new budget authority in that measure for that purpose and the outlays flowing therefrom; and

(B) following any adjustment under subparagraph (A), the Committee on Appropriations of the Senate may report appropriately revised suballocations pursuant to section 302(b) of the Congressional Budget Act of 1974 to carry out this subsection.

(2) ADJUSTMENTS TO SUPPORT ONGOING OVERSEAS DEPLOYMENTS AND OTHER ACTIVITIES.—

(A) ADJUSTMENTS.—The Chairman of the Committee on the Budget of the Senate may adjust the discretionary spending limits, allocations to the Committee on Appropriations of the Senate, and aggregates for one or more—

(i) bills reported by the Committee on Appropriations of the Senate or passed by the House of Representatives;

(ii) joint resolutions or amendments reported by the Committee on Appropriations of the Senate;

(iii) amendments between the Houses received from the House of Representatives or Senate amendments offered by the authority of the Committee on Appropriations of the Senate; or

(iv) conference reports;

making appropriations for overseas deployments and other activities in the amounts specified in subparagraph (B).

(B) AMOUNTS SPECIFIED.—The amounts specified are—

(i) for fiscal year 2012, $126,544,000,000 in new budget authority and the outlays flowing therefrom;

(ii) for fiscal year 2013, $50,000,000,000 in new budget authority and the outlays flowing therefrom;

(iii) for fiscal year 2014, $0 in new budget authority and the outlays flowing therefrom;

(iv) for fiscal year 2015, $0 in new budget authority and the outlays flowing therefrom;

(v) for fiscal year 2016, $0 in new budget authority and the outlays flowing therefrom;

(vi) for fiscal year 2017, $0 in new budget authority and the outlays flowing therefrom;

(vii) for fiscal year 2018, $0 in new budget authority and the outlays flowing therefrom;

(viii) for fiscal year 2019, $0 in new budget authority and the outlays flowing therefrom;

(ix) for fiscal year 2020, $0 in new budget authority and the outlays flowing therefrom;

(x) for fiscal year 2021, $0 in new budget authority and the outlays flowing therefrom; and

(xi) for fiscal year 2022, $0 in new budget authority and the outlays flowing therefrom.

SEC. 302. POINT OF ORDER AGAINST ADVANCE APPROPRIATIONS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, or conference report that would provide an advance appropriation.

(b) DEFINITION.—In this section, the term ''advance appropriation'' means any new budget authority provided in a bill or joint resolution making appropriations for fiscal year 2013 that first becomes available for any fiscal year after 2012, or any new budget authority provided in a bill or joint resolution making general appropriations or continuing appropriations for fiscal year 2013, that first becomes available for any fiscal year after 2013.

SEC. 303. EMERGENCY LEGISLATION.

(a) AUTHORITY TO DESIGNATE.—In the Senate, with respect to a provision of direct spending or receipts legislation or appropriations for discretionary accounts that Congress designates as an emergency requirement in such measure, the amounts of new budget authority, outlays, and receipts in all fiscal years resulting from that provision shall be treated as an emergency requirement for the purpose of this section.

(b) EXEMPTION OF EMERGENCY PROVISIONS.—Any new budget authority, outlays, and receipts resulting from any provision designated as an emergency requirement, pursuant to this section, in any bill, joint resolution, amendment, or conference report shall not count for purposes of sections 302 and 311 of the Congressional Budget Act of 1974, section 201 of S. Con. Res. 21 (110th Congress) (relating to pay-as-you-go), section 311 of S. Con. Res. 70 (110th Congress) (relating to long-term deficits), and section 404 of S. Con. Res. 13 (111th Congress) (relating to short-term deficits), and section 301 of this resolution (relating to discretionary spending). Designated emergency provisions shall not count for the purpose of revising allocations, aggregates, or other levels pursuant to procedures established under section 301(b)(7) of the Congressional Budget Act of 1974 for deficit-neutral reserve funds and revising discretionary spending limits set pursuant to section 301 of this resolution.

(c) DESIGNATIONS.—If a provision of legislation is designated as an emergency requirement under this section, the committee report and any statement of managers accompanying that legislation shall include an explanation of the manner in which the provision meets the criteria in subsection (f).

(d) DEFINITIONS.—In this section, the terms ''direct spending'', ''receipts'', and ''appropriations for discretionary accounts'' mean any provision of a bill, joint resolution, amendment, motion, or conference report that affects direct spending, receipts, or appropriations as those terms have been defined and interpreted for purposes of the Balanced Budget and Emergency Deficit Control Act of 1985.

(e) POINT OF ORDER.—

(1) IN GENERAL.—When the Senate is considering a bill, resolution, amendment, motion, or conference report, if a point of order

is made by a Senator against an emergency designation in that measure, that provision making such a designation shall be stricken from the measure and may not be offered as an amendment from the floor.

(2) SUPERMAJORITY WAIVER AND APPEALS.—

(A) WAIVER.—Paragraph (1) may be waived or suspended in the Senate only by an affirmative vote of two-thirds of the Members, duly chosen and sworn.

(B) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(3) DEFINITION OF AN EMERGENCY DESIGNATION.—For purposes of paragraph (1), a provision shall be considered an emergency designation if it designates any item as an emergency requirement pursuant to this subsection.

(4) FORM OF THE POINT OF ORDER.—A point of order under paragraph (1) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

(5) CONFERENCE REPORTS.—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill, upon a point of order being made by any Senator pursuant to this section, and such point of order being sustained, such material contained in such conference report shall be deemed stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

(f) CRITERIA.—

(1) IN GENERAL.—For purposes of this section, any provision is an emergency requirement if the situation addressed by such provision is—

(A) necessary, essential, or vital (not merely useful or beneficial);

(B) sudden, quickly coming into being, and not building up over time;

(C) an urgent, pressing, and compelling need requiring immediate action;

(D) subject to subparagraph (B), unforeseen, unpredictable, and unanticipated; and

(E) not permanent, temporary in nature.

(2) UNFORESEEN.—An emergency that is part of an aggregate level of anticipated emergencies, particularly when normally estimated in advance, is not unforeseen.

(g) INAPPLICABILITY.—In the Senate, section 403 of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010, shall no longer apply.

SEC. 304. ADJUSTMENTS FOR THE EXTENSION OF CERTAIN CURRENT POLICIES.

(a) ADJUSTMENT.—For the purposes of determining points of order specified in subsection (b), the Chairman of the Committee on the Budget of the Senate may adjust the estimate of the budgetary effects of a bill, joint resolution, amendment, motion, or conference report that contains one or more provisions meeting the criteria of subsection (c) to exclude the amounts of qualifying budgetary effects.

(b) COVERED POINTS OF ORDER.—The Chairman of the Committee on the Budget of the Senate may make adjustments pursuant to this section for the following points of order only:

(1) Section 201 of S. Con. Res. 21 (110th Congress) (relating to pay-as-you-go).

(2) Section 311 of S. Con. Res. 70 (110th Congress) (relating to long-term deficits).

(3) Section 404 of S. Con. Res. 13 (111th Congress) (relating to short-term deficits).

(c) QUALIFYING LEGISLATION.—The Chairman of the Committee on the Budget of the Senate may make adjustments authorized under subsection (a) for legislation containing provisions that—

(1) amend or supersede the system for updating payments made under subsections 1848 (d) and (f) of the Social Security Act, consistent with section 7(c) of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111–139);

(2) amend the Internal Revenue Code of 1986, in order to establish a single, flat tax rate of 17 percent consistent with section 7(d) of the Statutory Pay-As-You-Go Act of 2010; and

(3) extend relief from the Alternative Minimum Tax for individuals under sections 55–59 of the Internal Revenue Code of 1986, consistent with section 7(e) of the Statutory Pay-As-You-Go Act of 2010.

(d) DEFINITION.—For the purposes of this section, the terms ''budgetary effects'' or ''effects'' mean the amount by which a provision changes direct spending or revenues relative to the baseline.

(e) SUNSET.—This section shall expire on December 31, 2012.

Subtitle B—Other Provisions

SEC. 311. OVERSIGHT OF GOVERNMENT PERFORMANCE.

In the Senate, all committees are directed to review programs and tax expenditures within their jurisdiction to identify waste, fraud, abuse or duplication, and increase the use of performance data to inform committee work. Committees are also directed to review the matters for congressional consideration identified on the Government Accountability Office's High Risk list reports. Based on these oversight efforts and performance reviews of programs within their jurisdiction, committees are directed to include recommendations for improved governmental performance in their annual views and estimates reports required under section 301(d) of the Congressional Budget Act of 1974 to the Committees on the Budget.

SEC. 312. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this resolution the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

SEC. 313. ADJUSTMENTS TO REFLECT CHANGES IN CONCEPTS AND DEFINITIONS.

Upon the enactment of a bill or joint resolution providing for a change in concepts or definitions, the Chairman of the Committee on the Budget of the Senate may make adjustments to the levels and allocations in this resolution in accordance with section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as in effect prior to September 30, 2002).

SEC. 314. RESCIND UNSPENT OR UNOBLIGATED BALANCES AFTER 36 MONTHS.

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this resolution shall require that any unobligated or unspent allocations be rescinded after 36 months.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments resulting from the required rescissions shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this resolution the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

TITLE IV—RECONCILIATION

SEC. 401. RECONCILIATION IN THE SENATE.

(a) SUBMISSION TO PROVIDE FOR THE REFORM OF MANDATORY SPENDING.—

(1) IN GENERAL.—Not later than September 1, 2012, the Senate committees named in paragraph (2) shall submit their recommendations to the Committee on the Budget of the United States Senate. After receiving those recommendations from the applicable committees of the Senate, the Committee on the Budget shall report to the Senate a reconciliation bill carrying out all such recommendations without substantive revision.

(2) INSTRUCTIONS.—

(A) COMMITTEE ON FOREIGN RELATIONS.—The Committee on Foreign Relations shall report changes in law within its jurisdiction sufficient to reduce direct spending by $2,864,000,000 for the period of fiscal years 2013 through 2022.

(B) COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION.—The Committee on Commerce, Science, and Transportation shall report changes in law within its jurisdiction sufficient to reduce direct spending outlays by $2,432,000,000 for the period of fiscal years 2013 through 2022.

(C) COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY.—The Committee on Agriculture, Nutrition, and Forestry shall report changes in law within its jurisdiction sufficient to reduce direct spending outlays by $6,100,000,000 for the period of fiscal years 2013 through 2022.

(D) COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS.—The Committee on Environment and Public Works shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by $3,422,000,000 for the period of fiscal years 2013 through 2022.

(E) COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS.—The Committee on Health, Education, Labor, and Pensions shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by $1,584,000,000,000 for the period of fiscal years 2013 through 2022.

(F) COMMITTEE ON FINANCE.—The Committee on Finance shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by

$3,473,634,000,000 for the period of fiscal years 2013 through 2022.

(G) COMMITTEE ON ENERGY AND NATURAL RESOURCES.—The Committee on Energy and Natural Resources shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by $7,818,000,000 for the period of fiscal years 2013 through 2022.

(b) SUBMISSION OF REVISED ALLOCATIONS.—Upon the submission to the Committee on the Budget of the Senate of a recommendation that has complied with its reconciliation instructions solely by virtue of section 310(c) of the Congressional Budget Act of 1974, the chairman of that committee may file with the Senate revised allocations under section 302(a) of such Act and revised functional levels and aggregates.

SEC. 402. DIRECTIVE TO THE COMMITTEE ON THE BUDGET OF THE SENATE TO REPLACE THE SEQUESTER ESTABLISHED BY THE BUDGET CONTROL ACT OF 2011.

(a) SUBMISSION.—In the Senate, the Committee on the Budget shall report to the Senate a bill carrying out the directions set forth in subsection (b).

(b) DIRECTIONS.—The bill referred to in subsection (a) shall include the following provisions:

(1) REPLACING THE SEQUESTER ESTABLISHED BY THE BUDGET CONTROL ACT OF 2011.—The language shall amend section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 to replace the sequester established under that section consistent with this concurrent resolution.

(2) APPLICATION OF PROVISIONS.—The bill referred to in subsection (a) shall include language making it application contingent upon the enactment of the reconciliation bill referred to in section 401.

TITLE V—CONGRESSIONAL POLICY CHANGES

SEC. 501. POLICY STATEMENT ON SOCIAL SECURITY.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure the Social Security System achieves solvency over the 75 year window as follows:

(1) The legislation must modify the Primary Insurance Amount formula between 2018 and 2055 to gradually reduce benefits on a progressive basis for works with career-average earnings above the 40th percentile of new retired workers.

(2) The normal retirement age will increase by 3 months each year starting with individuals reaching age 62 in 2017 and stopping with the normal retirement age reaches the age of 70 for individuals reaching the age of 62 in 2032.

(3) The earliest eligibility age will be increased by 3 months per year starting with individuals reaching age 62 in 2021 and will stop with the reaches age 64 for individuals reaching the age 62 in 2028 or later.

SEC. 502. POLICY STATEMENT ON MEDICARE.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure a reduction in the unfunded liabilities of Medicare as follows:

(1) Enrolls seniors in the same health care plan as Federal employees and Members of Congress, similar to the Federal Employee Health Benefits Plan (FEHBP).

(2) Beginning on January 1, 2014, the Director of the Office of Personnel Management shall ensure seniors currently enrolled or eligible for Medicare will have access to Congressional Health Care for Seniors Act.

(3) Prevents the Office of Personnel and Management from placing onerous new mandates on health insurance plans, but allows the agency to continue to enforce reasonable minimal stands for plans, ensure the plans are fiscally solvent, and enforces rules for consumer protections.

(4) The legislation must create a new ''high-risk pool'' for the highest cost patients, providing a direct reimbursement to health care plans that enroll the costliest 5 percent of patients.

(5) Ensures that every senior can afford the high-quality insurance offered by FEHBP, providing support for 75 percent of the total costs, providing additional premium assistance to those who cannot afford the remaining share.

(6) The legislation must increase the age of eligibility gradually over 20 years, increasing the age from 65 to 70, resulting in a 3-month increase per year.

(7) High-income seniors will be provided less premium support than low-income seniors.

SEC. 503. POLICY STATEMENT ON TAX REFORM.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure a tax reform that broadens the tax base, reduces tax complexity, includes a consumption-based income tax, and a globally competitive flat tax as follows:

(1) This concurrent resolution shall eliminate all tax brackets and have one standard flat tax rate of 17 percent on adjusted gross income. The individual tax code shall remove all credits and deductions, with exception to the mortgage interest deduction, offsetting these with a substantially higher standard deduction and personal exemption. The standard deduction for joint filers is $30,320, $19,350 for head of household, and $15,160 for single filers. The personal exemption amount is $6,530. This proposal eliminates the individual alternative minimum tax (AMT). The tax reform would repeal all tax on savings and investments, including capital gains, qualified and ordinary dividends, estate, gift, and interest saving taxes.

(2) This concurrent resolution shall eliminate all tax brackets and have one standard flat tax of 17 percent on adjusted gross income. The business tax code shall remove all credits and deductions, offsetting these with a lower tax rate and immediate expensing of all business inputs. Such inputs shall be determined by total revenue from the sale of good and services less purchases of inputs from other firms less wages, salaries, and pensions paid to workers less purchases of plant and equipment.

(3) The individuals and businesses would be subject to taxation on only those incomes that are produced or derived, as a territorial system in the United States. The aggregate taxes paid should provide the ability to fill out a tax return no larger than a postcard.

TITLE VI—SENSE OF CONGRESS

SEC. 601. REGULATORY REFORM.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure a regulatory reform as follows:

(1) APPLY REGULATORY ANALYSIS REQUIREMENTS TO INDEPENDENT AGENCIES.—It shall be the policy of Congress to pass into law a requirement for independent agencies to abide by the same regulatory analysis requirement as those required by executive branch agencies

(2) ADOPT THE REGULATIONS FROM THE EXECUTIVE IN NEED OF SCRUTINY ACT (REINS).—It shall be the of Congress to vote on the Executive In Need of Scrutiny Act, legislation that would require all regulations that impose a burden greater than $100 million in economic aggregate may not be implement as law unless Congress gives their consent by voting on the rule.

(3) SUNSET ALL REGULATIONS.—It shall be the policy of Congress that regulations imposed by the Federal Government shall automatically sunset every 2 years unless repromulgated by Congress.

(4) PROCESS REFORM.—It shall be the policy of Congress to implement regulatory process reform by instituting statutorily require regulatory impact analysis for all agencies, require the publication of regulatory impact analysis before the regulation is finalized, and ensure that not only are regulatory impact analysis conducted, but applied to the issued regulation or rulemaking.

(5) INCORPORATION OF FORMAL RULEMAKING FOR MAJOR RULES.—It shall be the policy of Congress to apply formal rulemaking procedures to all major regulations or those regulations that exceed $100,000,000 in aggregate economic costs.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2000. Mr. REID (for Mr. LIEBERMAN (for himself, Ms. COLLINS, Mr. CARPER, and Mr. BROWN of Massachusetts)) submitted an amendment intended to be proposed by Mr. REID to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2000. Mr. REID (for Mr. LIEBERMAN (for himself, Ms. COLLINS, Mr. CARPER, and Mr. BROWN of Massachusetts)) submitted an amendment intended to be proposed by Mr. REID to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''21st Century Postal Service Act of 2012''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. Definitions.

TITLE I—POSTAL WORKFORCE MATTERS

Sec. 101. Treatment of postal funding surplus for Federal Employees Retirement System.
Sec. 102. Incentives for voluntary separation.
Sec. 103. Restructuring of payments for retiree health benefits.
Sec. 104. Postal Service Health Benefits Program.
Sec. 105. Medicare coordination efforts for Postal Service employees and retirees.
Sec. 106. Arbitration; labor disputes.

TITLE II—POSTAL SERVICES AND OPERATIONS

Sec. 201. Maintenance of delivery service standards.
Sec. 202. Preserving mail processing capacity.
Sec. 203. Establishment of retail service standards.
Sec. 204. Expanded retail access.
Sec. 205. Preserving community post offices.
Sec. 206. Area and district office structure.
Sec. 207. Conversion of door delivery points.
Sec. 208. Limitations on changes to mail delivery schedule.

Sec. 209. Time limits for consideration of service changes.
Sec. 210. Public procedures for significant changes to mailing specifications.
Sec. 211. Nonpostal products and services.
Sec. 212. Chief Innovation Officer; innovation strategy.
Sec. 213. Strategic Advisory Commission on Postal Service Solvency and Innovation.

TITLE III—FEDERAL EMPLOYEES' COMPENSATION ACT

Sec. 301. Short title; references.
Sec. 302. Federal workers compensation reforms for retirement-age employees.
Sec. 303. Augmented compensation for dependents.
Sec. 304. Schedule compensation payments.
Sec. 305. Vocational rehabilitation.
Sec. 306. Reporting requirements.
Sec. 307. Disability management review; independent medical examinations.
Sec. 308. Waiting period.
Sec. 309. Election of benefits.
Sec. 310. Sanction for noncooperation with field nurses.
Sec. 311. Subrogation of continuation of pay.
Sec. 312. Integrity and compliance.
Sec. 313. Amount of compensation.
Sec. 314. Technical and conforming amendments.
Sec. 315. Regulations.
Sec. 316. Effective date.

TITLE IV—OTHER MATTERS

Sec. 401. Solvency plan.
Sec. 402. Postal rates.
Sec. 403. Co-location with Federal agencies.
Sec. 404. Cooperation with State and local governments; intra-Service agreements.
Sec. 405. Shipping of wine, beer, and distilled spirits.
Sec. 406. Annual report on United States mailing industry.
Sec. 407. Use of negotiated service agreements.
Sec. 408. Contract disputes.
Sec. 409. Contracting provisions.

SEC. 3. DEFINITIONS.

In this Act, the following definitions shall apply:

(1) COMMISSION.—The term ''Commission'' means the Postal Regulatory Commission.

(2) POSTAL SERVICE.—The term ''Postal Service'' means the United States Postal Service.

TITLE I—POSTAL WORKFORCE MATTERS

SEC. 101. TREATMENT OF POSTAL FUNDING SURPLUS FOR FEDERAL EMPLOYEES RETIREMENT SYSTEM.

Section 8423(b) of title 5, United States Code, is amended—

(1) by redesignating paragraph (5) as paragraph (6); and

(2) by inserting after paragraph (4) the following:

''(5)(A) In this paragraph, the term 'postal funding surplus' means the amount by which the amount computed under paragraph (1)(B) is less than zero.

''(B)(i) Beginning with fiscal year 2011, for each fiscal year in which the amount computed under paragraph (1)(B) is less than zero, upon request of the Postmaster General, the Director shall transfer to the United States Postal Service from the Fund an amount equal to the postal funding surplus for that fiscal year for use in accordance with this paragraph.

''(ii) The Office shall calculate the amount under paragraph (1)(B) for a fiscal year by not later than June 15 after the close of the fiscal year, and shall transfer any postal funding surplus to the United States Postal Service within 10 days after a request by the Postmaster General.

''(C) For each of fiscal years 2011, 2012, 2013, and 2014 if the amount computed under paragraph (1)(B) is less than zero, a portion of the postal funding surplus for the fiscal year shall be used by the United States Postal Service for the cost of providing incentives for voluntary separation, in accordance with section 102 of the 21st Century Postal Service Act of 2012 and sections 8332(p) and 8411(m) of this title, to employees of the United States Postal Service who voluntarily separate from service before October 1, 2015.

''(D) Any postal funding surplus for a fiscal year not expended under subparagraph (C) may be used by the United States Postal Service for the purposes of—

''(i) repaying any obligation issued under section 2005 of title 39; or

''(ii) making required payments to—

''(I) the Employees' Compensation Fund established under section 8147;

''(II) the Postal Service Retiree Health Benefits Fund established under section 8909a;

''(III) the Employees Health Benefits Fund established under section 8909; or

''(IV) the Civil Service Retirement and Disability Fund.''.

SEC. 102. INCENTIVES FOR VOLUNTARY SEPARATION.

(a) VOLUNTARY SEPARATION INCENTIVE PAYMENTS.—The Postal Service may provide voluntary separation incentive payments to employees of the Postal Service who voluntarily separate from service before October 1, 2015 (including payments to employees who retire under section 8336(d)(2) or 8414(b)(1)(B) of title 5, United States Code, before October 1, 2015), which may not exceed the maximum amount provided under section 3523(b)(3)(B) of title 5, United States Code, for any employee.

(b) ADDITIONAL SERVICE CREDIT.—

(1) CIVIL SERVICE RETIREMENT SYSTEM.—Section 8332 of title 5, United States Code, is amended by adding at the end the following:

''(p)(1)(A) For an employee of the United States Postal Service who is covered under this subchapter and voluntarily separates from service before October 1, 2015, the Office, if so directed by the United States Postal Service, shall add not more than 1 year to the total creditable service of the employee for purposes of determining entitlement to and computing the amount of an annuity under this subchapter (except for a disability annuity under section 8337).

''(B) An employee who receives additional creditable service under this paragraph may not receive a voluntary separation incentive payment from the United States Postal Service.

''(2) The United States Postal Service shall ensure that the average actuarial present value of the additional liability of the United States Postal Service to the Fund resulting from additional creditable service provided under paragraph (1) or section 8411(m)(1) is not more than $25,000 per employee provided additional creditable service under paragraph (1) or section 8411(m)(1).

''(3)(A) Subject to subparagraph (B), and notwithstanding any other provision of law, no deduction, deposit, or contribution shall be required for service credited under this subsection.

''(B) The actuarial present value of the additional liability of the United States Postal Service to the Fund resulting from this subsection shall be included in the amount calculated under section 8348(h)(1)(A).''.

(2) FEDERAL EMPLOYEES RETIREMENT SYSTEM.—Section 8411 of title 5, United States Code, is amended by adding at the end the following:

''(m)(1)(A) For an employee of the United States Postal Service who is covered under this chapter and voluntarily separates from service before October 1, 2015, the Office, if so directed by the United States Postal Service, shall add not more than 2 years to the total creditable service of the employee for purposes of determining entitlement to and computing the amount of an annuity under this chapter (except for a disability annuity under subchapter V of that chapter).

''(B) An employee who receives additional creditable service under this paragraph may not receive a voluntary separation incentive payment from the United States Postal Service.

''(2) The United States Postal Service shall ensure that the average actuarial present value of the additional liability of the United States Postal Service to the Fund resulting from additional creditable service provided under paragraph (1) or section 8332(p)(1) is not more than $25,000 per employee provided additional creditable service under paragraph (1) or section 8332(p)(1)

''(3)(A) Subject to subparagraph (B), and notwithstanding any other provision of law, no deduction, deposit, or contribution shall be required for service credited under this subsection.

''(B) The actuarial present value of the additional liability of the United States Postal Service to the Fund resulting from this subsection shall be included in the amount calculated under section 8423(b)(1)(B).''.

(c) GOALS.—

(1) IN GENERAL.—The Postal Service shall offer incentives for voluntary separation under this section and the amendments made by this section as a means of ensuring that the size and cost of the workforce of the Postal Service is appropriate to the work required of the Postal Service, including consideration of—

(A) the closure and consolidation of postal facilities;

(B) the ability to operate existing postal facilities more efficiently, including by reducing the size or scope of operations of postal facilities in lieu of closing postal facilities; and

(C) the number of employees eligible, or projected in the near-term to be eligible, for retirement, including early retirement.

(2) PERCENTAGE GOAL.—The Postal Service shall offer incentives for voluntary separation under this section to a sufficient number of employees as would reasonably be expected to lead to an 18 percent reduction in the total number of career employees of the Postal Service by the end of fiscal year 2015.

(3) DEFINITION.—In this subsection, the term ''career employee of the Postal Service'' means an employee of the Postal Service—

(A) whose appointment is not for a limited period; and

(B) who is eligible for benefits, including retirement coverage under chapter 83 or 84 of title 5, United States Code.

(d) FUNDING.—The Postal Service shall carry out subsection (a) and sections 8332(p) and 8411(m) of title 5, United States Code, as added by subsection (b) of this section, using funds made available under section 8423(b)(5)(C) of title 5, United States Code, as amended by section 101 of this Act.

SEC. 103. RESTRUCTURING OF PAYMENTS FOR RETIREE HEALTH BENEFITS.

(a) CONTRIBUTIONS.—Section 8906(g)(2)(A) of title 5, United States Code, is amended by striking ''through September 30, 2016, be paid by the United States Postal Service, and thereafter shall'' and inserting ''after the date of enactment of the 21st Century Postal Service Act of 2012''.

(b) POSTAL SERVICE RETIREE HEALTH BENEFITS FUND.—Section 8909a of title 5, United States Code, is amended—

(1) in subsection (d)—

(A) by striking paragraph (2) and inserting the following:

''(2)(A) Not later than 180 days after the date of enactment of the 21st Century Postal Service Act of 2012, or March 31, 2013, whichever is later, the Office shall compute, and by June 30 of each succeeding year, the Office shall recompute, a schedule including a series of annual installments which provide for the liquidation of the amount described under subparagraph (B) (regardless of whether the amount is a liability or surplus) by September 30, 2052, or within 15 years, whichever is later, including interest at the rate used in the computations under this subsection.

''(B) The amount described in this subparagraph is the amount, as of the date on which the applicable computation or recomputation under subparagraph (A) is made, that is equal to the difference between—

''(i) 80 percent of the Postal Service actuarial liability as of September 30 of the most recently ended fiscal year; and

''(ii) the value of the assets of the Postal Retiree Health Benefits Fund as of September 30 of the most recently ended fiscal year.''.

(B) in paragraph (3)—

(i) in subparagraph (A)—

(I) in clause (iii), by adding ''and'' at the end;

(II) in clause (iv), by striking the semicolon at the end and inserting a period; and

(III) by striking clauses (v) through (x); and

(ii) in subparagraph (B), by striking ''2017'' and inserting ''2013'';

(C) by amending paragraph (4) to read as follows:

''(4) Computations under this subsection shall be based on—

''(A) economic and actuarial methods and assumptions consistent with the methods and assumptions used in determining the Postal surplus or supplemental liability under section 8348(h); and

''(B) any other methods and assumptions, including a health care cost trend rate, that the Director of the Office determines to be appropriate.''; and

(D) by adding at the end the following:

''(7) In this subsection, the term 'Postal Service actuarial liability' means the difference between—

''(A) the net present value of future payments required under section 8906(g)(2)(A) for current and future United States Postal Service annuitants; and

''(B) the net present value as computed under paragraph (1) attributable to the future service of United States Postal Service employees.''; and

(2) by adding at the end the following:

''(e) Subsections (a) through (d) of this section shall be subject to section 104 of the 21st Century Postal Service Act of 2012.''.

SEC. 104. POSTAL SERVICE HEALTH BENEFITS PROGRAM.

(a) DEFINITIONS.—In this section—

(1) the term ''covered employee'' means an employee of the Postal Service who is represented by a bargaining representative recognized under section 1203 of title 39, United States Code;

(2) the term ''Federal Employee Health Benefits Program'' means the health benefits program under chapter 89 of title 5, United States Code; and

(3) the term ''Postal Service Health Benefits Program'' means the health benefits program that may be agreed to under subsection (b)(1).

(b) COLLECTIVE BARGAINING.—

(1) IN GENERAL.—Consistent with section 1005(f) of title 39, United States Code, the Postal Service may negotiate jointly with all bargaining representatives recognized under section 1203 of title 39, United States Code, and enter into a joint collective bargaining agreement with those bargaining representatives to establish the Postal Service Health Benefits Program that satisfies the conditions under subsection (c). The Postal Service and the bargaining representatives shall negotiate in consultation with the Director of the Office of Personnel Management.

(2) CONSULTATION WITH SUPERVISORY AND MANAGERIAL PERSONNEL.—In the course of negotiations under paragraph (1), the Postal Service shall consult with each of the organizations of supervisory and other managerial personnel that are recognized under section 1004 of title 39, United States Code, concerning the views of the personnel represented by each of those organizations.

(3) ARBITRATION LIMITATION.—Notwithstanding chapter 12 of title 39, United States Code, there shall not be arbitration of any dispute in the negotiations under this subsection.

(4) TIME LIMITATION.—The authority under this subsection shall extend until September 30, 2012.

(c) POSTAL SERVICE HEALTH BENEFITS PROGRAM.—The Postal Service Health Benefits Program—

(1) shall—

(A) be available for participation by all covered employees;

(B) be available for participation by any officer or employee of the Postal Service who is not a covered employee, at the option solely of that officer or employee;

(C) provide adequate and appropriate health benefits;

(D) be administered in a manner determined in a joint agreement reached under subsection (b); and

(E) provide for transition of coverage under the Federal Employee Health Benefits Program of covered employees to coverage under the Postal Service Health Benefits Program on January 1, 2013;

(2) may provide dental benefits; and

(3) may provide vision benefits.

(d) AGREEMENT AND IMPLEMENTATION.—If a joint agreement is reached under subsection (b)—

(1) the Postal Service shall implement the Postal Service Health Benefits Program;

(2) the Postal Service Health Benefits Program shall constitute an agreement between the collective bargaining representatives and the Postal Service for purposes of section 1005(f) of title 39, United States Code; and

(3) covered employees may not participate as employees in the Federal Employees Health Benefits Program.

(e) GOVERNMENT PLAN.—The Postal Service Health Benefits Program shall be a government plan as that term is defined under section 3(32) of Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002(32)).

(f) REPORT.—Not later than June 30, 2013, the Postal Service shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives that—

(1) reports on the implementation of this section; and

(2) requests any additional statutory authority that the Postal Service determines is necessary to carry out the purposes of this section.

SEC. 105. MEDICARE COORDINATION EFFORTS FOR POSTAL SERVICE EMPLOYEES AND RETIREES.

(a) ADDITIONAL ENROLLMENT OPTIONS UNDER FEDERAL EMPLOYEES HEALTH BENEFITS PLANS.—Chapter 89 of title 5, United States Code, is amended by inserting after section 8903b the following:

''SEC. 8903c. COORDINATION WITH MEDICARE FOR POSTAL SERVICE EMPLOYEES AND ANNUITANTS.

''(a) DEFINITIONS.—In this section—

''(1) the term 'contract year' means a calendar year in which health benefits plans are administered under this chapter;

''(2) the term 'Medicare part A' means the Medicare program for hospital insurance benefits under part A of title XVIII of the Social Security Act (42 U.S.C. 1395c et seq.);

''(3) the term 'Medicare part B' means the Medicare program for supplementary medical insurance benefits under part B of title XVIII of the Social Security Act (42 U.S.C. 1395j et seq.); and

''(4) the term 'Postal Service employee or annuitant' means an individual who is—

''(A) an employee of the Postal Service; or

''(B) an annuitant covered under this chapter whose Government contribution is paid by the Postal Service under section 8906(g)(2).

''(b) ENROLLMENT OPTIONS.—

''(1) ESTABLISHMENT.—

''(A) IN GENERAL.—For contract years beginning on or after January 1, 2014, the Office shall establish enrollment options for health benefits plans that are open only to Postal Service employees and annuitants, and family members of a Postal Service employee or annuitant, who are enrolled in Medicare part A and Medicare part B.

''(B) ADDITIONAL PLANS.—The enrollment options established under this subsection shall be in addition to any other health benefit plan or enrollment option otherwise available to Postal Service employees or annuitants under this chapter and shall not affect the eligibility of a Postal Service employee or annuitant for any another health benefit plan or enrollment option under this chapter.

''(2) ENROLLMENT ELIGIBILITY.—Any Postal Service employee or annuitant, or family member of a Postal Service employee or annuitant, who is enrolled in Medicare part A and Medicare part B may enroll in 1 of the enrollment options established under paragraph (1).

''(3) VALUE OF COVERAGE.—The Office shall ensure that the aggregate actuarial value of coverage under the enrollment options established under this subsection, in combination with the value of coverage under Medicare part A and Medicare part B, shall be not less than the actuarial value of the most closely corresponding enrollment options for each plan available under section 8905, in combination with the value of coverage under Medicare part A and Medicare part B.

