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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by Rev. Rebecca Spencer, senior pastor of Central Congregational Church, United Church of Christ, Providence, RI.

The guest Chaplain offered the following prayer:

Shall we pray.

Gracious and loving God, we thank You for Your presence with us. You offer wisdom and perspective and grace. We ask Your blessings to be upon these elected representatives. May all that we do reflect Your purpose that we live together as Your children in harmony and freedom. May Your blessings and our work bring real hope to those who may be struggling or oppressed.

We do ask for Your special blessings to be with those who serve our country in the military—at home, at sea, in the air, and foreign countries. Shield them from danger as they work for peace.

This is indeed a gift of a new day You have given to us. May all our endeavors honor You and may we all serve the cause of life, liberty, and the pursuit of happiness in this beloved land of ours. May we truly do justice and love kindness and walk humbly with You, our God.

Amen.

PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 19, 2012.

To the Senate:

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

DANIEL K. INOUYE,
President pro tempore.

Mr. UDALL of New Mexico thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

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

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2011—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 1925, which the clerk will report by title.

The assistant legislative clerk read as follows:

Motion to proceed to S. 1925, a bill to reauthorize the Violence Against Women Act of 1994.

Mr. REID. Mr. President, I would yield to my friend from Rhode Island.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island is recognized.

WELCOMING THE GUEST CHAPLAIN

Mr. WHITEHOUSE. Mr. President, I thank the majority leader for that courtesy. I will only take a moment to recognize and welcome Rev. Rebecca Spencer who shared with us the prayer that began the Senate session this morning.

She has been the senior pastor of the Central Congregational Church in Providence, RI, since 1988. It was my congregation for the years that I lived in Providence. My wife and I renewed our vows under her care. She is a wonderful and thoughtful preacher from the pulpit. Her church has perhaps the best musical and choral program certainly anywhere in Rhode Island and probably for a good distance around. If you have not heard the ''Hallelujah Chorus'' sung at Easter at Central Congregational Church, you have missed an extraordinary experience.

But her greatest contribution in a community that she has served now for 24 years has been pastoral work with the families who make Central Congregational their home and the home of their faith. From birth to baptisms and for kids coming up through the youth programs the church runs, through marriages and unfortunately sometimes divorces, and through illness and death, Reverend Spencer is a wonderful friend and a wonderful solace and a wonderful gift to all of the congregation that she serves.

She is joined today by her sons Tom and Ezra. We welcome them as well, and are delighted that she has taken the time to come down from Providence, RI.

I thank our Chaplain, Chaplain Black, for his courtesy in helping to facilitate this visit.

I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, the Senate is now considering the motion to proceed to the Violence Against Women Reauthorization Act. Following my remarks and those of the Republican leader, if any, the first hour will be equally divided between the two sides. The Republicans will control the first 30 minutes, the Democrats the final 30 minutes.

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

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I note that the filing deadline for second-degree amendments to the substitute amendment and to the postal reform bill is 11 a.m. today. We are still hopeful of working out an agreement on the postal reform bill. If no agreement is reached, there will be a cloture vote on the substitute amendment this afternoon at 2:15.

POSTAL REFORM

Mr. President, for more than two centuries, 200 years, America's postal system thrived and grew in spite of rapidly changing technology. The Postal Service survived the invention of the telegraph, the telephone. It expanded despite radio and television. It grew regardless of the fax machine.

The post office was created in the day of the quill and ink—these inkwells we talked about yesterday—and mailbags slung across horses. The post office survived all of that. It grew through the days of horse and buggy, steamboat and railroad, into the age of airplanes. It adjusted to the expansion of the suburbs, to the growth of cities, and the explosion of our population generally.

It adapted from hand sorting and conveyer belts, with the invention of ZIP Codes and optical sorting machines. The post office has always found creative, cutting-edge ways to do more and more to move mail more quickly, and more of it.

In fact, for two centuries, the Postal Service relied on technology to cope with constant growth, growth in the volume of mail it delivered and the number of homes and businesses to which it delivered. And for 200 years, the Postal Service kept up with a flood of packages and letters and mail orders and online purchases, catalogues and fliers, life-saving medications and absentee ballots, bulk mail and overnight delivery. The post office survived.

Today the Postal Service handles nearly half the world's mail—554 million pieces every day, 6,400 pieces every second. That feat would be impossible without modern technology and world-class workers and facilities. But now technology is both a solution and a problem. In the last 5 years, the Postal Service has seen mail volume drop by more than 20 percent. That trend is expected to continue.

E-mail and online bill payments significantly contributed to this crisis. Today letters, orders, payments across the world happen with the click of a mouse. And the challenge facing the Postal Service is how to adapt to a decreasing volume of mail rather than how to deal with increasing demand.

The bipartisan compromise before the Senate will help the system do that. It will build a leaner, smarter post office which offers new products and services while protecting its mission—delivering the mail 6 days a week to every corner of our great Nation.

The postal reform legislation before this body will sensibly restructure the system while preserving overnight and Saturday delivery. The legislation will save the Postal Service from insolvency. It will responsibly reduce the Postal Service workforce and the number of facilities it maintains. But it will also protect postal employees, including 130,000 veterans from our Armed Forces. It will also safeguard the more than 8 million jobs that depend on a vibrant postal system. And, most importantly, it will account for the needs of millions of seniors, people with disabilities, small business owners, and rural Americans for whom the U.S. mail is an important lifeline to the outside world.

Unlike the unacceptable bill Congressman ISSA is pursuing in the House, this bipartisanship Senate bill preserves the Postal Service we know and rely on. The House bill, by contrast, would immediately eliminate Saturday delivery, and it would set up commissions to unilaterally cut costs by closing post offices and processing plants, voiding union contracts and laying off tens of thousands of workers when our economy can least afford it.

That may be why Congressman ISSA's bill has not come up for a vote. There could be other reasons. But even the tea party advocates have trouble supporting his reckless ideas. The Senate bill we are considering today is not perfect. It will not save every post office, every job, or every distribution center. It will not please every Senator, every postal worker, or every customer. But unlike the House legislation, it is a strong, bipartisan bill that will modernize an institution enshrined in the Constitution without gutting its mission.

I hope we can continue to work together to pass this worthy legislation, but we are going to have to make a decision on that this morning. I appreciate everyone's cooperation. I especially appreciate the hard work of Senator JOE LIEBERMAN and Senator SUSAN COLLINS, the two floor managers of this legislation. There have been others who have worked very hard on this legislation, not the least of whom is TOM CARPER who has devoted a lot of the last few years of his life to this legislation.

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

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

SVINICKI NOMINATION

Mr. MCCONNELL. Mr. President, yesterday I came to the floor to call attention to a woman named Kristine Svinicki, a widely respected nuclear engineer who sits on the Nuclear Regulatory Commission, the Federal agency charged with ensuring the safety of our Nation's nuclear powerplants. At the moment, Commissioner Svinicki is in Africa, sharing her expertise on nuclear safety at the request of the Obama administration, which should not surprise anybody, since she is one of the world's leading experts on the topic, and since President Obama's own Chief of Staff signed a letter a few months ago expressing the administration's confidence in her commitment to the mission of the NRC and her ability to fulfill it.

I have the letter. It is dated December 12. I ask unanimous consent that it be printed in the RECORD.

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

THE WHITE HOUSE,
Washington, DC, December 12, 2011.

Hon. GREGORY B. JACZKO,
Chairman, U.S. Nuclear Regulatory Commission, Washington, DC.

Hon. GEORGE APOSTOLAKIS,
Commissioner, U.S. Nuclear Regulatory Commission, Washington, DC.

Hon. WILLIAM D. MAGWOOD IV,
Commissioner, U.S. Nuclear Regulatory Commission, Washington, DC.

Hon. WILLIAM C. OSTENDORFF,
Commissioner, U.S. Nuclear Regulatory Commission, Washington, DC.

Hon. KRISTINE L. SVINICKI,
Commissioner, U.S. Nuclear Regulatory Commission, Washington, DC.

DEAR COMMISSIONERS: I am writing to you regarding the internal management issues at the Nuclear Regulatory Commission raised in the Commissioners letter to me dated October 13, 2011.

As an initial matter, I would like to thank you again for raising these concerns with me, and for your commitment to fulfilling the agency's important mission to ensure the safe civilian use of nuclear materials. The Nuclear Regulatory Commission has an important mission, and we respect and appreciate your strong commitment to the Commission's work and values.

As you know, upon receipt of the October 13 letter, I arranged to meet personally with each of you so that I would have opportunity to discuss these matters with you. I also met with the agency's Executive Director of Operations. By letter dated December 7, 2011, Chairman Jaczko subsequently responded in writing to the concerns raised in the October 13 letter.

While I recognize that there are tensions and disagreements among the Commissioners, each of you made it clear in your conversations with me that these management differences have not impaired the Commission's ability to fulfill its mission or in any way jeopardized the safety and security of nuclear facilities in the United States.

I share your commitment to the mission of the Nuclear Regulatory Commission and agree that sound leadership and management practices are essential to its proper functioning. In our meetings each of you expressed your strong commitment to the agency and to ensuring that it fulfills its mission. We have confidence in your ability to do so, and urge each of you to make every effort to improve the internal communications at the agency.

The Chairman has committed to improve communications amongst you, including by keeping fellow Commissioners better informed, and has proposed that all of the Commissioners meet with a trusted third

party to promote a better dialog. I urge you to pursue such a course of action and to keep me apprised of your progress and, as appropriate, any findings or recommendations of the agency's Office of Inspector General, as I intend to continue to monitor the situation.

I have also enclosed for your information my response to a letter I received on this matter from Chairman Issa.

Sincerely,

WILLIAM M. DALEY,
Chief of Staff.

Mr. MCCONNELL. Mr. President, what is surprising is that despite all of this, despite her expertise, despite the administration's own stated support for her work, she has not yet been renominated. The White House alone has the power to renominate. For some reason they have not. Look, the only possible reason for this delay is the fact that she had the courage to blow the whistle on the Commission's Chairman Gregory Jazcko, a guy whose temper and condescension toward subordinates, particularly women, nearly cost him his job.

So let's be clear about this. The only reason we are even talking about Kristine Svinicki right now is because she had the courage to stand up to a hostile work environment and the bully who was responsible for it. That is the only reason we are even having this conversation. She should be applauded for that, not hung out to dry.

Yet that is precisely what has been happening here. Commissioner Svinicki is one of the world's leading experts on nuclear safety. She was confirmed in her current term without a single dissenting vote—not one. She enjoys the respect of her colleagues and, as the letter I just cited shows, of the Obama administration as well. Her renomination papers were completed more than a year ago, as was the FBI report that nominees have to complete ahead of being confirmed.

If this nomination continues to be held, after she had the courage to take a stand, it will send a chill up the spine of every whistleblower in Washington. Commissioner Svinicki spoke out against a guy that even Democratic commissioners say bullied employees and intimidated female workers. Kristine Svinicki did the right thing in raising the alarm. She should not pay a price for it. The White House says it likes the job she is doing. They sent her to Africa to give a keynote address on nuclear safety. Yet for over a year there has been silence. It is my hope they are not rewarding abusive behavior by silencing someone who had the courage to speak out. There is no reason for this renomination and reconfirmation to wait another single day.

If Democrats have a problem with Commissioner Svinicki, then let's debate it.

This morning, I renew my call for the White House to send this nomination over immediately and for the Senate to act quickly to get Commissioner Svinicki reconfirmed. The White House said just yesterday there should be no interruption in service on the Commission, so why don't we get this done.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. Under the previous order, the first hour will be equally divided and controlled between the two leaders, or their designees, with the Republicans controlling the first 30 minutes and the majority controlling the second 30 minutes.

The Senator from Oklahoma is recognized.

CONFERENCE SPENDING

Mr. COBURN. Mr. President, I want to spend a few minutes talking about what is occurring with the GSA conference waste that has been in the news of late. My criticisms are not mainly directed toward GSA.

Over 3 years ago, I started doing oversight on conferences by government agencies. Today I have an amendment, which will not be allowed to be considered, that will hold the agencies accountable in terms of their conferences. Through the years I have put out five reports on wasteful conference spending from the Department of Justice, where it spent $380 million over a 5-year period on conferences, to the Department of Agriculture, and to the Department of HHS in terms of sending thousands of people to one conference at a time. All of it went unheeded.

Now we have the GSA—with Members of the Senate and the House aghast at the waste that has been spent in terms of the GSA conference out West. Had we been doing our job—and there were multiple amendments I have offered over the last 6 years to control conference spending, which have been rejected on party-line votes, to try to bring some semblance of reasonableness and control to conference spending by the various Federal Government agencies.

So we have this problem with the GSA today, but not because of the GSA; it is because of ourselves. We refused to do the hard work of passing requirements that would hold Federal agencies accountable.

My hope is that we would, in one small step, accept an amendment on the postal bill that would allow us to start holding the agencies accountable. It makes for great press and great TV when we stand aghast at what is obviously wasteful spending by an agency, but that accomplishes nothing other than advancing the political careers of my colleagues. We can accomplish something with real legislation that has real teeth and holds the agencies accountable. It is my hope we can have a vote—I don't even think it would take a vote; I think it would be accepted by unanimous consent—that would force the agencies to now come into compliance both in terms of transparency and accountability in how they spend their money.

Every Federal Government agency today has the capability for teleconferencing. We don't have to send 1,000 people, at $2,000 apiece, to a conference to accomplish education and training. We all have it in our offices. The GAO has determined that most Federal employees see conferencing as one of the perks of their job, which is in one of their reports.

I invite the American constituency to look at my Web site, coburn.senate.gov, and go to the studies we put out and oversight reports on wasteful conference spending over the last 3 to 5 years and ask themselves a question: Why didn't Congress act on it? Why didn't they do something about it?

Now we claim we are insulted at the waste. We have had five different opportunities with amendments to do something about it, and we rejected them. We have seen oversight reports that are fully documented which show the waste. Yet we have not done anything.

If Americans are upset with the waste of the GSA conference, they need to be upset with Members of the Senate who have rejected time and again the ability to hold agencies accountable on conference spending. It is my hope that in a bipartisan manner we can address this issue—and not just for GSA but for every government agency so that now we can see transparency and accountability in how the hard-working American taxpayers' dollars are spent, not wasted, and they will know when money is spent on a conference, everybody will see it, and they are going to have to justify not only the expenditure but the reason they are sending people to vacation spots when they should be doing it through teleconferencing and bringing needed updates to Federal employees in a much more efficient and effective way.

With that, I yield the floor.

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

THE ECONOMY

Mr. BLUNT. Mr. President, I thank my friend and my congressional neighbor. When we were in the House, we represented adjoining districts in Missouri and Oklahoma, and it is good to be serving in the Senate with my friend and to hear his commonsense approach on how we need to solve the problems we are facing as a country and the needless problems the government seems to be willing to create for itself.

We have been talking so much—at least the President has been talking about economic fairness as the principal goal of the Tax Code. Frankly, the most fair thing we can do in the Tax Code and in the Senate would be to work to be sure we are dealing with the important issues the job creators and families are dealing with across the country today.

All of us have had the opportunity to be home over the last 2 weeks. I was able to be in the last of the 115 Missouri counties that I hadn't been in since I was sworn into the Senate 15 or so months ago. I learn a lot when I am out there.

What I learned this time is that people are focused on fuel costs. Fuel costs

are on track to hit an average of $4 per gallon by summertime. This is more than double what fuel costs were in January of 2009, and it set the all-time record for the last 2 months. I talked to the people in south central Missouri who are trying to provide transportation for older Americans and disabled Americans, and the fuel cost increase of $150,000 means they have to cut back their services.

The chamber of commerce survey this week found that nearly one out of four small businesses reported that their top concern was gas prices. When we think about that, whether it is delivery or whether it is employees getting to work or whether it is people deciding they cannot go to that small business—the restaurant, the bowling alley, a movie theater, or whatever it might be because they just put too much money in the gas tank of their cars—we should be concerned.

Unfortunately, instead of working to pass solutions that would jumpstart our economy and restore consumer confidence, we simply want to talk about the wrong thing over and over. We had a vote on the so-called Buffett tax this week, which almost everybody who talked about it said it is more of a gimmick than a solution because even if we collected this new tax on Warren Buffett and his wealthy friends, in a year we would collect what the Federal Government deficit is in a day. We will not solve this problem dealing with one three-hundred sixty-fifth of the deficit like it is the solution to the problem.

The lead sponsor of the Buffett tax in the Senate, Senator WHITEHOUSE, said on the Senate floor that the aim of the bill is not to lower the unemployment rate or the price of gasoline. Why would we not have a bill on the Senate floor the aim of which is either to do something about energy prices or job creation?

This bill would generate less than 1 percent of the $7 trillion deficit projected in the 2013 budget during that same period of time. It would take 250 years to collect enough money under the so-called Buffett rule to pay the 2011 deficit. If the solution to last year's deficit would take us 250 years of recovery, the truth is we are just wasting a lot of time on little things rather than big things. We can make little things sound big.

We can make it sound as though fairness is the critical element of everything the government should do, as opposed to opportunity being the critical element of everything the government should do. We can make it sound as though people will still invest money, their IRAs or their lifetime savings—their return is, even if they are successful, zero. But that is not what is going to happen.

I just finished reading a book about President Eisenhower and General Eisenhower. There are many pertinent things in that book, but one was when General Eisenhower and others came back from World War II, the top tax rate was 90 percent. From 1933–1934 until 1981, it was at least 70 percent.

Two points can be made there. Nobody paid it if they figured out how to avoid it, and almost everybody figured out how to avoid it—lots of passive investments instead of active ones. It had to be a good time for municipal bonds because there was no tax on them. So why not put your money there. If you made any money, 70 percent would go to the Federal Government or, in 1946, 90 percent would go to the Federal Government.

But the capital gains rate—which happened to be the rate at which World War II memoirs were taxed, which is why it was in this book—was 25 percent. Even when the top rate in the country was 90 percent, nobody thought the capital gains rate should be even one-third of that because they knew people would not invest money if there was no return. We need tax policies that multiply the opportunities created in our economy rather than subtract from those opportunities.

If we want this not to be about politics but about math, it needs to be about multiplication not subtraction and about how to drive an economy to encourage more private sector jobs.

How do we encourage investment and encourage people to take risks? If nobody takes a risk, somebody else doesn't get an opportunity. People being willing to take a risk means that an opportunity is created for somebody else that would not have been created otherwise. Last month, we were here talking about tax hikes on American energy producers that clearly would be passed along to consumers. Nobody even argues if we had passed those tax hikes last month that gas prices would not go up.

Why in the world would we argue about anything that would raise gas prices rather than lower gas prices? The sponsor of that bill said nobody has made the claim that this bill is about reducing gas prices. The majority leader, Mr. REID, admitted that this is not a question of gas prices. Senator SCHUMER said this was never intended to talk about lowering gas prices. Senator BEGICH said the bill would not decrease prices at the pump for our families and small businesses—and these were the supporters of the bill.

Why would we have a bill on the Senate floor to do that when we could support what the President says he is for, which is an ''all-of-the-above'' energy strategy? Let's do what we can to solve this problem. The most glaring recent example is, of course, the Keystone Pipeline, which would run through North Dakota, go through Nebraska and other States, and get to our refineries. It would create 20,000 jobs, and it would decrease our country's dependence upon people who don't like us very much. It would also encourage more North American energy and encourage energy from our best trading partner, Canada. It is just one of the commonsense steps we can make.

If someone would have told me a couple years ago that when we went home in the spring of 2012, one of the things people would be talking about is why aren't we building a oil pipeline from Canada, I would have said that is a pretty detailed understanding of our energy problem, but it is an understanding that is out there. If we are going to create real economic fairness, we need to work together to pass solutions that will bring down the prices at the pump and get Americans back to work. That is why I believe we need to utilize all forms of American energy, including wind, solar, renewable, biomass, shale gas, shale oil, coal, and nuclear alternatives.

An announcement is being made today by one of our Missouri utility companies and Westinghouse about small nuclear and how that might be part of this all-of-the-above solution.

I am ready to work with my colleagues across the aisle and anywhere else to do what we can to help American families. I hope we can do this together. The shortest path to more American jobs is more American energy. The best and the most fair thing we could do is what is good for American families and small businesses and job opportunities. I hope we can get to work on that.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

THE BUDGET

Mr. CONRAD. Mr. President, I rise today to discuss what I did in the Budget Committee yesterday, why I did it, and where we are headed.

I have heard people say repeatedly that the Senate has now gone for some 1,000 days since passing a budget resolution. What they are not telling people is that last year, instead of a budget resolution, the Senate and the House and the President signed a budget control law. The occupant of the chair knows very well, being a former attorney general, that a resolution is purely a congressional document. It never goes to the President for his signature. The Budget Control Act we passed last year, while it is true it is not a resolution, was a law signed by the President of the United States, and that law—the Budget Control Act—said we are going to set the budget for this year and next, but beyond that we are also going to put in place 10 years of spending caps, saving $900 billion.

On the question of whether the Budget Control Act represents or takes the place of a budget resolution for this year and next, let me read from the text because I think it makes it abundantly clear. It says: The allocations, aggregates, and levels set in the Budget Control Act shall apply in the Senate in the same manner as for a concurrent resolution on the budget.

That is pretty clear. This law, the Budget Control Act law, is to serve in the same manner as a budget resolution for 2012 and 2013, and it sets out the spending limits for those years.

But it even goes further and sets spending caps for 10 years—something that, in my time here, has never been done in a budget resolution. Never in a budget resolution, while I have been here, has there been the setting of 10 years of spending caps, but that is what was done in the Budget Control Act last year.

But that law went even further than that. It also created a special committee and empowered that committee to come up with a proposal to reform the entitlement programs—Social Security and Medicare—and reform the tax system of the United States, and it told that special committee that if it came to an agreement, that legislation could come to the floor without fear of filibuster—without fear of filibuster. Extraordinary powers were granted in that Budget Control Act to reform Social Security and Medicare and the tax system as well.

That special committee did not agree, and the Budget Control Act said: If you don't agree, there are consequences, and the consequences are another $1.2 trillion of spending cuts on top of the $900 billion of spending restraint that was in the underlying act.

So the special committee didn't agree, and now we have the prospect of a sequester imposing another $1.2 trillion of spending cuts on top of the $900 billion of spending cuts in the underlying act, for a total of over $2 trillion of spending cuts. That is the biggest spending cut package, as far as I know, in the history of the United States. Yet the other side suggests repeatedly that nothing has been done to set spending limits when they know full well what the Budget Control Act, passed last year, does. Yes, it wasn't a resolution; it was a law. Boy, that is sort of civics 101, that a law is stronger than a resolution.

I said several days ago I would go to markup in the Budget Committee and I would lay out a long-term plan because while it is true that we have in place for the next 2 years a budget under the Budget Control Act, what we don't have is an overall long-term plan. The Budget Control Act limits discretionary spending for the next 10 years, but we also need a program that outlines what we are going to do about entitlement programs—Medicare, Social Security—and what we are going to do to reform our tax system, which is badly broken.

So several days ago I said I would lay before the Budget Committee the Bowles-Simpson plan, which is the only bipartisan plan that has emerged. It was supported by 11 of the 18 Commissioners. I was proud to be one of five Democrats, five Republicans, and one Independent. Eleven of the 18 voted to support that Bowles-Simpson package. Unfortunately, it took a super supermajority for that plan to come to the floor of the House and the Senate; it required 14 of the 18 members to agree. Eleven of 18 did, which is more than 60 percent. Even in Washington, usually 60 percent carries the day, but it didn't with respect to the Bowles-Simpson recommendations.

So I said several days ago I would put before the body the Bowles-Simpson plan. I did not suggest we would complete action on it at the beginning of the markup. Why? Because we already have in place the spending limitations for this year and next. What we don't have is a longer term plan. We don't need that longer term plan right at this moment, but we need it before the end of the year because at the end of the year all of the Bush-era tax cuts are going to expire, and at the end of this year we are going to face that sequester I mentioned that is in the Budget Control Act law that we passed last year instead of a budget resolution.

Why do we need this longer term plan? Well, because we are borrowing about 40 cents of every dollar we spend, and that is unsustainable. It has to change. I have warned repeatedly of where we are headed if we don't change course. And here is where we are headed. This chart shows the gross debt of the United States if we stay on the trajectory we are on. We can see we are here in 2012. At the end of this year, the gross debt of the United States will be 104 percent of our gross domestic product, headed for 119 percent on our current trajectory. That shouldn't be permitted to happen, and under the plan I laid before our colleagues yesterday, it won't happen.

If we look at the underlying cause of these deficits and debt, we can see it is the relationship between spending and revenue. The red line is the spending line, the green line is the revenue line of the United States looking back to 1950, and what one sees is that spending is at or near a 60-year high. Actually, we have fallen back somewhat from the 60-year high we reached 2 years ago. Revenue is at or near a 60-year low. Actually, we can see it bumped up to a 70-year low back in 2010. But still we see a very wide gap between revenue and spending. As a result, there is a very large deficit—a deficit of $1.2 trillion.

Now, I could have gone before the Budget Committee yesterday and laid out another partisan plan, because that is what is happening. Congressman RYAN, to his credit, laid out a plan, and in the House they passed his plan. I give him credit for laying out a plan. I think the plan is a very bad plan for the country and completely lacks balance. It is all done on the spending side of the equation, which leads him to truly Draconian cuts—dramatic changes in Medicare, for example, dramatic changes in Medicaid, dramatic changes in the whole structure of services the government provides people in this country. And the American people don't want a plan that is just a partisan plan. They do not want a plan that lacks balance. They do not want a plan that is just on one side of the ledger.

As I showed in the previous chart, we have a problem on both sides of the ledger—on revenue and on spending. We have to work on both sides of the ledger. And the American people believe that as well. When asked in the Pew Research Center poll last year in November, ''What is the best way to reduce the Federal budget deficit?'' 17 percent said just cut major programs—only 17 percent, 1–7. On increasing taxes, 8 percent said just increase taxes. And 62 percent said a combination of both. I think the American people have it right. They are pretty smart. They are pretty smart.

In 2010 we had the Bowles-Simpson Commission, the so-called fiscal commission. Eighteen of us were named to serve. It was created by the President after a legislative attempt, led by Senator Gregg of New Hampshire, a Republican, and myself, failed here. We got a majority but we didn't get a supermajority. So our attempt to form a commission legislatively was thwarted. President Obama showed leadership and named a Presidential commission in order to take on the subject, and in December of 2010 that commission reported their conclusion, with 11 of the 18 of us agreeing to the recommendations.

Here are the principles and values the fiscal commission used to guide their efforts: that it is a patriotic duty to make America better; that we shouldn't do anything that would disrupt the economic recovery; that we ought to cut and invest to promote economic growth and keep America competitive; that we ought to protect the truly disadvantaged; that we ought to cut spending we cannot afford, with no exceptions; that we ought to demand productivity and effectiveness from Washington; that we ought to reform and simplify the Tax Code; that we shouldn't make promises we can't keep; and that the problem of deficits and debt are real and the solution will be painful.

Let's be honest. When you are borrowing 40 cents of every dollar you spend, you are not going to solve this in a way that doesn't affect anyone. All of us are going to have to participate in the solution.

The last principle that was used to guide the commission was that we should do things to make America sound over the long run.

So what does the fiscal commission plan I laid out do? It puts in place $5.4 trillion in deficit reduction over 10 years, including savings that have already been enacted in the Budget Control Act. It lowers the deficit from 7.6 percent of GDP in 2012 to 2.5 percent in 2015 and down to 1.4 percent in 2022. So because of the reductions in deficits, it stabilizes the debt and begins to bring it down. In fact, it stabilizes the gross debt by 2015 and lowers it to 93 percent of GDP by 2022.

Remember my previous slide? Here is the quiz. What did it say the debt would become by 2022 if we don't do anything as a share of GDP? It said it would become 119 percent if we didn't

act. Under the proposal I laid before the Budget Committee yesterday, it would bring down the debt to 93 percent of GDP—the gross debt to 93 percent of GDP by 2022 instead of 119 percent if we fail to act.

The plan I laid out reduces overall spending to 21.9 percent of GDP by 2022, discretionary spending to 4.8 percent of GDP by 2022, a record low—a record low. In fact, this overall spending level is lower than the average spending level during the Reagan administration.

Our colleagues on the other side are always eager to embrace Ronald Reagan's policies. The proposal I laid out yesterday has a lower average spending as a share of our national income than did President Reagan during the entire period of his Presidency.

The plan I laid out also builds on health care reform with additional health care savings and fully funds the doc fix. What is the doc fix? That is the measure to prevent the doctors who treat Medicare patients from taking a cut of more than 20 percent.

The plan also calls for Social Security reform that ensures the 75-year solvency of Social Security, with the savings only to extend solvency, not for deficit reduction. In other words, Social Security reform, those savings are not used for deficit reduction. They are only used to extend the solvency of the program itself. The plan I laid out includes fundamental tax reform; makes the Tax Code simpler, fairer, more efficient, while raising more revenue to reduce our deficit and debt.

This chart shows the deficit as a percentage of GDP under the fiscal commission budget plan I laid before our colleagues yesterday. We can see, it takes the deficit from 7.6 percent of GDP this year—which is down, by the way, substantially from 10 percent, which is where it has been—down to 1.4 percent in 2022. The fiscal commission budget plan reduces the deficits below the 3-percent-of-GDP level that is considered sustainable by economists, and it does that by 2015.

Again, the gross debt under the plan I put before colleagues that comes from the fiscal commission work, the Bowles-Simpson plan that was concluded and recommended in 2010, would take the gross debt down to 93 percent of GDP from the 104 percent it is now and, as I indicated earlier, an even more dramatic improvement compared to what the debt would be if we failed to act.

As I indicated, the spending level under the fiscal commission budget plan is about 21.8 percent of GDP. During the Reagan administration, spending was 22.1 percent of GDP. So we have lower overall spending as a share of the national income than was the case during the Reagan administration. In fact, discretionary spending goes to an all-time low of 4.8 percent by the end of the 10-year plan.

We can see, discretionary spending—that is distinct from mandatory spending. Mandatory spending are things such as Social Security and Medicare. Discretionary spending are things such as defense and national parks and law enforcement and education. We can see, discretionary spending as a share of our national income is dropping very sharply under this plan.

What is happening on the other side of the spending ledger is the 800-pound gorilla, which is health care. That is the thing that threatens to swamp the boat around here because we can see what is happening. Back in 1972 Medicare, Medicaid, and other Federal health spending was about 1 percent of our gross domestic product. If we don't take further steps by 2050, it is going to be 13 percent of our gross domestic product, from 1 percent to 13 percent. Right now in this country, 18 percent of our GDP is going to health care. One in every six dollars in our whole economy is going to health care—more than $1 in every $6. So that is something we have to focus on like a laser, and in the fiscal commission plan, we do focus on it like a laser. It doesn't open the health care reform debate that we just concluded, but it does provide an option to phase out the tax exclusion for health care that economists tell us would be one of the most effective things we could do to change the direction of health care expenditure.

It fully offsets the cost of the so-called doc fix, so our doctors treating Medicare patients don't face this huge cut that is currently in the law. We have additional savings proposals with Medicare beneficiary cost sharing, payments to health care providers being reformed, eliminating State gaming of the Medicaid tax, and providing the Medicaid drug rebate for those who are duly eligible in Medicare. This would save hundreds of billions of dollars.

While the fiscal commission did make a recommendation on Social Security, those numbers are not included in the proposal I put before our colleagues yesterday because I am precluded from doing so by the law. The Congressional Budget Act of 1974 prohibits the inclusion of Social Security in deficit totals of a budget resolution. So I did lay out the proposal from the fiscal commission on reforming Social Security; but I could not include it in the numbers because I am precluded from doing so by the law.

Here are the recommendations from the fiscal commission that I included in my proposal to our colleagues but that are not in the numbers for the reason I have given: calls for Social Security reforms to make it solvent, not for deficit reduction; restores 75-year solvency and puts it on a stable path beyond 75 years; strengthens the safety net by enhancing the minimum benefit for low-wage workers and by giving an actual bump up in benefits for the oldest seniors and the long-time disabled. One of the things we know, people who live a long time run out of their benefits. So in the fiscal commission we proposed to actually give them a little bump up after they have been in retirement for an extended period of time.