''(4) ENROLLMENT OPTIONS.—

''(A) IN GENERAL.—The enrollment options established under paragraph (1) shall include—

''(i) an individual option, for Postal Service employees or annuitants enrolled in Medicare part A and Medicare part B;

''(ii) a self and family option, for Postal Service employees or annuitants and family members who are each enrolled in Medicare part A and Medicare part B; and

''(iii) a self and family option, for Postal Service employees or annuitants—

''(I) who are enrolled in Medicare part A and Medicare part B; and

''(II) the family members of whom are not enrolled in Medicare part A or Medicare part B.

''(B) SPECIFIC SUB-OPTIONS.—The Office may establish more specific enrollment options within the types of options described under subparagraph (A).

''(5) REDUCED PREMIUMS TO ACCOUNT FOR MEDICARE COORDINATION.—In determining the premiums for the enrollment options under paragraph (4), the Office shall—

''(A) establish a separate claims pool for individuals eligible for coverage under any of those options; and

''(B) ensure that—

''(i) the premiums are reduced from the premiums otherwise established under this chapter to directly reflect the full cost savings to the health benefits plans due to the complete coordination of benefits with Medicare part A and Medicare part B for Postal Service employees or annuitants, or family members of Postal Service employees or annuitants, who are enrolled in Medicare part A and Medicare part B; and

''(ii) the cost savings described under clause (i) result solely in the reduction of—

''(I) the premiums paid by the Postal Service employee or annuitant; and

''(II) the Government contributions paid by the Postal Service or other employer.

''(c) POSTAL SERVICE CONSULTATION.—The Office shall establish the enrollment options and premiums under this section in consultation with the Postal Service.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table of sections for chapter 89 of title 5, United States Code, is amended by inserting after the item relating to section 8903b the following:

''8903c. Coordination with Medicare for Postal Service employees and annuitants.''.

(c) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to contract years beginning on or after January 1, 2014.

(d) SPECIAL ENROLLMENT PERIOD FOR POSTAL SERVICE EMPLOYEES AND ANNUITANTS.—

(1) SPECIAL ENROLLMENT PERIOD.—Section 1837 of the Social Security Act (42 U.S.C. 1395p) is amended by adding at the end the following new subsection:

''(m)(1) In the case of any individual who, as of the date of enactment of the 21st Century Postal Service Act of 2012, is a Postal Service employee or annuitant (as defined in section 8903c(a) of title 5, United States Code) at the time the individual is entitled to part A under section 226 or section 226A and who is eligible to enroll but who has elected not to enroll (or to be deemed enrolled) during the individual's initial enrollment period, there shall be a special enrollment period described in paragraph (2).

''(2) The special enrollment period described in this paragraph, with respect to an individual, is the 1-year period beginning on July 1, 2013.

''(3) In the case of an individual who enrolls during the special enrollment period provided under paragraph (1), the coverage period under this part shall begin on the first day of the month in which the individual enrolls.''.

(2) WAIVER OF INCREASE OF PREMIUM.—Section 1839(b) of the Social Security Act (42 U.S.C. 1395r(b)) is amended by striking ''(i)(4) or (l)'' and inserting ''(i)(4), (l), or (m)''.

(e) EDUCATIONAL PROGRAM.—The Postmaster General, in consultation with the Director of the Office of Personnel Management and the Administrator of the Centers for Medicare & Medicaid Services, shall develop an educational program to encourage the voluntary use of the Medicare program for hospital insurance benefits under part A of title XVIII of the Social Security Act (42 U.S.C. 1395c et seq.) (commonly known as ''Medicare Part A'') and the Medicare program for supplementary medical insurance benefits under part B of title XVIII of the Social Security Act (42 U.S.C. 1395j et seq.) (commonly known as ''Medicare Part B'') for eligible Postal Service employees and annuitants that may benefit from enrollment, the objective of which shall be to—

(1) educate employees and annuitants on how Medicare benefits interact with and can supplement the benefits of the employee or annuitant under the Federal Employees Health Benefit Program; and

(2) reduce costs to the Federal Employees Health Benefit Program, beneficiaries, and the Postal Service by coordinating services with the Medicare program.

SEC. 106. ARBITRATION; LABOR DISPUTES.

Section 1207(c) of title 39, United States Code, is amended—

(1) in paragraph (2)—

(A) by inserting ''(A)'' after ''(2)'';

(B) by striking the last sentence and inserting ''The arbitration board shall render a decision not later than 45 days after the date of its appointment.''; and

(C) by adding at the end the following:

''(B) In rendering a decision under this paragraph, the arbitration board shall consider such relevant factors as the financial condition of the Postal Service.''; and

(2) by adding at the end the following:

''(4) Nothing in this section may be construed to limit the relevant factors that the arbitration board may take into consideration in rendering a decision under paragraph (2).''.

TITLE II—POSTAL SERVICES AND OPERATIONS

SEC. 201. MAINTENANCE OF DELIVERY SERVICE STANDARDS.

(a) DEFINITIONS.—For purposes of this section—

(1) the term ''plant service area'' means the geographic area served by a single sectional center facility, or a corresponding successor facility, as designated by the Postal Service; and

(2) the term ''continental United States'' means the 48 contiguous States and the District of Columbia.

(b) INTERIM MAINTENANCE OF STANDARDS.—During the 3-year period beginning on the date of enactment of this Act, the Postal Service—

(1) shall maintain the service standards described in subsection (c);

(2) may not establish a new or revised service standard for market-dominant products under section 3691 of title 39, United States Code, that is inconsistent with the requirements under subsection (c); and

(3) shall include in any new or revised overnight service standard established for market-dominant products under section 3691 of title 39, United States Code, a policy on changes to critical entry times at post offices and business mail entry units that ensures that any such changes maintain meaningful access to the services provided under the service standard required to be maintained under subsection (c).

(c) SERVICE STANDARDS.—

(1) OVERNIGHT STANDARD FOR FIRST-CLASS MAIL AND PERIODICALS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the Postal Service shall maintain an overnight service standard that provides overnight service for first-class mail and periodicals that—

(i) originate and destinate in the same plant service area; and

(ii) enter the mails before the critical entry time established and published by the Postal Service.

(B) AREAS OUTSIDE THE CONTINENTAL UNITED STATES.—The requirements of subparagraph (A) shall not apply to areas outside the continental United States—

(i) in the case of mail that originates or destinates in a territory or possession of the United States that is part of a plant service area having a sectional center facility that—

(I) is not located in the territory or possession; and

(II) was not located in the territory or possession on January 1, 2012; and

(ii) in the case of mail not described in clause (i), except to the extent that the requirements are consistent with the service standards under part 121 of title 39, Code of Federal Regulations, as in effect on January 1, 2012.

(2) TWO-DAY DELIVERY FOR FIRST-CLASS MAIL.—The Postal Service shall maintain a service standard that provides that first-class mail not delivered overnight will be delivered within 2 delivery days, to the maximum extent feasible using the network of postal facilities maintained to meet the requirements under paragraph (1).

(3) MAXIMUM DELIVERY TIME FOR FIRST-CLASS MAIL.—

(A) IN GENERAL.—The Postal Service shall maintain a service standard that provides that first-class mail will be delivered—

(i) within a maximum of 3 delivery days, for mail that originates and destinates within the continental United States; and

(ii) within a maximum period of time consistent with service standards under part 121 of title 39, Code of Federal Regulations, as in effect on January 1, 2012, for mail originating or destinating outside the continental United States.

(B) REVISIONS.—Notwithstanding subparagraph (A)(ii), the Postal Service may revise the service standards under part 121 of title 39, Code of Federal Regulations for mail described in subparagraph (A)(ii) to take into account transportation conditions (including the availability of transportation) or other circumstances outside the control of the Postal Service.

SEC. 202. PRESERVING MAIL PROCESSING CAPACITY.

Section 404 of title 39, United States Code, is amended by adding after subsection (e) the following:

''(f) CLOSING OR CONSOLIDATION OF CERTAIN POSTAL FACILITIES.—

''(1) POSTAL FACILITY.—In this subsection, the term 'postal facility'—

''(A) means any Postal Service facility that is primarily involved in the preparation, dispatch, or other physical processing of mail; and

''(B) does not include—

''(i) any post office, station, or branch; or

''(ii) any facility used only for administrative functions.

''(2) AREA MAIL PROCESSING STUDY.—

''(A) NEW AREA MAIL PROCESSING STUDIES.—After the date of enactment of this subsection, before making a determination under subsection (a)(3) as to the necessity for the closing or consolidation of any postal facility, the Postal Service shall—

''(i) conduct an area mail processing study relating to that postal facility that includes a plan to reduce the capacity of the postal facility, but not close the postal facility;

''(ii) publish the study on the Postal Service website; and

''(iii) publish a notice that the study is complete and available to the public, including on the Postal Service website.

''(B) COMPLETED OR ONGOING AREA MAIL PROCESSING STUDIES.—

''(i) IN GENERAL.—In the case of a postal facility described in clause (ii), the Postal Service shall—

''(I) consider a plan to reduce the capacity of the postal facility without closing the postal facility; and

''(II) publish the results of the consideration under subclause (I) with or as an amendment to the area mail processing study relating to the postal facility.

''(ii) POSTAL FACILITIES.—A postal facility described in this clause is a postal facility for which, on or before the date of enactment of this subsection—

''(I) an area mail processing study that does not include a plan to reduce the capacity of the postal facility without closing the postal facility has been completed;

''(II) an area mail processing study is in progress; or

''(III) a determination as to the necessity for the closing or consolidation of the postal facility has not been made.

''(3) NOTICE, PUBLIC COMMENT, AND PUBLIC HEARING.—If the Postal Service makes a determination under subsection (a)(3) to close or consolidate a postal facility, the Postal Service shall—

''(A) provide notice of the determination to—

''(i) Congress; and

''(ii) the Postal Regulatory Commission;

''(B) provide adequate public notice of the intention of the Postal Service to close or consolidate the postal facility;

''(C) ensure that interested persons have an opportunity to submit public comments during a 45-day period after the notice of intention is provided under subparagraph (B);

''(D) before the 45-day period described in subparagraph (C), provide for public notice of that opportunity by—

''(i) publication on the Postal Service website;

''(ii) posting at the affected postal facility; and

''(iii) advertising the date and location of the public community meeting under subparagraph (E); and

''(E) during the 45-day period described in subparagraph (C), conduct a public community meeting that provides an opportunity for public comments to be submitted verbally or in writing.

''(4) FURTHER CONSIDERATIONS.—Not earlier than 30 days after the end of the 45-day period for public comment under paragraph (3), the Postal Service, in making a determination to close or consolidate a postal facility, shall consider—

''(A) the views presented by interested persons under paragraph (3);

''(B) the effect of the closing or consolidation on the affected community, including any disproportionate impact the closing or consolidation may have on a State, region, or locality;

''(C) the effect of the closing or consolidation on the travel times and distances for affected customers to access services under the proposed closing or consolidation;

''(D) the effect of the closing or consolidation on delivery times for all classes of mail;

''(E) any characteristics of certain geographical areas, such as remoteness, broadband internet availability, and weather-related obstacles to using alternative facilities, that may result in the closing or consolidation having a unique effect; and

''(F) any other factor the Postal Service determines is necessary.

''(5) JUSTIFICATION STATEMENT.—Before the date on which the Postal Service closes or consolidates a postal facility, the Postal Service shall post on the Postal Service website a closing or consolidation justification statement that includes—

''(A) a response to all public comments received with respect to the considerations described under paragraph (4);

''(B) a description of the considerations made by the Postal Service under paragraph (4); and

''(C) the actions that will be taken by the Postal Service to mitigate any negative effects identified under paragraph (4).

''(6) CLOSING OR CONSOLIDATION OF POSTAL FACILITIES.—

''(A) IN GENERAL.—Not earlier than the 15 days after posting the final determination and the justification statement under paragraph (5) with respect to a postal facility, the Postal Service may close or consolidate the postal facility.

''(B) ALTERNATIVE INTAKE OF MAIL.—If the Postal Service closes or consolidates a postal facility under subparagraph (A), the Postal Service shall make reasonable efforts to ensure continued mail receipt from customers of the closed or consolidated postal facility at the same location or at another appropriate location in close geographic proximity to the closed or consolidated postal facility.

''(C) LIMITATIONS.—During the 3-year period beginning on the date of enactment of the 21st Century Postal Service Act of 2012, the Postal Service may not close or consolidate a postal facility if the closing or consolidation prevents the Postal Service from maintaining service standards as required under section 201 of the 21st Century Postal Service Act of 2012.

''(7) REVIEW BY POSTAL REGULATORY COMMISSION.—In accordance with section 3662—

''(A) an interested person may lodge a complaint with the Postal Regulatory Commission if the person believes that the closure or consolidation of a postal facility is not in conformance with applicable service standards, including the service standards established under section 201 of the 21st Century Postal Service Act of 2012; and

''(B) if the Postal Regulatory Commission finds a complaint lodged by an interested person to be justified, the Commission shall order the Postal Service to take appropriate action to achieve compliance with applicable service standards, including the service standards established under section 201 of the 21st Century Postal Service Act of 2012, or to remedy the effects of any noncompliance.

''(8) POSTAL SERVICE WEBSITE.—For purposes of any notice required to be published on the Postal Service website under this subsection, the Postal Service shall ensure that the Postal Service website—

''(A) is updated routinely; and

''(B) provides any person, at the option of the person, the opportunity to receive relevant updates by electronic mail.

''(9) PROTECTION OF CERTAIN INFORMATION.—Nothing in this subsection may be construed to require the Postal Service to disclose—

''(A) any proprietary data, including any reference or citation to proprietary data; or

''(B) any information relating to the security of a postal facility.''.

SEC. 203. ESTABLISHMENT OF RETAIL SERVICE STANDARDS.

(a) DEFINITION.—In this section, the term ''retail postal service'' means service that allows a postal customer to—

(1) purchase postage;

(2) enter packages into the mail; and

(3) procure other services offered by the Postal Service.

(b) ESTABLISHMENT OF RETAIL SERVICE STANDARDS.—Not later than 6 months after the date of enactment of this Act, the Postal Service shall exercise its authority under section 3691 of title 39, United States Code, to establish service standards for market-dominant products in order to guarantee customers of the Postal Service regular and effective access to retail postal services nationwide (including in territories and possessions of the United States) on a reasonable basis.

(c) CONTENTS.—The service standards established under subsection (b) shall—

(1) be consistent with—

(A) the obligations of the Postal Service under section 101(b) of title 39, United States Code; and

(B) the contents of the plan developed under section 302 of the Postal Accountability and Enhancement Act of 2006 (39 U.S.C. 3691 note), and any updated or revised plan developed under section 204 of this Act; and

(2) take into account factors including—

(A) geography, including the establishment of standards for the proximity of retail postal services to postal customers, including a consideration of the reasonable maximum time a postal customer should expect to travel to access a postal retail location;

(B) the importance of facilitating communications for communities with limited or no access to Internet, broadband, or cellular telephone services;

(C) population, including population density, demographic factors such as the age, disability status, and degree of poverty of individuals in the area to be served by a location providing postal retail services, and other factors that may impact the ability of postal customers, including businesses, to travel to a postal retail location;

(D) the feasibility of offering retail access to postal services in addition to post offices, as described in section 302(d) of the Postal Accountability and Enhancement Act of 2006 (39 U.S.C. 3691 note);

(E) the requirement that the Postal Service serve remote areas and communities with transportation challenges, including communities in which the effects of inclement weather or other natural conditions might obstruct or otherwise impede access to retail postal services; and

(F) the ability of postal customers to access retail postal services in areas that were served by a post office that was closed or consolidated during the 1 year period ending on the date of enactment of this Act.

SEC. 204. EXPANDED RETAIL ACCESS.

(a) UPDATED PLAN.—Not later than 1 year after the date of enactment of this Act, the Postal Service shall, in consultation with the Commission, develop and submit to Congress a revised and updated version of the plan to expand and market retail access to postal services required under section 302(d) of the Postal Accountability and Enhancement Act of 2006 (39 U.S.C. 3691 note).

(b) CONTENTS.—The plan required under subsection (a) shall—

(1) include a consideration of methods to expand and market retail access to postal services described in paragraphs (1) through (8) of section 302(d) of the Postal Accountability and Enhancement Act of 2006 (39 U.S.C. 3691 note);

(2) where possible, provide for an improvement in customer access to postal services;

(3) consider the impact of any decisions by the Postal Service relating to the implementation of the plan on rural areas, communities, and small towns; and

(4) ensure that—

(A) rural areas, communities, and small towns continue to receive regular and effective access to retail postal services after implementation of the plan; and

(B) the Postal Service solicits community input in accordance with applicable provisions of Federal law.

(c) FURTHER UPDATES.—The Postal Service, in consultation with the Commission, shall—

(1) update the plan required under subsection (a) as the Postal Service determines is appropriate; and

(2) submit each update under paragraph (1) to Congress.

SEC. 205. PRESERVING COMMUNITY POST OFFICES.

(a) CLOSING POST OFFICES.—Section 404(d) of title 39, United States Code, is amended to read as follows:

''(d)(1) The Postal Service, prior to making a determination under subsection (a)(3) of this section as to the necessity for the closing or consolidation of any post office, shall—

''(A) consider whether—

''(i) to close the post office or consolidate the post office and another post office located within a reasonable distance;

''(ii) instead of closing or consolidating the post office—

''(I) to reduce the number of hours a day that the post office operates; or

''(II) to continue operating the post office for the same number of hours a day;

''(iii) to procure a contract providing full, or less than full, retail services in the community served by the post office; or

''(iv) to provide postal services to the community served by the post office through a rural carrier;

''(B) provide postal customers served by the post office an opportunity to participate in a nonbinding survey conducted by mail on a preference for an option described in subparagraph (A); and

''(C) if the Postal Service determines to close or consolidate the post office, provide adequate notice of its intention to close or consolidate such post office at least 60 days prior to the proposed date of such closing or consolidation to persons served by such post office to ensure that such persons will have an opportunity to present their views.

''(2) The Postal Service, in making a determination whether or not to close or consolidate a post office—

''(A) shall consider—

''(i) the effect of such closing or consolidation on the community served by such post office;

''(ii) the effect of such closing or consolidation on employees of the Postal Service employed at such office;

''(iii) whether such closing or consolidation is consistent with the policy of the Government, as stated in section 101(b) of this title, that the Postal Service shall provide a maximum degree of effective and regular postal services to rural areas, communities, and small towns where post offices are not self-sustaining;

''(iv) the extent to which the community served by the post office lacks access to Internet, broadband and cellular phone service;

''(v) the economic savings to the Postal Service resulting from such closing or consolidation; and

''(vi) such other factors as the Postal Service determines are necessary; and

''(B) may not consider compliance with any provision of the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.).

''(3) Any determination of the Postal Service to close or consolidate a post office shall be in writing and shall include the findings of the Postal Service with respect to the considerations required to be made under paragraph (2) of this subsection. Such determination and findings shall be made available to persons served by such post office.

''(4) The Postal Service shall take no action to close or consolidate a post office until 60 days after its written determination is made available to persons served by such post office.

''(5) A determination of the Postal Service to close or consolidate any post office, station, or branch may be appealed by any person served by such office, station, or branch to the Postal Regulatory Commission within 30 days after such determination is made available to such person. The Commission shall review such determination on the basis of the record before the Postal Service in the making of such determination. The Commission shall make a determination based upon such review no later than 120 days after receiving any appeal under this paragraph. The Commission shall set aside any determination, findings, and conclusions found to be—

''(A) arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with the law;

''(B) without observance of procedure required by law;

''(C) not in conformance with the retail service standards established under section 203 of the 21st Century Postal Service Act of 2012; or

''(D) unsupported by substantial evidence on the record.

The Commission may affirm the determination of the Postal Service or order that the entire matter be returned for further consideration, but the Commission may not modify the determination of the Postal Service. The Commission may suspend the effectiveness of the determination of the Postal Service until the final disposition of the appeal. The provisions of section 556, section 557, and chapter 7 of title 5 shall not apply to any review carried out by the Commission under this paragraph.

''(6) For purposes of paragraph (5), any appeal received by the Commission shall—

''(A) if sent to the Commission through the mails, be considered to have been received on the date of the Postal Service postmark on the envelope or other cover in which such appeal is mailed; or

''(B) if otherwise lawfully delivered to the Commission, be considered to have been received on the date determined based on any appropriate documentation or other indicia (as determined under regulations of the Commission).

''(7) Nothing in this subsection shall be construed to limit the right under section 3662—

''(A) of an interested person to lodge a complaint with the Postal Regulatory Commission under section 3662 concerning nonconformance with service standards, including the retail service standards established under section 203 of the 21st Century Postal Service Act of 2012; or

''(B) of the Postal Regulatory Commission, if the Commission finds a complaint lodged by an interested person to be justified, to order the Postal Service to take appropriate action to achieve compliance with applicable requirements, including the retail service standards established under section 203 of the 21st Century Postal Service Act of 2012, or to remedy the effects of any noncompliance.''.

(b) PROHIBITION ON CLOSING POST OFFICES.—Notwithstanding section 404(d) of title 39, United States Code, as amended by this section, during the period beginning on the date of enactment of this Act and ending on the date on which the Postal Service establishes the retail service standards under section 203 of this Act, the Postal Service may not close a post office, except as required for the immediate protection of health and safety.

(c) HISTORIC POST OFFICES.—Section 404(d) of title 39, United States Code, as amended by this section, is amended by adding at the end the following:

''(8)(A) In this paragraph, the term 'historic post office building' means a post office building that is a certified historic structure, as that term is defined in section 47(c)(3) of the Internal Revenue Code of 1986.

''(B) In the case of a post office that has been closed and that is located within a historic post office building, the Postal Service shall provide Federal agencies and State and local government entities the opportunity to lease the historic post office building, if—

''(i) the Postal Service is unable to sell the building at an acceptable price within a reasonable period of time after the post office has been closed; and

''(ii) the Federal agency or State or local government entity that leases the building agrees to—

''(I) restore the historic post office building at no cost to the Postal Service;

''(II) assume responsibility for the maintenance of the historic post office building; and

''(III) make the historic post office building available for public use.''.

SEC. 206. AREA AND DISTRICT OFFICE STRUCTURE.

(a) PLAN REQUIRED.—Not later than 1 year after the date of enactment of this Act, the Postal Service shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Governmental Reform of the House of Representatives—

(1) a comprehensive strategic plan to govern decisions relating to area and district office structure that considers efficiency, costs, redundancies, mail volume, technological advancements, operational considerations, and other issues that may be relevant to establishing an effective area and district office structure; and

(2) a 10-year plan, including a timetable, that provides for consolidation of area and district offices within the continental United States (as defined in section 201(a)) wherever the Postal Service determines a consolidation would—

(A) be cost effective; and

(B) not substantially and adversely affect the operations of the Postal Service.

(b) CONSOLIDATION.—Beginning not later than 1 year after the date of enactment of this Act, the Postal Service shall, consistent with the plans required under and the criteria described in subsection (a)—

(1) consolidate district offices that are located within 50 miles of each other;

(2) consolidate area and district offices that have less than the mean mail volume and number of work hours for all area and district offices; and

(3) relocate area offices to headquarters.

(c) UPDATES.—The Postal Service shall update the plans required under subsection (a) not less frequently than once every 5 years.

(d) STATE LIAISON.—If the Postal Service does not maintain a district office in a State, the Postal Service shall designate at least 1 employee of the district office responsible for Postal Service operations in the State to represent the needs of Postal Service customers in the State.

SEC. 207. CONVERSION OF DOOR DELIVERY POINTS.

(a) IN GENERAL.—Subchapter VII of chapter 36 of title 39, United States Code, is amended by adding at the end the following:

''§ 3692. Conversion of door delivery points

''(a) DEFINITIONS.—In this section, the following definitions shall apply:

''(1) CENTRALIZED DELIVERY POINT.—The term 'centralized delivery point' means a group or cluster of mail receptacles at 1 delivery point that is within reasonable proximity of the street address associated with the delivery point.

''(2) CURBLINE DELIVERY POINT.—The term 'curbline delivery point' means a delivery point that is—

''(A) adjacent to the street address associated with the delivery point; and

''(B) accessible by vehicle on a street that is not a private driveway.

''(3) DOOR DELIVERY POINT.—The term 'door delivery point' means a delivery point at a door of the structure at a street address.

''(4) SIDEWALK DELIVERY POINT.—The term 'sidewalk delivery point' means a delivery point on a sidewalk adjacent to the street address associated with the delivery point.

''(b) CONVERSION.—Except as provided in subsection (c), and in accordance with the solvency plan required under section 401 of the 21st Century Postal Service Act of 2012 and standards established by the Postal

Service, the Postal Service is authorized to, to the maximum extent feasible, convert door delivery points to—

''(1) curbline delivery points;

''(2) sidewalk delivery points; or

''(3) centralized delivery points.

''(c) EXCEPTIONS.—

''(1) CONTINUED DOOR DELIVERY.—The Postal Service may allow for the continuation of door delivery due to—

''(A) a physical hardship of a customer;

''(B) weather, in a geographic area where snow removal efforts could obstruct access to mailboxes near a road;

''(C) circumstances in an urban area that preclude efficient use of curbline delivery points;

''(D) other exceptional circumstances, as determined in accordance with regulations issued by the Postal Service; or

''(E) other circumstances in which the Postal Service determines that alternatives to door delivery would not be practical or cost effective.

''(2) NEW DOOR DELIVERY POINTS.—The Postal Service may provide door delivery to a new delivery point in a delivery area that received door delivery on the day before the date of enactment of this section, if the delivery point is established before the delivery area is converted from door delivery under subsection (b).

''(d) SOLICITATION OF COMMENTS.—The Postal Service shall establish procedures to solicit, consider, and respond to input from individuals affected by a conversion under this section.

''(e) REVIEW.—Subchapter V of this chapter shall not apply with respect to any action taken by the Postal Service under this section.

''(f) REPORT.—Not later than 60 days after the end of each fiscal year through fiscal year 2015, the Postal Service shall submit to Congress and the Inspector General of the Postal Service a report on the implementation of this section during the preceding fiscal year that—

''(1) includes the number of door delivery points—

''(A) that existed at the end of the fiscal year preceding the preceding fiscal year;

''(B) that existed at the end of the preceding fiscal year;

''(C) that, during the preceding fiscal year, converted to—

''(i) curbline delivery points or sidewalk delivery points;

''(ii) centralized delivery points; and

''(iii) any other type of delivery point; and

''(D) for which door delivery was continued under subsection (c)(1);

''(2) estimates any cost savings, revenue loss, or decline in the value of mail resulting from the conversions from door delivery that occurred during the preceding fiscal year;

''(3) describes the progress of the Postal Service toward achieving the conversions authorized under subsection (b); and

''(4) provides such additional information as the Postal Service considers appropriate.''.

(b) CLERICAL AMENDMENT.—The table of sections for subchapter VII of chapter 36 of title 39, United States Code, is amended by adding at the end the following:

''3692. Conversion of door delivery points.''.

SEC. 208. LIMITATIONS ON CHANGES TO MAIL DELIVERY SCHEDULE.

(a) LIMITATION ON CHANGE IN SCHEDULE.—Notwithstanding any other provision of law—

(1) the Postal Service may not establish a general, nationwide delivery schedule of 5 or fewer days per week to street addresses under the authority of the Postal Service under title 39, United States Code, earlier than the date that is 24 months after the date of enactment of this Act; and

(2) on or after the date that is 24 months after the date of enactment of this Act, the Postal Service may establish a general, nationwide 5-day-per-week delivery schedule to street addresses under the authority of the Postal Service under section 3691 of title 39, United States Code, only in accordance with the requirements and limitations under this section.

(b) PRECONDITIONS.—If the Postal Service intends to establish a change in delivery schedule under subsection (a)(2), the Postal Service shall—

(1) identify customers and communities for whom the change may have a disproportionate, negative impact, including the customers identified as ''particularly affected'' in the Advisory Opinion on Elimination of Saturday Delivery issued by the Commission on March 24, 2011;

(2) develop, to the maximum extent possible, measures to ameliorate any disproportionate, negative impact the change would have on customers and communities identified under paragraph (1), including, where appropriate, providing or expanding access to mailboxes for periodical mailers on days on which the Postal Service does not provide delivery;

(3) implement measures to increase revenue and reduce costs, including the measures authorized under the amendments made by sections 101, 102, 103, 207, and 211 of this Act;

(4) evaluate whether any increase in revenue or reduction in costs resulting from the measures implemented under paragraph (3) are sufficient to allow the Postal Service, without implementing a change in delivery schedule under subsection (a), to achieve long-term solvency; and

(5) not earlier than 15 months after the date of enactment of this Act and not later than 9 months before the effective date proposed by the Postal Service for the change, submit a report on the steps the Postal Service has taken to carry out this subsection to—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives;

(B) the Comptroller General of the United States; and

(C) the Commission.

(c) REVIEW.—

(1) GOVERNMENT ACCOUNTABILITY OFFICE.—Not later than 3 months after the date on which the Postal Service submits a report under subsection (b)(5), the Comptroller General shall submit to the Commission and to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives a report that contains findings relating to each of the following:

(A) Whether the Postal Service has adequately complied with subsection (b)(3), taking into consideration the statutory authority of and limitations on the Postal Service.

(B) The accuracy of any statement by the Postal Service that the measures implemented under subsection (b)(3) have increased revenues or reduced costs, and the accuracy of any projection by the Postal Service relating to increased revenue or reduced costs resulting from the measures implemented under subsection (b)(3).

(C) The adequacy and methodological soundness of any evaluation conducted by the Postal Service under subsection (b)(4) that led the Postal Service to assert the necessity of a change in delivery schedule under subsection (a)(2).

(D) Whether, based on an analysis of the measures implemented by the Postal Service to increase revenues and reduce costs, projections of increased revenue and cost savings, and the details of the profitability plan required under section 401, a change in delivery schedule is necessary to allow the Postal Service to achieve long-term solvency.

(2) POSTAL REGULATORY COMMISSION.—

(A) REQUEST.—Not later than 6 months before the proposed effective date of a change in delivery schedule under subsection (a), the Postal Service shall submit to the Commission a request for an advisory opinion relating to the change.

(B) ADVISORY OPINION.—

(i) IN GENERAL.—The Commission shall—

(I) issue an advisory opinion with respect to a request under subparagraph (A), in accordance with the time limits for the issuance of advisory opinions under section 3661(b)(2) of title 39, United States Code, as amended by this Act; and

(II) submit the advisory opinion to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives.

(ii) REQUIRED DETERMINATIONS.—An advisory opinion under clause (i) shall determine—

(I) whether the measures developed under subsection (b)(2) ameliorate any disproportionate, negative impact that a change in schedule may have on customers and communities identified under subsection (b)(1); and

(II) based on the report submitted by the Comptroller General under paragraph (1)—

(aa) whether the Postal Service has implemented measures to increase revenue and reduce costs as required under subsection (b)(3);

(bb) whether the implementation of the measures described in item (aa) has increased revenues or reduced costs, or is projected to further increase revenues or reduce costs in the future; and

(cc) whether a change in schedule under subsection (a)(2) is necessary to allow the Postal Service to achieve long-term solvency.

(3) PROHIBITION ON IMPLEMENTATION OF CHANGE IN SCHEDULE.—The Postal Service may not implement a change in delivery schedule under subsection (a)(2)—

(A) before the date on which the Comptroller General submits the report required under paragraph (1); and

(B) unless the Commission determines under paragraph (2)(B)(ii)(II)(cc) that the Comptroller General has concluded that the change is necessary to allow the Postal Service to become profitable by fiscal year 2015 and to achieve long-term solvency, without regard to whether the Commission determines that the change is advisable.

(d) ADDITIONAL LIMITATIONS.—

(1) RULES OF CONSTRUCTION.—Nothing in this subsection shall be construed to—

(A) authorize the reduction, or require an increase, in delivery frequency for any route for which the Postal Service provided delivery on fewer than 6 days per week on the date of enactment of this Act;

(B) authorize any change in—

(i) the days and times that postal retail service or any mail acceptance is available at postal retail facilities or processing facilities; or

(ii) the locations at which postal retail service or mail acceptance occurs at postal retail facilities or processing facilities;

(C) authorize any change in the frequency of delivery to a post office box;

(D) prohibit the collection or delivery of a competitive mail product on a weekend, a

recognized Federal holiday, or any other specific day of the week; or

(E) prohibit the Postal Service from exercising its authority to make changes to processing or retail networks.

(2) PROHIBITION ON CONSECUTIVE DAYS WITHOUT MAIL DELIVERY.—The Postal Service shall ensure that, under any change in schedule under subsection (a)(2), at no time shall there be more than 2 consecutive days without mail delivery to street addresses, including recognized Federal holidays.

(e) DEFINITION.—In this section, the term ''long-term solvency'' means the ability of the Postal Service to pay debts and meet expenses, including the ability to perform maintenance and repairs, make investments, and maintain financial reserves, as necessary to fulfill the requirements and comply with the policies of title 39, United States Code, and other obligations of the Postal Service over the long term.

SEC. 209. TIME LIMITS FOR CONSIDERATION OF SERVICE CHANGES.

Section 3661 of title 39, United States Code, is amended by striking subsections (b) and (c) and inserting the following:

''(b) PROPOSED CHANGES FOR MARKET-DOMINANT PRODUCTS.—

''(1) SUBMISSION OF PROPOSAL.—If the Postal Service determines that there should be a change in the nature of postal services relating to market-dominant products that will generally affect service on a nationwide or substantially nationwide basis, the Postal Service shall submit a proposal to the Postal Regulatory Commission requesting an advisory opinion on the change.

''(2) ADVISORY OPINION.—Upon receipt of a proposal under paragraph (1), the Postal Regulatory Commission shall—

''(A) provide an opportunity for public comment on the proposal; and

''(B) issue an advisory opinion not later than—

''(i) 90 days after the date on which the Postal Regulatory Commission receives the proposal; or

''(ii) a date that the Postal Regulatory Commission and the Postal Service may, not later than 1 week after the date on which the Postal Regulatory Commission receives the proposal, determine jointly.