We also provided a hardship exemption for those who are unable to work past the age of 62. One of the things we know is a person can take early retirement at age 62—and we are going to have to increase the retirement age of Social Security over time, over a very long time, by the way. In this proposal, we increase the retirement age to 69 over decades.

We have to increase also the maximum level of wages that are taxed for Social Security because the traditional standard is no longer being followed. We are not taxing 90 percent of wages. That doesn't mean the tax is 90 percent, by the way. It means 90 percent of wages is being subjected to the tax. What has been happening over years is we have been getting a reduced share of income in this economy to apply the Social Security tax to. That is one of the reasons we have a shortfall over time. Under this plan, we raise the retirement age—but only very gradually—reaching 69 by 2075. This is 2012. So we don't raise the retirement age to 69 until 2075. That is 63 years from now. But make no mistake, that is important because people are living longer. In fact, people are living much longer.

We also have a need for tax reform. The Tax Code is out of date, it is inefficient, and it is hurting U.S. competitiveness. The complexity imposes significant burden on individuals and businesses. The expiring provisions create uncertainty and confusion. We are hemorrhaging revenue to the tax gap, to tax havens, to abusive tax shelters.

Many times on this floor I have shown a picture of a little building down in the Cayman Islands called Ugland House. Ugland House claims to be the home to 18,000 corporations. A little 5-story building down in the Cayman Islands claims to be the home to 18,000 companies. Are all those companies doing business out of that little five-story building? No. The only business they are doing down there is monkey business, and the monkey business they are doing is ducking their taxes here and shoving the burden onto all the rest of us who pay our taxes. That is not right.

We have to go after these tax havens, these abusive tax shelters, and we can do it. We need to restore fairness. The current system is contributing to growing income inequality, and our long-term fiscal imbalance, the deficits and debt we talked about, must be addressed.

CBO Director Elmendorf talked about the economic benefits of tax reform in a hearing before the Budget Committee. He said:

> I think analysts would widely agree that reform of the Tax Code that broadened the base and brought down rates would be a positive force for economic growth, both in the short term and over a longer period.

Tax reform has to be part of the agenda of this Congress. Here is what is happening to income disparity in

America. Look at what is happening. The top 1 percent—and I am all for the top 1 percent doing well. I want everyone to do well in America, but look what is happening. Since 1979, the top 1 percent, their incomes have gone up almost 300 percent. Look at what has happened to those in the middle and those at the bottom. Their incomes have stagnated. They have been about stable—gone up a little bit but not very much. The top 1 percent has gone up like a rocket. One of the reasons is the Tax Code of the United States has dramatically reduced for the wealthiest in our country the tax burden they shoulder. They will show us, oh, their taxes have gone way up. Sure, they have because their incomes have gone way up. What has gone down—what has gone way down is the effective tax rate they pay. The top 400 families, the wealthiest 400 families in America, have had their effective tax rate almost cut in half since 1995.

Again, I am not one who is against success. I come from a family who has succeeded. I come from a family who has done well, and I am deeply appreciative. I am grateful for the opportunity this country has provided to my family. But do you know what. What is fair is fair. What is fair is fair. We have to ask everybody to help pull this wagon out of the ditch. We are in the ditch, and let's get serious about getting out.

If we broaden the base of our tax system, the people who will be most affected are the wealthiest among us because look what happens. Here is the increase in aftertax income, on average, from tax expenditures in this country; that is, the loopholes, the deductions, the credits, the exclusions that are in the current Tax Code. The average benefit for the top 1 percent is $219,000 a year. The middle quintile, their benefit is $3,000. If we reform tax expenditures, which we should do, that will put some additional burden on those who are the wealthiest among us.

By the way, not everybody who is doing well is treated the same way under this Tax Code. There are many people who are doing well who are paying a tax rate that is very close to the top rate of 35 percent. There are others who are paying at a level one-half as much; the same income but paying much less in taxes. Why? Because they have set up their affairs in a way that they especially benefit from the credits, the exclusions, the deductions, and all the rest of the tax gimmicks that riddle the current Tax Code.

Here is what one of the most conservative economists in the country said about reducing tax expenditures. This is Martin Feldstein, professor of economics at Harvard, Chairman of the Council of Economic Advisers under President Reagan. This is what he said about cutting tax expenditures:

> Cutting tax expenditures is really the best way to reduce government spending. . . . [E]liminating tax expenditures does not increase marginal tax rates or reduce the reward for saving, investment or risk-taking. It would also increase overall economic efficiency by removing incentives that distort private spending decisions. And eliminating or consolidating the large number of overlapping tax-based subsidies would also greatly simplify tax filing. In short, cutting tax expenditures is not at all like other ways of raising revenue.

That, from one of the most conservative economists in the country.

Our colleagues on the other side say wait a minute, we should not have revenues more than 18 percent of gross domestic product because that is, on average, what it has been over the last 30 or 40 years. The problem with their analysis is the last five times we have balanced the budget the revenue has not been 18 percent of GDP. The last five times we have balanced the budget, revenue has been at 19.7, in 1969; 19.9, in 1998; 19.8 percent of GDP in 1999; 20.6 percent of GDP in 2000; and 19.5 percent of GDP in 2001. If people want to be serious about balancing the budget, we are going to have to have a revenue level, based on what we see historically, that is more than 18 percent of GDP.

The fiscal commission plan I laid before colleagues yesterday, the so-called Bowles-Simpson plan, does this with respect to tax reform. It eliminates or scales back those tax expenditures we were discussing but lowers tax rates. You can lower tax rates and get more money if you broaden the base, if you reduce some of these tax expenditures that frankly go disproportionately to the wealthiest among us and have grown like Topsy in the Tax Code.

We can promote economic growth and improve America's global competitiveness, we can make the Tax Code more competitive, we can have what was included in the fiscal commission, an option, a reform plan that calls for three rates for individuals: 12 percent, 22 percent, and 28 percent. The top rate now is 35 percent. A corporate rate of 28 percent. The corporate rate now is 35 percent.

The fiscal commission plan called for capital gains and dividends to be taxed as ordinary income. Instead of having a differential for capital gains and dividends, they were taxed at ordinary rates. But the fiscal commission also said if you want to have a differential, you have to pay for it by buying up the top rate.

For those who believe strongly you need to have a differential for cap gains and perhaps dividends, you can do that, but then you have to have a higher top rate than 28 percent.

The fiscal commission plan reforms the mortgage interest and charitable deductions, it preserves the child tax credit and earned-income tax credit, and completely repeals the alternative minimum tax.

Under this plan, revenues grow to 20.5 percent of GDP by 2022. In fact, the revenue under the fiscal commission plan during the 10 years of the plan averages 19.7 percent. That is right at the level that has been required the last five times we have balanced the budget. That is very close to the revenue level during the Clinton administration, the last time we did balance the budget. By the way, that was a Democratic President.

Some say that is a big tax increase you are talking about, Senator. No, it is not a big tax increase. It is additional revenue of $2.4 trillion compared to roughly current policy, what is happening right now. But compared to current law it is actually a $1.8 trillion tax cut because all of the tax cuts that were put in place in the Bush administration are about to expire. So if you compare it to that law, this proposal represents a $1.8 trillion tax cut. It is more revenue than we would get under current policy but less revenue than we would get under current law.

The fiscal commission plan I laid before colleagues yesterday, the so-called Bowles-Simpson plan, also had certain process changes to tighten things up around here, to become more disciplined. It set discretionary spending caps through 2022 enforced by a 60-vote point of order and sequester; firewalls between security and nonsecurity spending so money could not be diverted between the two; a separate cap for war funding with annual limits proposed by the President; more rigorous emergency designation procedures and annual budgeting for disasters; a fail-safe to pressure Congress to maintain a stable debt-to-GDP ratio starting in 2015; more accurate inflation adjustments for indexed programs—that is the so-called chained CPI, a more accurate measurement for inflation adjustment; and a process to ensure more reliable and timely extended unemployment insurance benefits.

I have heard from my colleagues repeatedly that the President showed no leadership. I don't believe that. I think the President showed extraordinary leadership. He averted a depression—and make no mistake, that is where we were headed when he came into office. When he came into office here is what was happening. We were losing 800,000 jobs a month in the private sector. That is what he walked into. He did not create the conditions that led to losing 800,000 jobs a month, he inherited that.

Look at the progress that has been made. Since 24 months ago we have seen jobs in the private sector on the positive side of the ledger—4 million jobs created. That is after he was in a situation in which we were losing 800,000 jobs a month. In the last 4 months we have been averaging 200,000 jobs created. That is pretty good leadership. That is a dramatic turnaround.

The same is true of economic growth. When he came into office the economy was shrinking at a rate of almost 9 percent. Now it is growing at a rate of about 3 percent. That is pretty good leadership. That is a dramatic change from what he inherited.

When I hear that the President did not show leadership—oh, yes? I would

say he showed pretty good leadership. He stopped the hemorrhaging. He got us going back in the right direction. It is not everything we hoped for, but my goodness, what a remarkable turnaround. Two of the most distinguished economists in this country said if we had not taken the actions that were taken by the Federal Government at the end of the Bush administration and during this administration, we would be in a depression.

We are not in a depression. In fact we are growing. We are growing modestly but we are growing. We are creating jobs in the private sector. The private sector is growing. It added 4 million jobs since this President got things turning around. This President named the fiscal commission. There would not be a Bowles-Simpson commission had the President not appointed it. The Bowles-Simpson commission plan is what I put before our colleagues yesterday.

Some have criticized me to say: You didn't vote on it. That is right. We are not going to vote on it until we believe there is the best possible chance to actually get results. If you go back to the Bowles-Simpson commission approach, what you saw is they did not time the vote until after the 2010 election. What I am saying to colleagues is I think we ought to follow their good example. That is because the truth is, people are not likely—all sides are unlikely to get off their fixed position right before a national election.

Let me end as I began. We have a budget for this year and next. It is contained in the Budget Control Act, a law that was passed last year. When my colleagues say there was no budget resolution passed, what they are not telling you is instead of a budget resolution, we passed a budget control law. A law is stronger than any resolution. A resolution is purely a congressional document and never goes to the President for his signature. The Budget Control Act passed the House and the Senate and was signed by the President of the United States.

It says in part:

> The allocations, aggregates and levels of spending set in this act shall apply in the Senate in the same manner as for a concurrent resolution on the budget.

What could be more clear? This law is in place of a budget resolution. It is stronger than any resolution because it is a law. Next time somebody tells you there has been no budget resolution for 1000 days, ask them, but did they pass a law that set spending limits? That set the budget for this year and next? That set 10 years of spending caps that saved $900 billion, that gave a special committee the ability to change Social Security and Medicare and the tax system of the United States and not face a filibuster? And if they did not succeed, there would be another $1.2 trillion of cuts? And because they did not agree, that additional $1.2 trillion of cuts is now in law and will begin to be imposed at the beginning of next year?

That is a total of more than $2 trillion of spending cuts in the Budget Control Act passed by the Congress, signed by the President, and in force today. That is the biggest spending cut package in the history of the country.

If anybody suggests to you no spending limits have been put in place, ask them: What about the Budget Control Act? Didn't you vote on that? Because it passed the House. The Republican-controlled House, they passed it. It passed the Senate and it was signed by the President of the United States. It is the law. A law is stronger than any resolution.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. MANCHIN. Mr. President, first I thank my colleague, Senator KENT CONRAD from North Dakota. To say he is going to be missed is an understatement as he goes back to the private sector with his beautiful wife and family. But his steadfast commitment to this country to put our financial house back in order is the direction we should be going. We should have the courage to do that. I believe we will with his leadership because he has laid out a plan that is more reasonable. There has been more bipartisan support for a longer period of time, and it has grown. It is the only plan since I have been here, less than 2 years, that has maintained that bipartisan support because of the leadership of Senator KENT CONRAD. On behalf of the grateful State of West Virginia and the people of America and my colleagues here in the Senate, we thank Senator CONRAD. We thank him for his leadership.

POSTAL SERVICE REFORM

Mr. MANCHIN. Mr. President, I rise today to share with you the deep concerns that I am hearing from my constituents all across the great State of West Virginia, who are worried about what will happen to their rural communities if their local post offices are forced to shut their doors. In our State, we know that the Postal Service is at the very core of what makes this country great, and what connects us all. In fact, the Postal Service is America. That is why we are willing to come together across party lines to fight hard to preserve the essential services the Postal Service provides.

We also know that serving rural communities is not always profitable and private companies will not come in to fill the gap if the Postal Service leaves. As Americans, we need our rural communities to stay in touch with this great Nation. I am fighting, along with the members of our delegation, to put a stop to these proposed closures.

These concerns for the future of the Postal Service are bringing all West Virginians—Democrats and Republicans alike—together for protests, rallies, and letter-writing campaigns.

In communities where people were told their post offices down the road might be closed, I am hearing people's fears of unacceptable consequences: seniors who wouldn't be able to get their medicines delivered, problems receiving important checks and other financial services, and, just as importantly, the loss of the ability to stay connected to the community and to the country as a whole.

This note comes from Mr. George Jones in Nebo, WV, which is in Clay County. He writes:

> Few people in this area have access to the Internet. They still rely on the post offices to keep them connected to the world. And our people still use the post office. It just makes no sense to cut services to the people who still use them.

They need them as well.

In communities where the post office has already closed, I have heard about what it means to the town and its residents.

This note comes from Delores Wilson in Norton, WV, which is in Randolph County:

> Our Post Office was closed last November. We now have cluster boxes which are out there in the weather, and our residents are scared to have their prescription drugs mailed to their home or these boxes. Our community has been severely affected. We used to see each other while getting our mail. Our postmaster would let us know when children were born and neighbors passed away. We collected funds at the post office to help our neighbors when they fell on hard times or were in need. Now we don't have this central location to do that because our small community no longer has its post office.

I have always said that we as a people and a country need to pick our priorities based on our values. In West Virginia, keeping the Postal Service intact is one of the things our people truly care about. That is why I have raised very serious concerns about this bill which does nothing to keep the 3,700 post offices open, and they are currently on the list for potential closure, including 150 of these proposed closures in West Virginia.

Today I wish to encourage all of my colleagues to vote for an amendment I have offered that would prohibit any postal facility from being closed for 2 years while the Postal Service figures out better ways, working with the Postal Service unions, to get its financial house in order. I have offered this amendment because, as I have heard from my constituents, we simply cannot afford to let these facilities close in the communities that need them most. In our rural towns—places such as Norton and Nebo, WV—the Postal Service is about much more than a place to send and receive mail. Our postal facilities are the centerpieces of our communities. They are places where people gather and share important information. They are a symbol of the importance of our small towns to the people whose families have always been there. They are our little place on the map.

This note came from Deanna Halstead from Boone County, where the Uneeda Post Office could soon be closed. She writes:

We have had a post office in this area since 1902. In fact, the story goes that the citizens petitioned for a post office and were asked what to name it back in 1902. A gentleman saw a can of Nabisco's Uneeda Biscuits, and that is how the post office and town got their name. It would be a shame to lose that history, and it would be hard for our elderly and disabled citizens to travel farther for these services. Fifteen miles does not sound like much to people in Washington, but when you rely on public transportation or a neighbor to take you, it becomes a big burden.

I myself grew up in the small town of Farmington, WV, a community of just a few hundred people. I speak from experience when I say the post offices in these rural communities serve as a critical lifeline.

Even now, as an elected representative, I receive dozens, sometimes hundreds of letters a day from my constituents, many of whom don't have access to the Internet and can only reach me by writing me a letter. That is what is so unique about our post offices. They are a vital link for West Virginians and many others throughout the country, and for them it is so important that their mail service remain uncompromised.

We all know the U.S. Postal Service is in dire straits. The combination of the recent recession, the increased use of e-mail and text messages, and the cost of retiree health benefits has put the Postal Service on a path to financial ruin. In order to remain solvent, the U.S. Postal Service must cut costs by $20 billion by 2015.

Anyone who has heard me speak before knows I share a deep commitment to fiscal responsibility, and we just heard our dear friend, Senator KENT CONRAD, lay it out for us. I truly believe this Nation's out-of-control finances are the biggest threat we face. I am not alone. At a Senate Armed Services Committee hearing a year ago, the then-Chairman of the Joint Chiefs of Staff, ADM Mike Mullen, was asked his opinion on the greatest threat to our national security. Coming from the Defense Department and the person in charge, Admiral Mullen—I would have thought he would have said something about all the turmoil around the world, the wars that are going on, the unease and unrest that could contribute to more wars. I thought he would tell us about some rising military power we should be concerned about or another uprising of a violent attack on this country or a terrorist group wishing to do us harm. But what he said was very simple, and it was a defining moment for me as a Senator when he said that our national debt is the greatest threat this Nation is concerned about, it is the greatest threat this Nation faces. It was a sobering moment. So believe me when I say I truly believe we all have to set our priorities based on our values and learn very quickly to live within our means. That is right. There is a right way and a wrong way to go about this.

The bill we have before us proposes to close 3,700 rural post offices—I am sure including some in the Presiding Officer's own State—for a total savings of $200 million—a figure that is less than 1 percent of the Postal Service's $20 billion and is roughly equivalent—listen to this figure—to the amount we spend in 1 day in the Afghanistan war. We spend that amount in 1 day fighting in Afghanistan, which I think everyone knows I am totally opposed to. Yet we are going to close 3,700 post offices for that 1-day savings for a war in Afghanistan. While achieving very little in terms of the Postal Service's bottom line, this proposal would have an enormous impact on people all over the United States of America, including the people in West Virginia who would lose up to 150 of their post offices. This bill would also lower delivery standards by allowing the Postal Service to go to 5-day service and eliminating door delivery. It would add to our national deficit. In short, I am not sure what exactly we are hoping to accomplish with this piece of legislation.

Already in West Virginia we know for certain that three of our mail-processing facilities will be closing, one in Clarksburg, one in Parkersburg, and one in Petersburg. We still don't know the fate of our facility in Bluefield. The impact those closures will have on the Postal Service's bottom line is minimal, but the impact to those communities is widely felt and deep.

Rather than making drastic cuts on the front lines, the Postal Service needs to consider a different approach to getting its financial house in order. I truly believe we can save the Postal Service without making cuts to the services our communities rely on and the lifeline that they are, and they are needed, and without adding to our enormous deficit. We can work together on a way to keep our postal facilities open, expand services that raise revenue, eliminate enormous bonuses for executives, and sustain 6-day-a-week delivery service.

My colleagues and I have suggested many commonsense ideas that could help solve the problem. For one, current law caps pay for Postal Service executives at $199,700—the rate of pay for most Cabinet-level Secretaries—but provisions in the law allow for bonuses and other compensation to increase total take-home pay for these executives to $276,840. That figure is 20 percent higher than the salary of the Vice President of the United States. In addition, the Congressional Research Service has noted that ''postal executives may be eligible for deferred annual incentive bonuses that exceed existing caps, the payment of which can be deferred until after he or she leaves the postal service.'' As an example, according to CRS, former Postmaster General John Potter earned $501,384 in total compensation in fiscal year 2010. I think most Americans would be shocked to know Postal Service executives can earn larger salaries in the form of bonuses and deferred compensation than Cabinet-level Secretaries. These excesses must be eliminated.

We know from an August 2011 report by the Postal Service inspector general that the Postal Service maintains 67 million square feet of excess interior space and that getting rid of this unneeded real estate could net $3.4 billion over 10 years. I think this is a revenue raiser that deserves some serious consideration, and I believe most of my colleagues would think the same.

I would also ask, during a time when finances are tight, why did the Postal Service spend advertising dollars sponsoring the U.S. Tour de France team and is now sponsoring a NASCAR racing team? I love NASCAR racing, but I am not sure they can afford to be sponsoring a team.

There are a variety of ways for the Postal Service to get its financial house in order without closing their doors in the communities that rely on them most.

Back in April my office coordinated regional open meetings in the communities where post offices are on a list for potential closure. Along with representatives from the U.S. Postal Service, my staff was on hand at these meetings in McDowell, Raleigh, Wood, and Randolph Counties to give local residents the opportunity to share their creative proposals and commonsense ideas to help preserve post offices in their communities. We got the message loudly and clearly: West Virginians do not want to see their post offices closed. They are the lifeblood of the community.

We continue to hear from hundreds of West Virginians in letters, phone calls, and petitions, folks such as Rebecca from Raleigh County, where the Clear Creek Post Office is facing closure. Her community has had a post office for 140 years—140 years. Tell me anything that is more American than that. Here is her letter:

We are an isolated area. The roads are curvy and our citizens are elderly. If this post office closes, it will mean 20 miles round trip to the nearest post office.

It is rare to see a community—hundreds of communities, really—come together around a single issue such as this one. But we are seeing hundreds of people rush to the defense of an institution that has built this Nation and connected this Nation into what we are today. West Virginians do not want to see that disappear, and neither do I. That is why I will fight, along with my colleagues, to find a solution that forces the Postal Service to get its financial house in order, which I believe can be done, without balancing its books on the backs of our rural communities and the people who depend on that lifeline most—our citizens.

Thank you, Mr. President. I yield the floor and note the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. BROWN of Ohio). Without objection, it is so ordered.

Mr. MERKLEY. Mr. President, I rise today to address an issue that goes to the very heart of our rural communities: our rural post offices. I am speaking while negotiations are going on regarding the Postal Service reform bill that has many dimensions to it, attempting to put the Postal Service on stable financial grounds. But I want to focus on this particular aspect: that today we must modify the bill that is before us so we do not end up destroying our rural post offices that are at the heart of the communities they serve.

It was a few months ago that I was in eastern Oregon and received a message that the Postmaster General had put on the list for closure 41 rural community post offices—and that was just in my State of Oregon. In the next couple days, I dropped by several of those rural community post offices. In two cases they were open. I talked to the postmaster, I talked to citizens who were nearby, and I quickly got feedback on the destruction that would happen in that rural community if we do not address this issue in this bill.

Specifically, there will be a huge impact on the small businesses that use the post offices to receive orders and to ship orders on a daily basis. Those businesses will not be able to function if they have to drive 30, 40, 50, 60 miles roundtrip each day to pick up orders and to ship products—a huge waste of time, often on dangerous, winding, narrow roads; a huge additional cost, a huge distraction from the work they do on their farms or on their ranches. In short, this will shut down a lot of small businesses or those small businesses will have to move. They will move to larger towns. When they move, the retail dollars move, and it will not be long before that small store at the heart of that town shuts down.

In addition, I heard from seniors who receive their medicines through the mail. In some cases, they are controlled medicines for which they have to sign. They have to be there in person. They cannot simply receive them through a mailbox, if you will. Certainly, often our seniors are not always in the shape where they can drive daily to see if a medicine they are waiting for has arrived—that they would have to go 40, 50, 60 miles roundtrip to check and see if their medicines came in. Those folks will start thinking: Well, maybe I can't live in this rural community anymore. Maybe I need to move to a larger town that has a post office.

Part of the irony of the bill we have before us is often on the Senate floor we are talking about spending government resources for economic development. Well, if you go to a small town and ask people what is the most essential component for the success of their small town, their small businesses, they are going to tell you the rural post office; that without that they are pretty much out of business. So how is it we spend so much time talking about jobs and economic development and small business as the factory of job creation, and yet we have a bill before us that basically cuts the heart out of the small town economy?

I originally come from a very small town, the small town of Myrtle Creek. When I was a small child—born there—the Dairy Queen at the heart of town was the place we occasionally went as a family. That Dairy Queen is still there, and I still often drive through Myrtle Creek just to go by and have a hamburger as I am going north and south through Oregon.

Now, Myrtle Creek does not happen to be on the list of the 41 towns where the post offices would be shut down.

But visit my hometown and one would get a real sense of the damage that would occur if the post office were shut down. So I bring a very kind of personal sense that this battle matters. I wanted to share some of the feedback I have had from a couple towns. I wish to start with the town of Tiller in Douglas County. Tiller is not that far away. Myrtle Creek is in Douglas County; Roseburg is in Douglas County where I started grade school; Tiller is in Douglas County.

This is the post office in Tiller. It is 16 miles from the next nearest post office. Imagine that a person lives 10 miles from Tiller and then they have to drive another 16 miles to get to the next nearest town. Now we are talking about 50 miles round trip. That is an hour or more out of their day, and that is a lot of cost in gas. That might be $10 a day in gas right there, and that is a huge factor for many of our families.

I am going to share with everyone some passages from a letter from Diana Farris, a former postmaster in Tiller. She writes:

> Tiller is one such community where, in many ways, time stands still and new technology is beyond their grasp. In Tiller, cellular phone service is unavailable, DSL and cable internet service are unavailable, satellite service is overpriced with the majority of residents in the area unable to afford it and there is no Wi-Fi access.

She continues:

> Dial up internet is available (when the poorly maintained telephone system is operational) at top speeds of approximately 24–26k, so slow that many websites, including USPS, time out before you can access the needed information.

Diana Farris, former postmaster, then says:

> The unemployment rate has risen to 13 percent in Douglas County, and the lowest gas price in Tiller in the last few months has been $3.95 per gallon. For communities like this, the local Post Office remains the only option.

Many folks in the Senate may think in terms of big cities they represent that have many options, that have FedEx, that have all forms of electronic communications. They have all kinds of alternatives. But those alternatives, as Diana points out, are not options they have in a small town. Indeed, one of my colleagues said: I do not understand why you are so concerned because FedEx can deliver the medicines.

If one has been to a small town, they would find out that FedEx uses the post office system to complete the last mile of their deliveries. So, no, FedEx does not provide an answer for our veterans, for our seniors, for others who need medicines or other products being delivered through the mail.

Because of that difficult drive from Tiller to the next post office, because of the time, because of the distance, the closing of the Tiller Post Office would have a devastating impact on the small businesses that rely on the U.S. Postal Service.

Here is a letter from Alexandra Petrowski, who owns a small business. It is called Singing Falls Mohair. She owns the business with her husband, lives in Tiller, and she writes:

> We utilize the services of the U.S. Post Office extensively. I would estimate that between 3 and 5 packages go out from our home to destinations all over the world on a daily basis. We sell our products on EBay and the business is flourishing. Our growing market is worldwide using the U.S. mail system every day of the week excluding Sundays.
>
> In the EBay marketplace, timely mailing is an integral part of good customer service. As it is, the Tiller post office is 7 miles from our mountain ranch. A closure of the Tiller Post Office would require an approximately 45 mile round trip journey that would severely impact our modest profit margin.

She concludes:

> We have been engaged in this business for 30+ years. We are seniors and rely extensively on our cottage industry to sustain our ranch operation. Would closing Tiller's post office mean effectively an end to the home business?

Then she answers her own question.

> The answer at this point in time is that it would seriously jeopardize our business.

So here there is a family living on a ranch quite a ways outside Tiller, but Tiller is the closest place. They would have to drive into Tiller, then drive this additional 16 miles to the next post office, would have to do this on a daily basis to ship products.

They are fortunate to have Internet and have been able to advertise and have the world see their products and advertise them through eBay, but they get customer ratings on eBay. If you have ever been on eBay, you will see that people who have these small businesses establish online reputations because they are judged by each of their customers. They are rated by each of their customers.

We feel pretty comfortable ordering from someone who, say, has shipped 500 orders and has a 5-star rating and not that comfortable ordering from someone who has a 3-star rating and customer after customer has said: The product does not come in a timely manner or it is not packaged well, it is not shipped well. So this model, small businesses completely depend on the U.S. Postal Service serving that small community.

Let me turn to Malheur County, a different part of the State, and the town of Juntura. I will get a picture of the Juntura Post Office before us. We will see it is quite a simple looking structure, a manufactured building, not very expensive to build, certainly not very expensive to have it open a couple hours a day. So we are talking about microscopic costs in the context of postal reform that have a monumental impact on the success of our small communities—low cost, high impact.

Is that not the type of deal we argue for every day: government efficiency, low cost, high impact. This little, simple modular building, a few wooden steps going up to the door, may not look like much, but it is a shipping hub and a communications hub that makes the economy work in Juntura, OR.

I have a report from a Juntura resident named Laura Williams. She went into a comprehensive analysis of the impact of this very modest building. She wrote up a 42-page report. It examines every aspect of how this very inexpensive investment—the returns it has for the community. I thought I would read to all of you a little bit from that report.

She writes that the residents of Juntura:

> Will either have to drive to Drewsey, to the west, to mail packages, buy money orders and complete a variety of other transactions—or they'll have to drive east to Harper, 34 miles away, a route that winds through a river canyon dangerously choked with deer during the winter months.

That is the end of that first part of the passage. When I looked at her report, she actually compiled numbers of the number of collisions per week with deer on this road as one drives from Juntura to Drewsey. I was astounded by the high rate. It was a rate of several collisions a week.

I remember when I was a kid, a small child, and we would be driving the rural roads in Douglas County and my parents would say: We have to watch for deer. If you have a deer come through your windshield, you can be pretty much toast if you are traveling at any substantial speed. If you are on a motorcycle and you go around a curve and you hit a deer, the deer is going to do a lot of damage.

So it may not sound like something folks who come from cities would understand, but driving roundtrip—in this case to Harper, 34 miles away—70 miles roundtrip through a road that is dangerous, in dangerous weather conditions, dangerous because of deer and certainly an enormous waste of time and fuel, doesn't make any sense.

She continues, and this is an analysis of Laura Williams from Juntura:

> In essence, Juntura is between a rock and a hard place.

She then analyzes that 25 percent of Juntura's post office users are seniors who would be particularly impacted by these changes, as they rely heavily on the Postal Service to receive medication and may have more difficulty driving long distances in hazardous conditions.

She has one word in bold on the front page which sums up her analysis of the impact of closing this humble post office, ''disastrous.'' It would be disastrous for seniors, for veterans, and for small businesses. It is disastrous for the sense of the community that uses this as a place to connect with each other.

Two weeks ago when we were on the State work period, I visited Fort Klamath, which is also on the list to be closed. When I came, they wanted to share their stories, and I want to share several of those with you now.

The first comment is from Jeanette and Bob Evans. Bob is a veteran, and he receives medication through the mail that often needs to be scanned and signed for. They would have to take a 30-mile trip to pick up the medication if Fort Klamath post office was closed. They will feel the impact in that manner, and then they might make that trip and find out the medicine hasn't arrived yet. So they may have to make multiple trips.

They have a rental business that must follow State law requiring many documents be sent via first-class U.S. mail in order to verify the date of notification. Again, closure of the Fort Klamath Post Office will force them to take more 30-mile trips to Chiloquin to process this mail correctly.

So there are a couple hundred families in this community. It is a beautiful area and has a lot of residences rented out in the summer. Those folks who rent need to have timely service or they are not going to come to town. This point was made. Once the summer renters arrive, which drives the economy of the town, those renters want to be able to mail their letters, and they want to be able to receive their packages.

So that post office—I don't have a picture of the Fort Klamath Post Office here, but closing that post office would take away not only from the business of renting out summer residences but from the number of folks who believe they want to go there and spend their vacation.

Heidi McLean is the proprietor of the Aspen Inn in Fort Klamath, which operates seasonally. Heidi uses the post office daily to send out information packages to everybody interested in staying with them during the season. Once they get word of somebody being interested, they send out the details. They have to be received on a timely basis or the customer will say they got information from somewhere else and that is where they are going to go for their summer vacation. Then Heidi will have lost that business.

Heidi said they could get by with fewer days or partial days, but they feel very strongly they need access to a local post office and that a 70-mile roundtrip to Chiloquin to access their mail would be a serious problem for their small business.

Currently, several of my colleagues have worked to put together a process in the managers' amendment. They have been working hard. I applaud them for taking a step forward from the basic bill. I appreciate the hard work Senator CARPER from Delaware has been doing and the hard work Senator LIEBERMAN from Connecticut has been doing. They have both indicated a willingness to continue working to try to make sure we do not destroy our rural communities by shutting down their post offices. So we are continuing that conversation.

We have a group of us who have an amendment now, including Senator MCCASKILL, who is the lead on it. Many other folks are involved, including Senators TESTER, BAUCUS, and LEAHY. I don't have the full list. I thank them all. They understand this basic notion of little money and the huge impact. It is a type of solution we should be driving through this Chamber.