''(3) RESPONSE TO OPINION.—The Postal Service shall submit to the President and to Congress a response to an advisory opinion issued under paragraph (2) that includes—

''(A) a statement of whether the Postal Service plans to modify the proposal to address any concerns or implement any recommendations made by the Commission; and

''(B) for any concern that the Postal Service determines not to address and any recommendation that the Postal Service determines not to implement, the reasons for the determination.

''(4) ACTION ON PROPOSAL.—The Postal Service may take action regarding a proposal submitted under paragraph (1)—

''(A) on or after the date that is 30 days after the date on which the Postal Service submits the response required under paragraph (3);

''(B) on or after a date that the Postal Regulatory Commission and the Postal Service may, not later than 1 week after the date on which the Postal Regulatory Commission receives a proposal under paragraph (2), determine jointly; or

''(C) after the date described in paragraph (2)(B), if—

''(i) the Postal Regulatory Commission fails to issue an advisory opinion on or before the date described in paragraph (2)(B); and

''(ii) the action is not otherwise prohibited under Federal law.

''(5) MODIFICATION OF TIMELINE.—At any time, the Postal Service and the Postal Regulatory Commission may jointly redetermine a date determined under paragraph (2)(B)(ii) or (4)(B).''.

SEC. 210. PUBLIC PROCEDURES FOR SIGNIFICANT CHANGES TO MAILING SPECIFICATIONS.

(a) NOTICE AND OPPORTUNITY FOR COMMENT REQUIRED.—Effective on the date on which the Postal Service issues a final rule under subsection (c), before making a change to mailing specifications that could pose a significant burden to the customers of the Postal Service and that is not reviewed by the Commission, the Postal Service shall—

(1) publish a notice of the proposed change to the specification in the Federal Register;

(2) provide an opportunity for the submission of written comments concerning the proposed change for a period of not less than 30 days;

(3) after considering any comments submitted under paragraph (2) and making any modifications to the proposed change that the Postal Service determines are necessary, publish—

(A) the final change to the specification in the Federal Register;

(B) responses to any comments submitted under paragraph (2); and

(C) an analysis of the financial impact that the proposed change would have on—

(i) the Postal Service; and

(ii) the customers of the Postal Service that would be affected by the proposed change; and

(4) establish an effective date for the change to mailing specifications that is not earlier than 30 days after the date on which the Postal Service publishes the final change under paragraph (3).

(b) EXCEPTION FOR GOOD CAUSE.—If the Postal Service determines that there is an urgent and compelling need for a change to a mailing specification described in subsection (a) in order to avoid demonstrable harm to the operations of the Postal Service or to the public interest, the Postal Service may—

(1) change the mailing specifications by—

(A) issuing an interim final rule that—

(i) includes a finding by the Postal Service that there is good cause for the interim final rule;

(ii) provides an opportunity for the submission of written comments on the interim final rule for a period of not less than 30 days; and

(iii) establishes an effective date for the interim final rule that is not earlier than 30 days after the date on which the interim final rule is issued; and

(B) publishing in the Federal Register a response to any comments submitted under subparagraph (A)(ii); and

(2) waive the requirement under paragraph (1)(A)(iii) or subsection (a)(4).

(c) RULES RELATING TO NOTICE AND COMMENT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Postal Service shall issue rules governing the provision of notice and opportunity for comment for changes in mailing specifications under subsection (a).

(2) RULES.—In issuing the rules required under paragraph (1), the Postal Service shall—

(A) publish a notice of proposed rulemaking in the Federal Register that includes proposed definitions of the terms ''mailing specifications'' and ''significant burden'';

(B) provide an opportunity for the submission of written comments concerning the proposed change for a period of not less than 30 days; and

(C) publish—

(i) the rule in final form in the Federal Register; and

(ii) responses to the comments submitted under subparagraph (B).

SEC. 211. NONPOSTAL PRODUCTS AND SERVICES.

(a) IN GENERAL.—Section 404 of title 39, United States Code, is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (6) through (8) as paragraphs (7) through (9), respectively; and

(B) by inserting after paragraph (5) the following:

''(6) after the date of enactment of the 21st Century Postal Service Act of 2012, and except as provided in subsection (e), to provide other services that are not postal services, after the Postal Regulatory Commission—

''(A) makes a determination that the provision of such services—

''(i) uses the processing, transportation, delivery, retail network, or technology of the Postal Service;

''(ii) is consistent with the public interest and a demonstrated or potential public demand for—

''(I) the Postal Service to provide the services instead of another entity providing the services; or

''(II) the Postal Service to provide the services in addition to another entity providing the services;

''(iii) would not create unfair competition with the private sector, taking into consideration the extent to which the Postal Service will not, either by legal obligation or voluntarily, comply with any State or local requirements that are generally applicable to persons that provide the services;

''(iv) will be undertaken in accordance with all Federal laws generally applicable to the provision of such services; and

''(v) has the potential to improve the net financial position of the Postal Service, based on a market analysis provided to the Postal Regulatory Commission by the Postal Service; and

''(B) for services that the Postal Regulatory Commission determines meet the criteria under subparagraph (A), classifies each such service as a market-dominant product, competitive product, or experimental product, as required under chapter 36 of title 39, United States Code;''; and

(2) in subsection (e)(2), by striking ''Nothing'' and all that follows through ''except that the'' and inserting ''The''.

(b) COMPLAINTS.—Section 3662(a) of title 39, United States Code, is amended by inserting ''404(a)(6)(A),'' after ''403(c),''.

(c) MARKET ANALYSIS.—During the 5-year period beginning on the date of enactment of this Act, the Postal Service shall submit a copy of any market analysis provided to the Commission under section 404(a)(6)(A)(v) of title 39, United States Code, as amended by this section, to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives.

SEC. 212. CHIEF INNOVATION OFFICER; INNOVATION STRATEGY.

(a) CHIEF INNOVATION OFFICER.—

(1) IN GENERAL.—Chapter 2 of title 39, United States Code, is amended by adding at the end the following:

''§ 209. Chief innovation officer

''(a) ESTABLISHMENT.—There shall be in the Postal Service a Chief Innovation Officer appointed by the Postmaster General.

''(b) QUALIFICATIONS.—The Chief Innovation Officer shall have proven expertise and a record of accomplishment in areas such as—

''(1) the postal and shipping industry;

''(2) innovative product research and development;

''(3) brand marketing strategy;

''(4) new and emerging technology, including communications technology; or

''(5) business process management.

''(c) DUTIES.—The Chief Innovation Officer shall lead the development and implementation of—

''(1) innovative postal products and services, particularly products and services that use new and emerging technology, including communications technology, to improve the net financial position of the Postal Service; and

''(2) nonpostal products and services authorized under section 404(a)(6) that have the potential to improve the net financial position of the Postal Service.

''(d) DEADLINE.—The Postmaster General shall appoint a Chief Innovation Officer not later than 90 days after the date of enactment of the 21st Century Postal Service Act of 2012.

''(e) CONDITION.—

''(1) IN GENERAL.—The Chief Innovation Officer may not hold any other office or position in the Postal Service while serving as Chief Innovation Officer.

''(2) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit an individual who holds another office or position in the Postal Service at the time the individual is appointed Chief Innovation Officer from serving as the Chief Innovation Officer under this section.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 2 of title 39, United States Code, is amended by adding at the end the following:

''209. Chief innovation officer.''.

(b) INNOVATION STRATEGY.—

(1) INITIAL REPORT ON INNOVATION STRATEGY.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Postmaster General, acting through the Chief Innovation Officer, shall submit a report that contains a comprehensive strategy (referred to in this subsection as the ''innovation strategy'') for improving the net financial position of the Postal Service through innovation, including the offering of new postal and nonpostal products and services, to—

(i) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(ii) the Committee on Oversight and Government Reform of the House of Representatives.

(B) MATTERS TO BE ADDRESSED.—At a minimum, the report on innovation strategy required under subparagraph (A) shall describe—

(i) the specific innovative postal and nonpostal products and services to be developed and offered by the Postal Service, including—

(I) the nature of the market demand to be satisfied by each product or service; and

(II) the estimated date by which each product or service will be introduced;

(ii) the cost of developing and offering each product or service;

(iii) the anticipated sales volume for each product or service;

(iv) the anticipated revenues and profits to be generated by each product or service;

(v) the likelihood of success of each product or service and the risks associated with the development and sale of each product or service;

(vi) the trends anticipated in market conditions that may affect the success of each product or service during the 5-year period beginning on the date of the submission of the report under subparagraph (A);

(vii) any innovations designed to improve the net financial position of the Postal Service, other than the offering of new products and services; and

(viii) the metrics that will be used to assess the effectiveness of the innovation strategy.

(2) ANNUAL REPORT.—

(A) IN GENERAL.—Not later than 1 year after the date of the submission of the initial report containing the innovation strategy under paragraph (1), and annually thereafter for 10 years, the Postmaster General, acting through the Chief Innovation Officer, shall submit a report on the implementation of the innovation strategy to—

(i) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(ii) the Committee on Oversight and Government Reform of the House of Representatives.

(B) MATTERS TO BE ADDRESSED.—At a minimum, an annual report submitted under subparagraph (A) shall include—

(i) an update of the initial report on innovation strategy submitted under paragraph (1);

(ii) a description of the progress made by the Postal Service in implementing the products, services, and other innovations described in the initial report on innovation strategy;

(iii) an analysis of the performance of each product, service, or other innovation described in the initial report on innovation strategy, including—

(I) the revenue generated by each product or service developed in accordance with the innovation strategy under this section and the cost of developing and offering each product or service for the preceding year;

(II) trends in each market in which a product or service is intended to satisfy a demand;

(III) each product or service identified in the innovation strategy that is to be discontinued, the date on which each discontinuance will occur, and the reasons for each discontinuance;

(IV) each alteration that the Postal Service plans to make to a product or service identified in the innovation strategy to address changing market conditions and an explanation of how each alteration will ensure the success of the product or service;

(V) the performance of innovations other than new products and services that are designed to improve the net financial position of the Postal Service; and

(VI) the performance of the innovation strategy according to the metrics described in paragraph (1)(B)(viii).

SEC. 213. STRATEGIC ADVISORY COMMISSION ON POSTAL SERVICE SOLVENCY AND INNOVATION.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established in the Postal Service a Strategic Advisory Commission on Postal Service Solvency and Innovation (in this section referred to as the ''Advisory Commission'').

(2) INDEPENDENCE.—The Advisory Commission shall not be subject to the supervision of the Board of Governors of the Postal Service (in this section referred to as the ''Board of Governors''), the Postmaster General, or any other officer or employee of the Postal Service.

(b) PURPOSE.—The purpose of the Advisory Commission is—

(1) to provide strategic guidance to the President, Congress, the Board of Governors, and the Postmaster General on enhancing the long-term solvency of the Postal Service; and

(2) to foster innovative thinking to address the challenges facing the Postal Service.

(c) MEMBERSHIP.—

(1) COMPOSITION.—The Advisory Commission shall be composed of 7 members, of whom—

(A) 3 members shall be appointed by the President, who shall designate 1 member appointed under this subparagraph to serve as Chairperson of the Advisory Commission; and

(B) 1 member shall be appointed by each of—

(i) the majority leader of the Senate;

(ii) the minority leader of the Senate;

(iii) the Speaker of the House of Representatives; and

(iv) the minority leader of the House of Representatives.

(2) QUALIFICATIONS.—Members of the Advisory Commission shall be prominent citizens having—

(A) significant depth of experience in such fields as business and public administration;

(B) a reputation for innovative thinking;

(C) familiarity with new and emerging technologies; and

(D) experience with revitalizing organizations that experienced significant financial challenges or other challenges.

(3) INCOMPATIBLE OFFICES.—An individual who is appointed to the Advisory Commission may not serve as an elected official or an officer or employee of the Federal Government while serving as a member of the Advisory Commission, except in the capacity of that individual as a member of the Advisory Commission.

(4) DEADLINE FOR APPOINTMENT.—Each member of the Advisory Commission shall be appointed not later than 45 days after the date of enactment of this Act.

(5) MEETINGS; QUORUM; VACANCIES.—

(A) MEETINGS.—The Advisory Commission shall meet at the call of the Chairperson or a majority of the members of the Advisory Commission.

(B) QUORUM.—4 members of the Advisory Commission shall constitute a quorum.

(C) VACANCIES.—Any vacancy in the Advisory Commission shall not affect the powers of the Advisory Commission, but shall be filled as soon as practicable in the same manner in which the original appointment was made.

(d) DUTIES AND POWERS.—

(1) DUTIES.—The Advisory Commission shall—

(A) study matters that the Advisory Commission determines are necessary and appropriate to develop a strategic blueprint for the long-term solvency of the Postal Service, including—

(i) the financial, operational, and structural condition of the Postal Service;

(ii) alternative strategies and business models that the Postal Service could adopt;

(iii) opportunities for additional postal and nonpostal products and services that the Postal Service could offer;

(iv) innovative services that postal services in foreign countries have offered, including services that respond to the increasing use of electronic means of communication; and

(v) the governance structure, management structure, and management of the Postal Service, including—

(I) the appropriate method of appointment, qualifications, duties, and compensation for senior officials of the Postal Service, including the Postmaster General; and

(II) the number and functions of senior officials of the Postal Service and the number of levels of management of the Postal Service; and

(B) submit the report required under subsection (f).

NOTICES OF HEARINGS

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Wednesday, April 18, 2012 at 10 a.m., in SD–430 Dirksen Senate Office Building to conduct a hearing entitled Effective Strategies for Accelerated Learning.

For further information regarding this meeting, please contact the committee on (202) 224–5501.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources. The hearing will be held on Thursday, April 19, 2012, at 9:30 a.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the impacts of sea level rise on domestic energy and water infrastructure.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, 304 Dirksen Senate Office Building, Washington, DC 20510–6150, or by email to Meagan__Ginsaenergy.senate.gov.

For further information, please contact Kevin Rennert at 202–224–7826, Kelly Kryc at 202–224–0537 or Meagan Gins at 202–224–0883.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Thursday, April 19, 2012 at 10 a.m., in SD–430 Dirksen Senate Office Building to conduct a hearing entitled Time Takes Its Toll: Delays in OSHA's Standard-Setting Process and the Impact on Worker Safety.

For further information regarding this meeting, please contact the committee on (202) 224–5441.

COMMITTEE ON INDIAN AFFAIRS

Mr. AKAKA. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, April 19, 2012, at 2:15 p.m., in room 628 of the Dirksen Senate Office Building to conduct a legislative hearing on S. 1684, the Indian Tribal Energy Development and Self-Determination Act Amendments of 2011. Those wishing additional information may contact the Indian Affairs Committee at (202) 224–2251.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources. The hearing will be held on Thursday, April 26, 2012, at 9:30 a.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on weather related electrical outages.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, 304 Dirksen Senate Office Building, Washington, DC 20510–6150, or by email to Meagan__Gins@energy.senate.gov.

For further information, please contact Leon Lowery at 202–224–2209, or Meagan Gins at 202–224–0883.

PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Maria Worthen, Brendan Iglehart, and Andrea Jarcho of my staff be granted floor privileges for the duration of today's session.

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

UNANIMOUS CONSENT AGREEMENT—S. 1789

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that following morning business on Tuesday, April 17, the motion to proceed to the motion to reconsider the vote by which cloture was not invoked on the motion to proceed to S. 1789, be agreed to; that the motion to reconsider be agreed to and that there be up to 10 minutes of debate, equally divided between the two leaders or their designees, on the motion to invoke cloture on the motion to proceed to S. 1789; that upon the use or yielding back of time, the Senate proceed to the cloture vote on the motion to proceed to S. 1789, upon reconsideration.

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

ORDERS FOR TUESDAY, APRIL 17, 2012

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that when the Senate completes its business today, the Senate adjourn until Tuesday, April 17, at 10 a.m.; that following the prayer and pledge, the Journal of Proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business until 11 a.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half; that following morning business, the Senate resume consideration of the motion to invoke cloture on the motion to proceed to S. 1789, the postal reform bill, under the previous order; and that the Senate recess from 12:30 p.m. until 2:15 p.m., to allow for the weekly caucus meetings.

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

PROGRAM

Mr. WHITEHOUSE. Mr. President, I am advised to inform my colleagues that the first vote tomorrow will be at approximately 11:10 a.m. on the motion to invoke cloture on the motion to proceed to S. 1789.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. WHITEHOUSE. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:19 p.m, adjourned until Tuesday, April 17, 2012, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

HARRY S TRUMAN SCHOLARSHIP FOUNDATION

INGRID A. GREGG, OF MICHIGAN, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE HARRY S TRUMAN SCHOLARSHIP FOUNDATION FOR A TERM EXPIRING DECEMBER 10, 2017, VICE JOHN E. KIDDE, TERM EXPIRED.

JAMES L. HENDERSON, OF KENTUCKY, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE HARRY S TRUMAN SCHOLARSHIP FOUNDATION FOR A TERM EXPIRING DECEMBER 10, 2017, VICE JOHN PEYTON, TERM EXPIRED.

VICKI MILES-LAGRANGE, OF OKLAHOMA, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE HARRY S TRUMAN SCHOLARSHIP FOUNDATION FOR A TERM EXPIRING DECEMBER 10, 2015, VICE ROGER L. HUNT, TERM EXPIRED.

MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION

CHARLES P. ROSE, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION FOR A TERM EXPIRING APRIL 16, 2017, VICE STEPHEN M. PRESCOTT, TERM EXPIRED.

DEPARTMENT OF STATE

JAY NICHOLAS ANANIA, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SURINAME.

GENE ALLAN CRETZ, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER—COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF GHANA.

SUSAN MARSH ELLIOTT, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF TAJIKISTAN.

DAVID J. LANE, OF FLORIDA, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS U.S. REPRESENTATIVE TO THE UNITED NATIONS AGENCIES FOR FOOD AND AGRICULTURE.

PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

PATRICIA M. WALD, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD FOR A TERM EXPIRING JANUARY 29, 2019. (REAPPOINTMENT)

CONFIRMATION

Executive nomination confirmed by the Senate April 16, 2012:

THE JUDICIARY

STEPHANIE DAWN THACKER, OF WEST VIRGINIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FOURTH CIRCUIT.

EXTENSIONS OF REMARKS

HONORING THE HARRISBURG HIGH SCHOOL LADY BULLDOGS BASKETBALL TEAM

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating the Harrisburg High School Lady Bulldogs Basketball team for winning the Class 2 Missouri State Championship on March 17, 2012.

The young women and their coaches should be commended for all their hard work throughout the regular season and bringing home the state basketball championship to their school and community. In the final championship game against the New Haven Shamrocks, the Lady Bulldogs prevailed 43 to 32, making it their second state championship in three seasons.

I ask that you join me in recognizing the Harrisburg Lady Bulldogs for a job well done!

RESTORING ECONOMIC SECURITY FOR AMERICAN WOMEN

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Ms. RICHARDSON. Mr. Speaker, I rise today to address the report released earlier this month by The White House Council on Women and Girls which provided a sampling of the policies, programs, and legislative initiatives that have resulted from the Administration's efforts to create an economy built to last for American women. I cannot stress enough how critical women are to our nation's economic success and how there still exists an ever-present need for us to continue our efforts to end discriminatory practices in the workforce.

It is vital for us to work together to ensure women's economic security through all stages of life—from young women furthering their education and beginning their careers, to working women who create jobs and provide for their families, to seniors in retirement or getting ready for retirement. Many positive steps have been taken and much change has been effectuated, but there is much more that can be and should be done.

Today, more than ever, women's efforts in the workforce are essential to sustaining a strong economy, not to mention that more women now are the primary income earners in most American families. Yet women in our economy and our work force are still earning just 77 cents on every dollar paid to men. Couple the gender gap with statistics on race and it is even worse. African American women earn a mere 64 cents on the dollar, while Hispanic women receive an appalling 56 cents on the dollar compared to men. How can this still be when women now make up nearly fifty percent of our workforce? Families are effectively losing part of their income every month due to this gender inequality.

We must put an end to discriminatory practices in the workforce once and for all. Expanding economic opportunities for women is critical to building an economy that restores security for middle class families. We must promote such an economy by encouraging the advancement of women in education and the workforce and by rewarding their efforts equally and accordingly. We must ensure that women who want to continue their education and attend college and graduate school can do so. We must ensure that when a woman seeks higher employment she is able to attain it without being discriminated based on her gender and more importantly where she will receive equal pay as her male counterpart. We must ensure that fulfillment of such goals for women are not an improbability, but a guarantee.

We no longer live in the 1950s where a sole income earner, historically a man, could support an entire family. We are living in an era where the want for a dual income is not a luxury, but a necessity to sustain a middle class family. I applaud President Obama's hard work to ensure that women are treated equally in the workforce and paid fairly for their work. From signing the Lilly Ledbetter Fair Pay Act, to creating the National Equal Pay Task Force, President Obama has fought for equality for women in the workforce, and there is no reason why this Congress should not work equally as hard to support and advance his efforts. There should be no second class citizens in our workplaces in the twenty-first century.

In a time where women's labor force participation has increased dramatically and where families are becoming increasingly reliant on women's incomes due to the rising cost of living, how does it make sense that pay disparities between men and women still persist? Why must women face greater risk for income insecurity than men? The reality is that over the course of her lifetime, these pay discrepancies can cost a woman and her family tens or hundreds of thousands of dollars in lost wages, reduced pensions, and reduced Social Security benefits. Why is it that the Republican majority is not concerned about these disparities?

The statistics on this issue are very clear; we cannot have a vibrant society if women are not doing well. The success of American women is critical for the success of American families and the American economy. Consequently, when women still face barriers to participation in the workplace and marketplace, it affects all Americans.

Unfortunately, rather than concentrating on eliminating such discrepancies and ensuring equality, the Republican majority has instead been fixated on limiting women's rights and freedoms. For over a year now the Republican majority has taken aim at denying women access to health care and restricting women's choices in the area of reproductive health altogether. This is an incredibly ill-guided waste of time, and makes no economic sense. When women are denied access to health care or have to pay more for their health care than men, it hurts entire families and in turn the economy as a whole. In 31 states, all of the best-selling plans engage in gender rating. And in states that permit this practice, 92 percent of the best-selling plans charge 40-year-old women more than 40-year-old men for identical coverage. In the aggregate, women spend an estimated $1 billion more than men for equivalent health coverage. We should be working together to eliminate these disparities, instead of fending off attacks by the Republican majority who have continuously brought forth anti-women's health legislation in the 112th Congress and attacked the Affordable Care Act which beginning in 2014 will prohibit insurance companies from charging women more for health insurance simply because of their gender.

The Republican majority has taken minor breaks from attacking women's rights in this Congress only to work on stripping senior benefits and ending Medicare as we know it. All seniors should be able to retire with dignity, and live out their final years with security and access to healthcare. This should not be a privilege enjoyed by the 1 percent. We must work to ensure that senior citizens receive the care they need when they are most vulnerable; but instead the Republicans want to hand them a voucher and have them fend for themselves with insurance companies. The coverage Medicare provides is particularly critical for women, because of their greater life expectancies and partially because of costs related to preventive services such as mammograms and bone density tests.

As a result of lower earnings during her time in the workforce, an elderly woman rarely has a significant income from her pension, as compared to the average elderly man. So it should not be surprising that elderly women rely on Social Security to a greater extent than men, and over half of America's more than 48 million Medicare beneficiaries are women. And this is where unequal pay throughout a woman's working lifetime comes full circle.

Mr. Speaker, let us in Congress work together to pass legislation that outlaws gender discrimination, allows for prosecution of pay discrimination against women, invests in child care, and supports the advancement of women as they provide for their families and save for the future. It is through our hard work to ensure equal treatment of all women in the workforce, marketplace, and society as a whole that we can resoundingly voice our commitment to support American women and families.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

CELEBRATING THE LIFE OF HOBART CLAY MARCHANT

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. MARCHANT. Mr. Speaker, it is with both pride and sadness that I ask my colleagues to join me in celebrating the life of my father, Hobart Clay Marchant, who passed away on March 22nd at the age of 91. He leaves behind a great legacy seen in my mother, a woman he married 62 years ago, and in his family of five children, fifteen grandchildren, and six great grandchildren.

My father's life was dedicated to the service of those around him. This was seen at a young age when, after the attack on Pearl Harbor, he answered the call of duty and enlisted as a field radio operator for the U.S. Army. For three years, my father served in World War II on the hilltops of the Pacific Islands intercepting vital messages to protect his country and further the cause of freedom. His time overseas also included ground combat at Iwo Jima. It was just one year ago that my dad was reflecting on his time of service and told me how privileged and proud he was to live in the land of the free.

After returning home, my father married my mother, Frances Helen Jones, on August 18, 1950, in Grand Prairie, Texas. As the family grew, my parents moved us to the Carrollton-Farmers Branch area. There my father founded a barbershop he ran for 46 years. It was in that storefront where he taught me and my siblings the values of hard work and family as we polished shoes and greeted customers. My father went on to found a roofing and building development business he ran in partnership with my brothers and me until his retirement. That business, H.C. Marchant Custom Homes, still remains in our family today.

A devout Christian, my father was a charter member of the Carrollton Church of the Nazarene and an active member throughout his life. There he began decades of service caring for the community and his family. Psalm 112 says the righteous man is one who deals generously, who is marked with grace and mercy, and whose heart is firm in the Lord. This describes the life my father lived, and I rest fondly on the promise found in this same Psalm that the righteous man will be remembered forever.

Hobart Marchant was my lifelong hero and an inspiration for all his children. His service to his country is representative of his entire generation and the work ethic and patriotism they passed on to their children. My father always believed in America and her future, and was influential in my decision to enter public service. After every flight home from votes in Washington, he was always my first visit. I would not be the man I am today, nor had the success and grace of God throughout my life, had he not been a guiding force in my childhood, youth, and adulthood.

Mr. Speaker, my father was a great man in the community in which he lived and worked. His work ethic, values, and integrity have set an example for his entire family and those who knew him. I ask all my distinguished colleagues to join me in celebrating his life and honoring the many people whose lives are better for having known him.

A TRIBUTE TO CAROLYN INGRAM SEITZ, 29TH CONGRESSIONAL DISTRICT WOMAN OF THE YEAR—2012

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. SCHIFF. Mr. Speaker, I rise today in honor of Women's History Month. Each year during the month of March, we pay special tribute to the accomplishments made by our Nation's most distinguished women.

Today, I pay tribute to Carolyn Ingram Seitz of Altadena, California. A zoning and planning consultant who has worked on many projects in Altadena for the last two decades, Carolyn moved to Altadena in 2000.

Not long after she moved into Altadena, Ms. Seitz became involved in the community, advocating for community safety, and working with the Altadena Sheriff's Department and community members on neighborhood nuisance and other issues. She worked with her neighbors to form a neighborhood watch, and helped other neighborhoods prepare and be organized for cataclysmic events or natural disasters. Carolyn has also assisted with organizing Community Emergency Response Team, CERT, trainings, which offers drills, trainings and refreshers throughout the year. She is the Altadena Sheriff's Station CERT Coordinator, a member of the Regional CERT working group and sits on the Los Angeles County Operational Area Disaster Corps Volunteers Advisory Council. When the Station Fire occurred, Ms. Seitz worked tirelessly for many hours to ensure that the community had updated information on the fire, and the probable impacts caused by the rain that would result in flooding and mudflows.

Carolyn was appointed as the Chairwoman of the Altadena Sheriff's Community Advisory Committee in 2007. In 2010 she brought together the California Highway Patrol, American Red Cross, Pasadena Police Department and community members to a successful Neighborhood Watch Conference, which she organized at Loma Alta Park in Altadena. Along with her extensive volunteer work with the Altadena Sheriff's Department, Carolyn contributes many hours to organizations such as the Quality of Life Center, Inc., Mentoring and Partnership for Youth Development, the Altadena Chamber of Commerce and the Central Altadena Little League. Recognized for her work in improving sheriff-community relations, Ms. Seitz has also been honored with the Altadena Chamber of Commerce's Outstanding Citizen of the Year Award in 2010.

I ask all Members to join me today in honoring an outstanding woman of California's 29th Congressional District, Carolyn Ingram Seitz.

TRANSPORTATION ORIENTED JOBS INITIATIVE

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. PETRI. Mr. Speaker, today, along with Representative LIPINSKI, I am introducing legislation to stimulate the financing of passenger rail development from revenues generated from transportation oriented development.

The National High Performance Passenger Rail Transportation Oriented Development Act aims to capture some of the increasing value of commercial development around station areas, which in turn would help finance rail corridor infrastructure and operational expenses. Besides providing a funding stream for intercity and passenger operations, the initiative places emphasis on intermodal connectors to create vibrant communities along the corridor. The legislation aims to begin a major public-private partnership initiative that will revitalize America's rail infrastructure to create a true third passenger transportation option to highways and aviation while at the same time creating intermodal access communities.

Under the proposal, the U.S. Department of Transportation will retain a Planning Developer who will establish guidelines for transportation oriented development programs, including special assessment districts or similar mechanisms to capture revenues from increasing commercial value. Rail corridor development funds will be established at the regional level to capture increasing real estate values. A stream of those revenues will be directed to support rail passenger operations.

The proposal permits qualified projects to apply for federal incentives to finance construction and produce jobs. These incentives will include direct access to existing Federal Railroad Administration and Federal Transit Administration programs, including a high priority for federal transportation grant applications. The initiative will be staffed by existing employees and remain revenue neutral in that all program activities, including the work of the Planning Developer, will be repaid once the high performance rail service and commercial development is implemented and generating revenues.

I hope that this bill will open a discussion on the possibilities and potential promise of passenger rail development in the U.S.

75TH BIRTHDAY OF THE AIR FORCE'S 3D WEATHER SQUADRON AT FORT HOOD, TX

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. CARTER. Mr. Speaker, I would like to take this opportunity to celebrate the 75th Birthday of the Air Force's 3d Weather Squadron at Fort Hood, Texas and honor the squadron's first commander, Congressional Medal of Honor Recipient General Leon W. Johnson.

Mr. Speaker, I have the high honor of representing the brave men and women at Fort Hood, Texas, the largest military installation in the world. Every day that I have the opportunity to serve in Congress, I do so knowing that my number one responsibility is to give our men and women in uniform the support and resources they need to be successful. Each time I visit Fort Hood, I see America's finest, the Airmen and Soldiers who put it all on the line to allow us to live in the greatest country on Earth.

Representing Fort Hood, Texas also comes with the sober reminder of the sacrifice that

our young men and women in the military and their families make to the cause of freedom. For 75 years, the Airmen of the 3d Weather Squadron have exemplified this sacrifice as they stood alongside their Army brethren in support of a long list of military operations. In just the past 20 years, the 3d Weather Squadron has deployed for Operations Desert Shield and Desert Storm, Operation Allied Force, Operation Unified Response, Operation Enduring Freedom, and Operations Iraqi Freedom and New Dawn.

When activated on 1 July 1937, the 3d Weather Squadron was a part of the U.S. Army, as the Air Force had not yet been established. Today the squadron continues a proud history of faithfully providing Battlefield Weather support to the Army, both in garrison and in combat. The stated mission of 3d Weather Squadron is to "deliver superior weather capability when called upon to support any worldwide land component tasking." True to this mission, the Airmen of the 3d Weather Squadron have sustained a continual, unbroken deployed presence in Southwest Asia dating back to 2003 alongside numerous Army units including III Corps, 1st Armored Division, 1st Infantry Division, 1st Cavalry Division, and 4th Infantry Division. On any given day, approximately 25 percent of the squadron is deployed with the Army.

Mr. Speaker, the 75th Birthday of 3d Weather Squadron also affords us the opportunity to celebrate the extraordinary life of the squadron's first commander and a singularly heroic warrior, General Leon W. Johnson. Leon W. Johnson was born in Columbia, MO, in 1904. He spent his boyhood in Columbia and Moline, KS. He later graduated from the U.S. Military Academy and was commissioned a Second Lieutenant in June 1926. Lieutenant Johnson decided he'd "have to know something about weather if he intended to be a leader in the Air Force," so he enrolled at the California Institute of Technology and earned a Master's Degree in Meteorology in 1936. The next year he became one of the Army Air Corps Weather Service's first 22 weather officers and assumed command of the 3d Weather Squadron when it was activated on 1 July 1937. General Johnson subsequently took command of the 44th Bomb Group during World War II and earned the Medal of Honor for his role in the strategically crucial raid on the Ploesti oil fields in Rumania. General Johnson served in a wide variety of critical positions with both the Army and the Air Force throughout his 34 years of service.

Mr. Speaker, I will close by asking my colleagues to join me in recognizing the heroic Airmen of the 3d Weather Squadron as they mark the 3d Weather Squadron's 75th birthday and that we also honor an American patriot and hero, Medal of Honor Recipient General Leon W. Johnson.

HONORING MIKE JONES

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. DEUTCH. Mr. Speaker, I rise today in celebration of Mike Jones' years of dedicated service to the Economic Council of Palm Beach County. Mike leaves behind a strong legacy of working with business and community leaders to create progress in our community.

Founded 35 years ago, the Economic Council of Palm Beach County is a non-profit advocacy organization that works to help foster an environment where businesses can grow and thrive. As president of this vital organization, Mike has worked for over a decade in order to achieve that goal. He understood that pragmatic solutions come from bringing more people to the table. That is why he led a forum of 30 business groups to help discuss the development of a strategic plan for the county, and worked to create a regulatory climate more conducive to business practices.

Mike's impact in South Florida extends beyond the business world. During his tenure, he worked with the entire community to help advocate for better schools and educational opportunities, and prioritized ethics reform by pushing the county to create an Office of the Inspector General and an Ethics Commission.

I congratulate Mike Jones, his wife Dee, and their son, as they celebrate Mike's retirement. Mike's dedicated leadership has made a positive impact on the South Florida community, and it is an honor to represent him here in Washington.

IN RECOGNITION OF THE HEROICS OF FOUR GREAT OAKS STUDENTS

HON. STEVE AUSTRIA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. AUSTRIA. Mr. Speaker, I rise today in honor of four Great Oaks Vocational School students: Iayie Viassy, Wade Aills, Brandon North, and Austin Salisbury. I am proud to recognize these four young men for their brave heroics in helping 53 Miami Trace elementary school children off an overturned bus on March 12, 2012.

At 4:16 p.m. on March 12, a school bus transporting children home from school veered off the road and rolled onto its right side into a ditch. With the passenger door pinned against the ground, Wade Aills made the decision to kick open the emergency rear door. The four boys then proceeded to aid the elementary children in exiting the bus and keeping everyone calm until emergency personnel could arrive. When EMS units arrived on the scene, all of the children had been evacuated safely, with only a few children that suffered minor injuries.

Recently, these young men were honored and recognized by the Fayette County Sherriff's Office and the Miami Trace elementary school for their actions.

Thus, today I ask my colleagues to join me and the constituents of Ohio's Seventh Congressional District in recognizing four true heroes: Iayie Viassy, Wade Aills, Brandon North, and Austin Salisbury.

LARRY DECKER TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. TIPTON. Mr. Speaker, I rise today in honor of Larry Decker of Pueblo, Colorado.

After earning his education and serving in the U.S. Navy Mr. Decker moved to Pueblo. Always a strong leader in the community, Mr. Decker was frequently involved in Veterans activities and organizations. He was a proud member of American Legion Post 207 and served a leadership role among his peers. As the senior vice commander of Post 207, Mr. Decker was highly respected not only in the American Legion but also in the Pueblo community.

As enthusiastic as he was with helping others in the community, his real passion was his family. He leaves behind his wife Joan who has been by his side since 1964. Together they raised a loving family that includes two daughters and three grandchildren. On April 5th, the city of Pueblo and the State of Colorado lost a great man.

Mr. Speaker, it is an honor to recognize Larry Decker. I rise today to thank him for his work on behalf of the citizens of Pueblo, and for his service to our nation. May he rest in peace.

CONGRATULATING THE UNIVERSITY OF KENTUCKY WILDCATS MEN'S BASKETBALL TEAM FOR WINNING THE 2012 NCAA DIVISION I MEN'S CHAMPIONSHIP

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. ROGERS of Kentucky. Mr. Speaker, it is my distinct honor to rise today to commend and congratulate the University of Kentucky Wildcats men's basketball team on winning the 2012 NCAA Men's Division I Basketball Championship.

By now, any basketball fan is familiar with the legacy of the Wildcats. The "Greatest Tradition in College Basketball," Kentucky is the winningest program of all-time, both in total wins and total win percentage, and the first team to break the 2,000 win threshold. Kentucky has fifteen Final Four appearances, and now eight national championships, second only to UCLA.

Even measured against this pedigree and the impossibly high expectations of the Big Blue Nation, this batch of 'Cats was something special. "The Undeniables," as they are known, were ranked number one in the nation for most of the year, losing only two games on their way to setting the NCAA record of thirty-eight wins in a single season. During their remarkable NCAA tournament run they won each game by an astonishing average of ten points, never trailing in a second half. While the title was the ultimate goal, the Final Four victory over instate rival the University of Louisville may have been even sweeter, as the highest stakes game ever played in the historic rivalry and the most important single sporting event in the history of the Commonwealth of Kentucky.

This team achieved greatness against extraordinary competition because of the players' love and respect for one another. It is telling that a team led by three freshmen and two sophomores all forecast to be first round NBA draft picks, and all used to scoring 25 points a night in high school, were known first and foremost for their defense. Their willingness to

support each other on the defensive end translated into selflessness in their offensive attack, with a different player leading all scorers on any given night. The senior anchor to these young 'Cats was Darius Miller, one of Kentucky's favorite sons and a high school Mr. Basketball from Mason County. During his freshman season, Kentucky failed to make the NCAA Tournament for the first time in 18 years. After that disappointment, Miller has been a mainstay of teams under Coach John Calipari that have gone undefeated at home for three seasons, earning two Final Fours, an Elite Eight appearance, and a National Championship. Over his career, Darius played in more games than any Kentucky player in history and was one block and thirteen rebounds from having a career stats sheet with some 1,200 points, 500 rebounds, 250 assists, 100 blocks, and 100 steals.

That Miller was the sixth man on this Kentucky squad demonstrates the explosive athleticism of Big Blue's younger stars. Leading the way was Anthony Davis who, with 186 blocks bested most entire teams in that statistic, cleaned up nearly every individual award for which he was eligible, including Freshman of the Year, SEC Player of the Year, Defensive Player of the Year, and the Naismith and Wooden National Player of the Year awards. Though ending the season with a 62% field goal percentage, he was scoreless in the first half of the National Championship Game and yet was Most Outstanding Player for his defensive abilities and capacity to ignite the UK offense. Davis along with fellow freshman point guard Marcus Teague started in a record forty games for UK and were the distributors for an extremely quick and highly efficient offense that was a perpetual threat in transition. Leading that attack were sophomore and freshman forwards Terrence Jones and Michael Kidd-Gilchrist, dangerous whether around the rim or breaking free for an open jump shot, combining for an average 24 points a game. Sophomore Doron Lamb was the team's often unsung hero and clutch shooter, averaging 37% from the three point line during his career and killing the momentum behind several opponents' would-be comebacks. I could go on-and-on celebrating these leaders and the other players who made this team championship caliber. ''The Undeniables'' will be regarded as one of the greatest all-around teams in college basketball history and that eighth NCAA Championship banner now hanging in Rupp Arena will forever stand as testament to their place in the hearts of the Big Blue Nation. I wish all of these players the best as they continue their careers, whether at Kentucky or at the professional level.

Of course, none of this would have been possible without the boundless energy and enthusiasm of Head Coach John Calipari, who forged a timeless team out of young freshmen and sophomores. Before Coach Cal's arrival, UK basketball was lost in the woods. In a single season he made the Wildcats into a perennial championship contender once again. But more importantly, he has worked selflessly to promote the University nationally and internationally, even more closely involved the community in the basketball program, and pursued philanthropic goals both through the University as well as with his private charity. This winning environment in Lexington is a result of the seamless teamwork and support of the coaching and training staff, Athletic Director Mitch Barnhart, and University of Kentucky President Eli Capiluto who, in his first year as president, is now one-for-one in national basketball championships.

In closing I would like to once again join the Big Blue Nation in congratulating the team, everyone affiliated with the University and UK fans around the world on a terrific season and our eighth national championship. What a banner year it has been!

RECOGNIZING PROFESSIONAL GOLF ASSOCIATION TOUR PROFESSIONAL BUBBA WATSON AS THE WINNER OF THE 2012 MASTERS

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize Northwest Florida's Gerry Lester ''Bubba'' Watson, Jr. as the winner of the 2012 Masters Tournament on Sunday, April 8, 2012 at Augusta National Golf Club.

Winning a Masters Tournament, professional golf's most prestigious event, is the dream of every tour professional and aspiring amateur. This win—his fourth on the PGA tour—elevated him to the number four position in the world golf rankings, and to number two in the FedEx Cup rankings.

Bubba's humble, small-town upbringing in Bagdad, Florida included no formal golf lessons, save one provided by his father at an early age. He taught himself to play golf by hitting wiffle balls around his house with a cut-off club his father gave him.

Not an inexperienced winner, Bubba won the Divot Derby—a longstanding junior golf tournament in Pensacola, Florida—an astounding 10 years in a row. He continued golfing during his years at Milton High School, where he also excelled as pitcher on the school's baseball team. Despite his significant baseball talents, golf remained his passion. At Faulkner State Community College, he was named First Team Junior College All American. Later, after transferring to the University of Georgia, he led the Bulldogs to an SEC Championship title in 2000. He turned professional when he joined the Nationwide Tour in 2001, and later joined the PGA tour in 2006. Known for his aggressive shot-making abilities and his exceptionally long tee shots, he has quickly established himself as a favorite among golf spectators.

Bubba is not shy about sharing his Christian faith, and he possesses an unwavering commitment to family—most recently demonstrated when he and his wife, Angie, adopted a baby boy just two weeks before his win at Augusta. In addition to his commitment to family, Bubba is actively involved in a number of philanthropic activities, serving as an honorary board member and generous sponsor of The First Tee of Northwest Florida and making significant contributions to the Ronald McDonald House in Pensacola. He has also hosted free golf clinics for children, provided scholarships for Milton High School golfers, and committed to funding the Divot Derby for the next five years, ensuring that children do not need to pay the registration fee to participate in the event.

Bubba's strong character, athletic prowess, and commitment to family and community make it all the more enjoyable to call him ''Masters Champion.'' His nail-biting win after two playoff holes on Sunday afternoon may be his first in a major tournament, but it will likely not be his last.

On behalf of the United States Congress and the citizens of Northwest Florida, I congratulate Bubba for his extraordinary victory. My wife Vicki joins me in offering our best wishes to Bubba; his wife, Angie; and their son, Caleb, for their continued success.

HONORING THE ROCK BRIDGE HIGH SCHOOL LADY BRUINS BASKETBALL TEAM

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating the Rock Bridge High School Lady Bruins Basketball team for winning the Class 5 Missouri State Championship on March 10, 2012.

The young women and their coaches should be commended for all their hard work throughout their stunning season. In the championship game against Blue Springs, the Lady Bruins prevailed 52 to 41, marking the team's first title since 2008. The Lady Bruins had come to win starting with a 14 to 0 lead and then never letting their opponent come closer than five points.

I ask that you join me in recognizing the Rock Bridge High School Lady Bruins for a job well done.

IN RECOGNITION OF THE LIFE OF MIKE WALLACE

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Ms. RICHARDSON. Mr. Speaker, it is with deep sadness that I rise today to pay tribute to Mike Wallace, a man whose determination and tenacity shaped investigative reporting as we know it today.

Mr. Wallace died on April 7, 2012, surrounded by family in New Caanan, Connecticut. He was 93.

Mr. Speaker, Mike Wallace was one of the original correspondents for the news program, 60 Minutes, and his reporting helped to cement the show's reputation for hard-hitting but fair journalism. He interviewed world leaders and celebrities, never shying away from difficult and often confrontational lines of questioning. Nevertheless, his impeccable research and balanced approach made him as respected as he was feared.

The list of persons interviewed by Mike Wallace over the past half century reads like a Who's Who of the leading figures of the twentieth century: reverend and activist Dr. Martin Luther King, Jr.; famed surrealist painter Salvador Dali; former Palestinian leader and Nobel Prize Laureate Yasser Arafat; former Iranian leader Ayotollah Khomeini; civil rights

advocate Malcolm X; first lady Eleanor Roosevelt; president Ronald Reagan; former Secretary of State Henry Kissinger; then-Russian President Vladimir Putin.

Despite his steely demeanor, Mike Wallace struggled with personal hardships, including the death of a son and bouts with depression. At a time when such vulnerabilities were often hidden from public view, Mike Wallace shared these challenges with American audiences. His bravery and openness helped to dissolve the social stigma around depression and made a tremendous impact on the lives of many Americans.

Mike Wallace was honored with 21 Emmy Awards, five Peabody Awards, and the Robert F. Kennedy Journalism Award. He was also inducted into the Television Academy Hall of Fame in 1991. His legacy continues through the Knight-Wallace Fellowship program at the University of Michigan, which gives mid-career journalists the opportunity to explore new subjects of interest.

Mr. Speaker, as we reflect on the life and legacy of Mike Wallace, one can be certain that his memory will be an inspiration for a new generation of journalists as well as for every American who values such a strong commitment to integrity and truth.

PAUL ALLEN AND THE ALLEN INSTITUTE FOR BRAIN SCIENCE

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. REICHERT. Mr. Speaker, I rise today in recognition of a philanthropist and forward-looking individual who made a remarkable announcement a few weeks ago. Paul Allen, the founder of the Allen Institute for Brain Science, yesterday announced that he is giving $300 million toward the invaluable research at the Allen Institute for Brain Science, which he started with $100 million of his own money.

Mr. Speaker, the researchers at The Allen Institute employ an extraordinary team approach to brain research and all strive, every single day, toward the same goal: mapping the human brain with the goal of finding the causes and cures of vexing diseases—Alzheimer's, Parkinson's, dementia, autism, depression and many more.

Perhaps most impressively, Mr. Speaker, Mr. Allen's team at the Institute share what is learned as it happens. Each month, tens of thousands of scientists from around the world access the vast data stores and web-based tools available via the Institute's brain map website to learn and advance their own research. The investment Mr. Allen and the brilliant team of researchers make are intriguing and hopeful.

I'm proud to say, Mr. Speaker, that Mr. Allen and his team are doing the bulk of their work in the Pacific Northwest providing hope for the future—and opportunities for the present. I salute Mr. Allen, his team of researchers, and our talented and motivated medical professionals around this Nation. The dollars and time being invested should never be forgotten in this House, nor by humanity.

CLINTON RIVER WATERSHED COUNCIL CELEBRATES FORTY YEARS

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. LEVIN. Mr. Speaker, I rise today to congratulate the Clinton River Watershed Council as it celebrates 40 years of making a positive difference to the Clinton River and its watershed.

Forty years ago, the Clinton River was a very different waterway than it is today. Decades of uncontrolled dumping of industrial wastewater and raw sewage had taken a huge environmental toll on water quality in the river. There were no fish to speak of in the river, and certainly none that you would care to eat. Far from being an asset to the communities along its banks, the Clinton River was slowly dying.

That might have been the end of the story except for two key developments in 1972. The first was the passage of the Clean Water Act which spelled out ambitious programs for water quality improvement. The second key development was the formation of the Clinton River Watershed Council. Both of these had a profound impact on water quality in the Clinton River.

Passage of the Clean Water Act 40 years ago was one of the most important environmental milestones in our nation's history. It marked a fundamental change in how our nation views and manages water in this country. After decades of polluting the Great Lakes and their tributaries—including the Clinton River—we finally recognized that healthy rivers and lakes are vital to the health of our communities, and we required that steps be taken to restore them.

The formation of the Clinton River Watershed Council marked another important turning point. It takes time and resources to undo decades of pollution and neglect, and still more time for an ecosystem to heal. Restoring an urban waterway like the Clinton River is especially complicated. I am convinced that the effort to heal the Clinton River has gone much faster because it had advocates to coordinate action and focus attention and resources. Thanks to the work of the Clinton River Watershed Council and its members and member units of government, real progress is being made on water quality, and once again the Clinton River is being used for fishing, canoeing, and hiking. The Council's efforts in the areas of watershed management, stewardship and education have also had a tangible, positive impact.

There was a time when we turned our backs to our rivers and lakes. Today, we know better. As the hard-won progress in the Clinton River and Lake St. Clair shows, waterfront development is a real generator of economic activity and a one-of-a-kind asset to communities.

We need to build on the progress that has been made in the Clinton River Watershed as well as Lake St. Clair. This absolutely requires a partnership of effort by Federal, State, and local governments, as well as local stakeholders and advocacy groups. It also means a continued commitment of resources from the Federal Government, especially when it comes to funding the Great Lakes Restoration Initiative. Now is not the time to cut funding for this vital initiative. Congress and the Obama Administration must also work to clarify and restore long-standing Clean Water Act protections for U.S. streams, wetlands, and other waters.

But the real work of completing the restoration of the Clinton River will continue to be done by groups like the Clinton River Watershed Council and the many volunteers and sponsors that support their efforts. The Watershed Council's work underscores the value that a healthy Clinton River holds for our citizens and communities. I ask all of my colleagues to join me in recognizing the Clinton River Watershed Council as it begins its fifth decade of work to protect, enhance and celebrate the Clinton River and its watershed.

RECOGNIZING THE SERVICE AND OUTSTANDING ACHIEVEMENT OF SENIOR AIRMAN ALEXANDER W. BLENCH, UNITED STATES AIR FORCE

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize the outstanding achievement of Senior Airman Alexander W. Blench, who recently received the 2011 Lieutenant General Leo Marquez Award as the Air Force's Outstanding Aircraft Maintenance Airman.

Originally hailing from Escondido, California, SrA Blench joined the United States Air Force as an F–15 Avionics Technician in 2008. He served at RAF Lakenheath, England and in Afghanistan before reporting to Eglin Air Force Base, Florida, in 2010. A self-described tinkerer who developed a love of mechanics as a child working in his father's machine shop, SrA Blench now specializes in repairing electronic warfare and countermeasure systems in F–15C and F–15E aircraft. He also works on aircraft wiring, flight controls, environmental systems, munitions guidance systems and video lines. At only 24 years old, SrA Blench has already compiled an impressive list of contributions to our nation's Air Force. His sharp eye and keen understanding of avionics allowed him to identify and quickly rectify countermeasure and flight control failures, faulty telemetry data, a radar elevation discrepancy and crucial systems malfunctions. His personal efforts led to five modifications of three separate types of aircraft and contributed directly to 1,700 sorties and over 2,600 flying hours resulting in the success of several critical test missions.

SrA Blench's dedication to excellence, however, goes beyond his professional duties. In addition to his significant professional achievements, SrA Blench also completed a Community College of the Air Force degree in Avionics Systems Technology. He is also pursuing a Bachelor of Science degree with a 3.95 GPA, he volunteered his off-duty time to clean and paint a local middle school, and he participated in a local Northwest Florida beach conservation effort by assisting with planting 1,400 trees along the shoreline. Not only has SrA Blench proven himself to be a good Airman, he has also shown himself to be a good

neighbor and an outstanding representative of the United States Air Force in the Northwest Florida community.

Mr. Speaker, on behalf of the United States Congress, I am privileged to recognize SrA Alexander W. Blench. His dedication to duty, his technical competence, and his contributions to the local community all bear testament to his personal embodiment of the Air Force's core values—''Integrity First, Service Before Self, and Excellence in All We Do.'' My wife Vicki joins me in congratulating SrA Blench, and we wish him all the best for continued success.

100TH ANNIVERSARY OF THE HOLLIDAYSBURG AREA YMCA

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. SHUSTER. Mr. Speaker, it is my privilege to rise today to recognize the Hollidaysburg Area YMCA upon the 100th anniversary of their continued service to our community. I, along with close to 6,000 of my constituents, am proud to call Hollidaysburg home and am pleased to have the opportunity to call attention to such a respected mainstay in our community.

The Hollidaysburg Area YMCA, founded in 1912, currently boasts roughly 4,000 members. These members are provided training, education, the use of the grounds and facility, and access to multiple wellness events throughout the course of the year. In 2011, they proudly bore the title of the largest wellness program available in Blair County, teaching and advocating youth development, healthy living, and social responsibility. This feat is made all the more impressive by the fact that they serve as a completely non-profit community center with no subsidy from tax revenues. Beside their own regular members, an estimated 25,000 individuals come through their doors each month to receive the same high quality care and instruction that YMCAs all across the United States provide on a daily basis.

In addition to general safety and instruction, the Hollidaysburg Area YMCA also operates one of the largest childcare centers in the area, providing a resource for American families in surrounding areas, encouraging and supporting the hard work and diligence that makes America great. This, combined with their welcoming community center, their extensive aquatic programs, and the financial assistance provided to nearly 600 individuals annually, has endeared this establishment to its people and community.

Mr. Speaker, I congratulate the YMCA of the Hollidaysburg Area for 100 years of history, growth and success. This organization continually lives out their mission by putting ''Christian-Judeo principles into practice through programs and services that build healthy spirits, minds, and bodies for all.'' Hollidaysburg is honored to boast such a vital and interactive part of our community and I invite the American people to help celebrate this anniversary by exploring the opportunities and advantages that the YMCAs of America provide their communities.

HONORING ERIKA GARZA

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 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.

Erika Garza is a senior at Pasadena Memorial High School in Harris County, Texas. Her essay topic is: In your opinion, what role should government play in our lives?

The role of the government is to represent, help, and speak out for its people. Specifically, when dealing with the government of the United States, it is basically supposed to be ruled by the people, for the people. The public, although not everybody does it, participates in the government by voting. We vote representatives into office, with the thought that they have the intention to make a difference in our country, dealing with specific issues that we believe need to be changed. The government has many different levels to it, yet it is composed of people who come from similar backgrounds and wanted to be the voice for their fellow people. This is not an easy task, as it takes a lot of hard work and time to be elected into office. Once a person is elected into office, their job becomes even more difficult. They then have to try and do what is best for the people but also have to deal with other representatives as well who have the complete opposite opinions. Not all the elected think alike, nor do they have the same goals, which makes making laws or setting standards difficult. Yet, their main focus is to represent the people who have chosen them to do what others in the past have failed to do. That is basically the role of the government and how people participate it in daily.

HONORING THE MOUNT HERALD MISSIONARY BAPTIST CHURCH

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a pillar of the community, the Mount Herald Missionary Baptist Church. Mt. Herald M. B. Church served as a catalyst during the civil rights movement in Sharkey County, Mississippi.

The Church was organized in 1908, under the leadership of the late Rev. B. S. Scott. Over the years physical structure was built under the leadership of Rev. B. C. Cook and the new foundation was laid by Rev. G. P. Phillips in 1924.

During the Civil Rights era, the Mt. Herald M. B. Church was used as one of the many safe houses for the brave men and women who stood up for the rights of African Americans in the segregated South, including the Mississippi Delta. These brave warriors gave their lives for the rights that we now have as African Americans.

Before the states were ordered to end all segregated school systems the Mount Herald M. B. Church was used as the first high school for African American students in the Rolling Fork, Mississippi community.

On April 4, 2003, the Mt. Herald M. B. Church family purchased the property located at 140 Dr. Martin Luther King, Jr. Street, in Rolling Fork, Mississippi so they could accommodate the growth of the church family and continue their mission for the good of all mankind. The Mount Herald Church is truly a church fill with members who are truly making a difference in the community. The Mount Herald Missionary Baptist Church is currently under the leadership of Pastor Gregory D. Young.

Mr. Speaker, I ask that our colleagues join me on this 9th anniversary of acquisition of the Mt. Herald Missionary Baptist Church to honor its exemplary service and dedication to the state of Mississippi.

MARKING THE 100TH ANNIVERSARY OF THE SINKING OF THE TITANIC WITH THE STORY OF THE KELLY FAMILY OF NEW HAVEN, CONNECTICUT

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Ms. DELAURO. Mr. Speaker, April 14th will mark the 100th Anniversary of the Titanic tragedy and for one family, the Kellys of New Haven, Connecticut, it will mark the anniversary of the loss of a very special member of their family, James Kelly. The Titanic Kellys, as they have been known since the days of this tragedy, will gather for a reunion and a celebration of the strength and resiliency of this wonderful family.

In the early part of the 20th century, life in Leixlip, Ireland was difficult to say the least and James Kelly determined that it was time for his family to seek a new life in America. In order to obtain the necessary money to move the family, the eldest daughter, Margaret left her home and family and immigrated to New Haven, Connecticut where she would work until she had earned enough for her father to join her. The plan was for Margaret and James to then work to bring the rest of the family to New Haven.

Margaret worked at the garment company Strause-Adler and soon had enough wages saved to send to her father. It is not fully known exactly how James Kelly obtained passage on the Titanic, but what is known is that he boarded at Queenstown, Ireland and his ticket number was 330911. This third class passage ticket was purchased for approximately $40.00 and being third class, James was segregated from the other passengers and, while his movement was limited, some of the accommodations were actually better than what he saw at his two room house in Leixlip. It is not hard to imagine the hope that was in his heart—the dreams of a better life for his family. Unfortunately, fate had different plans.

James Kelly did not survive the sinking of the Titanic. His body was discovered by the Mackay-Bennett, which was one of the ships chartered by White Star Lines to recover bodies. Each body discovered was given a number and entered into a ledger—James Kelly was number 70. The ledger indicates he was buried at sea on April 21, 1912 wearing a dark suit, vest, trousers, white socks, black boots and a set of rosary beads.

Even in the face of this tragedy and the loss of their patriarch, the Kelly family did not waiver. James' widow, Catherine, and their other children left Ireland and arrived in New Haven in June of 1912. While life in America was not without its challenges, they took it upon themselves to fight through the hardship and build a better life for their respective families. There are now more than 100 proud descendents of James Kelly living in our great country. The Kelly motto, ''God is My Tower of Strength,'' perfectly reflects the will power and vigor of the Titanic Kelly's and I am proud to join them as they celebrate their remarkable history.

HONORING MR. EUGENE CHIN YU, 24TH PRESIDENT OF THE FEDERATION OF KOREAN ASSOCIATIONS

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. ANDREWS. Mr. Speaker, I rise today to honor Mr. Eugene Chin Yu, the 24th president of the Federation of Korean Associations. Mr. Yu has dedicated his time and energy to representing Korean Americans on the local, regional, and national level for his entire adult life.

Starting as a young man, Mr. Yu has steadily risen in prominence as he championed the causes of his fellow Korean Americans. As president of the Federation of Korean Associations, Mr. Yu continues his diligent work ensuring the success of Korean culture in America.

Mr. Yu also serves the greater community as a leader and a role model. Having served in the United States Army, Mr. Yu embodies the virtue of defending the freedom of our great nation. As a former Georgia State Trooper, Mr. Yu was committed to protecting the safety of his community. And as a successful business owner, Mr. Yu shows us that with hard work and dedication, anything is achievable in America.

Mr. Speaker, Eugene Chin Yu's legacy as a community leader is well recognized and deserving of our honor. I join the Korean American community of Southern New Jersey in honoring Mr. Yu and his many great accomplishments.

RECOGNIZING THE J.M. TATE HIGH SCHOOL MOCK TRIAL TEAM AS THE 22ND FLORIDA HIGH SCHOOL STATE CHAMPIONS

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize J.M. Tate High School and to congratulate Asia Cravens, Sarah Barlow, Tanner Newman, Hannah Malone, Matthew Bailey, Chance Sturup, Tatiana Teate, Amy Sapp, Brianna Riddell, Andrew Belt, and Ryan Colburn as the 22nd Florida High School Mock Trial State Champions. This award is evidence of their tireless work and steadfast dedication to excellence.

On the road to state championship, Tate's Mock Trial Team was tasked with defeating teams from eighteen judicial circuits across the state. Following four rounds of intense competition, Tate High School defeated the Community School of Naples in the final round and prevailed as Florida State 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 Tate High School Mock Trial Team bounded together by their passion for justice and dedication to the rule of law found the perfect blend of these elements and made Northwest Florida proud.

Mr. Speaker, on behalf of the United States Congress, I am proud to recognize the Tate High School Mock Trial Team and their coaches, Angie Sapp and Travis Johnson, on their leadership and accomplishments. My wife Vicki joins me in congratulating them, and we wish them all of the best for their continued success.

HONORING CAPTAIN ROBERT C. GRANT

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. DEUTCH. Mr. Speaker, I rise today in honor of Captain Robert C. Grant, on the occasion of his retirement from the United States Coast Guard Reserve. For over 30 years, Captain Grant has dedicated his life to serving our nation and protecting South Florida, and it is truly an honor to represent him here in Washington.

Captain Grant is an exceptional public servant. As Deputy Chief of Staff of the seventh Coast Guard District, he served as a senior advisor to eight admirals, and provided support to Operation Desert Storm and Desert Shield. And as Congressional Liaison for Florida's 19th district, Captain Grant assisted Congress in passing legislation that has proved instrumental in addressing new maritime smuggling tactics.

But Captain Grant's work also extends to the realm of community outreach. He helped strengthen the relationship between the Coast Guard and the Cuban and Haitian communities in South Florida through a dedicated public outreach initiative. Furthermore, he was able to assist with relief efforts in the wake of the devastating 2010 earthquake in Haiti, and has received numerous awards and accolades for his exemplary service.

Captain Robert C. Grant's service in the United States Coast Guard has made an extraordinary local, national, and international impact, and has made South Florida a safe place where families can grow and thrive. It is my hope that his example will inspire others to serve their communities for generations to come.

TO THE 10TH POWER, A TRIBUTE TO CAPTAIN DAVID WOODARD, FOURTH BRIGADE TENTH MOUNTAIN, UNITED STATES ARMY

HON. STEVE AUSTRIA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. AUSTRIA. Mr. Speaker I rise today in honor of Captain David Woodard: a strong son of the south, one of Georgia's finest, and member of the 4th Brigade 10th Mountain of the United States Army. April 28th marks the three year anniversary of an IED explosion in Sadr City, Iraq that almost took Captain Woodard's life. Although Captain Woodard lost his leg in the attack, he has not missed a beat. His recovery and ''can-do'' attitude has helped sustain him and inspire us all. With the help of his lovely wife Danielle and their beautiful son David, who is a carbon-copy of his dad, Captain Woodard is past the road to recovery and is preparing to embark on the next phase of his heroic life.

TO THE 10TH POWER

How high can a heart so climb?
To what heights may we so reach in time?
But, to the very top to teach us we find!
To the 10th Power!
Throughout our nation's history . . .
Have come such fine men of faith and courage, so indeed . . .
Strong Georgia Men, who are but our Nation's best friends . . .
Who've worn the title of, 10th Mountain Men . . .
Who go off to war, and but for all of us . . . so much endure . . . and depends!
Who but only with their Beliefs, so gallantly fight for our peace!
Who above all others so tower, as up to new heights they reach!
Like the Tenth Mountain Men, whose courage upon us showers . . .
Showers, us with great courage and heroic faith!
Men of the hour, who will not fade . . .
Who in the moment of truth, their fine hearts rise, to the 10th Power . . .
Men, who upon battlefields of honor, death, and glory . . .
While, lying gravely wounded . . . close to death, they tell their story . . .
Who give up their fine arms and legs . . .
And come back home to write another great chapter . . .
Another chapter, all in their life's most heroic page!
As they must somehow start all over again!
Men like David, these most heroic to 10th Mountain Men . . .
Whose, great hearts much somehow grow even greater than!
Men who teach us!
Who so beseech us!
All in how they so reach us!
As they start their lives all over again . . .
Just like his brother Bob Dole, Captain Woodard too has such a fine soul!
As both are cut from the same mold!
In life, how high can a heart so rise?
As to what heights will it so climb?
When it all depends on . . . what is so found deep down inside!
As to the 10th power, your heart so begins to rise!
Bringing tears even to the angel's eyes . . .
As David, yours has so!
And if I ever have a son!
David, I but hope and pray he could be like you . . . this one!

By Albert Carey Caswell . . . Bless You All, as you have blessed so many Heroes and our Nation!

HONORING THE ROCK BRIDGE HIGH SCHOOL LADY BRUINS SWIMMING AND DIVING 400-YARD FREESTYLE RELAY TEAM

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating the Rock Bridge High School Lady Bruins Swimming and Diving 400-Yard Freestyle Relay team on its Missouri State Championship.

Madeline Simon, Libby Walker, Kortney Betz and Chelsea Tatlow gave a tremendous showing in the 400-yard freestyle relay with a time of 3:33:37, allowing them to pull ahead by less than two-tenths of a second of the runner-up. These young ladies and their coaches should be commended for all their hard work throughout the regular season and helping bring home their school's first overall team state championship.

I ask that you join me in recognizing the Rock Bridge High School Lady Bruins for a job well done!

RECOGNIZING THE ANNIVERSARY OF THE VIRGINIA TECH SHOOTING

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Ms. RICHARDSON. Mr. Speaker, today, April 16, 2012, marks the fifth year anniversary of the Virginia Tech shooting in which 32 innocent lives were lost. Today I rise to observe the anniversary and I urge all Americans to join me in keeping all those who were injured, and the families of those who lost their lives in this tragedy in their thoughts and prayers.

More than 30 members of the Virginia Tech family perished that day. Among them were future lawyers, doctors, teachers, engineers, soldiers, business men and women, mothers, fathers, and leaders. The loss of life at Virginia Tech is a tragedy that all Americans mourn.

On this day, I salute the strength and resilience of the Virginia Tech community. Those belonging to "Hokie Nation" include nearly 30,000 students, 1,300 faculty members and 200,000 living alumni who take pride in their school and in their accomplishments as an institution.

Days after the shooting, Nikki Giovanni wrote a moving poem about the events and her words still ring true today.

We are Virginia Tech.

We are sad today, and we will be sad for quite a while. We are not moving on, we are embracing our mourning.

We are Virginia Tech.

We are strong enough to stand tall tearlessly, we are brave enough to bend to cry, and we are sad enough to know that we must laugh again.

We are Virginia Tech.

We do not understand this tragedy. We know we did nothing to deserve it, but neither does a child in Africa dying of AIDS, neither do the invisible children walking the night away to avoid being captured by the rogue army, neither does the baby elephant watching his community being devastated for ivory, neither does the Mexican child looking for fresh water, neither does the Appalachian infant killed in the middle of the night in his crib in the home his father built with his own hands being run over by a boulder because the land was destabilized. No one deserves a tragedy.

We are Virginia Tech.

The Hokie Nation embraces our own and reaches out with open heart and hands to those who offer their hearts and minds. We are strong, and brave, and innocent, and unafraid. We are better than we think and not quite what we want to be. We are alive to the imaginations and the possibilities. We will continue to invent the future through our blood and tears and through all our sadness.

We are the Hokies.

We will prevail.

We will prevail.

We will prevail.

We are Virginia Tech.

Mr. Speaker, I rise today to recognize the horrible tragedy that occurred five years ago today and as we remember the events of that dreadful day, let us not forget those who lost their lives. I extend my deepest condolences again to the families of all the victims. On this five year anniversary of the horrible tragedy at Virginia Tech, let us extend our thoughts and prayers to all those who were injured or have suffered as a result of this senseless act of violence.

Today, we are all members of the Hokie Nation. We are Virginia Tech.

RECOGNIZING FRANK BECKWITH AS THE 2012 HURLBURT AFA CHAPTER 398 MIDDLE SCHOOL TEACHER OF THE YEAR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize and congratulate Mr. Frank Beckwith, the 2012 Hurlburt Air Force Association Chapter 398 Middle School Teacher of the Year.

A graduate of the United States Military Academy at West Point and a veteran of Desert Storm, Mr. Beckwith continued his service and leadership in a different capacity—this time as a teacher. He began teaching in 1993 in North Carolina, and in 2001, he moved to Santa Rosa County to teach at Avalon Middle School in Milton, Florida.

Mr. Beckwith has engaged his students through his passion for science and its use as a tool for problem solving. To enhance their learning, he procured data processing equipment for the classroom and has motivated students to excel in science, technology, engineering, and math education through innovative programs. He founded the STEAM (Science, Technology, Engineering, Activity, and Math) program, where students are afforded the opportunity to spend the day on Blackwater River, competing in various categories, including measuring water chemistry, mapping river depth, and racing to haul one person's daily water consumption from the river to a tank. He is also the sponsor and coach for the school's BEST (Boosting Engineering, Science, and Technology) Robotics team.