Currently, the plan in the managers' amendment is a step forward but not quite far enough. I will explain. It says the post office will design a series of service standards, and they will design a procedure. Essentially, before they close a post office they will have to do an analysis of whether closing the post office meets the retail service standards they have laid out, and after they announce the decision there will be an opportunity for the decision to be appealed. That appeal will go to the PRC, Postal Review Commission. The PRC will evaluate whether they met their own standards, and they will evaluate whether the procedures were followed. If they were not, then the PRC can say to the post office that they must go back and look at this again.

It sounds like a system that has some routine to it. But why is that not sufficient to protect our rural post offices? Very simply, the post office management is trying to save money. If they set service standards, those standards will be set in a manner that allows many of our small towns to be shut down—many of our post offices to shut down. It is the same reason they put up a list of 41—let me put up Tiller again. Forty-one of these small town post offices already said—from their internal review, from their sense of responsibility, and from their service standards they want to shut down 41 of these.

After a lot of protests, we got a 6-month delay, and I am very thankful for that. The Postmaster General also said: Maybe not 41. For now, we will take 20 of them off the list. And he took one more off. So we are down to about 20 in Oregon. Others could be added back at any time.

The post office has already said they want to shut down 41 based on their understanding of their service responsibilities. So a process we put into statute that simply says: Will you be a little more clear about writing your service standards or your procedures is just window dressing.

So we need the Senate to say: Here are service standards for delivering

medical supplies to our seniors, veterans, and others. Here are standards for the communities that do not have all the electronic communications that big towns have. Here are standards for supporting the small businesses in these communities. We need to set those standards because it is we on the Senate floor who have been elected to fight for the people of America. The post office is trying to balance their budget. That is why they said they think it is OK to shut down these 41.

The amendment that Senators MCCASKILL, TESTER, BAUCUS, LEAHY, and a number of others have put forward is completely compatible with the general vision of having an appeal process with the Postal Review Commission. But it gives the Postal Review Commission an actual standard by which to make a decision; otherwise, all the post office has to say is, yes, we considered the issue—and the word ''consider'' is right in the current amendment, the managers' amendment. It is not enough for the post office to say: Yes, we considered the fact that it does affect small businesses, such as the Mohair Company that I described. There has to be a standard of service that we in this body are comfortable with in defending the commerce of the small town and for small businesses.

So I appreciate the work Senators COLLINS, CARPER, and LIEBERMAN are doing and that they are engaged in this dialog about defending our small towns. I know they understand the impact that would occur. Maybe it is an impact that hits harder in some States than others. It certainly hits hard in Oregon.

I look forward to continuing to work with the sponsors of our amendment, lead by Senator MCCASKILL, and to working with the floor leaders of the bill because we must not pass through this Chamber a bill that would carve the heart out of the economy and the communications of rural America.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BROWN of Ohio. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. HAGAN). Without objection, it is so ordered.

Mr. BROWN of Ohio. I rise to urge the reauthorization of the Violence Against Women Act.

In 1994, this very important act became law. It was groundbreaking for women, for law enforcement, and for local advocacy organizations that received the resources they needed to better protect victims of abuse. It empowered us to combat domestic and dating violence and to prevent sexual assault and stalking.

The Violence Against Women Act has improved the criminal justice system's ability to keep victims safe and to hold perpetrators accountable. It has been a valuable tool for so many women, so many children, so many families, and law enforcement to make sure we can keep people safe. It is vital we ensure these services remain intact.

Last year, the law expired. Critical efforts that help women and their children protect themselves from domestic violence and stalking and now cyber threats continue only on a short-term basis.

As a husband, as a father of three daughters and a daughter-in-law and as a Senator, I find any further delay of reauthorization of the Violence Against Women Act to be simply unacceptable. Our mothers, our sisters, our daughters deserve more protection and security and less of the political bickering.

In 2011, there were more than 38,000 reported cases of domestic violence in Ohio. Of course, many more than that—thousands more, we think—went unreported. Women live, as do children, with fear and pain. These women live with the fear and pain of their partner's physical and emotional abuse. It is because of the Violence Against Women Act that they have somewhere to turn. It is because of that law that when they do, they have the help to escape violent relationships and the support to seek legal representation when they need it. It is why authorizing the Violence Against Women Act is so important.

Women's shelters and domestic violence centers clearly would have trouble existing without this law. These are the very organizations that connect women with legal help, emergency housing, transportation, and like services. They help with primary prevention programs so children grow up learning the importance of healthy and safe relationships.

The Violence Against Women Act is about assisting law enforcement officials who place themselves in danger when they investigate and prosecute cases of abuse and violence.

Reauthorizing the Violence Against Women Act would invest in State grant programs—such as the Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program—that help law enforcement respond to assault crimes. The bill provides tools for law enforcement, victim service providers, and court personnel to better identify and manage high-risk offenders and prevent domestic violence homicides.

Reauthorizing the Violence Against Women Act is long overdue. It is time to stand for the women in this country so they are no longer subject to neglect and abuse and the law's inaction. I urge my Senate colleagues to reauthorize, finally, after the opposition—opposition I don't even understand—from a number of my most conservative colleagues, how important it is to reauthorize one of the most important pieces of legislation affecting women in our country.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

THE BUDGET

Mr. SESSIONS. Madam President, my friend and colleague Senator CONRAD said earlier this morning, protesting a bit, that he never said we would have a markup in the Budget Committee—mark up a budget, as required by law. But that was what I understood. I am not here to argue the details of it. But he said publicly, as I understood it, that he was going to have a markup. Our people were working on as many as 80 amendments. I was working on amendments, key health care amendments, at the time. I heard the Senator was having a press conference, we turned it on, and he basically said we are not going to have a markup.

He said there was a markup, we started a markup, we had opening statements, and I offered a bill but we just did not have votes, no amendments, no final vote on passage; didn't ask a single member on the Democratic team on the Budget Committee to vote for or against anything. That is how it happened.

I am not accusing him of deliberately misleading me. What I would say is I thought we were going to have a markup—and a markup means the chairman lays down the chairman's mark, it is marked up with amendments, others can offer substitutes, and you vote, and citizens of the United States of America can hold us accountable for what we do and if they do not like what we do, they vote us out of office. They have been pretty good at that in recent years. A couple of times they whacked the Republicans, last time they whacked the big-spending Democrats in 2010. That is what America is all about. We are accountable. But there is no ability or need or right to avoid responsibility for the critical issues of America. I wanted to say that.

Let me tell you what happened. This is not a mystery here. There is no mystery here. This started 3 years ago when the Senate Budget Committee—Senator CONRAD was chairman—moved out a budget. But the majority leader, Senator REID, decided it was going to be uncomfortable to vote on that budget. The United States Code requires that by April 1 the Budget Committee produce a budget and by April 15 it is voted on, on the floor. Congressmen and Senators who passed the Congressional Budget Act in 1974 did it because we were not having budgets moved promptly, on time. They laid out how it should be conducted. They did not put down that you lose your pay if you do not produce a budget, they did not put down you go to jail if you violate

the statute, they just said that you should do it. So there is no penalty in the code. Senator REID blocked the budget from coming to the floor 3 years ago.

Then last year, despite the code requiring that we have a budget, Senator REID and his Democratic colleagues decide they did not want to have a budget even in committee. There was no budget in committee as the law requires, no budget was brought to the floor, except Senator MCCONNELL forced a few votes but without the normal debate that you have on a budget as it moves through the Senate.

What was going to happen this year? What happened this year is that Senator CONRAD is not going to be running again. He is proud of his service on the Budget Committee. He served on the Erskine Bowles-Simpson fiscal commission, the Gang of Six he was involved in—he had some ideas. He wanted to do what the law said, I think. I think he wanted to bring forth a budget. At least the last thing he did, he was going to comply with the law—at least that is what I thought.

He got started. We were prepared. On the eve of the hearing to mark up the budget we were told we were going to not have a normal markup, but a markup in which we would not vote. You get to have opening statements—everyone could make one—and then he would lay down the mark, but nobody would vote for it or any amendment or any other substitute mark.

I think that is a pretty sad thing. The reason Congress passed the Congressional Budget Act in 1974 is that Congress recognized they were not fulfilling a fundamental responsibility of good government, and that as the largest entity in the world, the entity that spends more money than any other government agency or so forth in the world, the United States of America, ought to lay out in advance a plan for spending its money. That is so basic. So it required a budget and usually we have had one—at least with regard to committee work.

We do not produce budgets in election years, they say. There have been times in election years when budgets have not been passed and reconciled with the House. But I have never known in the 15 years I have been in the Senate, other than these 3 years, a year when the Budget Committee did not move a budget. The Budget Committee has always managed at least to move forward. And usually we have had votes on the floor—virtually every year. I think this is all miscommunication. It is a concern to me.

The question that we need to ask—and what the American people need to ask is this: Why don't you consider a budget? Why don't you have a budget?

There have been several excuses in the last 3 years about why we do not have a budget. Senator DURBIN, Speaker PELOSI, Jack Lew, Chief of Staff at the White House and former Director of OMB, who ought to know better, said on television: You can filibuster a budget and we can't have a budget because you can filibuster it.

Wrong, you cannot filibuster a budget. The Congressional Budget Act was passed in 1974 to make sure we pass the budget. It is passed with a simple majority. You are guaranteed 50 hours of debate and then you have a vote. But in that 50 hours of debate you can offer amendments. So it cannot be filibustered. That is a bogus excuse. So that is not the real reason, is it?

They said we had the Budget Control Act last summer and that takes care of it; we don't need a budget. Wrong. If it is ''the budget control act is the excuse,'' why didn't we have a budget last year, before the Budget Control Act passed? Why didn't we have one the year before that? That was not an election year; last year was not an election year. Why? The Budget Control Act is not the reason they did not bring up a budget. It was not the reason they did not bring up a budget last year and the year before, because we did not have the Budget Control Act last year or the year before and a budget was not brought up. It was not brought up for other reasons.

This is the code book, United States Code, Annotated, where the Congressional Budget Act is, and it requires us to pass a budget out of committee by April 1.

If the Budget Control Act said we did not need to have a budget, why did the President submit a budget this year? He submitted a budget. The Budget Control Act was passed last summer. If that obviated the need to pass a budget, why did Congressman RYAN and the House lay out an historic budget that would change the debt course of America, put us on a path to prosperity and not decline? Why did they do it? There were six other budgets offered in the House, some by Democrats, some by a bipartisan group, and some by conservative Republicans. But the Ryan budget passed and the others were voted on, too. Why did they go through that process if the Budget Control Act eliminated the need for a budget? So that is not the reason.

All they said is that we cannot have a budget during an election year. What does that mean? We don't want to vote on tough economic issues with an election coming, do we? Somebody might note how we voted. They might not be happy with it. They might vote us out of office and the last thing we want is to be voted out of office. We don't want to be held accountable. We don't want the American people to know what we are doing. We want to allow the debt to continue year after year without taking any leadership to change it. That is getting close to the matter.

Senator CONRAD said we may reconvene the committee after the election. But we don't want to bring it up before the election. I have to tell you, in this town, with the media, old hands around Washington, lobbyists, political gurus—they probably think that is clever. They say it is clever on TV. ''Oh, Senator REID didn't want to bring up a budget because his people would have to vote. That's good politics,'' they would say. Senator REID said he would not bring up a budget last year because it would be foolish to bring up a budget. Foolish for the United States of America to have a budget at a time when the debt is the greatest threat to our future of any thing that is out there? It dwarfs any other danger our Nation faces, our surging debt, and yet it is foolish to have a budget?

No, he wasn't saying it is foolish to have a budget. He was basically saying it was foolish for us Democrats to lay out a plan on how we are going to spend the Nation's money, because we are going to propose big tax increases in our plan and if we put it out there they are not going to like it. The great unwashed out there, these tea party people, they might be angry with us if they find out how much we are going to increase taxes and how little spending is going to be cut in our budget. That is what he meant, ''it is foolish.'' It was politically foolish, not substantively foolish.

We were at this so-called markup—this faux markup I called it yesterday—and the Democratic members were speaking, and you would have thought they were serving the Nation's interest by not having a vote: You know, we are going to talk about this. We should talk about it so we can begin to make plans for next year. Next year? We have gone three years without a budget. They were serving the national interest?

All that was rhetoric. The interest they were serving was political, and the political interest was not to have to vote and be held accountable, because the President's budget is so irresponsible. I offered it last year. Senator MCCONNELL called it up and got a vote on it. We did not get to debate it. We called it up, and Senator MCCONNELL was able to force a vote—97 to 0 against the President's budget. Every Democrat voted against the President's budget last year.

Earlier this year the President's budget was brought up in the House. It went down 414 to 0. Then they brought up Congressman RYAN's budget here in the Senate. All our Democratic colleagues voted against it because it cuts spending and doesn't raise enough taxes. They voted against it, but they did not say what they would do. They brought up Senator TOOMEY's budget, which would balance the budget in 10 years, last year. He has one that would balance maybe even sooner this year—a tough thing to do, but he has a budget that would do that. It was brought up on the floor of the Senate, and every Democrat voted against it.

So with regard to budgets last year, what happened? Our Democratic colleagues voted against the President's budget, they voted against the Toomey budget, they voted against the Ryan

budget, they voted against the Rand Paul budget, and they didn't vote for anything. They didn't go on record for anything because they don't have the courage or the coherence or the willingness to agree on a vision for America. It is that simple. One can spin all this any way one wants to, but the Democratic majority in this Senate is incapable of uniting behind a plan that the American people would see as credible and would change our dangerous debt path.

Alan Simpson, the former Senator, and Erskine Bowles, former Chief of Staff to President Clinton, chaired the Fiscal Commission. The President appointed them to the Fiscal Commission. They told us this Nation has never faced a more predictable financial crisis, and they were talking about the surge in debt. I think that is true. I think the needle is in the danger zone. Our debt-to-GDP is now over 100 percent. Our total gross debt is greater than the entire gross domestic product of our country. Our debt per capita is greater than Europe's. Our debt per capita is greater than Greece's. Our debt per capita is $50,000 per person, and under the President's 10-year budget, it would go to $73,000 per person—greater than Europe, which is in a financial crisis today. We have some unique advantages now, but we could lose those. We are heading to a crisis unless we change our path.

I am so disappointed in the President. This is the leader of the Nation. What does he do? Not only does he not lay forth a credible plan for the future, he attacks Congressman RYAN. He invites him to come sit in on a meeting and then attacks him. Meanwhile he says he wants to have a bipartisan plan to change America.

We need to make some tough decisions—a lot of tough decisions. They are not going to be easy when we borrow 40 cents of every dollar we spend. Last year we were taking in $2,300 billion and spending $3,600 billion. I know people think this is not true. I am telling my colleagues that it is true. That is why Republicans and Democrats, liberals and conservatives acknowledge we are on the wrong path.

The budget that Senator CONRAD laid down but none of his colleagues voted for—and he didn't vote for it either—the budget he laid down yesterday would not cut any spending over the agreement of the Budget Control Act next year. After the Budget Control Act passed, we were projecting to spend $44 trillion over 10 years, and under Senator CONRAD's budget, we would spend $44 trillion over 10 years. But he claimed we are going to reduce deficits. How? By getting $2.6 trillion in new taxes—no cuts, but $2.6 trillion in new taxes. No wonder they don't want to have it out here on the floor where it can be talked about and amendments can be offered and the American people can know what is in it. That is no way to solve our Nation's problem.

The President goes around saying we need the Buffett tax. We know the Buffett tax and how horrible it is, and people don't see that as a solution to our problem when, in fact, it would raise $4 billion a year and this year our deficit is projected to be, again, $1,300 billion. This Buffett tax is going to raise $4 billion. How irresponsible is that? Is this all we are getting from the other side? Tax oil companies, raise the Buffett tax—there is no reality here.

So what I believe is this: A budget lays out a comprehensive plan. It lays out a plan for 10 years. We have some smart people around here, and they can add up the numbers, and they will know how that budget raises taxes, how little it may be cutting spending, how much debt we will be accumulating each and every year in the years to come, and the Congressional Budget Office tells us how much interest we will pay on our debt each year.