Aside from teaching at Avalon Middle School, Mr. Beckwith also serves as a faculty associate at the University of West Florida and is President of the Santa Rosa County Science Teacher's Association.

Frank Beckwith's desire to teach is rooted in his family, through his father and grandfather, and was also inspired by his high school science teachers. Their guidance, enhanced by his experience and understanding of the importance and power of education, help built the strong foundation from which Mr. Beckwith teaches and empowers his students to strive for excellence. His greatness lies well beyond his title as Hurlburt AFA Chapter 398 Middle School Teacher of the Year—it lies in the hearts and minds of those who have been deeply impacted by his dedication to the teaching profession and service to our great nation.

On behalf of the United States Congress, I am proud to recognize Mr. Frank Beckwith for his great achievements and honorable service. My wife Vicki joins me in wishing him all of the best.

64TH ANNIVERSARY OF THE MODERN STATE OF ISRAEL

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. GARRETT. Mr. Speaker, I am honored today to recognize the 64th anniversary of the establishment of the modern State of Israel.

On May 14, 1948, the British Mandate for Palestine expired, and the Jewish People's Council approved the Declaration of the Establishment of the State of Israel. That document encapsulates centuries of hopes, hardships, dreams, persecutions, tenacity, and faith. And it signifies the fulfillment of the prayer of the Jewish people: To return once again to their homeland and build a nation based on the principles of freedom, justice, and peace.

It is fitting that on that same day, President Harry Truman signed his name to the announcement recognizing the provisional government of the new Jewish state as the de facto authority of the State of Israel, thus making the United States the first nation to recognize Israel as a nation.

In that moment 64 years ago, and in every moment since, the Jewish people have persevered in the face of adversity, thriving as a nation and as a people, and contributing globally to advancements in areas ranging from academia, economics, and business to arts, culture, and politics. And all the while, the Jewish people have continued to live as a people who, as the Declaration states, love peace but know how to defend themselves.

In the decades that have passed since that momentous event, Israel has remained the United States strongest ally in the Middle East, and the United States has stood steadfastly with Israel. Today, and in the days that

lie ahead, we must continue to stand unwaveringly with Israel. As the modern State of Israel celebrates 64 years, I join with countless others to extend my congratulations to the Jewish people—in Israel, in the United States, and around the world. And I offer my heartfelt prayers for the safety, peace, and prosperity of the State of Israel.

EMANCIPATION DAY IN THE DISTRICT OF COLUMBIA

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Ms. NORTON. Mr. Speaker, today, on Emancipation Day in the District of Columbia, I ask the House of Representatives to join me in recognizing the 150th anniversary of President Lincoln's signing of the District of Columbia Compensated Emancipation Act, which freed 3,100 slaves of African descent in the nation's capital. I have introduced a resolution today in honor of this historic day. The record should also reflect that the District of Columbia Council passed the following resolution in honor of the anniversary:

A CEREMONIAL RESOLUTION

19-207

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MARCH 6, 2012

To recognize and preserve the cultural history and heritage of the District of Columbia; to formally recognize the 150th anniversary of District of Columbia Emancipation Day on April 16, 2012, as an important day in the history of the District of Columbia and the United States in that, on April 16, 1862, 9 months before President Abraham Lincoln signed the Emancipation Proclamation on January 1, 1863 to begin to end institutionalized slavery in America, President Lincoln signed the District of Columbia Compensated Emancipation Act to release the 3,100 enslaved persons of African descent held in the nation's capital, making them the ''first freed'' by the federal government, at a cost of nearly $1 million, in 1862 funds, paid to the people who enslaved them; to recognize that, after the Civil War, formerly enslaved people and others commemorated the signing of the 1862 act by parading down Pennsylvania Avenue in festive attire, with music and marching bands, proclaiming and celebrating freedom in the District of Columbia Emancipation Day Parade, which was received by every sitting President of the United States from 1866 to 1901; and to recognize that, on March 7, 2000, the Council of the District of Columbia voted unanimously to establish April 16th as a legal private holiday, the Emancipation Day Parade resumed in the nation's capital in 2002, and, on April 5, 2005, District of Columbia Emancipation Day was made a legal public holiday, recognized annually on April 16th.

Whereas, on April 16, 1862, President Abraham Lincoln signed the District of Columbia Compensated Emancipation Act (''Emancipation Act'') during the Civil War;

Whereas, the Emancipation Act provided for immediate emancipation of 3,100 enslaved men, women, and children of African descent held in bondage in the District of Columbia;

Whereas, the Emancipation Act authorized compensation of up to $300 for each of the 3,100 enslaved men, women, and children held in bondage by those loyal to the Union, voluntary colonization of the formerly enslaved to colonies outside of America, and payments of up to $100 to each formerly enslaved person who agreed to leave America;

Whereas, the Emancipation Act authorized the federal government to pay approximately $1 million, in 1862 funds, for the freedom of 3,100 enslaved men, women, and children of African descent in the District of Columbia;

Whereas, the Emancipation Act ended the bondage of 3,100 enslaved men, women, and children of African descent in the District of Columbia, and made them the ''first freed'' by the federal government during the Civil War;

Whereas, nine months after the signing of the Emancipation Act, on January 1, 1863, President Lincoln signed the Emancipation Proclamation of 1863, to begin to end institutionalized enslavement of people of African descent in Confederate states;

Whereas, on April 9, 1865, the Confederacy surrendered, marking the beginning of the end of the Civil War, and on August 20, 1866, President Andrew Johnson signed a Proclamation Declaring that Peace, Order, Tranquility and Civil Authority Now Exists in and Throughout the Whole of the United States of America;

Whereas, in December 1865, the 13th Amendment to the United States Constitution was ratified establishing that ''Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction'';

Whereas, in April 1866, to commemorate the signing of the Emancipation Act, the formerly enslaved people and others, in festive attire, with music and marching bands, started an annual tradition of parading down Pennsylvania Avenue, proclaiming and celebrating the anniversary of their freedom;

Whereas, the District of Columbia Emancipation Day Parade was received by every sitting President of the United States from 1866 to 1901;

Whereas, on March 7, 2000, at the Twenty Seventh Legislative Session of the Council of the District of Columbia, Councilmember Vincent B. Orange, Sr. (D–Ward 5) authored and introduced, with Carol Schwartz (R–At Large), the historic District of Columbia Emancipation Day Amendment Act of 2000, effective April 3, 2001 (D.C. Law 13–237; D.C. Official Code 1–612.02a, 32–1201), and on that same date moved an emergency version of the legislation that established April 16th as a legal private holiday;

Whereas, the District of Columbia Emancipation Day Emergency Amendment Act of 2000, which established April 16th as a legal private holiday, was passed unanimously by the Council on March 7, 2000, and signed into law on March 22, 2000 by Mayor Anthony A. Williams;

Whereas, on April 16, 2000, to properly preserve the historical and cultural significance of the District of Columbia Emancipation Day, Councilmember Orange hosted a celebration program in the historic 15th Street Presbyterian Church, founded in 1841 as the First Colored Presbyterian Church;

Whereas, on April 16, 2002, after a 100–year absence, the District of Columbia, spearheaded by Councilmember Orange with the support of Mayor Anthony Williams, returned the Emancipation Day Parade to Pennsylvania Avenue, N.W., along with public activities on Freedom Plaza and evening fireworks (D.C. Official Code 1–182);

Whereas, the District of Columbia Emancipation Day Parade and Fund Act of 2004, effective March 17, 2005 (D.C. Law 15–240; D.C. Official Code 1–181 et seq.), established the Emancipation Day Fund to receive and disburse monies for the Emancipation Day Parade and activities associated with the celebration and commemoration of the District of Columbia Emancipation Day;

Whereas, the District of Columbia Emancipation Day Amendment Act of 2004, effective April 5, 2005 (D.C. Law 15–288; D.C. Official Code 1–612.02(a)(11)), established April 16th as a legal public holiday;

Whereas, on April 16, 2005, District of Columbia Emancipation Day was observed for the first time as a legal public holiday, for the purpose of pay and leave of employees scheduled to work on that day (D.C. Official Code 1–612.02(c)(2));

Whereas, April 16, 2012, is the 150th anniversary of District of Columbia Emancipation Day, which symbolizes the triumph of people of African descent over the cruelty of institutionalized slavery and the goodwill of people opposed to the injustice of slavery in a democracy;

Whereas, the Council of the District of Columbia remembers and pays homage to the millions of people of African descent enslaved for more than 2 centuries in America for their courage and determination;

Whereas, the Council of the District of Columbia remembers and pays homage to President Abraham Lincoln for his courage and determination to begin to end the inhumanity and injustice of institutionalized slavery by signing the District of Columbia Compensated Emancipation Act on April 16, 1862;

Whereas, the alignment of the (1) election of the first African-American President of the United States, Barack H. Obama; (2) dedication of the Rev. Martin Luther King, Jr. Memorial; (3) groundbreaking for the National Museum of African American History and Culture; (4) 150th anniversary of the District of Columbia Emancipation Day; and (5) 150th anniversary of the Emancipation Proclamation on January 1, 2013, are historically important for the District of Columbia and for the United States; and

Whereas, the 150th anniversary of District of Columbia Emancipation Day is a singularly important occasion that links the historic Presidency of Abraham Lincoln with the equally historic Presidency of Barack H. Obama, as the first President of the United States of African descent.

Resolved, by the Council of the District of Columbia, That this resolution may be cited as the ''District of Columbia Emancipation Day—150th Anniversary Recognition Resolution of 2012''.

Sec. 2. The Council of the District of Columbia finds the 150th anniversary of District of Columbia Emancipation Day is an important, historic occasion for the District of Columbia and the nation and serves as an appropriate time to reflect on how far the District of Columbia and the United States have progressed since institutionalized enslavement of people of African descent. Most importantly, the 150th anniversary reminds us to reaffirm our commitment to forge a more just and united country that truly reflects the ideals of its founders and instills in its people a broad sense of duty to be responsible and conscientious stewards of freedom and democracy.

Sec. 3. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 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 $15,615,726,037,322.66. We've added $4,988,848,988,409.58 to our debt in 3 years. This is debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

HONORING DREW LISCUM

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 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.

Drew Liscum is a senior at Kempner High School in Fort Bend County, Texas. His essay topic is: In your opinion, what role should government play in our lives?

People as a whole seem to receive adequate information about what the government actually does in a very unique way. The reason being is that the government, in about every country, controls what is seen and what is not seen. They control key aspects to people's lives. I believe in the truth . . . whether it hurts me or not.

For instance, why is it said nationwide and even worldwide, that politicians are ''liars.'' Well maybe it's because they are simply talented at hiding the blunt truth. When a friend asks for an opinion about their hair or if they look good, it's ok to throw in a white lie to not hurt their feelings. But when you lie to your country, it's different on so many levels. I'm not saying that our government lies, but I'm not saying that they tell the truth either. People refer to government as a system for the way it works. If you're in the government, your punishments are much less crucial than that of an average citizen. For example, a man named Michael Lund was arrested on October 28th, 2011 for driving while intoxicated. He was trying to cut through a blocked off accident scene a little after eleven-thirty. Michael Lund is the captain of the Sugar Land Police Department. The men that arrested him were Stafford Policemen. The same types of charges were also given to a dear friend of mine. His charges were not withheld or cut back. The point is that the government should be equal in every aspect. Whether it's a case or the truth being put forward, everyone should know the same and be treated the same.

In the documentary, ''Dear Zachary,'' a man, Andrew Bagby, was killed in 2001 after breaking up with his girlfriend. After she denied murdering him to several cops and people, she moved to Canada. Bagby's family still pressed charges against her, but now it was a little more difficult. Shortly after living in Canada, she announced herself to be Pregnant. Andrews parents now became a bigger part of the picture. They wanted to gain custody of Zachary. On August 18th, Shirley Turner takes her son, Zacahary, far out into the middle of the ocean and drowns the both of them. On December 15th, 2010, Governor General David Johnston gave Royal Assent to Bill C–464: An Act To Amend the Criminal Code, making it law in Canada. The bill has added an amendment to Canada's criminal code giving courts the right to refuse bail to someone charged with a serious crime who is deemed a potential danger to children under the age of i8.

The argument on what role the government should play in our lives will go on forever. The problem is that they need to be there for us when we need them, and also know when to step down and let us live our own lives. People such as Shirley Turner should be taken care of here in America while she is extremely dangerous and all evidence is pointing towards her. The government needs to understand to play their own role before they decide to play it in ours.

HONORING MR. HEZEKIAH WATKINS FOR HIS SERVICE TO THE GREENWOOD, MISSISSIPPI COMMUNITY

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor an extraordinary civil rights activist, Mr. Hezekiah Watkins. Mr. Watkins is a lifelong resident of Jackson, Mississippi. He graduated from Lanier High School and continued his education at Utica Junior College, Southern Illinois University and East Tennessee State University.

Mr. Watkins became a lifelong proponent of justice after his involvement in the Civil Rights Movement. In 1961, the ''Freedom Fighters'' banned together in Jackson, Mississippi to demonstrate against state segregation laws, and for doing so, 328 people were arrested with the charge ''breach of peace.'' At the age of 13, Mr. Watkins was the youngest to be arrested and sent to Parchman Prison during the Freedom Riders movement. He continued his involvement in Mississippi's fight for civil rights, and as a result was arrested over 100 times more in years to follow. These experiences caused him to commit to improving the quality of life and opportunities for young African American youth and all of mankind.

Mr. Watkins began his career as a young entrepreneur and took on full time employment with Jackson Hinds Comprehensive Health Center and Hinds County Human Recourses Agency.

He is currently employed with the Jackson Medical Mall and owner of the Corner Food Market and Deli in Jackson, Mississippi. Mr. Watkins continues his activism for justice as a community leader who promotes community and civic involvement in Mississippi's African American youth.

Mr. Watkins has been married for the past 23 years to the former Chris Tanner. Together, they delight in the joys of three children, Marvin, Quentin, and Kristi. They also have four grandchildren, Quentin II, Brandon, Corey and Mason.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Hezekiah Watkins for his dedication and service as a Civil Rights advocate and pioneer during the 1960s Civil Rights Movement.

HONORING THE SOCIETY OF SANTA MARIA MADDALENA SOCIETY

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Ms. DELAURO. Mr. Speaker, it gives me the greatest pleasure to rise today to extend my deepest thanks and appreciation to the Society of Santa Maria Maddalena of New Haven—the oldest American fraternal organization in Connecticut—for their many invaluable contributions to our community.

Located in Wooster Square, the neighborhood in New Haven where I grew up, the Society of Maria Maddalena has played an important role in forging the strong bonds of our community. Founded in 1898 by immigrants from the town of Atrani in the Salerno Province, south of Naples, Italy, the Society of Maria Maddalena has been a resource for neighborhood families for generations. Named for the patron saint of Atrani, the Society of Maria Maddalena was originally established to assist fellow Atrani immigrants with housing, employment, English translating, and legal matters. It was a place where families faced with the many challenges of starting a new life in a new country could turn for support, comfort, and friendship. Over the years, the Society's purpose has become more community oriented, helping any worthwhile cause or individual regardless of ethnic background. It has donated tens of thousands of dollars to numerous charities and organizations in New Haven and across the State. St. Michael's Church in New Haven, the Salvation Army, Columbus House, Connecticut Hospice, and Iwo Jima Survivors are just a few of those organizations who have benefitted from their generosity. The Society has also provided scholarships to inner city youths.

The Santa Maria Maddalena Society preserves the traditions, heritage and culture of its members' ancestors, and also maintains ties to Atrani by providing assistance to the Santa Maria Maddalena Church in Italy and the society's Italian sister organization for its annual Festa to Santa Maria Maddalena which coincides with the feast day in Connecticut. During the week of July 22, a replica of the original statue of the saint, which was brought to the United States in 1914, is carried through the streets of Wooster Square. The saint is adorned with jewelry provided by the original members of the society. The feast procession culminates at St. Michael's Catholic Church where a high mass is celebrated. The feast celebration extends for four days with Italian music and food, and on Saturday evening, Neapolitan music is featured. The holiday is a time for reuniting with friends and providing younger generations with opportunities to learn about their culture.

People across the country struggle to create a sense of community—a sense of belonging. Over the course of its one hundred-fourteen-year history, the Society of Maria Maddalena has helped the families of Wooster Square do just that. For their many invaluable contributions as well as their continued support and friendship, I am proud to stand today to extend my sincere thanks and appreciation to the members, past and present, of the Society of Maria Maddalena. The bonds of community

that the Society has helped to shape will continue to impact generations to come.

IN HONOR OF COMMANDER ROB SELKO, UNITED STATES NAVY RESERVE

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. ANDREWS. Mr. Speaker, I rise today to honor Commander Rob Selko for his service to our great nation.

For much of his life, Commander Selko proudly, faithfully and honorably served this country. Born and raised near Philadelphia, Commander Selko attended The Pennsylvania State University on the Navy Reserve Officer Training, NROTC, scholarship. After graduating with a degree in Chemical Engineering Commander Selko was commissioned as an Ensign and ordered to NAS Pensacola to commence training as a Naval Flight Officer, NFO.

Following his NFO training he was ordered to VF–101 for Fleet F–14A Tomcat Radar Intercept Officer training at NAS Oceana. Commander Selko was then assigned to VF–33 where he completed a North Atlantic and a Mediterranean Sea deployment on board USS *America* (CV–66), amassing over 750 hours and 200 arrested landings in the F–14A Tomcat.

In 1994, Commander Selko joined the Navy Reserve and was re-designated as an Aerospace Engineering Duty Officer. In February 2006, he was assigned to NAS Lakehurst, New Jersey as Officer in Charge and tasked with leading the Navy's first unit involved in airships in over forty years. His unit deployed to NAS Key West, FL for joint operations with the U.S. Coast Guard, marking the first airship operations involving the U.S. Navy since 1962. Unfortunately, late in 2010, Commander Selko was diagnosed with leukemia. He spent most of 2011 in treatment and recovering from his illness.

Commander Selko currently resides at 5 Glen Burnie Court, Sicklerville, New Jersey and after 28 years of faithful and honorable service will be retiring on June 23, 2012. He is married to Christine Selko of Pennsauken, and they have raised four children together in New Jersey.

It is important that we take the time on this day to remember and reflect on Commander Selko's deep commitment to inspiring and touching the lives of those around him in his service to this country. May he be remembered as such, and may we continue to carry on his legacy in our hearts as we walk through life.

CELEBRATING THE CONTRIBUTIONS OF HILLEL HONOREES STANLEY AND PEARL GOODMAN

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. DEUTCH. Mr. Speaker, I rise today in honor of Dr. Stanley Goodman and Mrs. Pearl Goodman for their years of exemplary service to the South Florida Jewish community. Their accomplishments are truly a cause for celebration, and it is a privilege to represent them in the United States Congress.

Since becoming members of the South Florida community in 1961, The Goodmans have been tireless advocates for Israel, and have joined countless organizations like The Hillel of Broward and Pam Beach to promote the welfare of Jewish people across the globe. During their 58 years of marriage, the couple has instituted mentoring programs, as well as networks through universities in Broward and Palm Beach that allow young students to engage with the larger Jewish community. In addition, Both Dr. and Mrs. Goodman have served on the Board of the Jewish Family Services of Broward County and are actively involved in the award-winning David Posnak Jewish Day School where Dr. Goodman is an Honorary Vice-President.

But the Goodman family's service extends beyond the scope of creating a more inclusive, informed Jewish community, and includes a commitment to fostering artistic enrichment in South Florida. Dr. Goodman has served as Secretary for the Executive Committee at the Broward Center for the Performing Arts Foundation, and Mrs. Goodman is an avid supporter of the Broward Center for the Performing Arts Foundation.

The South Florida Jewish community has undoubtedly been strengthened by the Goodmans exceptional work. They are truly a source of inspiration for all those who have dedicated themselves to promoting Jewish causes, and I look forward to their continued good work.

Congratulations to Stanley and Pearl Goodman, and well as their children and grandchildren, as they celebrate this well deserved honor.

HONORING STAFF SERGEANT CHRISTOPHER L. BROWN

HON. STEVE AUSTRIA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. AUSTIN. Mr. Speaker, while we can never fully express the depth of our appreciation for those who give their lives to protect our freedoms, I rise today on behalf of the constituents of Ohio's Seventh Congressional District to recognize and honor the life of Army SSG Christopher L. Brown.

A 2003 Hamilton Township High School graduate and Army Service member, Staff Sergeant Brown, 26, was killed in an attack with an improvised explosive device on April 3, 2012 in Kunar Province, Afghanistan in support of Operation Enduring Freedom. He showed exceptional courage and bravery, and gave his life while defending the United States.

Staff Sergeant Brown was assigned to A Company, 2nd Battalion, 12th Infantry Regiment, 4th Infantry Division, Fort Carson, Colorado. He was on his second deployment to Afghanistan and had also served nearly a year in Iraq.

He served with distinction and his awards and decorations include the Bronze Star, a Purple Heart and an Army Commendation Medal.

Brown is survived by his wife, Ariell, their daughters Charlie and Dylan, their unborn child, as well as his parents and three sisters. His devotion to his family, friends, and fellow Service members and to this nation is honorable. As a dedicated and loyal patriot, he selflessly served this country with bravery and valor.

Thus, today I ask my colleagues to join me and the constituents of the Ohio's Seventh Congressional District in honoring the life and memory of SSG Christopher L. Brown, a true hero.

RECOGNIZING LAURA PINK AS THE 2012 HURLBURT AFA CHAPTER 398 ELEMENTARY SCHOOL TEACHER OF THE YEAR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize and congratulate Ms. Laura Pink, the 2012 Hurlburt Air Force Association Chapter 398 Elementary School Teacher of the Year.

Ms. Pink has spent her entire career ''paying it forward'' to her students, their parents, and her colleagues. Her dedication to helping educate others started long before she stepped into the classroom as a teacher. As a junior in high school, Ms. Pink began teaching as a reading tutor. She went on to earn a double major in Elementary and Special Education in college and received an endorsement in Gifted Education for all grades. Ms. Pink attributes her success as an educator to her own teachers, who instilled in her the self-confidence for success and a passion for scholarship. She has forever impacted the lives of her students, and she is truly deserving of this honor.

In the classroom, Ms. Pink uses the wonders of science, technology, engineering, and math to challenge and empower her students. Outside of the classroom, she is involved with the Air Force Association, Hurlburt Chapter's Teacher Workshop, the American Institute of Aeronautics and Astronautics, the Civil Air Patrol, and Embry-Riddle Aeronautical University. Ms. Pink has been able to combine her classroom activities with her extracurricular activities so that she can better serve her students and secure grants for hands-on classroom experiments. Additionally, Ms. Pink has been able to introduce the Civil Air Patrol Aerospace Connections in Education program at her school, which uses aviation to foster her students' interest in science and math.

The importance of teachers such as Ms. Pink is unquantifiable, and I commend her dedication to our nation's future. To be selected as Teacher of the Year is a reflection of Ms. Pink's exemplary work ethic and steadfast dedication to the students of Northwest Florida.

On behalf of the United States Congress, I am privileged to recognize Ms. Laura Pink for her great achievements and laudable service. My wife Vicki joins me in wishing her all of the best.

HONORING CHELSEA TATLOW

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Rock Bridge High School Lady Bruins Swimming and Diving team member Chelsea Tatlow on her state victory in the 100-yard backstroke.

Ms. Tatlow played an integral part in the school's success at the state championship. Winning this event in her sophomore year is indeed a considerable feat, and I am sure that we will continue to see her name in swimming headlines. Ms. Tatlow and her coaches should be commended for all their hard work throughout the regular season and in the state championship.

I ask that you join me in recognizing Rock Bridge High School Lady Bruins' Chelsea Tatlow for a job well done.

IN SUPPORT OF NATIONAL AUTISM AWARENESS MONTH

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Ms. RICHARDSON. Mr. Speaker, as a member of the Coalition for Autism Research and Education, I rise today to recognize April as National Autism Awareness Month. Autism is the fastest growing developmental disability in America, with 1 to 1.5 million Americans living with it each day. Every April since the 1970s we celebrate National Autism Awareness Month, which provides an opportunity to educate the public on autism and the issues affecting those people afflicted with the disorder.

This disorder is universal, affecting children from all ethnic, racial and socioeconomic backgrounds. The latest statistics from the Centers for Disease Control and Prevention state that 1 in 88 children born in the United States will develop autism.

Mr. Speaker, this increase is a clear call that more needs to be done in terms of research and education. Congress must call for more resources to be given to early screening and diagnosis programs. This can lead to improved educational and social outcomes and increases the chances of employment and independent living for those suffering from autism.

My own State of California has seen a huge increase in autism diagnoses. In 1990, 6 out of every 10,000 children born in the State were diagnosed with the disease by the age of five. Only 11 years later that number had risen to 42.5 in every 10,000 children. Since then the numbers have only risen.

Children diagnosed with this disorder will struggle with significant social, behavioral and communication challenges. For example, an activity as simple as going to the movies is impossible for many families with autistic children. However, autism is treatable. There is no permanent cure for the disorder, but studies show that early detection and intervention can lead to significantly improved outcomes.

Mr. Speaker, the occurrence of autism is on the rise in our nation. This is why it is more important than ever that we continue to fund programs like the National Database for Autism Research, whose overall goal is accelerating scientific discovery in autism spectrum disorder though data and research sharing among ASD investigators.

That is why it was so important that Congress passed H.R. 2005, the Combating Autism Reauthorization Act of 2011. I am proud to have been an original co-sponsor of this legislation, which authorizes more than $200 million in continued funding for the Centers for Disease Control's surveillance and epidemiological research programs for autism and other developmental disabilities and for the National Institutes of Health's respect to research program on autism spectrum disorders and possible environmental causes of autism. The bill also authorizes a robust autism education, early detection, and intervention program at the Health Resources and Services Administration, HRSA.

Mr. Speaker, nowhere is autism's impact felt more than in underserved communities, where diagnosis is delayed on average two years. Given that early identification and intervention are paramount to the developing brain of children with autism, this two-year delay is especially devastating, as it denies thousands of vulnerable children the benefits of early diagnosis and intervention. This can mean the difference between a child who may someday live independently, and a child destined for a life of institutionalized care.

The alarming delay in diagnosis becomes even more detrimental when compounded by issues of poverty, such as a lack of housing, employment, and transportation. This is the reality faced by families in underserved communities who are affected by autism and other developmental disabilities.

That is why I also want to recognize, commend, and encourage organizations like the Special Needs Network, Inc., which serve the greater Los Angeles community for the great work and service they provide to families and individuals affected by the autism in underserved communities.

This month, let us recommit ourselves to raising awareness about autism. We have a responsibility to continue to broaden our efforts to research this disorder, and increase awareness about the importance of early detection.

Mr. Speaker, I ask my colleagues to join me in recognition of National Autism Awareness Month, and ask all Americans to take time this month to find out what you can do to help the growing population of those afflicted with, or affected by, autism.

BANKRUPTCY EQUITY FOR HOMEOWNERS ACT

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. BLUMENAUER. Mr. Speaker, on February 16, 2012, I spoke on the House floor about the intrinsic unfairness of certain bankruptcy laws. In my statement, I inappropriately characterized the actions of the Mortgage Bankers Association. The following is my amended statement:

This week, we watched the settlement unfold between the Department of Justice, the State attorneys general, and the major banks. Twenty-six billion dollars sounds like a lot of money, but given that almost one in four homeowners owe more on their mortgages than the values of their homes—overall losing some $700 billion in value. This is a step in the right direction that will help some people but is not really a major correction. There are still far too few real pressures to get the market right.

There is a simple answer that won't cost the taxpayers a dime and which will stabilize the housing depression within a year. It would help reestablish home values and encourage banks to work with their customers whose mortgages are ''under water''.

The recent decision of American Airlines to pursue bankruptcy is illustrative. This corporate giant could actually pay its bills. It had some $4 billion in cash and was still taking in revenue, but it made a strategic judgment to use the bankruptcy laws to reposition itself to win market rate loan terms, to modify its union contracts and the pension obligations to its employees because, under the law, a bankruptcy judge can adjust these business relationships to reflect current market conditions—for a business, that is. Curiously, homeowners are treated differently.

A business speculator could buy 10 units in a condominium in south Florida when the housing bubble bursts and could get bankruptcy relief on all 10 units—but not Sally Six-Pack, who bought an identical unit to live in.

What is it about homeowners that make them less worthy of relief of the fresh start of bankruptcy than the speculator or American Airlines? The answer is right here on the floor of the House of Representatives.

Congress has decided to look out for business, not the homeowner. The daisy chain of profit we saw collapsing under the weight of colossal greed and bad judgment was protected at the expense of the homeowner, who was trapped, with limited options to renegotiate, with no leverage, who simply faced foreclosure, a short sale, or what is described as jingle mail: send the keys back and walk away.

It's interesting that homeowners have been urged that it's their moral duty, their obligation to pay, even as the Mortgage Bankers Association, itself, reneged on the mortgage on its headquarters and cut a side deal with its financial partners to get out of its underwater mortgage. Not long before this happened, John Courson, the President and Chief Executive Officer of the Mortgage Bankers Association, was quoted in the press as asking defaulting homeowners, ''What about the message they will send to their family and their kids and their friends?'' What message did the Mortgage Bankers Association send? The answer is clearly that they have one set of rules, while American families have another. This blatant hypocrisy enrages ordinary families and runs counter to democratic values of fairness and equal opportunity. Homeowners are expected to do the right thing, even if we're seeing a cavalcade of financial misdeeds, shortcuts, and, in some cases, outright fraud.

I've been unable to find any good reason that homeowners should be discriminated against in bankruptcy. If it's good enough for business, it should be good enough for the homeowners.

There are lots of reasons to change that policy. First, it's simple equity, the same treatment. In addition, making bankruptcy relief available to homeowners will make the system respond to reasonable requests for renegotiations, which would be cheaper, faster, and easier than the foreclosure process for everybody. The simple act will stem the flood of foreclosures and uncertainty, which will help stabilize home values currently in free fall, and it will make it harder for another speculative bubble to be created. Knowing that homeowners will be treated the same as business in bankruptcy will make people think twice about aggregating vast numbers of dicey mortgages, simply taking a profit, and passing the package on to others.

I am introducing the Bankruptcy Equity Act to provide bankruptcy judges the power to align the homeowner's mortgage to its current value and terms and put ordinary homeowners on the same playing field as speculators and businesses. It makes sure private and federally insured mortgages are eligible for modification, allowing FHA, VA, and the Department of Agriculture to pay out claims on insured mortgages modified in bankruptcy.

For an immediate solution to the foreclosure crisis, allowing families to stay in their homes, to be treated equitably, and prevent the next bubble from forming, I strongly urge my colleagues to examine the Bankruptcy Equity for Homeowners Act and join me in treating homeowners as fairly as we treat speculators and investors.

RECOGNIZING PHILIP AMERIS AND CAROL COULTAS FOR THEIR OUTSTANDING WORK ON BEHALF OF THE WORKING MEN AND WOMEN OF WESTERN PENNSYLVANIA

HON. MARK S. CRITZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. CRITZ. Mr. Speaker, I rise to recognize two dedicated champions of the American worker for receiving an award for outstanding labor leadership. Each year, the Allegheny County Labor Council confers its Labor's Man of the Year and Labor's Woman of the Year Awards on one male and one female who have worked passionately and effectively to advance the cause of organized labor in western Pennsylvania. This year's Labor's Man of the Year is Philip Ameris, President and Business Manager of the Laborers' District Council of Western Pennsylvania. Labor's Woman of the Year for 2012 is Carol Coultas, a longtime servant of western Pennsylvania's labor movement, who most recently served as Executive Vice President of Communication Workers of America (CWA) Local 13500. The enthusiasm with which these two individuals have worked to advance the material wellbeing and workplace safety of hardworking Americans over the years is a tribute to their integrity and selflessness.

In 1994, Philip Ameris was appointed a Field Representative for Laborers International Union of North America Local 1058. Since then, he has risen through the ranks on account of his outstanding managerial and organizational skills. In his current post, he oversees the Labor District Council of Western Pennsylvania's efforts to provide fair working conditions and wages to the hardworking men and women who build and maintain western Pennsylvania's physical infrastructure.

Mr. Ameris also holds leadership positions on several prominent labor boards. He serves as Chairman of the Western Pennsylvania Laborers' Joint Apprenticeship and Training Committee, Chairman of the Western Pennsylvania Laborers' Education and Training Trust Fund, Chairman of the Laborers' Combined Funds of Western Pennsylvania Pension and Welfare Funds and Chairman of the Western Pennsylvania Laborers' Political Action Fund.

An 8th degree black belt, Mr. Ameris is the founder of several martial arts instruction programs for young children. He has served as a martial arts instructor to the children within his own programs for the last 30 years.

Mr. Ameris has been married to his wife Jeanne for the last 30 years. He and Jeanne have two sons—Philip, Jr. and Jimmy—who are both proud members of the Laborers' International Union of America.

Carol Coultas is a 30-year veteran of the Communications Workers of America. In addition to having served as Executive Vice President of CWA Local 13500, she has been the President of the CWA Local 13051 Retired Members Council and Executive Vice President Emeritus of the CWA Local 13500. Ms. Coultas has also served as a board member of the Pennsylvania Alliance for Retired Americans, a trustee and delegate to the Allegheny County Labor Council and a member of Jobs for Justice.

Ms. Coultas began her career as a Long Distance Telephone Operator for the Bell Telephone Company in 1944. She first became a member of CWA when she went to work in Bell's Special Accounts Business Office. From that moment on, she has worked with the utmost passion to protect the rights and the livelihoods of working families and seniors.

In addition to being a dedicated advocate for active and retired American workers, Ms. Coultas is also a devoted wife to her husband Ronald—a Vietnam veteran and retired National Guardsman—loving mother to her daughter Bernadette and proud grandmother to her grandchildren David and Emily.

Mr. Speaker, all of us should strive to replicate the passion for serving others that Phil Ameris and Carol Coultas have exhibited throughout their distinguished careers as labor leaders. I want to congratulate them on receiving such a well-deserved honor.

HONORING MAYOR HAL BALDWIN

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. CUELLAR. Mr. Speaker, I rise today to honor the commitment of the late Mayor Hal Baldwin of Schertz, Texas. Mr. Baldwin, one of the longest continuously serving council members in the state of Texas served on the Schertz City Council for twenty-nine years and as the city's Mayor of another eighteen years. Mayor Baldwin's nearly forty years of service to the community will echo even in his passing.

Mr. Baldwin, the Wichita, Kansas native moved to Schertz, Texas in 1967 as he was finishing a 20-year enlisted career in the Air Force with the rank of Senior Master Sergeant. While on active duty, Baldwin served with the 51st Fighter Interceptor Wing, Naha Air Force Base, Okinawa, during the latter months of the Korean War. He also served at Headquarters, 7th Air Force, Tan Son Nhut Air Base during the Vietnam War. He finished his military career at Randolph Air Force Base, where he served as the noncommissioned officer in charge of the Command Graphics Branch, Presentations Division, Headquarters, Air Training Command.

By the early 1970s, Baldwin's first interaction with city government was with the Citizens Advisory Committee that advised City Council on matters. Later, he partook in a program called ''Project Transition'' which was an Air Force program that sought to let retiring members work half a day in a civilian job for a period of time until they retired and could work full time in that job. As a tax-assessor collector for the City of Schertz as his half day civilian job, he learned about city government and issues. After six years, he took a job as a business manager for the school district and served in this position until his retirement in 1998.

After serving his country and learning the ropes of city government, his political career began. He was appointed as a City Council member and in 1994 he ran for Mayor of Schertz, won and served in that position until 2012. His landmark services as Mayor include the formation of the Schertz-Seguin Local Government Corporation and more recently raising awareness of historical places in the area, such as a number of century old homes in the city. I had the honor of working collaboratively with Baldwin since 2006 on projects for the City of Schertz, including bringing a new Post office to the area.

The mayor and Mrs. Barbara Baldwin were married for 55 years, they have five children, eight grandchildren, and four great-grandchildren, all of whom reside in the Schertz area. Mayor Hal Baldwin's love for the Schertz community can be measured by one simple fact—he has spent half his life in public service to that community.

Mr. Speaker, I am honored to have had the opportunity to recognize the late Mayor Hal Baldwin. His hard work and valor have truly impacted many lives and our community.

HONORING GORDON TSAI

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 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.

Gordon Tsai is a junior at Clements High School in Fort Bend County, Texas. His essay topic is: In your opinion, why is it important to be involved in the political process?

The United States is a relatively young and unique country. It was only about two hundred years ago we entered the throes of revolution and asserted our independence. As a country, we tend to forget the principles that were fought for and won on that fateful day. This American Revolution was fought for freedom, especially the freedom to vote and/or run for public office.

The value of independence and freedom has almost been lost upon our current people. Ironically, we have a large population of people who don't necessarily even pay attention to or understand politics and current affairs. They live in their small bubble of influence within work, friends, and maybe a community church. This kind of American citizen is definitely not the right one. It is our duty as citizens to vote and uphold the practice of choosing our leaders that was fought for back then two hundred years ago. This country's citizens have almost come to take freedom for granted. In modern day, the average man is protected on many levels by various forms of legislation that ensures their basic human rights. Some would even argue that the United States grants too much freedom as in the controversial case of the gun law. We have become an ungrateful country. Even recently, we can see in the Arab Spring that the value of freedom and independence are worth dying. In the countries of Egypt, Tunisia, Libya and currently Syria, people are and have been willing to die for the slight possibility of a free independent process for choosing their leaders. And around the world, other elections are plagued by bribery and corruption with country leaders serving multiple terms that exceed the limit set upon by their constitution. When observed realistically, the American election process and atmosphere is almost a dream. So why won't the citizens of the United States fulfill their responsibilities as a nation and assert the privilege that is voting? It is clear that around the world many people are willing to die for this chance to play their tiny part in the direction and leadership of their country.

It is apparent that many people in the United States don't ever vote, Even my mom waives this right that I would jump at a chance to have. This decision, however small it is individually, on the next leader of the United States is not one to be taken likely. We are playing our small part in deciding the direction and future of the most influential country in the world. In this light, voting should be unprecedented honor, not an annoyance which the average citizen should fulfill.

HONORING DR. GEORGE ALVIN ''G.A.'' JOHNSON FOR HIS PUBLIC SERVICE AND ADVOCACY TO THE STATE OF MISSISSIPPI

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable civil rights advocate and public servant, Dr. George Alvin "G.A." Johnson. Dr. Johnson earned his Doctorate of Divinity in 1979 from the Trinity Church Association in Shreveport, Louisiana.

He was born in Massies Mill, Virginia to the parents of Samuel and Virginia Johnson on January 29, 1944. In 1963, after moving from Massies Mill to Washington, D.C. he stood on the grounds of the Lincoln Memorial to hear Dr. Martin Luther King, Jr. deliver his "I Have a Dream" speech. As a young nineteen year old with an impressionable mind, Dr. King's speech became a defining moment in Dr. Johnson's life.

In 1970, seven years after Dr. King's infamous "I Have a Dream" speech, Johnson moved to Rollilng Fork, Mississippi to take an active part in the civil rights movement. His first active role was in a position that was both admired and feared was becoming President of the Voter's League in Rolling Fork, Mississippi. As President, Dr. Johnson began to experience the indoctrination practices of the "traditions of the south."

After leaving his position as the President of the Voter's League in Rolling Fork, he took a position as manager of "Freedom Village." "Freedom Village" was one of the many strike cities that began emerging throughout Mississippi, as African Americans walked off plantations in protest of Jim Crow laws and unfair sharecropping practices, Dr. Johnson was also manager of one of the first self-help housing projects in the Mississippi Delta.

In 1971 Dr. Johnson moved to Greenville, Mississippi and became active in Delta Ministries sponsored by the Council of Churches of New York, New York. In 1976, he extended his ministry to television airing on WABG Channel 6 in Greenwood for 27 years. In 1988, Dr. Johnson founded GAIN, INC. (Goals, Aims, Intention Network) which stemmed from his prison ministry at the Mississippi State Penitentiary, known as Parchman Farm located in Sunflower County, Mississippi. He now resides in Charleson, Mississippi where he continues to be an advocate for children, the poor, the disadvantaged, and the displaced.

Mr. Speaker, I ask my colleagues to join me in recognizing Dr. George Alvin Johnson for his dedication and service as a civil rights advocate and pioneer during the 1960s civil rights movement in the great state of Mississippi.

CONGRATULATING THE NEW HAVEN LIONS CLUB ON THE CELEBRATION OF THEIR 90TH ANNIVERSARY

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Ms. DELAURO. Mr. Speaker, it gives me great pleasure to rise today to extend my very best wishes to the members of the New Haven Lions Club as they gather to celebrate the 90th Anniversary of this extraordinary community organization. Over the course of its history, the New Haven Lions Club has enabled its members to contribute to our community in a positive and meaningful way. Indeed, in the last century, members of the New Haven Lions Club have helped to shape the very character of our community.

Founded in February of 1922, the New Haven Lions Club was only the second such club started in New England. From the very beginning, member's work in the community concentrated on assistance to local blind persons and underprivileged children. In its earliest years, Lions would repair radios for the blind and transport them to and from local meetings as well as donate dinners and presents to needy families during the holidays. Over time, the Lions club has expanded both its membership and its activities on behalf of those in need.

Today, the New Haven Lions Club can be very proud of the two very special Service Projects it supports on an on-going basis. The first is Camp Cedarcrest, a forty-two acre facility located in Orange, Connecticut that began its operations in 1928. The New Haven Lions have partnered with four other service organizations—the Kiwanis, Probus, Quota and Rotary Clubs—who own the grounds and buildings, set policy, and provide capital improvements. In partnership with the New Haven Department of Parks and Recreation which provides a resident Ranger as well as organizes and supervises day camping and other activities, Camp Cedarcrest is available for recreation to thousands of young people and adults each summer season. In addition to the substantial financial support provided by the Club, over the years, New Haven Lions have contributed hundreds of hours of voluntary labor to ensure the upkeep of the grounds. The second service project to which the New Haven Lions have dedicated themselves is the One-To-One Program. This project, which is organized as a hands-on personal involvement of one Lion and one blind person, was first established in 1975 and has been a great success ever since.

In addition to these two service projects, the Lions also give back to the community by supporting Leo Clubs in local schools, volunteering their time and energies to other local service organizations like the Salvation Army and the Special Olympics, and providing scholarships to young people beginning their collegiate studies. In fact, as of their annual report last year, the New Haven Lions Club had spent in excess of $750,000 to assist the less fortunate—all of which was raised by members.

The New Haven Lions have had an extraordinary impact on our community and we cannot thank them enough for all of their good work. As they celebrate their 90th anniversary, I am proud to stand to congratulate them on this remarkable milestone and to extend my deepest thanks and appreciation to members past and present for their outstanding efforts on behalf of our community. I have no doubt that they will continue to do so for many more years to come.

IN COMMEMORATION OF THE 33RD ANNIVERSARY OF THE TAIWAN RELATIONS ACT

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. ANDREWS. Mr. Speaker, I rise to commemorate the 33rd anniversary of the enactment of the Taiwan Relations Act.

Since the end of World War II, the United States and Taiwan have fostered a close relationship that has been of enormous strategic and economic benefit to both countries. When the United States shifted diplomatic relations

from Taiwan to the People's Republic of China in January 1979, Congress moved quickly to pass the Taiwan Relations Act (TRA) to ensure that the United States would continue its robust engagement with Taiwan in the areas of commerce, culture, and security cooperation. With President Carter's signature on April 10, 1979, this important and lasting piece of legislation became the Law of the Land and served as the statutory basis for U.S.-Taiwan relations going forward.

After 33 years, the TRA still stands as a model of congressional leadership in the history of our foreign relation, and, together with the 1982 ''Six Assurances,'' it remains the cornerstone of a very mutually beneficial relationship between the United States and Taiwan. Through three decades marked by momentous social, economic, and political transformations, Taiwan has remained a trusted ally of the United States that now shares with us the ideals of freedom, democracy and self-determination. The foresight of the TRA's drafters in providing that ''the United States will make available to Taiwan such defense articles and defense services . . . to enable Taiwan to maintain a sufficient self-defense capability,'' and affirming ''the preservation and enhancement of the human rights of all the people on Taiwan'' as explicit objectives of the United States, has contributed in large measure to make Taiwan what it is today—a vibrant, open society governed by democratic institutions.

Though the people of Taiwan now enjoy fundamental human rights and civil liberties, they continue to live day after day under the ominous shadow cast by over 1400 short and medium-range ballistic missiles that the People's Republic of China (PRC) has aimed at them. The PRC persists in claiming Taiwan as a 'renegade province,' refusing to renounce the use of force to prevent formal de jure independence, even codifying its right to military action via passage of the so-called ''Anti-Secession Law'' on March 14, 2005. The United States Congress strongly condemned the ''Anti-Secession Law'' in House Concurrent Resolution 98, passed on March 16, 2005.

The TRA affirmed that the United States' decision to establish diplomatic relations with the People's Republic of China was based on the expectation that the future of Taiwan would be determined by peaceful means. Furthermore, it stipulates that it is the policy of the United States ''to consider any effort to determine the future of Taiwan by other than peaceful means . . . a threat to the peace and security of the Western Pacific area and of grave concern to the United States.'' The unambiguous and principled stance contained in these provisions has been instrumental to the maintenance of peace and stability across the Taiwan Strait for more than thirty years, in spite of the growing military threat posed by the PRC.

I therefore invite my colleagues to join me in commemorating the 33rd anniversary of the TRA, to further underline our unwavering commitment to the TRA and our support for the strong and deepening relationship between the U.S. and Taiwan.

CELEBRATING THE ACCOMPLISHMENTS OF HILLEL HONOREE FREDERICK LIPPMAN

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. DEUTCH. Mr. Speaker, I rise today in honor of Frederick Lippman, whose more than two decades as a pharmacist and community leader have had a monumental impact on students, medical professionals, academics, and the underserved in South Florida. I applaud his long career of service, and I am honored to represent him in Washington.

Frederick Lippman has served the people of South Florida as a pharmacist for over 20 years, but his contributions to our community reach far beyond the scope of daily patient care. Dr. Lippman served in the Florida House of Representatives for two decades, during which time he was a strong advocate for increasing educational opportunities and expanding health care access, particularly for children. His numerous awards and accolades include being named ''Outstanding Health Services Person of South Florida'' in 1995 by the University's Institute of Health Policy and Administration, ''Child Advocate of the Year'' in 1996 by the Florida Pediatric Society, and ''Outstanding Advocate'' in 1997 by the Institute of Holocaust Documentation at Florida International University for his leadership in adopting Holocaust educational curricula in the state of Florida.

In 1985, Dr. Lippman was instrumental in helping to create the State of Florida's Area Health Education Center Program (AHEC), which improved the supply and distribution of primary health providers in rural and urban areas by creating partnerships with academic health centers. And as the current Chancellor of the Health Professions Division of Nova Southeastern University, Dr. Lippman has helped the university develop a strong research infrastructure, which has led to an increase in funding, and broader opportunities for undergraduate researchers.

Dr. Lippman's work has undoubtedly made South Florida a place where families can grow and thrive. It is an honor to represent him the United States Congress, and I look forward to his continued good work for years to come.

IN RECOGNITION OF TYLER'S LIGHT FOR ITS CONTINUED DRUG AWARENESS EFFORTS

HON. STEVE AUSTRIA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. AUSTRIA. Mr. Speaker, I rise today in honor of Tyler's Light. I am honored to recognize Tyler's Light for its continued drug awareness efforts throughout Pickerington and Fairfield County, Ohio.

Tyler's Light was formed after the tragic and untimely passing of Tyler Campbell. Tyler was known for the way his blue eyes and infectious smile lit up a room. Tyler was very athletic and loved being outdoors where he would ride bikes, fish, and play various other sports. In just 23 years for life, Tyler managed to fulfill many of his lifelong dreams such as playing Division 1 High School Football at Pickerington North and college football at the University of Akron.

Pickerington and all of Fairfield County need to be aware of the current drug epidemic and are in need of education about how drug addiction is breaking families apart. Thus, the objective of Tyler's Light is to educate students, families, and communities about the dangers and consequences of drug usage. Tyler's Light has been very effective and in just months has gained the attention of Fairfield County residents and others that are concerned about the increasing drug abuse issues facing our communities.

Thus, with great pride, I recognize Tyler's Light for the positive impact it is making in the community and I would like to extend best wishes for the future.

HONORING THE ROCK BRIDGE HIGH SCHOOL LADY BRUINS SWIMMING AND DIVING TEAM

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating the Rock Bridge High School Lady Bruins Swimming and Diving team on its Missouri State Championship.

The young women and their coaches should be commended for all their hard work and dedication throughout the regular season. The team went on to give the school's swimming and diving program its best showing since the team's 2008 sixth-place finish. Rock Bridge High School athletic teams have had a huge winning tradition this year.

I ask that you join me in recognizing the Rock Bridge High School Lady Bruins for a job well done!

RECOGNIZING APRIL AS NATIONAL CHILD ABUSE PREVENTION MONTH

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Ms. RICHARDSON. Mr. Speaker, today I rise to recognize April as National Child Abuse Prevention Month. This month is dedicated to raising awareness about the prevalence of child abuse and neglect as well as spreading knowledge on how to recognize and prevent its occurrence.

Every child has the right to live in a safe and healthy home. Together, we can ensure that right by providing support for parents, recognizing the signs of abuse, and educating community members about the issue.

Mr. Speaker, child abuse is defined as an act or failure to act which presents imminent risk of serious harm. It includes physical, emotional and sexual abuse as well as neglect. Child abuse occurs in every community and every district. It is reported at all socioeconomic and education levels and across cultural, ethnic, and religious lines. In 2010, there were 3.3 million referrals to Child Protective Services, involving 5.9 million children. In

Los Angeles County alone, there were over 170,000 reported cases of child abuse or neglect in 2010. With over half of those referrals being made by mandatory reporters, those professionals required by law to report signs of maltreatment, I applaud our school officials and social service providers who are defending children's wellbeing.

It is vital that we are all equally prepared to speak out for victims who are unable to seek help for themselves. The youngest children, in particular, are most vulnerable to abuse with almost 32 percent of reported victims under the age of four years.

The effects of abuse and neglect can last a lifetime and include physical injuries, mental health conditions such as post-traumatic stress disorder, increased risk for violent behavior, and lower levels of economic wellbeing. Such long-term effects hinder the ability to form healthy and positive relationships as adults. Abuse can truly become a cycle, harming generation after generation if nothing is done to intervene.

Mr. Speaker, I would like to take a moment to recognize the extraordinary work of the Miller Children's Hospital in the 37th district and its commitment to promoting positive parenting. The hospital offers training for medical professionals to recognize more subtle signs of abuse as well as early learning opportunities for children and their families to develop healthy family relationships.

Efforts aimed at prevention and early detection are critical in helping our nation's children grow up with the confidence and skills necessary to achieve the American Dream. These efforts can include programs in parent education and substance abuse treatment. Through these investments, we can target those specific circumstances and stresses that often lead to an increased likelihood of abuse.

Mr. Speaker, as I rise today to observe National Child Abuse Prevention Month, I ask all communities to invest in preventative measures and programs to end the cycle of child abuse once and for all. This month will serve as a reminder of our moral responsibility to ensure a bright future for our children and our nation.

CELEBRATING THE TENTH ANNIVERSARY OF THE ENVIRONMENTAL TECHNOLOGY CENTER

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Ms. WOOLSEY. Mr. Speaker, I rise proudly today to honor the Environmental Technology Center, ETC, on the occasion of its tenth anniversary. Located at Sonoma State University in Rohnert Park, CA, ETC was one of the first 'green' buildings on a university campus.

Before the concept of a green building was a familiar part of our national culture, Rocky Rohwedder, Professor and Chair of the Environmental Studies and Planning, ENSP, department, realized that an environmental center could provide a valuable teaching tool. He and Professor Jean Merriman Falbo (now retired) sought grants to realize this vision. I was proud to assist their effort with funds from the National Science Foundation, NSF. With further support from the California Energy Commission, the majority of the funding was in place.

Partnering with experts at Sonoma State University and in the community, ETC was carefully designed and opened its doors in the fall of 2001. The Center represented an exciting new advance in both building and education. Functioning as a teaching tool, demonstration project, and resource hub, it is used as a classroom for the Environmental Studies and Planning Department and several sustainable certificate programs as well as a center for service learning, technical assistance, and community-based research.

Considered a Zero Energy Building because it actually generates more energy than it consumes, its sustainable technologies include roof integrated photovoltaics, advanced window systems, extensive use of daylighting, recycled materials, and thermal mass as well as energy and water-efficient landscaping.

In February, 2002, shortly after ETC opened, the House Committee on Science, Space, and Technology held a Congressional field hearing in the Center on the theme of ''A Renewable Roadmap to Energy Independence.'' As the Ranking Member of the Science Energy Subcommittee, I was able to bring nationally known experts whose testimony delivered a clear message: that we could become energy independent with sustainable technologies using the techniques exemplified in the building. In addition, faculty at the Center, such as Dr. Sascha von Meier, testified in Washington, DC, before the Committee and later helped me in writing alternative energy legislation.

Mr. Speaker, please join me in congratulating all those who made the Environmental Technology Center possible and who continue to make it a focus of research and application for sustainable building ten years later. I applaud their commitment and foresight in creating ''The Building That Teaches.''

MARKING THE TENTH ANNIVERSARY OF THE CONGRESSIONAL TAIWAN CAUCUS

HON. SHELLEY BERKLEY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Ms. BERKLEY. Mr. Speaker, I rise today to commemorate the 10th anniversary of the Congressional Taiwan Caucus.

Founded on April 9, 2001, the caucus was intended to serve as a forum to educate Members of Congress on issues affecting U.S.-Taiwan Relations, and to provide a platform for exploring ways to positively enhance and strengthen U.S. relations and cooperation with the government and people of Taiwan in accordance with the Taiwan Relations Act. It has grown from 85 Members at the time of its establishment to the current roster of 155, making it the second largest country caucus in the U.S. House of Representatives.

In the past 10 years, the membership of the Congressional Taiwan Caucus has remained solidly bipartisan, reflecting the broad and stable consensus in the U.S. Congress regarding the importance of Taiwan. Through the issuance of various joint letters, its agenda has focused first and foremost on maintaining faithful adherence to legal obligations and policy principles of the 1979 Taiwan Relations Act, as well as the 1982 ''Six Assurances'' to Taiwan. Together, these two documents form the cornerstone of our relationship with the people of Taiwan and have contributed immeasurably to the maintenance of peace and stability in the Asia Pacific region, while allowing Taiwan to blossom into a vibrant, open society, eager to engage with the rest of the world.

Today, Taiwan is well on the path to becoming a mature and fully consolidated democracy, and our shared values now form an ever stronger foundation of trust for cooperation across our many areas of mutual interest. At the same time, the military threat posed by the People's Republic of China to Taiwan's democratic way of life only continues to grow with each passing day.

In the coming 10 years, we hope to forge a stronger consultative role for Congress in the formulation of Taiwan policy. We look forward to working closely with our allies—both abroad and at home—to find solutions for ensuring Taiwan's long-term security, and to deepen our dialogue with the people of Taiwan.

RECOGNIZING SCOTT ERICKSON AS THE 2012 HURLBURT AFA CHAPTER 398 HIGH SCHOOL AND OVERALL TEACHER OF THE YEAR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize and congratulate Mr. Scott Erickson, the 2012 Hurlburt Air Force Association Chapter 398 High School and Overall Teacher of the Year.

Mr. Erickson's joy and passion for teaching began at an early age, from watching his mother, also a teacher. Her example, coupled with the skills he learned through his work as a summer camp counselor, became an inspirational force behind his current ''learn by doing'' teaching approach, which engages students through lesson plans that incorporate activities and experiments using modern-day technology. Throughout his career, Mr. Erickson has used this approach to educate students of all ages ranging from elementary school to high school.

A teacher at Milton High School in Northwest Florida, he continues to hone his teaching techniques, always striving for excellence and establishing award winning technology and aviation programs. Mr. Erickson has played an integral role in sponsoring Milton High School's Robotics Team and led the team to its notable victory at the Emerald Coast BEST (Boosting Engineering, Science, and Technology) Robotics competition. Additionally, through his tireless efforts in fundraising and procuring necessary grants, he became the driving force behind the creation of Milton High School's Aviation Academy—a state-of-the-art teaching and flight simulation facility—which continues to yield positive results. Several of his students are now on the path to earning pilot ratings. Equally commendable, several of Mr. Erickson's aviation students were selected to join the National Flight Academy, a multi-day immersion program that uses aviation to inspire students to

challenge themselves in science, technology, engineering, and math.

Mr. Erickson is respected by all—his students, parents, and administrators alike. Through his hard work and dedication, Scott Erickson is making a tremendous impact in the lives of his students, and this earned him both the title of Teacher of the Year and the admiration of those around him. The Northwest Florida community is proud to call him one of our own.

On behalf of the United States Congress, I am privileged to recognize Mr. Scott Erickson for his great achievements and exemplary service. My wife Vicki joins me in wishing him all of the best.

A TRIBUTE TO THE VOLUNTEERS OF CLARION, IOWA

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. LATHAM. Mr. Speaker, I rise today to recognize and acknowledge the volunteers of Clarion, Iowa, for their hard work and becoming 2012 National Honorees of Make a Difference Day. This year, more than a thousand citizens of Clarion participated in Make a Difference Day activities, earning them the prestigious honor as one of the nation's 2012 Make a Difference Day winners.

Make a Difference Day is a celebration of the power of neighbors helping neighbors. Created by USA Weekend, this annual day of service mobilizes more than 3 million volunteers nationwide to create positive change in their communities.

This group of outstanding volunteers from this three-stoplight town of 2,800 has made a substantial impact in their community by completing hundreds of small acts of kindness that culminated in their well-deserved national recognition. From crocheting robes for seniors to cleaning ditches, from raking leaves to running errands for neighbors in need, this small town came together a thousand strong to make an unforgettable impact on Make a Difference Day.

Mr. Speaker, it is an honor to represent Clarion and its citizens in the United States Congress and I trust my colleagues in the House will rise to join me in congratulating them on a job well done. Clarion has shown the nation once again that small towns can surely do big things.

IN COMMEMORATION OF THE AMERICAN LIBERATORS OF WORLD WAR II AND THE 25TH ANNIVERSARY OF THE INTERNATIONAL MARCH OF THE LIVING

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. ENGEL. Mr. Speaker, as Holocaust Remembrance Day approaches on April 19, 2012, I would like to commemorate the U.S. forces that liberated concentration camps and death camps throughout Europe during World War II. I would also like to commend the International March of the Living, which is commemorating 25 years of taking thousands of students to Poland to visit the sites of mass murder by the Nazi regime.

Each year, those participating in the March of the Living solemnly walk the three kilometers between Auschwitz and Birkenau, two sites that represent the largest concentration camp complex during the war. This year marks the first time students will march not with only friends, families, and survivors, but also the liberators who freed so many from the grips of the Nazi regime. These liberators saw first-hand the atrocities committed by the Nazis, and because these atrocities remain achingly clear, it is important that, as the number of liberators dwindles, we ensure their first-hand accounts are never forgotten. These brave soldiers exhibited compassion, and brought hope, to the survivors they liberated. It is for these reasons that I salute the liberators of the concentration camps and death camps, as well as International March of the Living on its 25th Anniversary, and I call on my colleagues to do the same.

THE PASSING OF MARK AYERS, PRESIDENT OF THE AFL–CIO'S BUILDING AND CONSTRUCTION TRADES DEPARTMENT

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Ms. RICHARDSON. Mr. Speaker, I rise today to express my shock and sadness at the untimely passing of Mark Ayers, President of the AFL–CIO's Building and Construction Trades Department.

Mark led the BCTD with great skill and amazing grace. He was a champion for worker's rights and worked tirelessly to raise the standard of living and quality of life for all working people and their families.

Mark was an extraordinary leader who possessed an unwavering commitment to improving the lives of working families.

Mark leaves big shoes to fill and will be missed by all who knew and loved him. But his legacy will live on.

My thoughts and prayers are with his family during this difficult time.

BAYLOR 2012 WOMEN'S BASKETBALL TEAM

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to congratulate the Baylor women's basketball team for winning the 2012 NCAA national championship. I was born in Waco, Texas, home of Baylor University, and I am so proud of my hometown team.

The Baylor Lady Bears did more than win, they made history. The Lady Bears completed a 40–0 season on April 3rd, 2012, by defeating Notre Dame 80–61 in the championship game. They became the first team, men's or women's, to go undefeated and win 40 games in one season.

Baylor University women's basketball team also made television history. With 4.24 million viewers, their game ranks as the most viewed national championship final since 2004. Brittney Griner, the Associated Press Player of the Year and the Most Outstanding Player of the NCAA tournament, led the Lady Bears in their sound defeat of Notre Dame. I am pleased to hear that Brittney intends to stay in school and is on track to finish her undergraduate degree.

Baylor University, which also happens to be the alma mater of my own sister, has the most wins combined in football, men's basketball, and women's basketball of any Division I school this season. Baylor should be proud of their many accolades. They have worked so hard to succeed not only in sports, but academically as well. Baylor is a top ranked national university and is an academic gem for the State of Texas and our country.

Mr. Speaker, I ask all of my colleagues to join with me in celebrating the Baylor University women's basketball team for their historic accomplishments.

TRIBUTE TO MRS. REBECCA POE OF WEST VIRGINIA

HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mrs. CAPITO. Mr. Speaker, I rise today to recognize the accomplishment of a constituent of mine Mrs. Rebecca Poe; specifically her twenty-six years of service as Executive Director of the Randolph County Senior Center along with her other accomplishments as Randolph County director for North Central Community Action, campaign chairman for United Way of Randolph County, President of the Elkins Rotary Club and her service on the board of Elkins Rehabilitation & Care Center.

Rebecca, whose first day as Executive Director of the Randolph County Senior Center was July 1, 1985, will work her final day on April 27, 2012. When Rebecca took over the Senior Center it was a small operation with a staff of seven people. Today it has a staff of about 120, including both full-time and part-time positions.

Under Rebecca's guidance the Senior Center home care program began in 1988 with a nurse and coordinator. Today the program has 140 clients and features two full time nurses and a support staff. In 1989 under Rebecca's guidance, the Senior Center made use of a seven-county regional grant to upgrade the nutrition program for their seniors. The Country Roads Transportation program began in 2006 to transport riders of any age.

Although Rebecca has helped the Senior Center make great strides over the years, she insists that the center and the many people she's gotten to know there over the years have made just as big an impact on her.

Mr. Speaker, as the nation's baby boomers move into their senior years, we certainly need more people like Rebecca Poe and the outstanding level of care to our aging population.

I thank Rebecca for her years of service and Randolph County is fortunate to call Rebecca one of its own.

JUMPSTART OUR BUSINESS STARTUPS ACT

SPEECH OF

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 27, 2012

Mr. VAN HOLLEN. Madam Speaker, the Senate amendment to the Jumpstart Our Business Startups, JOBS, Act represents an improvement over the original House-passed version of this legislation, and I will support it today.

Specifically, today's legislation strengthens the crowdfunding provisions of the JOBS Act by adding important investor protections. Under the revised bill, crowdfunding issuances will have to be offered through either an SEC-registered broker or an SEC-registered funding portal, which will further protect investors by improving accountability and enhancing regulatory oversight. Additionally, the maximum amount permitted to be raised in any one crowdfunding issuance has been reduced from $2 million to $1 million, and the maximum amount a non-accredited investor can invest has been limited to $2000 or 5 percent of income for those earning less than $100,000, and the lesser of $10,000 or 10 percent of income for those earning more than $100,000.

Madam Speaker, innovation and entrepreneurship in markets governed by clear and fair rules of the road has always been the key to our economic success. While I believe that there are stronger job creation measures we can and should be considering today, and that this legislation will itself merit continued oversight to ensure it is in fact striking an appropriate regulatory balance, I will support it today for the benefit it may provide.

COACH DAVID SITTON—500 WINS

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. POE of Texas. Mr. Speaker, it's that time of year again; backyards and ballparks are back in full swing. There's nothing like a day, or night, at the ballpark. I remember going to the Houston Buffs games over on the Gulf Freeway, where Finger's is now, and to Colt Stadium to watch the Colt 45s. When the wind blew, the wooden bleachers at Colt Stadium would sway. It was a big deal back then to go to a game. Most of the time, we listened to the broadcast on a transistor radio. (Are there any of those left?) If you can't be there in-person, there's nothing really quite like listening to a game on the radio.

Then came the Astrodome. The first game was played there on April 9, 1965 against the New York Yankees. Governor John Connally threw out the first pitch, and President Lyndon B. Johnson and First Lady Lady Bird joined Astros President Roy Hofheinz in his suite. There were so many flashes going off that it was blinding. The Astrodome was a marvel to the world, the ushering in of indoor baseball. Even with the great home run kings Mickey Mantle and Roger Maris playing for Bronx Bombers, the Astros beat the Yankees 2–1 in 12 innings (those were the days).

There was nothing else like the Dome—the Eighth Wonder of the World. The players would stand in centerfield and hit balls straight up to see if they could hit the roof. And, who could forget the gun slinging cowboy on the scoreboard? As a parent, I brought my kids to the games. They wore Nolan Ryan's number 34 and cheered for players like Terry Puhl, Joe Niekro, Craig Reynolds, Alan Ashby, Billy Doran and Jose Cru-u-u-u-u-u-z. Last season, I watched alongside my grandkids as the train moves along the track, high above the new stadium—Minute Maid Park—whenever Biggio, Bagwell and Berkman (the Killer B's) hit homeruns. Two of my favorite players happen to be none other than Kingwood's own, Phil ''Scrap-Iron'' Garner (later coach of the Astros) and Craig Reynolds.

With all of the legends of the past, you may not know that we live amongst another baseball legend: Coach David Sitton. Coach Sitton started his baseball career as a pitcher for Humble High School. Lucky for us, he returned to his alma mater and never hung up his cleats. For 28 seasons, Coach Sitton has led his team and truth be told, the folks in Humble would be lost without Coach Sitton. Some say he bleeds purple, and I don't question it.

It is said that the measure of a man is the influence that he has on the lives of others. Coach Sitton has undoubtedly made a lasting impact on the many students and teachers he has worked with over his career. He has guided the Wildcats to 8 District Championships, 2 Regional Semi Finals, 2 Regional Finals, 17 playoff appearances and been named Coach of the Year 9 times. Throughout Coach Sitton's tenure, more than 80 players have gone on to play college baseball, and some went on to play professionally. And, on February 23rd, he led his team to another significant milestone: 500 career wins.

Our hometown hero Coach Sitton also has done great things off the field. He has volunteered many hours to numerous community activities and non-profit organizations. He created the Houston Area Baseball Coaches Association. This association raises money for scholarships and helps unsigned players find colleges to further their playing skills. But, his remarkable contributions to our town were almost taken away too soon. On January 12, 2009, Coach Sitton was involved in a near-fatal motorcycle accident, suffering multiple fractures, head trauma, a broken nose, bleeding in his brain, 2 cracked ribs and a broken pelvis. The community immediately acted to help Coach Sitton and his family. They set up an account so that friends and family could donate money to help pay for medical expenses and they cooked and delivered meals to the family during his recovery. The outpouring of support from the Humble/Kingwood community was in true fashion of Wildcat Pride.

We are grateful and blessed that he survived and, remarkably, is once again dedicating all of his time to our local community. The community is proud of Coach David Sitton for all of his accomplishments as a coach and a leader. His most recent victory was winning his 500th game as the head coach of the Humble Wildcats. We are lucky that he will continue to provide positive mentorship as a coach, husband, father, role model and educator. The Wildcats, and the entire city of Humble, are fortunate to call him one of our own.

Now, let's play ball.

And that's just the way it is.