We could ask Congressman RYAN: How much interest are we going to have to be paying on our debt over the next 10 years? We could ask Senator CONRAD or Senator REID: How much interest will your budget cause us to pay? For example, President Obama's budget—last year we paid $230 billion in interest on the debt of the United States. According to the Congressional Budget Office, which has analyzed the numbers, they calculated that at the end of the 10th year, we would pay $743 billion in interest—in one year. The Federal highway program spent faster to meet the $40 billion budget this year for highways. Federal aid to education is $70 billion. The Defense Department's base budget is $530 billion. Interest would be the fastest growing item in the Federal budget based on the fact that we are running virtually trillion-dollar deficits for the rest of the decade.

Also, the President's budget fails to alter the debt course in the future. Congressman RYAN's does. It deals with the surging entitlements—at least the ones that can be dealt with. We can't deal with Social Security in a budget by law, but we can deal with Medicare, Medicaid, and other surging entitlement programs that have to be brought into some sort of stable control so they don't go bankrupt. Congressman RYAN dealt with that, but the President doesn't deal with it in a realistic way, and he has failed to lay out a plan.

I guess what I am saying is I am just frustrated this morning to hear that our colleagues are aggrieved that they did not get—that we felt we should have had a markup on the budget, but we didn't get one. The reason we didn't get one is because a decision has been made in the highest counsels of the majority party of the U.S. Senate that they do not want to be held accountable for the votes necessary to put our country on a sound path. I am very disappointed about it, and that is the bottom line. Hopefully, as time goes by, we can come together and work together to pass a plan for America—including tax reform—that will put us on the right path. That certainly is what is needed.

I would just say, though, that a budget can be passed on a party-line basis. It has been done many times in the past. The majority party in particular has a responsibility, in my view, to lay out its vision for the country, and the biggest part of that vision is where they intend to spend the taxpayers' money. I can't imagine they would want to go to the American people and ask for higher taxes when they refuse to comply with the plain statutory law that says they should have a budget to show where that money is going to be spent. If they won't tell the American people where they are going to spend the money, how much debt they are going to run up, how much spending they are going to cut or not cut, then I don't think the American people ought to send another dime to this place—not another dime. That is why the polling numbers show we are in such sad shape.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

RETIREMENT OF KATHY KERRIGAN

Mr. KERRY. Madam President, all of us who work here in the Senate and who are privileged to serve as Senators know on a personal level that we are always only as good as our staff and staff work that we are privileged to have from them. I think every Senator is enormously grateful for the hours all of our staffs invest to help us do our work. Oftentimes, that means missing weekends, deferring, delaying, or plain canceling vacations, or working away on a beautiful Saturday morning when other people are out and about, and I am sure the best of them would readily admit they would rather be spending their time somewhere other than perhaps the Russell Senate Office Building.

That is why today I mark a very bittersweet transition on my team because tomorrow is Kathy Kerrigan's last day on my Senate staff. After having been confirmed at the end of the last work period, she is leaving the Senate to serve as a judge on the U.S. Tax Court, and that is the capstone in an already distinguished life spent in public service.

As proud as I am to see her serve on the Tax Court, it is really difficult to imagine my office without her. She has had the title of ''tax counsel,'' but she really was a lot more than that. The chairman of the Finance Committee, MAX BAUCUS, and my colleague from Massachusetts in the House, Kathy's old boss, RICHIE NEAL, all know better than anyone just how much—on almost every single issue in the Congress, it always somehow comes to be a tax issue, a Finance Committee issue. So for 6 years Kathy has been my indispensable utility player. It didn't matter if it was on health reform, climate change, energy, infrastructure, or supercommittee, if it was anything I was working on with a fairly high level

of focus, you can bet Kathy was there. I can tell my colleagues that she wasn't just there, she was invariably the indispensable player.

I don't know if she will like it, but I would say at times she was a wonk's wonk. She knew the Finance Committee brilliantly, and sometimes I had to struggle to follow Kathy because Kathy talked tax, and tax is a different language. She was almost a charter member of the very unique clique of the Finance Committee staffers, and MAX BAUCUS knows what I am talking about from his staff director, Russ Sullivan. They actually had their own annual tax prom, and that is how exclusive a bunch they are. There are a lot of us who are a little scared to think of what a tax prom looks like. I once said it was probably a prom for people who didn't go to their own proms once upon a time, but, in fact, it is a party for the smartest, most detail oriented, hardest working staffers the Senate has because they are always in the middle of everything around here and, boy, do they deliver.

That is really where Kathy was in her element—driving into the minutiae of issues, crystal-balling legislation better than just about anybody with whom I have ever worked. I will tell my colleagues, if she had chosen the Navy instead of the Finance Committee, we would be here today saluting Admiral Kerrigan. She comes to an issue always armed with facts. She has always thought through every question a Senator or anybody else might ask about a particular issue. She is driven to get the job done, and she always did.

On health care, she was a phenomenal thinker as we worked through the Finance Committee issues and the funding mechanisms.

Last summer, she was nominated for the court. But then, nevertheless, I asked her to serve on the deficit committee. She promised to stay until the work was done, and I cannot emphasize how valuable she was there also. On the Joint Select Committee, there were many times when committee members from both parties would ask if Kathy could join a meeting. That is a sign of respect and of ability. She was someone who quietly, head down, did the work, and let the work try to find a way toward a solution.

Everything I admire about her as a public servant is written into her DNA. I think it is the result of growing up in Springfield, MA, where her father Bill Sullivan served as mayor. She had a front-row view of what it is like in public life, of what the demands are, and of what a difference earnest people like her father can make in government—people who do the work without worrying about the limelight or who gets the credit.

She never lost sight of that through Boston College and Notre Dame Law School and 14 years on Capitol Hill working on tax policy. As much as I admire the special energy Kathy brought to her job, what I admire most about her is her ability to distinguish between right and wrong and her moral compass that always guided her in her public service.

I will just share one quick story before I wrap up. Last summer, deadly tornadoes clippered through her hometown of Springfield, MA. The first thing Kathy did was, obviously, make sure her parents were safe. But the second thing she did was get in her car and drive to work immediately. Instead of going home to Massachusetts, she came to work in the Senate on a bright Sunday morning and immediately got busy working on tax disaster legislation to help the people of Springfield, the small businesses, the people who had been impacted. She did not see arcane tax legislation; what she saw were bricks and mortar, lumber and nails and lives that had been disrupted.

That is the Kathy Kerrigan I know. That is the Kathy Kerrigan I have been privileged to have working with me through some of the most interesting, most grueling, most productive legislative years I have had the privilege of being part of in 27 years in the Senate. I will miss her energy, her creativity, and the dedication she brought to my office.

But it is good to know and we will all be reassured by the fact that she will bring those same qualities, heart and head to the Federal bench. She will be a phenomenal tax judge, and she will continue to make her family and her friends and her home State of Massachusetts very proud.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. MCCASKILL). Without objection, it is so ordered.

Mr. LEAHY. Madam President, what is the parliamentary situation?

The PRESIDING OFFICER. The Senate is considering the motion to proceed to the Violence Against Women Act.

Mr. LEAHY. I am glad we are doing that. I want to thank the majority leader for moving to proceed to the reauthorization of the Violence Against Women Act as the next legislative measure for the Senate to consider. He made the motion Tuesday afternoon.

My hope is that it is not going to be necessary to have extended debate or a filibuster or the filing of a cloture motion and a delay of several days and then a delay of 2 more days even after more than 60 Senators vote to bring the debate to a close and proceed to the bill and then another vote on the motion to proceed before the Senate is permitted to consider this important measure.

I expect anybody listening got lost through that whole process. That is something we Senators should think about. The American public expects us to vote yes or no, not maybe. The longer the delay and the motions go on, the more we are voting maybe. Let's vote yes or no.

For almost 18 years, the Violence Against Women Act has been the centerpiece of the Federal Government's commitment to combat domestic violence, dating violence, sexual assault, and stalking. The impact of this landmark law has been remarkable. It has provided lifesaving assistance to hundreds of thousands of women and children and men. I appreciate the bipartisan support that this bill has had from the beginning.

Senator CRAPO and I introduced a reauthorization of the Violence Against Women Act last year after months of discussion. We wanted it to be a bipartisan bill, and it is. Too often in recent times, the Senate goes through all kinds of delaying moves before they proceed to legislation. Again, as I said, the American people elect us. They expect us to vote yes or no not maybe. The delays are a big fat maybe.

The Violence Against Women Act is a measure that is cosponsored by 61 Senators. It is a bipartisan measure cosponsored by Democrats, Republicans, and Independents, and passed out of the Senate Judiciary Committee in February. So I hope Democrats and Republicans and Independents will come together to proceed to consider the bill without delay. I would hope they step forward and do the right thing and send the message to America that we are united in the effort to see the Violence Against Women Act reauthorized.

It is an opportunity for the Senate to come together and renew what I believe is a shared commitment among Senators to end violence against women. For generations, violence against women in this country was condoned. Too often these insidious crimes were dismissed with a joke or a shrug or that ''they involve somebody else.'' Rape was too often excused and domestic violence was tolerated as a family matter.

Victims were blamed, humiliated, and ignored. They had nowhere to turn. There were no crisis centers, there were no shelters. Far too many women and families were left to fend for themselves with no help. The Violence Against Women Act was passed nearly 18 years ago and has helped to change that. It sent a powerful message that violence against women is a crime and it is not going to be tolerated, no matter where it happens.

It transformed the law enforcement response and provided services to victims all across the country. Now is the time to renew our commitment to these victims by passing this legislation. We need to move forward. We need to reaffirm that ending violence against women is a priority for all Americans. We need to be a beacon to others around the world in this regard.

With this effort we set the standard. We show that America understands

equality and recognizes human dignity. We are going to fight injustice against the most vulnerable among us.

The legislation that I introduced with Senator CRAPO last November is drawn from the needs of survivors of domestic and sexual violence. It is based on the recommendations of the tireless professionals who serve those survivors every day.

It includes improvements suggested by law enforcement officers across the country. As we build on the progress we have made in reducing domestic and sexual violence, we made vital improvements to respond to remaining, unmet needs to better serve the victims of violence.

We incorporate the important work that Chairman AKAKA, Senator MURKOWSKI, and the Senate Indian Affairs Committee have been doing to try to respond to the epidemic of domestic and sexual violence in tribal communities. We increase the focus on effective responses to sexual assault.

While the annual incidence of domestic violence has fallen since VAWA was introduced by more than 50 percent, the progress has not yet translated to reducing sexual assault. Incidents of sexual assault remains high, while reporting rates, prosecution rates, and conviction rates remain appallingly low.

So we faced that problem head on. We ensure that funds are allocated to law enforcement and victims service responses to sexual assault and authorize support for law enforcement sexual assault training and the reduction of the backlogs of untested rape kits.

In a lot of places, they say: We cannot test this rape kit for several months. So often the perpetrator comes back. So during the several months it takes to test the rape kit, they say to the victim: Be sure and keep your door locked. This is not how victims should be treated; they should not have to live in fear. We should be able to say we can test this immediately, and then go get the person involved.

My early experience with the question of sexual assault was not as a Senator but as a local prosecutor. Senator CRAPO has been visiting women's shelters and working on these issues for decades as well. His principled bipartisanship should be respected and celebrated as being in the best traditions of the Senate, the Senate I came to 37 years ago. From the outset, we have consulted to make this bill the best it can be.

More than a month ago, Senators from both parties came forward to urge the Senate to take up and pass the reauthorization of the Violence Against Women Act. The Senate heard that day from Senator KLOBUCHAR, Senator MURKOWSKI, Senator MIKULSKI, Senator MURRAY, Senator HAGAN, Senator SHAHEEN, Senator FEINSTEIN, and Senator BOXER, who was the author of the House bill in 1990. Eight Senators came to the floor to remind us all why this bill is important and why the Senate should pass it.

There is nothing radical or new about saying that all victims—all victims—are entitled to services. I have been at some of the most horrendous crime scenes you can imagine in my earlier career. I never asked, and certainly none of the police officers ever asked, whether the victim was a Democrat or Republican, rich or poor, or from a minority. A victim is a victim, and we should be helping all victims not discriminating among them.

We know that even though the economy is improving, these remain difficult economic times and we have to spend our taxpayer money responsibly. That is why in this bill, we consolidated 13 programs into 4 to reduce duplication and bureaucratic barriers. We cut the authorization level by more than $135 million a year, a decrease of 20 percent from the last reauthorization.

We have significant accountability provisions including audit requirements, enforcement mechanisms, and restrictions on grantees and costs. I sought to consult with Senator GRASSLEY and others in making these changes to authorization levels and for increased accountability, knowing how important these aspects are to them. In the Senate Judiciary Committee those who opposed the bill were given an opportunity to offer a substitute and other amendments. Senator GRASSLEY offered a substitute which was voted on and rejected. In the minority views of the Committee report, Senator KYL noted disagreement with the provisions of the bill responding to the crisis of violence against Native women that incorporated a provision for the SAVE Native Women Act to provide domestic violence jurisdiction over those perpetrators with significant ties to the prosecuting tribes.

Opponents have noted their disagreement with the U visa provisions requested by law enforcement. Some opposed the provisions intended to ensure against discrimination in services based on sexual orientation or gender identity.

Again, I will say what I have said over and over again: a victim is a victim is a victim. We should not ask what category they fall in.

Since the bill was passed by the Judiciary Committee I have continued to reach out to Senator GRASSLEY and ask what amendments opponents wish to offer during Senate consideration. While amendments to strike the tribal, U visa and sexual orientation provisions were not offered before the Judiciary Committee, I would understand if opponents wished to do so before the Senate. I have reached out to try to construct a pathway for consideration of the bill pursuant to an agreement that is fair to opponents of these various provisions. If they have other amendments, let's bring them up. Let's vote on them. Let's vote this up or down. Do not vote maybe.

I hope we can reach out to the leadership on both sides, get a time to get this done, do not keep holding up legislation that has been endorsed by more than 700 State and national organizations, numerous religious and faith-based organizations, and our partners in law enforcement. Let's show the country we will not duck this issue. We will vote for it or we will vote against it.

The Violence Against Women Act should not be a partisan matter. The last two times the Violence Against Women Act was reauthorized, it was unanimously approved by the Senate.

Although it seems that partisan gridlock is too often the default in the Senate over the last couple of years, it remains my hope that those who have voted for VAWA in the past will come forward and join our eight Republican cosponsors to support it. If so, we can pass our VAWA reauthorization with a strong bipartisan majority as we always have.

Domestic and sexual violence knows no political party. Its victims are Republican and Democrat, rich and poor, young and old, male and female, gay and straight. Let's pass this without delay. It is a law that has saved countless lives, and it is an example of what can be done when we work together.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. BLUMENTHAL. Madam President, I salute and thank the Senator from Vermont for his extraordinary leadership on this issue of the Violence Against Women Act. He has been truly and deservedly a hero in championing a measure that has saved countless lives and prevented the kinds of suffering and brutality we have seen all too often.

I join in his remarks, and I will speak at greater length about the need for that bill in the future.

(The remarks of Mr. BLUMENTHAL pertaining to the introduction of S. Res. 428 are located in today's RECORD under ''Submissions of Concurrent and Senate Resolutions.'')

Mr. BLUMENTHAL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

50TH ANNIVERSARY OF SEATTLE WORLD'S FAIR

Ms. CANTWELL. Madam President, this Saturday marks the 50-year anniversary of Seattle's World's Fair. The fair was a presentation of what the world would be like in the 21st century. The Space Needle was built and it gave us an iconic symbol that still lasts and defines our skyline today.

More than 9 million people visited that World's Fair in 1962. Elvis Presley stopped by during the filming of a

movie, because the movie was called ''It All Happened at the World's Fair.'' All the visitors to the fair saw a very futuristic rendition of what boundless energy and innovative spirit in America would be all about.

President Kennedy opened the fair, highlighting the innovations of science and technology. He said, ''These accomplishments are a bridge which will carry us confidently toward the 21st century.'' Indeed, the World's Fair was a bridge toward the 21st century, especially for our Washington State economy.

The fair foreshadowed the Puget Sound and the entire State as a region that would look to innovation and entrepreneurship. It gave the public a glimpse of what life would be like in the 21st century. And in the years following the fair, Washington State was home to many of the innovations and technologies that revolutionized the way we live and work.

In 1962, Seattle was home to the first satellite transmissions of telephone calls and television broadcasts. That same year, the Seattle Times declared, ''Boeing Is In Space Age to Stay.'' The rest of the changes that we have continued to see have led to many things, including Boeing's 787 Dreamliner—a true 21st century plane.

Also, it helped in setting a tone. Bill Gates took his company from his parents' house to a global headquarters in Redmond, WA. The Microsoft Company was founded in 1975. After the opening of its first store in Seattle in 1983, Costco became the first company ever to go from zero to $3 billion in sales in just under 6 years. Amazon revolutionized the way people shop online and it is a company that has continued to make innovations.

Today many other companies in Washington State—producing everything from composites for airplanes to lean manufacturing to mobile apps software to clean energy technology—are continuing to innovate because of Washington State's reputation for making sure we have a talented workforce.

So 50 years ago, the World's Fair, and what was announced there, made sure the United States was poised for bigger things to come. Some of the predictions we saw about life in the 21st century may not have come true yet, things such as flying cars—although I recently saw an article about flying cars, so maybe they weren't too far off—but other things were just as they predicted, such as that one day we would be able to have a telephone in our pocket.

Fifty years later, we can look back and see a glimpse of the 21st century in the exhibitions and booths that were at the fair, but we also see how fast the future can come and what we need to do to keep moving forward, not just in Washington State but around the country, in an innovation economy.

I thank the Chair. I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. DURBIN. I ask consent to speak as in morning business.

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

(The remarks of Mr. DURBIN pertaining to the introduction of S. 2303 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

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

The PRESIDING OFFICER (Mr. SANDERS). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, I now ask unanimous consent that the cloture votes with respect to the Lieberman-Collins substitute amendment 2000, as modified, and S. 1789 be postponed to a time to be determined by me after consultation with Senator MCCONNELL.

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

Mr. REID. Mr. President, as I indicated this morning, we are real close to an agreement. The main issue now is whether there will be a 50-vote hurdle or 60-vote hurdle. We have been through that before. Obviously, we know where we are going to wind up, in my opinion, if we are going to have a bill. So we will work on that for the next hour or so and see what we can come up with.

We are very close to getting something done. As I have said here before the last few days, Senators LIEBERMAN and COLLINS have done an outstanding job to the point we are. We have made progress. We are here. We are trying to legislate. We have a rule of relevance. It is very broad. That is indicated by the amendments that people have suggested.

So I hope we can work this out very soon. If we cannot, we will have to come back and I guess walk away from postal reform, which is a shame. But everyone who is holding up things should understand, if there is no bill, you are not going to get what you want. If there is no bill, the post office will be drastically hit. The Postmaster gave us until May 15 to come up with something. We have come up with nothing to this point. So if people are concerned about some rural post offices, as well they should be, or about processing centers, as of May 15, the Postmaster General, unless we do something, will have carte blanche to do almost anything he wants to do.

That is not what the Senate wants. So those Senators who are holding up the bill because they do not like it, they may not like what the result of having no bill is.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. DURBIN. Mr. President, I ask unanimous consent to speak as in morning business.

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

FOR-PROFIT COLLEGES

Mr. DURBIN. Mr. President, I have come to the floor a number of times to talk about a new business in America that has become a major source of income and a major source of Federal subsidy that most people are not aware of. The business I am talking about is the for-profit college. These are schools which are popping up everywhere across my State and across the Nation. You can hardly go to the Internet and put in the word ''college'' or ''university'' that you will not be bombarded by all these for-profit schools that try to entice young people to sign up.

Some of them, I am sure, offer valuable courses. But too often these schools offer worthless diplomas. They entice young people into a curriculum that is vastly overpriced, and it turns out these schools they attend and the education they achieve doesn't lead to a job.

Here is this young person, all full of hope and idealism, signing up to go in one direction or the other, and they find themselves lured into a school which is, frankly, not much of a school at all. I have seen these cases over and over again.

I was just in southern Illinois last weekend and a young girl came up—she was a high school senior, standing there with her mom—and I said: So what is next for you? She said: Well—and I am not going to use the name of the school—I have just been accepted at the XYZ cooking school in St. Louis.

I said: Well, that is interesting. How much does it cost?

She said: Well, after I give them my Pell grant—$5,500—my mother will cosign a note for $17,000 for me to go to this cooking school.

That is the tuition, and it is a 2-year course. Well, it turns out she is getting off easy.

In the Chicagoland area I ran into a student who was actually picketing outside a hearing I had on for-profit schools. He was dressed up like a chef, and I asked him: So you are going to culinary school?

He said: Oh, I love these food shows. I watch the Food Channel all the time. I think this is great.

I said: So you are studying to be a chef.

Yes.

I said: How much will it cost you? How much do you have to borrow to finish a 2-year course in culinary school in the Chicagoland area?

He said $57,000—$57,000.

The point I am trying to get to, Mr. President, is student loan debt in America has surpassed credit card debt in America, and it is growing by leaps and bounds. Decisions are being made by young people and their supportive parents and grandparents—and I will talk about that in a minute—to get deep in debt to go to a school. These young people think they are doing the right thing. They have been told all their lives not to quit after high school; that they need to pick up additional education or additional skills, perhaps a bachelor's or a professional degree. So they instinctively believe they are doing the right thing for themselves, and they instinctively believe if the Federal Government is loaning money to the students to go to the school that it must be a good school; right? The Federal Government wouldn't loan money if it were a bad school.

But the honest answer is that some of these are very bad schools. There are three numbers to remember when we talk about for-profit schools: 10, the percentage of college students that attend for-profit schools, 10 percent; 25, the percentage of Federal aid to education going to for-profit schools, 25 percent; and 40, the percentage of students defaulting on their student loans—40 percent going to for-profit schools.

The reality is that the student loan default rate on for-profit schools is substantially higher than for any other schools. We can just open the box and look inside and say: I think I understand why. They are being charged too much in tuition, and they end up with training or an education that doesn't lead to a job or doesn't lead to a job that pays money—enough money to pay back their student loans.

The other thing is we passed a law that said for-profit schools in America can receive no more—get ready—than 90 percent of their revenue directly from the Federal Government. How close is this to a Federal agency? Ten percent, that is all they need to be a complete Federal agency. We send subsidies to these for-profit schools by way of Pell grants and student loans to the tune of 90 percent. If they train veterans, we waive that and let them go to 95 percent and higher.

In the academic year 2009–2010, for-profit colleges took in $31 billion in title IV Federal student aid—Pell grants and student loans. For-profit colleges received one out of every four Pell grants given to institutions of higher education—only 10 percent of the students going to these schools, 25 percent of the Pell grants. As I mentioned, current law allows them to receive up to 90 percent—90 percent.

The for-profit college industry is just 10 percent away from being an actual Federal agency. Let's put that aside for a moment and think about what $31 billion means to the private for-profit school industry. This chart is interesting because it compares the amount of money we spend in a given fiscal year for a variety of things.

How much does it cost us to run the Federal Bureau of Investigation for a year? Less than $10 billion. The Environmental Protection Agency, less than $10 billion; Customs and Border Patrol, about $10 billion; the Coast Guard, $10 billion; the Federal Aviation Administration, responsible for the safe landing of airplanes all across the United States, comes out to about $16 billion or $17 billion. The space program is about $18 billion. How about the National Institutes of Health? This is where we do all the medical research to find the new drugs and cures for diseases all across America. The annual expense there is right at $30 billion.

Now, take a look at the last bar. This is the Federal subsidy to for-profit colleges. Over $31 billion a year—$31 billion a year.

Fifteen percent of the students who take out loans at for-profit colleges default within 2 years. That is double the rate of public colleges and three times the rate of private nonprofit colleges, which are historically more expensive. We spend more on for-profit schools than we do keeping planes in the sky or protecting our borders or tracking down criminals through the FBI or responding to disasters through FEMA or researching cures for cancer at the National Institutes of Health or protecting the Nation's food supply or making sure our air and water are safe for the people in America or exploring the outer reaches of our universe. That is how much we are investing in this relatively new and horrendously expensive industry.

I think the question we face with the deficit is where are we going to make our choices. I have been a reflexive voter for student aid all the time I have been in the House and Senate. Why? That is why I am standing here. I got National Defense Education Act loans to pay for my college and law school. That is why I am here. I know it, and I think the next generation deserves the same opportunity. So I have reflexively voted for these things.

Then someone said: Have you looked at where this money is going? Do you realize 25 percent of it is headed to an industry where so many students are being sucked into signing up, dropping out, and carrying loans for the rest of their lives?

Mr. President, you and I know this, but everybody should know there is something different about a student loan from another loan you take out. The loan you take out for your home, the loan you take out for your car, maybe the loan to buy some appliances is a lot different from a student loan.

Do you know what the difference is? It is not dischargeable in bankruptcy.

No matter how badly things go for you at any stage in your life, you are going to carry that student loan debt to the grave. It is there forever. It can't be wiped out.

There are Federal college loans, such as the ones I took out, they are different today. But they are much more reasonable. Do you know what the difference is between the private loans these schools are pushing on families and students and the Federal student loans? Start with the interest rate.

The interest rate on Federal student loans is 3.4 percent. The interest rate on private loans can be up to 18 percent. It is like credit card debt. Do you have any idea what that means when you borrow $50,000 or $60,000 and you face an 18-percent interest rate? Do the calculation and math, and I will tell you some stories about what it does when you start falling behind in your payments.

Brandy Walter grew up in a small town in Indiana. She wanted more out of life so she left for college right out of high school. She enrolled in the International Academy of Design and Technology in Chicago, a for-profit school owned by the Career Education Corporation. She switched later to Harrington College in Chicago, also owned by the same for-profit corporation.

Brandy took out a total of $99,844 in private and Federal student loans to cover the cost of her attending these for-profit schools, and then she ran out of money. She hadn't finished her degree. She took out the maximum amount of Federal student loans, she took out the private student loans, and without any cosigners she couldn't get any more loans. She was all in. Without any advanced notice from her school or her lender, one day her student ID card just stopped working. She dropped out and returned back home to Indiana with no options. She can't get a job in her field, and she doesn't have a degree because she didn't finish. So $99,000 into it and she didn't finish.

She is 24 years old. Think about being 24 years old and owing $99,000 in student loans, unemployed. Her private student loans have interest rates between 9 and 11½ percent. Not the highest, but still much higher than the Federal loans. The monthly loan payment for this young woman for her private loan is around $900. Her total loan balance has ballooned because she couldn't find a job, from $99,000 to $139,000. She has been unable to save any money to go back to school or to even have a place to live on her own. She doesn't know what to do with her life at this early stage because of bad decisions to go to worthless schools.

She says:

> If I could erase that student debt, I could move on with my life, and hopefully return to school to finish my degree.

Mr. President, 139,000 bucks.

Let me give you a taste of what kind of business Career Education Corporation runs. The Career Education Corporation that owned the two schools Brandy went to owns 83 schools and enrolls almost 100,000 students across

America. Many of them are in Illinois. I have spoken on this floor about several of their schools and, unfortunately, my office continues to be contacted regularly by students who have attended the Career Education Corporation school and left with a worthless degree.

In 2011, Career Education received $1.4 billion in title IV student aid. Career Education schools received about 83 percent of their total revenue from the U.S. Department of Education's student aid programs, and that doesn't include the money they get from the GI bill program. So 81 percent of the students take out student loans, and of those students who take out loans over 14 percent will default on their loans within 2 years.

On November 1 of last year, Career Education Corporation's CEO resigned while admitting that some of their schools, had falsified the employment rate of graduating students. Their accreditors—the people who say they are a real school—require a job placement rate of at least 65 percent for schools to remain eligible for title IV assistance. Career Education Corporation job placement rates were below 65 percent and, incidentally, the departing CEO who falsified the information to the Department of Education was run out of town on a rail with a $5 million bonus payment as he left.

I have met the new head of this Career Education Corporation. As with every for-profit school that actually sends someone in to see me, he has said: We are changing everything. We are going to straighten this mess out.

I will believe it when I see it. And I will believe it when Brandy and students like her are given a chance.

It is hard to believe that we live in a time when student borrowers and their families risk losing their homes because of student loan debt. I have introduced legislation that would permit private student loans to be discharged in bankruptcy like every other private loan. This legislation will help these young people.

Let me tell you one other story that was in the Washington Post. Recently, one of the headlines in that paper read ''Senior Citizens Continue to Bear the Burden of Student Debt.'' Senior citizens. The story highlighted one of my constituents, 58-year-old Sandy Barnett.

As an adult, Sandy found herself in a familiar situation: Her husband was laid off, and she wanted to go back to school. When she was younger, college wasn't an option. Sandy enrolled in a bachelor's degree program in psychology. Concerned about the debt, Sandy didn't take out any student loans. She worked full time while in school and paid her tuition as the bills came due.

Balancing work and school was difficult, but Sandy graduated in 1987 with a bachelor's degree in psychology and no student loan debt. The school adviser told her it would be a good idea to keep going to school and get a master's degree. Because the degree program required a number of internships, she decided she wanted to focus on her studies and not work. She was going to be a full-time graduate student. Then, for the first time, she took out a student loan.

Sandy graduated in 1989 with a master's degree in psychology and $21,000 in debt. She taught part time for the next 10 years at Lincoln Land Community College in my hometown of Springfield, IL. By then she was divorced and it was tough for her to make the $300 monthly payments on her student loan. It took a few years for her to find a good job, but as soon as she did, she started paying back the loans again.

By 2005 she was already too far in debt to ever work her way out of it, and she filed for bankruptcy, but her student loan debt was not forgiven. They are not dischargeable in bankruptcy. Fortunately, many of her other debts were relieved, and she thought she just might be able to get back on track.

In 2008 she got a job with AT&T as a customer service representative, where she still works. Currently, 15 percent of her wages are garnished by the Federal Government to pay her student loans. That is $200 to $300 a month, depending on her income. Her total loan balance is now up to $54,000—more than double the amount she started with. The loan servicer will not work with her on a payment plan. And we hear that complaint all the time. What is worse is that her balance keeps going up because her payment doesn't cover the interest on the loan.

You may wonder what Sandy's life is like as a 58-year-old with a student loan debt. How did she get there? Does she live an extravagant lifestyle? The answer is a resounding no. Sandy's coworkers drive her to work because the cost of gasoline is now too much for her to pay. She has no money to do anything, is what she tells us. She owns a mobile home that needs a lot of repairs she can't afford.

When asked if, looking back, she would have taken the same path, Sandy says she would have absolutely not gone to school if she had known this was going to happen. Her degree is the worst thing that ever happened to her, she said. She doesn't think she will ever be able to retire. She said: I just don't have any money. I have nothing because of student loans.

Her advice, 58-year-old Sandy's advice to others? Don't do it. Do not go to college. There is no guarantee your college degree will help you get a job that will pay for your student loans.

What a sad statement. All of us tell our children: Keep going; go to school. And we should. It is the right thing to do. But she has a right to be disappointed, even cynical about what has happened to her.

Sandy isn't alone. Other older Americans out there are bearing the burden of student loan debt because of different situations. Do you know why? They were generous to their children and grandchildren and said: Let me sign the loan with you. Do you want to go to school? It is the dream of your life. Let me cosign.

Tim Daniel's grandparents are two of them. When Tim signed up for $80,000 in student loans, he had no idea that years later his grandparents would be at risk of losing their home because of his students loans. Tim dreamed of going to college. In 2004 he enrolled in the Illinois Institute of Art, a for-profit school owned by the Career Education Corporation, I talked about before. Tim's grandparents were so proud and happy, they cosigned his loans.

Like many students who contact my office, Tim says he would have never taken out the loans if it was clearly stated to him how much his monthly payments would be. He put his trust in the school and he thought the counselors really had his best interests in mind, so he took out the loan.

Tim makes $25,000 a year. That is a modest income. He can't afford to get a car loan, and he says he will probably have to rent for the rest of his life. His Federal loans, which have a balance around $23,000—Federal Government loans—have a manageable monthly payment, but his private student loans are completely unmanageable. The lenders won't work with him to come up with a reasonable payment plan, leaving the burden of debt on his grandparents, who cosigned his loans. His grandparents don't have any money. They filed for bankruptcy, too, but because the private student loans are not dischargeable in bankruptcy, they risk losing their home to pay off their grandson's student loans.