TRIBUTE TO COL. JOHN K. CARNEY

HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mrs. CAPITO. Mr. Speaker, I rise today to recognize the lifetime accomplishments of Colonel John K. Carney. Col. Carney, originally from Braxton County, West Virginia, passed away less than one month ago on March 17, 2012. He was a World War II veteran and worked more than 38 years in government service.

Col. Carney began his military career in 1941 serving for the United States Air Force. Throughout his tenure, he supervised an array of management and logistics programs for the Air Force both in the United States and abroad. His overseas assignments included tours in South America, Trinidad, and Saudi Arabia, in addition to two tours in the Philippines. His final six years in the military were spent in the Pentagon at Air Force Headquarters. Here, he worked in the Office of the Secretary of Defense where he headed joint service planning and negotiating groups leading to the consolidation of major logistics functions within the Department of Defense.

After 24 years of military service with the Air Force, Col. Carney retired in 1966. It was at this time when he began a second career with the General Services Administration. While working with the GSA, he pursued the development of a government-wide national supply system, which entailed a series of negotiations between the Department of Defense and other federal agencies. He retired a second time in 1980 from his position as Director of Supply Policy.

Along with his dedication to his work, Col. Carney was committed to his community and family life as well. While living in Springfield, Virginia, he played an integral role in the founding of St. Bernadette Catholic Church. It was in Springfield where he and his wife raised their six children, sixteen grandchildren, and nineteen great-grandchildren.

Mr. Speaker, the level of devotion to both family and country by Col. Carney is one deserving of great honor and respect.

I wish to thank Col. Carney for his years of service and Braxton County is fortunate to remember him as one of their own.

HONORING FIRE CHIEF MACK BORCHARDT

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. BURGESS. Mr. Speaker, I rise today to honor Fire Chief Mack Borchardt, the Texas Fire Chiefs Association's 2011 Fire Chief of the Year. It is my privilege to publicly recognize citizens, notably among them Chief Borchardt, for dedicating themselves to the safety and well-being of their communities.

Chief Borchardt exemplifies the role of Fire Chief for the city of Frisco, Texas. His career began in 1973 as a volunteer firefighter in his hometown of Frisco. He has continued with a passion to serve and protect others every day and every year for nearly 40 years. Acknowledgement of his leadership abilities followed steadily. After eight years of service in a nearby community, he became the City Administrator in Frisco and Fire Chief of the Volunteer Frisco Fire Department. In 1987, Chief Borchardt earned his current title as Fire Chief for the Frisco Fire Department. Under his direction, the Frisco Fire Department expanded from all volunteers to 150 full time professional firefighters. Many lives have been saved as the community has grown. In addition, the City of Frisco has seen a growth from one fire station to six, with a seventh station on the way.

Chief Borchardt also initiated the highly popular and innovative Frisco Fire Safety Town, a facility dedicated to educating children of all ages in fire safety and prevention. His contribution to the City of Frisco through the unique S.A.F.E.R. program (Situational Awareness For Emergency Response) has bolstered the firefighter, EMT, and police divisions of the city with the ability to quickly access critical information during an emergency.

Chief Borchardt's loyalty and sense of duty is constant. He has sought to cooperate and collaborate with fellow fire chiefs, firefighters, and public officials to improve the safety and well-being of not only Frisco residents but the larger North Texas community as well. His career accomplishments highlight his well-honed leadership and mentoring skills and underscore the importance of his service as Frisco Fire Chief. I am proud to recognize Chief Mack Borchardt as a committed public servant for North Texas.

CONGRATULATING BENTON HARBOR'S DESTINY WILLIAMS OF THE LADY BEARS OF BAYLOR UNIVERSITY

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. UPTON. Mr. Speaker, I rise today to congratulate Benton Harbor's Destiny Williams of the Lady Bears of Baylor University on her team's victory in the NCAA women's basketball championship. She is an outstanding young woman who helped lead her team to a perfect season, a rare and timeless accomplishment. Our entire community could not be more proud of Destiny and the remarkable basketball career she has made for herself. This is only the second time her team has won the championship and is a testament to her great success.

Winning a national championship is something that will last a lifetime. It is a remarkable achievement that few athletes ever experience, and is a legacy that will live with Destiny and the Lady Bears forever. Destiny knows that hard work, discipline, and teamwork helped her team win this championship. These same qualities brought a big 2008 victory to the Benton Harbor Lady Tigers in the state championship game. Nobody outworked the Lady Bears and nobody could beat them in the tournament or the regular season. Ending their perfect season with an NCAA championship speaks to Destiny's abilities as a leader and team player.

Destiny's 12 points and 6 rebounds in the championship game helped her team to victory. She is such an inspiration for young women back home and we are all so eager to see what the future holds in store for our Lady Tiger, now Lady Bear.

On behalf of all the residents of southwest Michigan, congratulations again to Destiny Williams. You make all of us here in Michigan very proud.

HONORING BERNARD RAPOPORT

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to honor the life of Mr. Bernard Rapoport, a successful entrepreneur and philanthropist. Mr. Rapoport was 94 years old when he passed away in his hometown of Waco, Texas.

Bernard Rapoport was born into humble beginnings. As the son of Russian immigrants, Mr. Rapoport began working at an early age to help his family survive the most trying times of the Great Depression. Out of this experience, Mr. Rapoport developed a tremendous value for education and hard work, and would promote this universally throughout his life.

After moving to San Antonio, Mr. Rapoport began a career selling insurance, where he quickly realized his true talents and passion for the work. Mr. Rapoport opened his own insurance agency in Waco, and launched a long and successful career. Mr. Rapoport ultimately founded the American Income Life Company and expanded it to become one of the Nation's largest providers of supplemental life insurance.

Mr. Rapoport understood well the values of social responsibility, and used his success to help others in need. Using $46 million of his own money, Mr. Rapoport established the Bernard and Audre Rapoport Foundation in 1987. Consistent with his values, the Foundation focuses on promoting educational, healthcare, and cultural programs for the community in Waco and elsewhere. For his widespread generosity, Mr. Rapoport was named as one of America's "40 most generous philanthropists" by Fortune magazine.

Mr. Rapoport's civic involvement continued well beyond his philanthropy, and he was well-known for his dedicated political involvement at all levels of leadership. Mr. Rapoport built strong relationships with presidents, senators, and representatives, and was frequently praised for his fierce advocacy.

Mr. Speaker, it takes a special person to become as successful in business and political activism as Mr. Rapoport. It takes an extraordinary person to use that success to contribute so selflessly to the community. It has come as a great loss to many people to hear of Mr. Rapoport's passing. I am pleased to honor Mr. Rapoport for his contributions, and his legacy will be preserved in the Bernard and Audre Rapoport Foundation and the American Income Life Company.

IN RECOGNITION OF ARGYLE HIGH SCHOOL BOYS' BASKETBALL TEAM

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. BURGESS. Mr. Speaker, I rise today to congratulate the boys' basketball team of Argyle High School for their Texas 3A state championship title this year. The title "Champion" is earned through the determination to succeed as individual athletes, working together as a team. Additional accolades to Coach John King and his staff for their outstanding leadership. Clarke Overlander was named the Class 3A state championship game Most Valuable Player.

In these young men's perseverance and vision to succeed, they are held to rigorous standards of performance on the field as well as academics in the classroom. Winning many games on the way to the state championship, their road to victory is testament to a team always reaching for new heights. This milestone achievement speaks highly of each young man's motivation, teamwork, and willingness to face a challenge; they can be expected to prove themselves as champions in many ways throughout their lives.

I am pleased to join the classmates, teachers, friends, family and Argyle community in honoring the athletic achievement of the Argyle Eagles boys' basketball team winning their first Texas 3A state championship. It is my privilege to represent you in the U.S. House of Representatives.

IN HONOR OF JOHN NOLEN BAILEY

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. FARR. Mr. Speaker, I rise today to honor the life and remarkable public service of John Nolen Bailey. Mr. Bailey passed away on March 22nd. He will be remembered for his volunteerism, vision and leadership in Monterey County as well as his leadership in the national field of association management.

Mr. Bailey was born on July 12, 1935 in San Francisco. He began his service to the Monterey Peninsula in 1988, with his wife Mary Adams.

Highlights among John's more than 50 years experience as a leader in the professional association world include his serving as chief elected officer of the 25,000-member American Society of Association Executives (ASAE), President and CEO of the International Association of Business Communicators (IABC), as well as executive director of Trial Lawyers Care, a New York City-based organization that provided pro bono legal representation to more than 1,700 victims of the Sept. 11 terrorist attacks.

John served on the National Steinbeck Center Board of Trustees, Forest Foundation, Del Monte Forest Property Owners Association, Clark Foundation, Dorothy's Place, and was the executive director of the Monterey History and Art Association from 2005 to 2007. He later returned to the Museum to assist it during a period of organizational transition. The

museum had been closed and would not have reopened had it not been for the expertise and community trust belonging to John Bailey.

Awards honoring his years of service include being voted by peers as the US Association Executive of the Year, and recipient of the Key Award, the highest honor presented to individuals in the association management profession. He was also a recipient of the prestigious Points of Light Award, which was presented to him by then President George H. W. Bush.

Mr. Speaker, I know I speak for the whole House as I commend John Bailey for all he has accomplished and contributed to our community. I would like to express my gratitude for his selfless service to the people of Monterey County, and indeed to our nation. I would also like to extend my deepest condolences to his family, friends and all those whose lives he touched and whose careers he encouraged during this time of grieving. The world has lost a truly good man.

A TRIBUTE TO THE TOWN OF VERNON WATER POLLUTION CONTROL FACILITY

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. COURTNEY. Mr. Speaker, I rise today to congratulate David Ignatowicz, Arnie Bevins, and the entire staff of the Town of Vernon Water Pollution Control Facility on their outstanding work on wastewater treatment.

Covering Vernon, Ellington, Tolland, and parts of South Windsor and Manchester, the Connecticut facility is the first of its kind with a full-scale powdered activated carbon treatment and wet-air carbon regeneration system. The unique wastewater utility has maintained an outstanding performance and customer satisfaction record for over 30 years, processing wastewater from over 122 miles of sewers and seven pump stations. With 20 dedicated individuals serving 66,000 Connecticut residents, the Vernon plant team has made certain that the water discharged from this facility is excellent in quality.

Recognizing the outstanding work of the Town of Vernon Water Pollution Control Facility, the New England Water Environment Association (NEWEA) named the facility the Wastewater Utility of the Year for 2010. Given annually, the NEWEA's Wastewater Utility of the Year award recognizes a regional utility for exceptional management, maintenance, and performance. The award, given to a facility located within six Northeastern States, is based on marks in 18 different areas to highlight overall excellence in utility operations. Having received top marks in each of these 18 areas, the Town of Vernon Water Pollution Control Facility proved to be more than deserving of this prestigious award.

Water Pollution Control Facilities like the Town of Vernon's are vital to the health of our communities and our ecosystems. Their innovative processes, forward thinking, and hard-working staff have helped to ensure that the discharged water is of the best possible quality. Mr. Ignatowicz, Mr. Bevins, and the entire Town of Vernon Water Pollution Control Facility team are a true asset to our state and our region, and I congratulate them on their exceptional work and well deserved recognition.

IN RECOGNITION OF EMILY SCAMMELL, WINNER OF AUBURN'S POLITICAL SCIENCE LEADERSHIP AWARD

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. ROGERS of Alabama. Mr. Speaker, I rise today to commend an outstanding young woman who attends Auburn University, which is located in my district in east-central Alabama. Auburn's Political Science Department recently started a new award that recognizes a student leader who excels in both the classroom and the community. It's my privilege to announce the first winner of Auburn's Political Science Leadership Award, Ms. Emily Scammell. A faculty committee selected her in recognition of her superb credentials.

Hailing from Daphne, Alabama, Emily is a junior political science major. She's minoring in hunger studies, which is part of the Universities Fighting World Hunger Initiative between the World Food Programme and Auburn University. Emily has a 3.9 Cumulative Grade Point Average and has made the dean's list for six consecutive semesters. She is a student in the Honors College at Auburn, won the Phi Kappa Phi First Year Award and is a recipient of the Spirit of Auburn Founder's Scholarship and the Academic Enrichment Scholarship.

Emily is active in student government, having served as director of honors activities and assistant director of organization programs. She is co-founder and vice president of the Campus Kitchen/Hunger Studies Group and an officer in her sorority. Emily volunteers at the East Alabama Food Bank and the Boys and Girls Clubs of Auburn. She has also worked at the Bay Area Food Bank in Theodore, Alabama, and the World Food Programme in Washington, D.C.

Mr. Speaker, I offer my congratulations to Emily and thank Auburn University for producing such outstanding students and citizens.

IN HONOR OF JOHN MYERS

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. FARR. Mr. Speaker, I rise before you today to recognize John Myers. Mr. Myers passed away on March 23rd. Mr. Myers was a lifelong volunteer and champion of community outreach and development in Monterey County.

John attended college at Purdue University where he graduated with a Bachelor of Science in Chemical Engineering in 1951. He then joined Union Carbide Corporation where he worked for the next 42 years in research and production of enriched uranium used in nuclear energy and in asbestos research.

Following his retirement in 1993 John remained busy. John served on the Board of Trustees, and as Chairman and Office Manager at Mee Memorial Hospital from 1982 to 2012. His time on the board saw upgraded services in radiology, new and remodeled clinics, a new dialysis center and many other services expanded.

Among John's many other notable positions held was as member of the King City Planning Commission and the King City Council. John served as Mayor of King City from 1992 to 2004, the longest-running mayor in the city's history. As Mayor, he also served as vice chair of the Monterey County Mayor's Association and on the Monterey Bay Unified Air Pollution Control District Board. He was also a member of the Bay Area chapter of the League of California Cities.

John and his wife of 35 years served on the Hospice Trees of Life committee as well as for the first Valley Heritage Days in King City. He was also an active member and director of Monterey County Agricultural and Rural Life Museum.

Mr. Speaker, I have no doubt that John Myers' life and legacy will continue to thrive because of his longstanding work for his community. I would like to extend my sympathy to his family and friends in this their time of mourning.

CELEBRATING THE INAUGURATION OF DR. ROBERT K. MCMAHAN AS THE SEVENTH PRESIDENT OF KETTERING UNIVERSITY

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. KILDEE. Mr. Speaker, I rise today to honor Dr. Robert K. McMahan on the occasion of his inauguration on April 20 as Kettering University's seventh President.

Since its founding in 1919, Kettering University in my hometown of Flint, Michigan has been pioneering technology and preparing students to become innovators and leaders. It is the country's premier engineering, science and business university dedicated to co-op education. It is a national leader in preparing entrepreneurs and is ranked among the nation's finest specialty schools.

Dr. McMahan is the ideal person to be leading Kettering as it charts a path from its storied legacy of technical leadership to its entrepreneurial spirit today. As Kettering University celebrates its history and marches confidently toward an exciting future, it will do so with an enormously gifted new President who is an innovative thinker with a broad range of academic, business, management and government experiences. Robert K. McMahan has explored the foundations of the universe as a groundbreaking researcher. He has been a leader in academics, an advisor to high government officials and as a private sector entrepreneur has created initiatives that have driven innovation and technology.

Prior to his arrival at Kettering, Dr. McMahan was the Founding Dean of the Kimmel School and Professor of Engineering at Western Carolina University; the Kimmel School is Western's College of Engineering and Technology. Before his tenure at the Kimmel School, Dr. McMahan was the Senior Advisor to the Governor of North Carolina for

Science and Technology, and the Executive Director of the North Carolina Board of Science and Technology. In this role he also acted as a Senior Advisor to the Secretary of Commerce, the General Assembly, and the Economic Development Board.

Prior to his work with the Governor, he was a Senior Technology Strategist and Venture Capitalist for In-Q-Tel, a private venture capital organization funded by the CIA, where he was responsible for developing a technology investment strategy for the intelligence community, and then deriving, molding, and structuring individual investments and technologies within the portfolio in response to it.

Before joining In-Q-Tel, he was Executive Vice President of Engineering and R&D for GretagMacbeth, LLC, where he was responsible for the company's worldwide research, engineering, and product development activities and for the creation and operation of the company's Advanced Technology Laboratories in the Research Triangle Park.

Mr. Speaker, I congratulate Dr. Robert K. McMahan as he prepares to share his vision for Kettering University's future on the occasion of his inauguration as its President.

HONORING JOHN S. CHASE

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to honor the life of Mr. John S. Chase, a renowned architect, entrepreneur, and father. Mr. Chase passed away at the age of 87.

Mr. Chase was a man of many firsts. Just two days after the U.S. Supreme Court ruled that the University of Texas must desegregate its graduate and professional schools, Mr. Chase enrolled to become one of UT's first black students. In his passionate pursuit to become an architect, Mr. Chase endured hate mail and heightened discrimination, and had to be shadowed by federal marshals in order to ensure his safety.

After graduating, Mr. Chase became the first African American licensed to practice architecture in the state of Texas. Unfortunately, his struggles with racism persisted, and white firms refused to hire him. Not easily discouraged, Mr. Chase overcame these obstacles by moving to Houston and opening his own firm. There, Mr. Chase went on to build homes, churches, schools, and public buildings that have left a lasting legacy throughout Houston.

Mr. Chase was diverse in his skills, and in addition to his career he was devoted to his community. In 1980, Jimmy Carter appointed Mr. Chase to serve on the United States Commission on Fine Arts, where Mr. Chase contributed to the design and aesthetics of federal interests as the first African American to serve on the Commission. Mr. Chase also made notable contributions toward expanding the educational resources for the University of Texas, including his work on the Martin Luther King Humanities Center and the Thurgood Marshall School of Law Building.

Mr. Speaker, I am greatly saddened to hear of Mr. Chase's passing, and my thoughts are with those family members who are grieving his loss. We must honor his bravery for facing overwhelming adversity during a time of such uncertainty and racial strife. While there is little comfort in mourning a loved one, I hope his family can take solace in the lasting legacy he has left behind. Mr. Chase's many structures will serve to remind us of his personal triumphs.

IN HONOR OF MARIKO ''MOLLIE'' SUMIDA

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. FARR. Mr. Speaker, I rise to honor the life of Mariko ''Mollie'' Sumida. Mollie passed away on March 5th. Mollie was a great woman and personal friend. She played an instrumental role in teaching me cross-cultural sensitivity. She and her husband, Yukio were also close family friends of my mom and dad, the late Janet Haskins Farr and Senator Frederick Sharon Farr.

Mollie and her family moved to the Monterey Peninsula when she was 12 years old. She attended Monterey High School, where she met her future husband, Yukio Sumida.

During World War II, Mollie was interned in Poston, Arizona while her husband served overseas with the highly decorated 442nd Infantry Division. Following the war, they returned to Monterey, where their daughter Ann and son Ray were born.

In 1952, Mollie opened the Cypress Garden Nursery, where she worked until retiring at the age of 80. During this time she became very active in civic as well as business organizations including the Monterey History and Art Association, Gateway Center, and the California Association of Nurserymen.

I fondly remember the many things Mollie taught me in life, including how to speak a few Japanese words and, most everlastingly, how to be a gardener. I will sorely miss her.

Mr. Speaker, I know I speak for the whole House when I recognize the contributions of her remarkable life. I would like to extend my deepest condolences to her family and friends during their time of grieving.

SURFACE TRANSPORTATION EXTENSION ACT OF 2012

SPEECH OF

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 29, 2012

Ms. RICHARDSON. Madam Speaker, it's been 910 days and eight extensions since SAFETEA–LU expired. Today we find ourselves kicking the can once again as we take up extension number nine because this House Majority has failed to act.

Thankfully the Senate did act. Two weeks ago, Democratic and Republican Senators overwhelmingly voted, by a bipartisan majority of 74–22, to generate jobs, repair our roads and bridges, invest in our infrastructure, and strengthen our economy. Meanwhile, this body under Republican leadership has yet to put forward a credible highway reauthorization that puts Americans back to work.

MAP–21, the surface transportation authorization bill, passed by the Senate is by far the biggest jobs legislation Congress will consider this year.

It is imperative that the House of Representatives join the Senate in passing this bipartisan bill and send it to the President before the March 31st expiration of highway program funding or risk devastating job losses across the nation.

Madam Speaker, H.R. 14 will save 1.8 million jobs and creates up to 1 million more jobs.

The bill also provides consistency for states and maintains current funding levels for highways and public transportation, consolidates and streamlines highway programs, and establishes a national freight program. This national freight program will provide over $2 billion dollars to upgrade our nation's goods movement system. That equates to $336 million to the state of California alone over two years for freight infrastructure upgrades. These funds are critical to areas like my district where over 40 percent of our country's imports arrive each year via the Port of Los Angeles and Long Beach.

In addition, the bill would authorize another $1 billion dollars in fiscal year 2013 for Projects of National and Regional Significance. In previous years, the Projects of National and Regional Significance provided funding to several projects that provide economic benefits by making it easier to move goods.

Madam Speaker, these two programs and this bill are essential for our country to remain competitive globally.

H.R. 14 also improves safety, and institutes performance measures and improves accountability for transportation infrastructure investments.

Now is the time for swift action by the House action on the bipartisan Senate bill that will save or create 132,000 transportation jobs and 45,000 transit jobs in my home state of California.

Transportation has long been a bipartisan issue—and the Senate continued this tradition. The House should follow suit and put America back to work by passing H.R. 14.

I encourage my colleagues to stop kicking the can down the road—start creating jobs—and defeat this extension.

RECOGNIZING ADVENTURE THEATRE'S 60TH ANNIVERSARY

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. VAN HOLLEN. Mr. Speaker, I rise today to congratulate Adventure Theatre in Glen Echo, Maryland on 60 years of excellence. Founded in 1951, Adventure Theatre is the longest-running children's theatre in the Washington, DC metropolitan region and is a treasure of our community. I am honored to have it located in Maryland's Eighth Congressional District.

Adventure Theatre reaches more than 65,000 individuals annually, with its award-winning performances based on classic and popular children's stories and with theater classes, workshops and community engagement programs. Through these intimate and

interactive theater activities, children are introduced to a limitless world of possibilities.

Adventure Theatre was founded by a group of women who believed that children deserve to experience outstanding theater. Over the next six decades, Adventure Theatre has become a nationally-recognized, state-of-the-art theater.

At its gala anniversary celebration that is being held tonight, the Past Presidents of the Board of Directors are being presented with the 2012 Spirit of Adventure Award. This award commends these leaders for their creative spirits and successful guidance of this extraordinary theater. I am delighted to express my appreciation to them for all that they have done to enhance and enrich our community.

I congratulate Adventure Theatre on its 60th anniversary and encourage my colleagues to bring family and friends to enjoy an Adventure Theatre production. You will have an experience that you will long remember.

IN HONOR OF SUSAN A. McCLOUD

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 16, 2012

Mr. FARR. Mr. Speaker, I rise today to honor the career of Susan A. McCloud, who retires as the longest-serving Mayor of Carmel-by-the-Sea, California, on April 17, 2012. Sue was born in Connecticut to Walter and Gladys McCloud. Her family moved to Carmel when she was in elementary school and she lives now in the same house her parents bought. We both shared the joys of growing up in Carmel, attending Sunset Elementary and Carmel High School. Sue earned her B.A. in Political Science at Stanford University, attended the Graduate Institute of International Studies in Geneva, Switzerland, and graduated from The National War College in Washington, D.C.

In the early 1960's Sue worked as the Special Assistant and interpreter to Richard C. Zellerbach, who was deaf, while he was Acting Chairman of the Board of the Crown Zellerbach Corporation and head of the Zellerbach family foundations. She also assisted with the organization of the family vineyard, Hanzell, in Sonoma, California. From 1963 to 1994 Sue served our nation with the Central Intelligence Agency in France, England, Japan, Switzerland and Sweden. She was named C.I.A. Chief of Station in two of those countries, and retired as a member of the Senior Intelligence Service.

While in the C.I.A. Sue worked with policy levels of foreign governments and served as an advisor to several U.S. Ambassadors, worked on task forces to address long-term planning for the post-Cold War C.I.A. and the greater U.S. Intelligence Community, and headed up the Aldrich Ames damage assessment team.

Upon retiring in 1994 she moved back to her roots, Carmel-by-the-Sea, and immediately got down to work. She was on the Board of Director of Monterey Institute of International Studies and chaired its Planning Committee, was a member of the Carmel Planning Commission and the Board of the Carmel Music Society. In 1998 Sue joined the Monterey Regional Waste Management District and also was elected to the Carmel City Council. She became Director of the M.R.W.M.D. and continues to this day as vice chair. She was elected Mayor of Carmel-by-the-Sea in 2000 and was re-elected four times, becoming the longest-serving Mayor of our town.

How can I begin to thank her for all her years of public service? She has won so many awards: the 2009 Monterey Peninsula Chamber of Commerce Ruth Vreeland Memorial ''Public Official of the Year'', 2000 Lincoln Club of Northern California Ten Most Effective Women Legislators, C.I.A.'s Intelligence Medal of Merit, Donovan Award for Excellence (given in memory of the founder of the Office of Strategic Services.) I am always mindful of the talent that has come from our area, and she is one of our nation's best.

Mr. Speaker, I know I speak for the whole House as I commend Mayor Sue McCloud for all she has done and all she will undoubtedly continue to do. I extend my most sincere thanks and warmest wishes for her success and much happiness in her retirement.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, April 17, 2012 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

APRIL 18

9:30 a.m.
Appropriations
Department of the Interior, Environment, and Related Agencies Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2013 for the United States Forest Service.
SD–124

10 a.m.
Environment and Public Works
To hold an oversight hearing to examine the General Services Administration (GSA).
SD–406

Foreign Relations
To receive a closed briefing on an intelligence update on Iran and Syria.
SVC–217

Health, Education, Labor, and Pensions
To hold hearings to examine effective strategies for accelerated learning.
SD–430

Judiciary
To hold hearings to examine the nominations of James Xavier Dempsey, of California, Elisebeth Collins Cook, of Illinois, Rachel L. Brand, of Iowa, David Medine, of Maryland, to be Chairman, and Patricia M. Wald, of the District of Columbia, all to be a Member of the Privacy and Civil Liberties Oversight Board.
SD–226

Small Business and Entrepreneurship
To hold hearings to examine perspectives from the entrepreneurial ecosystem, focusing on creating jobs and growing businesses through entrepreneurship.
SR–428A

Commerce, Science, and Transportation
Surface Transportation and Merchant Marine Infrastructure, Safety, and Security Subcommittee
To hold hearings to examine protecting commuters, focusing on ensuring accountability and oversight in tolling.
SR–253

10:30 a.m.
Appropriations
Department of Defense Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2013 for the Missile Defense Agency.
SD–192

2 p.m.
Budget
Business meeting to consider the concurrent resolution on the budget for fiscal year 2013.
SD–608

Finance
International Trade, Customs, and Global Competitiveness Subcommittee
To hold a hearing to examine the Asia Pacific, focusing on trade opportunities for agriculture and food producers from the Great Plains to the Pacific Northwest.
SD–215

Aging
To hold hearings to examine the future of long-term care, focusing on saving money by serving seniors.
SH–216

2:15 p.m.
Foreign Relations
African Affairs Subcommittee
To hold hearings to examine the United States policy response to entrenched African leadership.
SD–419

2:30 p.m.
Appropriations
Financial Service and General Government Subcommittee
To hold hearings to examine the General Services Administration, focusing on a review of the recent Inspector General management deficiency report and an assessment of the fiscal year 2013 General Services Administration (GSA) funding request.
SD–138

Armed Services
Readiness and Management Support Subcommittee
To hold hearings to examine financial management and business transformation at the Department of Defense.
SD–G50

Armed Services
Strategic Forces Subcommittee
To hold hearings to examine the National Security Administration management of its National Security Laboratories.
SR–222

Intelligence
To hold closed hearings to examine certain intelligence matters.
SH–219

APRIL 19

9:30 a.m.
Energy and Natural Resources
To hold hearings to examine the impacts of sea level rise on domestic energy and water infrastructure.
SD–366

Homeland Security and Governmental Affairs
To hold hearings to examine the nomination of Joseph G. Jordan, of Massachusetts, to be Administrator for Federal Procurement Policy, Executive Office of the President.
SD–342

Armed Services
SeaPower Subcommittee
To hold hearings to examine Navy shipbuilding programs in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program.
SR–232A

10 a.m.
Foreign Relations
To hold hearings to examine Syria, focusing on United States policy options.
SD–419

Health, Education, Labor, and Pensions
To hold hearings to examine delays in OSHA's standard-setting process and the impact on worker safety.
SD–430

Judiciary
Business meeting to consider the nominations of William J. Kayatta, Jr., of Maine, to be United States Circuit Judge for the First Circuit, John Thomas Fowlkes, Jr., to be United States District Judge for the Western District of Tennessee, Kevin McNulty, and Michael A. Shipp, both to be a United States District Judge for the District of New Jersey, Stephanie Marie Rose, to be United States District Judge for the Southern District of Iowa, Michael P. Shea, of Connecticut, to be United States District Judge for the District of Connecticut, Gonzalo P. Curiel, of California, to be United States District Judge for the Southern District of California, and Robert J. Shelby, of Utah, to be United States District Judge for the District of Utah.
SD–226

2 p.m.
Appropriations
Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2013 for the Food and Drug Administration.
SD–124

2:15 p.m.
Indian Affairs
To hold hearings to examine S. 1684, to amend the Indian Tribal Energy Development and Self-Determination Act of 2005.
SD–628

APRIL 24

2:30 p.m.
Armed Services
Airland Subcommittee
To hold hearings to examine tactical aircraft programs in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program.
SR–232A

APRIL 25

10 a.m.
Finance
To hold hearings to examine tax reform, focusing on what it means for state and local tax and fiscal policy.
SD–215

Veterans' Affairs
To hold hearings to examine Veterans' Affairs mental health care, focusing on evaluating access and assessing care.
SD–138

2 p.m.
Armed Services
Personnel Subcommittee
To resume hearings to examine the Active, Guard, Reserve, and civilian personnel programs in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program.
SD–106

2:30 p.m.
Armed Services
Readiness and Management Support Subcommittee
To hold hearings to examine current readiness of U.S. forces in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program.
SR–232A

Armed Services
Strategic Forces Subcommittee
To hold hearings to examine ballistic missile defense policies and programs in review of the Defense Authorization Request for fiscal year 2013 and the Future Years Defense Program; with the possibility of a closed session in SVC–217 following the open session.
SR–222

APRIL 26

9:30 a.m.
Energy and Natural Resources
To hold hearings to examine weather related electrical outages.
SD–366

10 a.m.
Finance
To hold hearings to examine tax filing season, focusing on improving the taxpayer experience.
SD–215

Armed Services
SeaPower Subcommittee
To hold hearings to examine Marine Corps acquisition programs in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program.
SR–222

Daily Digest

HIGHLIGHTS

See Résumé of Congressional Activity.

Senate

Chamber Action

Routine Proceedings, pages S2287–S2343

Measures Introduced: Two bills and two resolutions were introduced, as follows: S. 2284–2285, S. Res. 418, and S. Con. Res. 40. **Page S2324**

Measures Considered:

Paying A Fair Share Act: Senate resumed consideration of the motion to proceed to consideration of S. 2230, to reduce the deficit by imposing a minimum effective tax rate for high-income taxpayers.

Pages S2289–93, S2294–S2305, S2313–14

During consideration of this measure today, Senate also took the following action:

By 51 yeas to 45 nays (Vote No. 65), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the motion to proceed to consideration of the bill. **Page S2313**

21st Century Postal Service Act—Agreement: A unanimous-consent time agreement was reached providing that at approximately 11 a.m., on Tuesday, April 17, 2012, Senate resume consideration of the motion to proceed to consideration of S. 1789, to improve, sustain, and transform the United States Postal Service, that the motion to reconsider the vote by which cloture was not invoked on the motion to proceed to consideration of the bill, be agreed to; that the motion to reconsider be agreed to and that there be up to ten minutes of debate equally divided between the two Leaders, or their designees, on the motion to invoke cloture on the motion to proceed to consideration of the bill; that upon the use or yielding back of time, Senate vote on the motion to invoke cloture on the motion to proceed to consideration of the bill, upon reconsideration. **Page S2342**

Nomination Confirmed: Senate confirmed the following nomination:

By 91 yeas to 3 nays (Vote No. Ex. 64), Stephanie Dawn Thacker, of West Virginia, to be United States Circuit Judge for the Fourth Circuit.

Pages S2305–13, S2342–43

Nominations Received: Senate received the following nominations:

Ingrid A. Gregg, of Michigan, to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation for a term expiring December 10, 2017.

James L. Henderson, of Kentucky, to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation for a term expiring December 10, 2017.

Vicki Miles-LaGrange, of Oklahoma, to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation for a term expiring December 10, 2015.

Charles P. Rose, of Illinois, to be a Member of the Board of Trustees of the Morris K. Udall and Stewart L. Udall Foundation for a term expiring April 16, 2017.

Jay Nicholas Anania, of Maryland, to be Ambassador to the Republic of Suriname.

Gene Allan Cretz, of New York, to be Ambassador to the Republic of Ghana.

Susan Marsh Elliott, of Florida, to be Ambassador to the Republic of Tajikistan.

David J. Lane, of Florida, for the rank of Ambassador during his tenure of service as U.S. Representative to the United Nations Agencies for Food and Agriculture.

Patricia M. Wald, of the District of Columbia, to be a Member of the Privacy and Civil Liberties Oversight Board for a term expiring January 29, 2019. **Page S2342**

Messages from the House: **Page S2324**

Measures Placed on the Calendar:

Pages S2288, S2324

Additional Cosponsors: **Pages S2324–26**

Statements on Introduced Bills/Resolutions: Pages S2326–33

Additional Statements: Pages S2323–24

Amendments Submitted: Pages S2333–41

Notices of Hearings/Meetings: Page S2342

Privileges of the Floor: Page S2342

Record Votes: Two record votes were taken today. (Total—65) Page S2313

Adjournment: Senate convened at 2 p.m. and adjourned at 7:19 p.m., until 10 a.m. on Tuesday, April 17, 2012. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S2342.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 15 public bills, H.R. 4348–4362; and 5 resolutions, H. Res. 613, 615–618 were introduced. Pages H1844–45

Additional Cosponsors: Pages H1846–48

Reports Filed: A report was filed on April 10, 2012 as follows:

H.R. 9, to amend the Internal Revenue Code of 1986 to provide a deduction for domestic business income of qualified small businesses, with an amendment (H. Rept. 112–425).

A report was filed on April 13, 2012 as follows:

H.R. 4089, to protect and enhance opportunities for recreational hunting, fishing and shooting, with an amendment (H. Rept. 112–426, Pt. 1).

Reports were filed today as follows:

H.R. 205, to amend the Act titled ''An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases'', approved August 9, 1955, to provide for Indian tribes to enter into certain leases without prior express approval from the Secretary of the Interior with amendments (H. Rept. 112–427);

S. 292, to resolve the claims of the Bering Straits Native Corporation and the State of Alaska to land adjacent to Salmon Lake in the State of Alaska and to provide for the conveyance to the Bering Straits Native Corporation of certain other public land in partial satisfaction of the land entitlement of the Corporation under the Alaska Native Claims Settlement Act (H. Rept. 112–428);

S. 897, to amend the Surface Mining Control and Reclamation Act of 1977 to clarify that uncertified States and Indian tribes have the authority to use certain payments for certain noncoal reclamation projects and acid mine remediation programs (H. Rept. 112–429);

H.R. 1545, to establish the Waco Mammoth National Monument in the State of Texas, and for other purposes, with an amendment (H. Rept. 112–430);

H.R. 2915, to repeal the Western Area Power Administration borrowing authority, and for other purposes (H. Rept. 112–431);

S. 271, to require the Secretary of Agriculture to enter into a property conveyance with the city of Wallowa, Oregon, and for other purposes (H. Rept. 112–432);

S. 404, to modify a land grant patent issued by the Secretary of the Interior (H. Rept. 112–433);

S. 684, to provide for the conveyance of certain parcels of land to the town of Alta, Utah (H. Rept. 112–434);

H.R. 491, to modify the boundaries of Cibola National Forest in the State of New Mexico, to transfer certain Bureau of Land Management land for inclusion in the national forest, and for other purposes (H. Rept. 112–435);

H.R. 1038, to authorize the conveyance of two small parcels of land within the boundaries of the Coconino National Forest containing private improvements that were developed based upon the reliance of the landowners in an erroneous survey conducted in May 1960, with an amendment (H. Rept. 112–436);

H.R. 2050, to authorize the continued use of certain water diversions located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in the State of Idaho, and for other purposes (H. Rept. 112–437);

H.R. 2060, to amend the Wild and Scenic Rivers Act to adjust the Crooked River boundary, to provide water certainty for the City of Prineville, Oregon, and for other purposes, with an amendment (H. Rept. 112–438);

H.R. 2157, to facilitate a land exchange involving certain National Forest System lands in the Inyo National Forest, and for other purposes (H. Rept. 112–439);

H.R. 2938, to prohibit certain gaming activities on certain Indian lands in Arizona, with an amendment (H. Rept. 112–440);

H.R. 2947, to provide for the release of the reversionary interest held by the United States in certain land conveyed by the United States in 1950 for the establishment of an airport in Cook County, Minnesota (H. Rept. 112–441);

H.R. 3263, to authorize the Secretary of the Interior to allow the storage and conveyance of non-project water at the Norman project in Oklahoma, and for other purposes (H. Rept. 112–442);

H.R. 3310, to amend the Communications Act of 1934 to consolidate the reporting obligations of the Federal Communications Commission in order to improve congressional oversight and reduce reporting burdens, with an amendment (H. Rept. 112–443); and

H. Res. 614, providing for consideration of the bill (H.R. 4089) to protect and enhance opportunities for recreational hunting, fishing and shooting, and for other purposes (H. Rept. 112–444).

Page H1844

Speaker: Read a letter from the Speaker wherein he appointed Representative Harris to act as Speaker pro tempore for today. **Page H1813**

Recess: The House recessed at 2:10 p.m. and reconvened at 4 p.m. **Page H1814**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Raoul Wallenberg Centennial Celebration Act: H.R. 3001, to award a Congressional Gold Medal to Raoul Wallenberg, in recognition of his achievements and heroic actions during the Holocaust, by a ⅔ yea-and-nay vote of 377 yeas with none voting "nay", Roll No. 152 and **Pages H1814–17, H1826–27**

Providing for the award of a gold medal on behalf of Congress to Jack Nicklaus: H.R. 4040, to provide for the award of a gold medal on behalf of Congress to Jack Nicklaus in recognition of his service to the Nation in promoting excellence and good sportsmanship in golf, by a ⅔ yea-and-nay vote of 373 yeas to 4 nays with 1 answering "present", Roll No. 153. **Pages H1820–23, H1827–28**

Recess: The House recessed at 5:10 p.m. and reconvened at 6:30 p.m. **Page H1826**

Suspensions—Proceedings Postponed: The House debated the following measures under suspension of the rules. Further proceedings were postponed:

Lena Horne Recognition Act: H.R. 1815, to posthumously award a Congressional Gold Medal to Lena Horne in recognition of her achievements and contributions to American culture and the civil rights movement and **Pages H1817–20**

Mark Twain Commemorative Coin Act: H.R. 2453, amended, to require the Secretary of the Treasury to mint coins in commemoration of Mark Twain. **Pages H1824–26**

Committee to attend the funeral of the late Honorable Donald M. Payne—Appointment: The Chair announced the Speaker's appointment on March 14, 2012 of the following Members of the House to the committee to attend the funeral of the late Honorable Donald M. Payne: Representatives Smith (NJ) and Clyburn; The members of the New Jersey delegation: Representatives Pallone, Andrews, Frelinghuysen, LoBiondo, Pascrell, Rothman, Holt, Garrett, Sires, Lance, and Runyan; and Representatives Kaptur, Levin, Towns, Waters, Corrine Brown (FL), Rush, Scott (VA), Watt, Woolsey, Jackson Lee (TX), Jackson (IL), Clay, Butterfield, Cleaver, Al Green (TX), Moore, Clarke (NY), Johnson (GA), Edwards, Fudge, Bass (CA), Sewell, Norton, and Christensen. **Page H1828**

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages H1826–27, H1827. There were no quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 8:18 p.m.

Committee Meetings

LEGISLATIVE MEASURES

Committee on Energy and Commerce: Subcommittee on Energy and Power began a markup of the "Gasoline Regulations Act of 2012" and the "Strategic Energy Production Act of 2012".

GSA'S CULTURE OF WASTEFUL SPENDING

Committee on Oversight and Government Reform: Full Committee held a hearing entitled "Addressing GSA's Culture of Wasteful Spending". Testimony was heard from the following GSA officials: Brian D. Miller, Inspector General; Martha N. Johnson, Former Administrator; Michael J. Robertson, Chief of Staff; and David E. Foley, Deputy Commissioner,

Public Buildings Service; and Daniel M. Tangherlini, Acting Administrator.

SPORTSMEN'S HERITAGE ACT OF 2012

Committee on Rules: Full Committee held a hearing on H.R. 4089, the "Sportsmen's Heritage Act of 2012". The Committee granted, by voice vote, a structured rule providing one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. The rule waives all points of order against consideration of the bill. The rule makes in order as original text for purpose of amendment an amendment in the nature of a substitute consisting of Rules Committee Print 112–19 and provides that it shall be considered as read. The rule waives all points of order against the amendment in the nature of a substitute. The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The rule waives all points of order against the amendments printed in the report. The rule provides one motion to recommit with or without instructions.

The rule further provides that the House-passed budget resolution shall have force and effect until the adoption of a conference report on the budget resolution. The rule provides that the reconciliation directives, provided in the House-passed budget resolution, to the Committee on Agriculture to be decreased by $490 million and the directives to the Committee on Financial Services be increased by $490 million for the period of fiscal years 2012 and 2013. Testimony was heard from the following Representatives: Chairman Hastings (WA); Holt; Fleming; and Heinrich.

LEGISLATIVE MEASURES

Committee on Veterans' Affairs: Subcommittee on Health held a hearing on the following measures: H.R. 1460, to provide for automatic enrollment of veterans returning from combat zones into the VA medical system, and for other purposes; H.R. 3016, to direct the Secretary of Defense and the Secretary of Veterans Affairs to jointly operate the Federal Recovery Coordination Program, and for other purposes; H.R. 3245, the "Efficient Service for Veterans Act"; H.R. 3279, to amend title 38, United States Code, to clarify that caregivers for veterans with serious illnesses are eligible for assistance and support services provided by the Secretary of Veterans Affairs; H.R. 3337, the "Open Burn Pit Registry Act of 2011"; H.R. 3723, the "Enhanced Veteran Healthcare Experience Act of 2011"; and H.R. 4079, the "Safe Housing for Homeless Veterans Act". Testimony was heard from the following Representatives: Owens; Barrow; Denham; Akin; Schilling; and McKinley; Robert L. Jesse, Principal Deputy Under Secretary for Health, Veterans Health Administration, Department of Veterans Affairs; and public witnesses.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D255)*

H.R. 4281, to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs. Signed on March 30, 2012. (Public Law 112–102)

H.R. 473, to provide for the conveyance of approximately 140 acres of land in the Ouachita National Forest in Oklahoma to the Indian Nations Council, Inc., of the Boy Scouts of America. Signed on April 2, 2012. (Public Law 112–103)

H.R. 886, to require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first Federal law enforcement agency, the United States Marshals Service. Signed on April 2, 2012. (Public Law 112–104)

S. 2038, to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit. Signed on April 4, 2012. (Public Law 112–105)

H.R. 3606, to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies. Signed on April 5, 2012. (Public Law 112–106)

COMMITTEE MEETINGS FOR TUESDAY, APRIL 17, 2012

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Commerce, Justice, Science, and Related Agencies, business meeting to markup proposed budget estimates for fiscal year 2013 for Commerce, Justice, Science and related agencies, 2:30 p.m., SD–192.

Subcommittee on Transportation and Housing and Urban Development, and Related Agencies, business meeting to markup proposed budget estimates for fiscal year 2013 for Transportation, Housing and Urban Development and related agencies, 3:30 p.m., SD–138.

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities, to hold hearings to examine the health and status of the Department of Defense science and technology laboratories and enterprise in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program, 2:30 p.m., SR–222.

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine the Export-Import Bank reauthorization, focusing on saving American jobs and supporting American exporters, 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: Subcommittee on Competitiveness, Innovation, and Export Promotion, to hold hearings to examine promoting American competitiveness, focusing on filling jobs today and training workers for tomorrow, 10 a.m., SR–253.

Committee on Environment and Public Works: Subcommittee on Clean Air and Nuclear Safety, to hold hearings to examine mercury pollution's impacts to public health and the environment, 10 a.m., SD–406.

Committee on Homeland Security and Governmental Affairs: Ad Hoc Subcommittee on Contracting Oversight, to hold hearings to examine S. 2139, to enhance security, increase accountability, and improve the contracting of the Federal Government for overseas contingency operations, 10:30 a.m., SD–342.

Committee on the Judiciary: Subcommittee on the Constitution, Civil Rights and Human Rights, to hold hearings to examine ending racial profiling in America, 10 a.m., SD–226.

Select Committee on Intelligence: to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

Joint Meetings

Joint Economic Committee: to hold hearings to examine how the taxation of capital affects growth and employment, 10 a.m., SH–216.

CONGRESSIONAL PROGRAM AHEAD

Week of April 17 through April 20, 2012

Senate Chamber

On *Tuesday,* at approximately 11 a.m., Senate will resume consideration of the motion to proceed to consideration of S. 1789, 21st Century Postal Service Act, and after agreeing to the motion to reconsider the vote by which cloture was not invoked, vote on the motion to invoke cloture on the motion to proceed to consideration of the bill, upon reconsideration, at approximately 11:10 a.m.

During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Appropriations: April 17, Subcommittee on Commerce, Justice, Science, and Related Agencies, business meeting to markup proposed budget estimates for fiscal year 2013 for Commerce, Justice, Science and related agencies, 2:30 p.m., SD–192.

April 17, Subcommittee on Transportation and Housing and Urban Development, and Related Agencies, business meeting to markup proposed budget estimates for fiscal year 2013 for Transportation, Housing and Urban Development and related agencies, 3:30 p.m., SD–138.

April 18, Subcommittee on Department of the Interior, Environment, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2013 for the United States Forest Service, 9:30 a.m., SD–124.

April 18, Subcommittee on Department of Defense, to hold hearings to examine proposed budget estimates for fiscal year 2013 for the Missile Defense Agency, 10:30 a.m., SD–192.

April 18, Subcommittee on Financial Service and General Government, to hold hearings to examine the General Services Administration, focusing on a review of the recent Inspector General management deficiency report and an assessment of the fiscal year 2013 General Services Administration (GSA) funding request, 2:30 p.m., SD–138.

April 19, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2013 for the Food and Drug Administration, 2 p.m., SD–124.

Committee on Armed Services: April 17, Subcommittee on Emerging Threats and Capabilities, to hold hearings to examine the health and status of the Department of Defense science and technology laboratories and enterprise in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program, 2:30 p.m., SR–222.

April 18, Subcommittee on Strategic Forces, to hold hearings to examine the National Security Administration management of its National Security Laboratories, 2:30 p.m., SR–222.

April 18, Subcommittee on Readiness and Management Support, to hold hearings to examine financial management and business transformation at the Department of Defense, 2:30 p.m., SD–G50.

April 19, Subcommittee on SeaPower, to hold hearings to examine Navy shipbuilding programs in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program, 9:30 a.m., SR–232A.

Committee on Banking, Housing, and Urban Affairs: April 17, to hold hearings to examine the Export-Import Bank reauthorization, focusing on saving American jobs and supporting American exporters, 10 a.m., SD–538.

Committee on the Budget: April 18, business meeting to consider the concurrent resolution on the budget for fiscal year 2013, 2 p.m., SD–608.

Committee on Commerce, Science, and Transportation: April 17, Subcommittee on Competitiveness, Innovation, and

Export Promotion, to hold hearings to examine promoting American competitiveness, focusing on filling jobs today and training workers for tomorrow, 10 a.m., SR–253.

April 18, Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety, and Security, to hold hearings to examine protecting commuters, focusing on ensuring accountability and oversight in tolling, 10 a.m., SR–253.

Committee on Energy and Natural Resources: April 19, to hold hearings to examine the impacts of sea level rise on domestic energy and water infrastructure, 9:30 a.m., SD–366.

Committee on Environment and Public Works: April 17, Subcommittee on Clean Air and Nuclear Safety, to hold hearings to examine mercury pollution's impacts to public health and the environment, 10 a.m., SD–406.

April 18, Full Committee, to hold an oversight hearing to examine the General Services Administration (GSA), 10 a.m., SD–406.

Committee on Finance: April 18, Subcommittee on International Trade, Customs, and Global Competitiveness, to hold a hearing to examine the Asia Pacific, focusing on trade opportunities for agriculture and food producers from the Great Plains to the Pacific Northwest, 2 p.m., SD–215.

Committee on Foreign Relations: April 18, to receive a closed briefing on an intelligence update on Iran and Syria, 10 a.m., SVC–217.

April 18, Subcommittee on African Affairs, to hold hearings to examine the United States policy response to entrenched African leadership, 2:15 p.m., SD–419.

April 19, Full Committee, to hold hearings to examine Syria, focusing on United States policy options, 10 a.m., SD–419.

Committee on Health, Education, Labor, and Pensions: April 18, to hold hearings to examine effective strategies for accelerated learning, 10 a.m., SD–430.

April 19, Full Committee, to hold hearings to examine delays in OSHA's standard-setting process and the impact on worker safety, 10 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: April 17, Ad Hoc Subcommittee on Contracting Oversight, to hold hearings to examine S. 2139, to enhance security, increase accountability, and improve the contracting of the Federal Government for overseas contingency operations, 10:30 a.m., SD–342.

April 19, Full Committee, to hold hearings to examine the nomination of Joseph G. Jordan, of Massachusetts, to be Administrator for Federal Procurement Policy, Executive Office of the President, 9:30 a.m., SD–342.

Committee on Indian Affairs: April 19, to hold hearings to examine S. 1684, to amend the Indian Tribal Energy Development and Self-Determination Act of 2005, 2:15 p.m., SD–628.

Committee on the Judiciary: April 17, Subcommittee on the Constitution, Civil Rights and Human Rights, to hold hearings to examine ending racial profiling in America, 10 a.m., SD–226.

April 18, Full Committee, to hold hearings to examine the nominations of James Xavier Dempsey, of California, Elisebeth Collins Cook, of Illinois, Rachel L. Brand, of Iowa, David Medine, of Maryland, to be Chairman, and Patricia M. Wald, of the District of Columbia, all to be a Member of the Privacy and Civil Liberties Oversight Board, 10 a.m., SD–226.

April 19, Full Committee, business meeting to consider the nominations of William J. Kayatta, Jr., of Maine, to be United States Circuit Judge for the First Circuit, John Thomas Fowlkes, Jr., to be United States District Judge for the Western District of Tennessee, Kevin McNulty, and Michael A. Shipp, both to be a United States District Judge for the District of New Jersey, Stephanie Marie Rose, to be United States District Judge for the Southern District of Iowa, Michael P. Shea, of Connecticut, to be United States District Judge for the District of Connecticut, Gonzalo P. Curiel, of California, to be United States District Judge for the Southern District of California, and Robert J. Shelby, of Utah, to be United States District Judge for the District of Utah, 10 a.m., SD–226.

Committee on Small Business and Entrepreneurship: April 18, to hold hearings to examine perspectives from the entrepreneurial ecosystem, focusing on creating jobs and growing businesses through entrepreneurship, 10 a.m., SR–428A.

Select Committee on Intelligence: April 17, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

April 18, Full Committee, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

Special Committee on Aging: April 18, to hold hearings to examine the future of long-term care, focusing on saving money by serving seniors, 2 p.m., SH–216.

House Committees

Committee on Agriculture, April 18, Full Committee, business meeting to consider a proposal to satisfy the Committee's reconciliation instructions required by H. Con. Res. 112, 10 a.m., 1300 Longworth.

Committee on Appropriations, April 18, Subcommittee on Energy and Water, markup of Appropriations Bill FY 2013, 9:30 a.m., 2362–B Rayburn.

April 19, Subcommittee on Commerce, Justice, Science, markup of Appropriations Bill FY 2013, 9:30 a.m., H–140 Capitol.

Committee on Armed Services, April 17, Full Committee, Member's day on national defense priorities for the fiscal year 2013 national defense authorization bill, 10 a.m., 2118 Rayburn.

April 17, Subcommittee on Strategic Forces, hearing on FY 2013 National Defense Budget Request for Atomic Energy Defense Activities and Nuclear Forces Programs, 3 p.m., 2212 Rayburn.

April 18, Subcommittee on Oversight and Investigations, hearing on the Navy's 30 Year Shipbuilding Plan—Assumptions and Associated Risks to National Security, 3 p.m., 2118 Rayburn.

April 19, Full Committee, hearing on Recent Developments in the Middle East: The Security Situation in the Syrian Arab Republic, 10 a.m., 2118 Rayburn.

Committee on the Budget, April 17, Full Committee, hearing entitled ''Strengthening the Safety Net'', 10 a.m., 210 Cannon.

Committee on Education and the Workforce, April 17, Full Committee, hearing on H.R. 4297, the ''Workforce Investment Improvement Act of 2012'', 10 a.m., 2175 Rayburn.

April 18, Subcommittee on Health, Employment, Labor, and Pensions, hearing entitled ''Reviewing the Impact of the Office of Federal Contract Compliance Programs' Regulatory and Enforcement Actions'', 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, April 17, Subcommittee on Energy and Power, continued markup of the ''Gasoline Regulations Act of 2012''; and the ''Strategic Energy Production Act of 2012'', 10 a.m., 2123 Rayburn.

April 18, Subcommittee on Health, hearing entitled ''FDA User Fees 2012: How Innovation Helps Patients and Jobs'', 10:15 a.m., 2123 Rayburn.

April 18, Subcommittee on Oversight and Investigations, hearing entitled ''Budget and Spending Concerns at DOE'', 10:30 a.m., 2322 Rayburn.

April 19, Subcommittee on Environment and the Economy, hearing on H.R. 4345, the ''Domestic Fuels Protection Act of 2012'', 9:30 a.m., 2322 Rayburn.

April 19, Subcommittee on Commerce, Manufacturing, and Trade, hearing entitled ''Where the Jobs Are: Can American Manufacturing Thrive Again?'', 10 a.m., 2123 Rayburn.

Committee on Financial Services, April 17, Subcommittee on Domestic Monetary Policy and Technology, hearing entitled ''The Future of Money: Coinage Production'', 10 a.m., 2128 Rayburn.

April 18, Full Committee, markup of the ''Affordable Housing and Self-Sufficiency Improvement Act of 2012'' and the Committee Print of Budget Reconciliation legislative recommendations of the Committee on Financial Services, 10 a.m., 2128 Rayburn.

April 19, Subcommittee on Oversight and Investigations, hearing entitled ''Budget Hearing-the Office of Financial Research'', 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, April 17, Subcommittee on Africa, Global Health, and Human Rights, hearing entitled ''The Increasing American Jobs Through Greater Exports to Africa Act'', 2 p.m., 2172 Rayburn.

April 18, Full Committee, hearing entitled ''North Korea after Kim Jong-il: Still Dangerous and Erratic'', 10 a.m., 2127 Rayburn.

April 18, Subcommittee on Terrorism, Nonproliferation, and Trade, hearing entitled ''Bureau of Counterterrorism: Budget, Programs, and Policies'', 2 p.m., 2172 Rayburn.

Committee on Homeland Security, April 17, Subcommittee on Border and Maritime, hearing entitled ''Boots on the Ground or Eyes in the Sky: How Best to Utilize the National Guard to Achieve Operational Control'', 10 a.m., 311 Cannon.

April 17, Subcommittee on Emergency Preparedness, Response, and Communications, hearing entitled ''Taking Measure of Countermeasures (Part 3): Protecting the Protectors'', 2 p.m., 311 Cannon.

April 18, Subcommittee on Transportation Security, hearing entitled ''Building Secure Partnerships in Travel, Commerce, and Trade with the Asia-Pacific Region'', 2 p.m., 311 Cannon.

April 18, Full Committee, markup of H.R. 3674, the ''PRECISE Act of 2011'', 10 a.m., 311 Cannon.

April 19, Subcommittee on Cybersecurity, Infrastructure Protection, and Security Technologies, hearing entitled ''The DHS and DOE National Labs: Finding Efficiencies and Optimizing Outputs in Homeland Security Research and Development'', 10 a.m., 311 Cannon.

Committee on House Administration, April 18, Subcommittee on Oversight, hearing entitled ''Library of Congress: Ensuring Continuity and Efficiency During Leadership Transitions'', 10 a.m., 1310 Longworth.

Committee on the Judiciary, April 17, Full Committee, begin markup of Committee Print of Material to be Transmitted to the Committee on the Budget Pursuant to Section 201 of H. Con. Res. 112, 2:15 p.m., 2141 Rayburn.

April 18, Subcommittee on the Constitution, hearing entitled ''Voting Wrongs: Oversight of the Justice Department's Voting Rights Enforcement'', 9 a.m., 2141 Rayburn.

April 18, Subcommittee on Immigration Policy and Enforcement, hearing entitled ''Document Fraud in Employment Authorization: How an E-Verify Requirement Can Help'', 11:15 a.m., 2141 Rayburn.

April 18, Full Committee, continue markup of Committee Print of Material to be Transmitted to the Committee on the Budget Pursuant to Section 201 of H. Con. Res. 112, 1:30 p.m., 2141 Rayburn.

April 19, Subcommittee on Crime, Terrorism, and Homeland Security, hearing entitled ''The Prosecution of Former Senator Ted Stevens'', 9:30 a.m., 2141 Rayburn.

Committee on Natural Resources, April 17, Subcommittee on National Parks, Forests and Public Lands, hearing on the following measures: H.R. 3388, the ''Wood-Pawcatuck Watershed Protection Act''; H.R. 3874, the ''Black Hills Cemetery Act''; H.R. 4039, the ''Yerington Land Conveyance and Sustainable Development Act''; H.R. 4073, to authorize the Secretary of Agriculture to accept the quitclaim, disclaimer, and relinquishment of a railroad right of way within and adjacent to Pike National Forest in El Paso County, Colorado, originally granted to the Mt. Manitou Park and Incline Railway Company pursuant to the Act of March 3, 1875; H.R. 4193, the ''Land Acquisition to cut National Debt Act''; and H.R. 4222, to provide for the conveyance of certain land inholdings owned by the United States to the Tucson Unified School District and to the Pascua Yaqui Tribe of Arizona, and for other purposes, 10 a.m., 1324 Longworth.

April 17, Subcommittee on Water and Power, hearing on H.R. 460, the ''Bonneville Unit Clean Hydropower Facilitation Act''; and H.R. 2664, the ''Reauthorization of Water Desalination Act of 2011'', 2 p.m., 1324 Longworth.

April 19, Subcommittee on Fisheries, Wildlife, Oceans and Insular Affairs, hearing on H.R. 4043, the ''Military Readiness and Southern Sea Otter Conservation Act'', 9:30 a.m., 1334 Longworth.

April 19, Subcommittee on Indian and Alaska Native Affairs, hearing entitled ''Bureau of Land Management's Hydraulic Fracturing Rule's Impact on Indian Tribal Energy Development'', 11 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, April 17, Subcommittee on TARP, Financial Services and Bailouts of Public and Private Programs, hearing entitled ''The SEC's Aversion to Cost-Benefit Analysis'', 10 a.m., 2154 Rayburn.

April 18, Full Committee, markup of the following measures: H.R. 538, the ''Federal Customer Service Enhancement Act''; H.R. 3609, the ''Taxpayers Right to Know Act''; H.R. 4257, the ''Federal Information Security Amendments Act of 2012''; legislation providing the authority to offer phased retirement to federal employees; legislation clarifying that Federal tax levies may be enforced against TSP accounts; and legislation reforming the law governing the pay of recess appointees, 10 a.m., 2154 Rayburn.

April 19, Subcommittee on Government Organization, Efficiency and Financial Management, hearing entitled ''Problems at the Internal Revenue Service: Closing the Tax Gap and Preventing Identity Theft'', 10 a.m., 2154 Rayburn.

Committee on Rules, April 17, Full Committee, hearing on H.R. 9, the ''Small Business Tax Cut Act''; and the ''Surface Transportation Extension Act of 2012, Part II'', 3 p.m., H–313 Capitol.

Committee on Science, Space, and Technology, April 17, Full Committee, hearing entitled ''Tapping America's Unconventional Oil Resources for Job Creation and Affordable Domestic Energy: Technology and Policy Pathways'', 10 a.m., 2318 Rayburn.

April 18, Subcommittee on Research and Science Education, hearing entitled ''NSF Major Multi-User Research Facilities Management: Ensuring Fiscal Responsibility and Accountability'', 10 a.m., 2318 Rayburn.

April 18, Subcommittee on Technology and Innovation, hearing entitled ''Avoiding the Spectrum Crunch: Growing the Wireless Economy through Innovation'', 2 p.m., 2318 Rayburn.

April 19, Subcommittee on Investigations and Oversight; and Subcommittee on Energy and Environment, joint hearing entitled ''Impact of Tax Policies on the Commercial Application of Renewable Energy and Technology'', 9:30 a.m., 2318 Rayburn.

Committee on Small Business, April 18, Full Committee, hearing entitled ''The Tax Outlook for Small Businesses: What's on the Horizon?'', 1 p.m., 2360 Rayburn.

April 19, Subcommittee on Economic Growth, Tax and Capital Access, hearing entitled ''Equity Finance: Catalyst for Small Business Growth'', 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, April 17, Subcommittee on Economic Development, Public Buildings, and Emergency Management, hearing entitled ''GSA's Squandering of Taxpayer Dollars: A Pattern of Mismanagement, Excess, and Waste'', 8:30 a.m., 2167 Rayburn.

April 18, Subcommittee on Water Resources and Environment, hearing entitled ''How Reliability of the Inland Waterway System Impacts Economic Competitiveness'', 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, April 18, Full Committee, hearing entitled ''From the Inside Out: A Look at Claims Representatives' Role in the Disability Claims Process'', 10 a.m., 334 Cannon.

April 18, Subcommittee on Disability Assistance and Memorial Affairs, markup of H.R. 4114, the ''Veterans' Compensation Cost-of-Living Adjustment Act of 2012''; H.R. 2377, the ''RAPID Claims Act''; and H.R. 4142, the ''American Heroes COLA Act'', 1:30 p.m., 334 Cannon.

Committee on Ways and Means, April 17, Full Committee, hearing on tax reform and tax-favored retirement accounts, 10 a.m., 1100 Longworth.

April 19, Subcommittee on Human Resources, hearing entitled ''Use of Technology to Better Target Benefits and Eliminate Waste, Fraud, and Abuse'', 10 a.m., 1100 Longworth.

Joint Meetings

Joint Economic Committee: April 17, to hold hearings to examine how the taxation of capital affects growth and employment, 10 a.m., SH–216.

Résumé of Congressional Activity

SECOND SESSION OF THE ONE HUNDRED TWELFTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 3 through March 31, 2012

	Senate	*House*	*Total*
Days in session	44	46	..
Time in session	256 hrs., 12′	206 hrs., 59′	..
Congressional Record:			
Pages of proceedings	S2,285	H1,811	..
Extensions of Remarks	..	E518	..
Public bills enacted into law	2	10	12
Private bills enacted into law	..	..	..
Bills in conference	..	..	..
Measures passed, total	80	86	166
Senate bills	10	3	..
House bills	12	43	..
Senate joint resolutions	..	..	..
House joint resolutions	..	1	..
Senate concurrent	4	3	..
House concurrent	3	5	..
Simple resolutions	51	31	..
Measures reported, total	*64	*61	125
Senate bills	52	1	..
House bills	3	40	..
Senate joint resolutions	..	..	..
House joint resolutions	..	..	..
Senate concurrent	..	..	..
House concurrent	..	1	..
Simple resolutions	9	19	..
Special reports	..	1	..
Conference reports	..	2	..
Measures pending on calendar	252	22	..
Measures introduced, total	330	716	1,046
Bills	252	582	..
Joint resolutions	6	10	..
Concurrent resolutions	6	20	..
Simple resolutions	66	104	..
Quorum calls	..	1	..
Yea-and-nay votes	63	61	..
Recorded votes	..	89	..
Bills vetoed	..	..	..
Vetoes overridden	..	..	..

* These figures include all measures reported, even if there was no accompanying report. A total of 52 written reports have been filed in the Senate, 64 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 3 through March 31, 2012

Civilian Nominations, totaling 275 (including 188 nominations carried over from the First Session), disposed of as follows:

Confirmed	84
Unconfirmed	184
Withdrawn	7

Other Civilian Nominations, totaling 739 (including 167 nominations carried over from the First Session), disposed of as follows:

Confirmed	441
Unconfirmed	298

Air Force Nominations, totaling 1,908 (including 295 nominations carried over from the First Session), disposed of as follows:

Confirmed	1,243
Unconfirmed	665

Army Nominations, totaling 3,439 (including 16 nominations carried over from the First Session), disposed of as follows:

Confirmed	1,224
Unconfirmed	2,215

Navy Nominations, totaling 122 (including 1 nomination carried over from the First Session), disposed of as follows:

Confirmed	63
Unconfirmed	59

Marine Corps Nominations, totaling 1,300, disposed of as follows:

Confirmed	123
Unconfirmed	1,177

Summary

Total Nominations carried over from the First Session	667
Total Nominations Received this Session	7,116
Total Confirmed	3,178
Total Unconfirmed	4,598
Total Withdrawn	7
Total Returned to the White House	..

Next Meeting of the SENATE

10 a.m., Tuesday, April 17

Senate Chamber

Program for Tuesday: After the transaction of any morning business (not to extend beyond 11 a.m.), Senate will resume consideration of the motion to proceed to consideration of S. 1789, 21st Century Postal Service Act, and after agreeing to the motion to reconsider the vote by which cloture was not invoked, vote on the motion to invoke cloture on the motion to proceed to consideration of the bill, upon reconsideration, at approximately 11:10 a.m.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Tuesday, April 17

House Chamber

Program for Tuesday: Consideration of H.R. 4089—Sportsmen's Heritage Act of 2012 (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

HOUSE

Andrews, Robert E., N.J., E525, E529, E532
Austria, Steve, Ohio, E521, E525, E529, E533
Berkley, Shelley, Nev., E534
Blumenauer, Earl, Ore., E530
Burgess, Michael C., Tex., E536, E537
Capito, Shelley Moore, W.Va., E535, E536
Carter, John R., Tex., E520
Coffman, Mike, Colo., E527
Courtney, Joe, Conn., E538
Critz, Mark S., Pa., E531
Cuellar, Henry, Tex., E531
DeLauro, Rosa L., Conn., E524, E528, E532
Deutch, Theodore E., Fla., E521, E525, E529, E533
Engel, Eliot L., N.Y., E535
Farr, Sam, Calif., E537, E538, E539, E540
Garrett, Scott, N.J., E526
Johnson, Eddie Bernice, Tex., E535, E537, E539
Kildee, Dale E., Mich., E538
Latham, Tom, Iowa, E535
Levin, Sander M., Mich., E523
Luetkemeyer, Blaine, Mo., E519, E522, E526, E530, E533
Marchant, Kenny, Tex., E520
Miller, Jeff, Fla., E522, E523, E525, E526, E529, E534
Norton, Eleanor Holmes, D.C., E527
Olson, Pete, Tex., E524, E528, E531
Petri, Thomas E., Wisc., E520
Poe, Ted, Tex., E536
Reichert, David G., Wash., E523
Richardson, Laura, Calif., E519, E522, E526, E530, E533, E535, E539
Rogers, Harold, Ky., E521
Rogers, Mike, Ala., E538
Schiff, Adam B., Calif., E520
Shuster, Bill, Pa., E524
Thompson, Bennie G., Miss., E524, E528, E532
Tipton, Scott R., Colo., E521
Upton, Fred, Mich., E537
Van Hollen, Chris, Md., E536, E539
Woolsey, Lynn C., Calif., E534

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