This isn't the American dream. This is a nightmare, and we are complicit. We are complicit because this Federal Government continues to offer Pell grants and student loans to worthless schools. And students who sign up there think, well, if the Federal Government is going to loan some money, this must be a good school. So we are complicit in not policing the ranks of these for-profit schools on behalf of these students.

Secondly, the outrage I hear expressed on this floor all the time about overspending by the Federal Government should be directed as well at these for-profit schools. The annual subsidy of these for-profit schools—$31 billion—is greater than the amount we spend as a nation for medical research in a given year—as a nation. So people who are intensely aware of our deficit—as the Presiding Officer is—who want to cut spending and wasteful areas, join me in taking a look at these for-profit schools.

Congress could start by passing legislation to keep interest rates on the Federal Government student loans at a manageable level of 3.4 percent. They are going to double in July if we don't take action, so we had better do that.

Senator HARKIN of Iowa and I recently introduced legislation that will help educate borrowers about private student loans.

Actually, there are situations where students at these for-profit schools are still eligible to borrow money from the Federal Government at 3.4 percent, and the so-called counselors at these schools steer them into private loans at 5, 11, and up to 18 percent interest rates, and the students don't know it. They sign up not realizing they could still borrow the money under manageable terms from the Federal Government if they wish. There ought to be clear disclosure to the students, their families—and their grandparents.

Our legislation, the Know Before You Owe Private Student Loan Act, will require private student loan lenders to certify a potential borrower's enrollment status and cost of attendance with the borrowing school and require institutions of higher education to counsel students about all their student aid options before the private student loan is actually disbursed. Most importantly, schools would have to inform the students about the differences between private student loans and Federal student loans. Federal student loans have consumer protections built in but not the private loans.

I encourage my colleagues to go home and listen to these families. On your Web site, ask for the victims of student loan abuse to write in, as they have to my office, and you will come to realize this is a growing problem in this country. Student loan debt is greater than credit card debt, and it is coming due. Less than 40 percent of student loan borrowers today are current on their payments. This is a problem that is going to haunt our Nation for a long time.

I hope my colleagues will join me in bringing some real changes. If the for-profit school industry has anything to offer by way of real education and training, they had better shape up and they had better be honest with their students. They shouldn't drag them deeply in debt for worthless diplomas which could literally ruin a life.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. WARNER). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

(Mr. MANCHIN assumed the Chair.)

The PRESIDING OFFICER (Mr. FRANKEN). The majority leader.

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

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

UNANIMOUS CONSENT AGREEMENT S. 1789

Mr. REID. Mr. President, first of all, let me express my appreciation to every Senator. We tried something a little different, and I think it is something we can look to in the future. We decided we were going to have an amendment process. Maybe it is not as far as everyone wants to go, but it is a pretty good step in the right direction. Rather than having no amendments, rather than having only germane amendments, we decided we would have a standard that is very broad; that is, relevant amendments. It has given people the opportunity to offer lots of different things. So I hope in the future—it may not happen on every piece of legislation that comes along, but I hope we get in the habit of being able to do things such as this; that gives Senators wide range on things they can do. But anyway, we have done it on this and I appreciate everyone's cooperation.

I also appreciate the good work of Senator LIEBERMAN and Senator COLLINS. I have many times in the last week or so expressed that appreciation to them for their leadership. This has been extremely difficult. It is a massive bill dealing with more than one-half million postal employees, more than 30,000 post offices, 500 or so processing centers, and it has been extremely difficult to get to a point where I hope we can arrive shortly. So we are here. I have been given the nod.

Mr. President, I ask unanimous consent that the cloture motions with respect to the Lieberman-Collins substitute amendment and the bill be vitiated; the motion to recommit be withdrawn; that the pending amendments Nos. 2013 and 2015 be withdrawn and that the following amendments be the only amendments in order to S. 1789 or the pending substitute amendment No. 2000, as modified: McCain 2001; Tester 2056; Coburn 2060; McCain 2033; Wyden-Feinstein 2020; Coburn 2058; McCaskill-Merkley 2031; Coburn 2061; Snowe 2080; Udall of New Mexico 2043; Durbin 2082; Akaka 2034, with a modification agreed to by the two managers; Bennet-Blunt 2047; Corker 2083; Mikulski 2003; Akaka 2049; Paul 2025; Manchin 2079; Paul 2026; Bingaman 2076; Paul 2027; Cardin 2040; Paul 2028; Carper 2065; Paul 2029; Carper 2066; Paul 2039; Casey 2042; Paul 2038; Landrieu 2072; DeMint 2046; McCaskill 2030; Coburn 2059; Pryor 2036; Rockefeller 2073; Rockefeller 2074; Schumer 2050; Tester 2032; and Warner 2071, with a modification agreed to by the two managers; that on Tuesday, April 24, at a time to be determined by the majority leader, after consultation with the Republican leader, the Senate vote in relation to the amendments in the order listed; that there be 2 minutes equally divided in the usual form prior to each vote; that all after the first vote be 10-minute votes; that the amendments be subject to a 60-affirmative-vote threshold; that there be no other amendments in order to the bill, the substitute amendment, as modified, or the amendments listed; and there be no points of order or motions in order to any of these amendments, the substitute amendment or the bill, other than budget points of order and the applicable motions to waive; that upon disposition of the amendments, the substitute amendment, as modified and amended, if amended, be agreed to; further, the bill, as amended, then be read a third time and the Senate proceed to a vote on passage of the bill, as amended; finally, that the vote on passage of the bill be subject to a 60-affirmative-vote threshold.

The PRESIDING OFFICER (Mr. UDALL of Colorado). Is there objection?

Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—S.J. RES. 36

Mr. REID. Mr. President, another important issue: I ask unanimous consent that at 2 p.m., on Monday, April 23, the Republican leader or his designee be recognized to move to proceed to the consideration of S.J. Res. 36, a joint resolution disapproving a rule submitted by the National Labor Relations Board relating to representation election procedures; that there be up to 4 hours of debate on the motion to proceed, with the time equally divided and controlled between the two leaders or their designees; further, that the first 2 hours of debate, equally divided, occur from 2 p.m. to 4 p.m., Monday, April 23, and the final 2 hours of debate, equally divided, occur from 10:30 a.m. to 12:30 p.m., Tuesday, April 24; that at 2:15 p.m., Tuesday, April 24, the Senate proceed to vote on the adoption of the motion to proceed; that if the motion is successful, then the time for debate with respect to the joint resolution be equally divided between the two leaders or their designees; that upon the use or yielding back of time, the joint resolution be read a third time and the Senate proceed to vote on passage of the joint resolution; finally, all other provisions of the statute governing consideration of the joint resolution remain in effect.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

DISCHARGE OF FURTHER CONSIDERATION

We, the undersigned Senators, in accordance with chapter 8 of title 5, United States Code, hereby direct that the Senate Committee on Health, Education, Labor, and Pensions be discharged of further consideration of S.J. Res. 36, a resolution on providing for congressional disapproval of a rule submitted by the National Labor Relations Board relating to representation election procedures, and further, that the resolution be immediately placed upon the Legislative Calendar under General Orders.

Michael B. Enzi, Thad Cochran, Roy Blunt, Bob Corker, John Boozman, Kelly Ayotte, Marco Rubio, Olympia Snowe, Lamar Alexander, Rob Portman, Orrin Hatch, Jerry Moran, John Hoeven, John Cornyn, Mike Crapo, Jeff Sessions, Patrick Toomey, Jim DeMint, Tom Coburn, David Vitter, Ron Johnson, Lindsey Graham, Saxby Chambliss, Richard Burr, Johnny Isakson, John Thune, Michael Lee, Chuck Grassley, Roger F. Wicker, Richard G. Lugar.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I want to thank Senator REID, and, of course, thank Senator COLLINS. We have again worked very closely together. I thank the staff on both sides who worked very hard, and I thank all of our colleagues.

I know it took a lot of effort, because people have strong opinions about the crisis in the Postal Service of the United States, but we have ended with a process here that will allow a discussion and votes on a wide range of amendments on both sides. I would say based on the knowledge we have of this list that not all of these amendments listed will actually require rollcall votes.

We will be working over the weekend trying to see if we can find common ground, accept some of these amendments or modify them. But bottom line, this consent agreement, though we are not there yet, gives me great hope that the Senate is going to prove that we are capable of taking on a crisis situation which the post office is in, losing $13 billion plus over the last 2 years. If we do not do anything, it is only going to get worse and a lot of people are going to lose their jobs and a lot of people who depend on the mail are not going to get it in the same way.

This is a bill that will provide an orderly reform that will keep the post office not only alive but change it so it can survive throughout the 21st century.

Senator COLLINS and I will be here at noon on Monday to debate any of the amendments people want to come to debate. I believe I am speaking for both of us in saying—I know I am—that after the votes Monday afternoon unrelated to this matter, we are prepared to remain here into the evening to continue debating amendments before the actual votes occur on Tuesday afternoon.

Again, I thank everyone involved, particularly Senator COLLINS.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I want to echo the thanks to everyone who was involved in formulating this very extensive unanimous consent agreement. We have been working extremely hard the last couple of days to make sure we were being fair to all Members on a bill on which there are diverse opinions, on an issue that is so important and that is how do we save an essential American institution, the U.S. Postal Service.

I too want to thank our two leaders, Senator REID and Senator MCCONNELL, and my dear friend and chairman of the Homeland Security and Governmental Affairs Committee, Senator LIEBERMAN, as well as our staffs and our floor staff who have put in so many hours.

I want to reiterate that Senator LIEBERMAN and I will be available to negotiate—our staffs will as well—and to debate these issues. We will be available over the weekend and tomorrow, and then on Monday to begin the debate on the amendments. But, again, I want to thank everyone involved. I think this is how the Senate should operate. It took a lot of work to get here, but no one gave up. Everyone kept working away.

I believe we have come up with a very fair agreement to allow us to proceed on a bill of great significance. I want to thank everyone involved.

I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

TRIBUTE TO MR. CHIP HUTCHESON

Mr. MCCONNELL. Mr. President, I stand before you today in honor of someone who has made a substantial contribution to the people of Caldwell County, KY, for his work in the field of journalism: Mr. Chip Hutcheson, publisher of Caldwell County's local periodical, the Princeton Times Leader. Mr. Hutcheson was recently inducted into the Kentucky Journalism Hall of Fame in Lexington, KY, along with five other esteemed broadcasting and journalism colleagues from all over the Commonwealth.

The relationship between Chip Hutcheson and the paper that would become the Princeton Times Leader began when Chip was just 10 months old. His parents, the late John and Betsy Hutcheson, purchased the then-Princeton Leader and moved to Princeton, KY, just after the birth of their son, Chip. John and Betsy shared a love for their chosen profession of journalism, a love of the trade that Chip, too, would inherit at a young age.

Looking back, Chip recalls the paper being a big part of his adolescent life. He remembers writing sports news all throughout his teenage years. Chip left Princeton after high school to attend the University of Kentucky, just like his father before him. He enlisted in the U.S. Army after graduating from the college and served 4 months of active duty in Vietnam.

Upon his return from the service, he immediately re-entered the field he had been passionately involved with for so long. He understood that journalism was his calling, and he wanted to make a career out of bringing the news to the people of Caldwell County, just as his beloved mother and father had. Chip remembered a piece of advice his father gave him about the media industry: ''He said, This is a good business, but remember this—you will never be caught up; there will always be one more advertiser you can see, one more story you can write.'''

After watching his parents run a newspaper throughout his childhood, Chip was no doubt aware of the difficulties of producing a new edition day in and day out, but he was okay with it. He had a deep desire to be in the thick of reporting. He wanted to follow leads, piece together stories, record monumental events, and most importantly, inform the citizens of Princeton of the goings on of the world around them.

Chip became publisher of the Princeton Leader in 1976, assumed the role of publisher of the Times Leader in 1992, and has been doing an outstanding job ever since. Chip Hutcheson is a testament to the success one can achieve when one enters a field of work one has a true passion for.

It is with the most sincere gratitude that I congratulate Mr. Chip Hutcheson on his induction to the Kentucky Journalism Hall of Fame and thank him for the heartfelt devotion he has shown the people of Princeton, Caldwell County, and the Commonwealth of Kentucky throughout the years. And I would like to ask my colleagues in the United States Senate to join me in commemorating Mr. Chip Hutcheson for his many accomplishments in the field of journalism.

There was recently an article published in the Princeton Times Leader which made note of Chip Hutcheson's induction into the 2012 Kentucky Journalism Hall of Fame. Mr. President, 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 Princeton Times Leader, Apr. 14, 2012]

TL PUBLISHER JOINS HALL OF FAME RANKS

(By Jared Nelson)

Times Leader Publisher Chip Hutcheson and two others with western Kentucky connections were among a class of six individuals inducted into the 2012 class of the Kentucky Journalism Hall of Fame this week.

The induction ceremony followed a luncheon hosted by the University of Kentucky Journalism Alumni Association and the UK School of Journalism and Telecommunications in Lexington Wednesday.

Other inductees included: D.J. Everett III, president of Ham Broadcasting Company, which operates the WKDZ and WHVO radio stations; Dr. Bob McGaughey, retired chairman of the Department of Journalism and Mass Communications at Murray State University; Albert B. ''Ben'' Chandler, Jr., longtime publisher of the Woodford Sun; Bill Luster, retired photo-journalist with the Louisville Courier-Journal and two-time Pulitzer Prize winner; and Michael M. York, a former Lexington Herald-Leader and Washington Post reporter, also a Pulitzer Prize winner.

Duane Bonifer, president of the alumni association, noted April as national Jazz Appreciation Month and drew parallels between the work of great jazz musicians and great journalists, their balance of innovation and improvisation.

''We're going to celebrate the artistry of Chandler, Everett, Hutcheson, Luster, McGaughey, and York,'' he said. ''That's not a bad sextet to be jamming with on a Wednesday afternoon in Lexington.''

Hutcheson has served as publisher of the Times Leader since its 1992 creation, when the community's two newspapers, the Caldwell County Times and the Princeton Leader, were purchased by the Kentucky New Era and merged.

Hutcheson had published the Leader, taking over from his parents, in 1976.

In his induction speech Wednesday, he recalled a life spent in the business.

''If anyone has ink in their veins, that would be me,'' he said.

His parents, the late John and Betsy Hutcheson, bought the Leader when their son was 10 months old and moved to Princeton, a town where the only person they knew was the paper's prior owner.

''But that paper was a labor of love for my parents, and in turn for me,'' he said.

The paper, he said, was a major part of his life throughout childhood and into his teenage years, when he began writing sports news.

He enrolled at UK, following his father's footsteps.

Faced with the prospect of being drafted into the U.S. Army after graduating, he returned to Princeton.

He was hired as a sports editor for the Kentucky New Era, taking his father's advice to gain experience outside the family business.

The day before he was to be drafted, he was able to enlist in the Army Reserve. ''That meant four months of active duty rather than two years, so my time away from the New Era was brief,'' he said.

He served as sports editor there from 1970 to 1976, when his father retired from the Leader and handed the reins to his son.

''My father only offered one piece of advice, and I have never forgotten it,'' he told the Lexington crowd.

''He said 'This is a good business, but remember this—you will never be caught up; there will always be one more advertiser you can see, one more story you can write.'

''It was that philosophy that has guided me ever since.''

Hutcheson credited the support of his family in the years since: his mother, who worked 60-plus hours each week at the paper into her 70s, retiring only when the papers merged; his wife, Karen, a nurse by profession who became a utility employee; and children Cindy and John Mark, who spent much time in the newspaper office during their formative years.

''The Leader truly was a 'family' business,'' he said ''I regret that my parents are not here today for this honor my dad died 10 years ago and my mother just last year—because they were the ones who instilled in me this love of community journalism.''

He also gave thanks to the employees of the Times Leader for their support, and to the community at large for being a ''strong newspaper town.''

The publisher quoted Lou Gehrig's famous farewell speech to a 1939 Yankee Stadium—''Today I consider myself the luckiest man on the face of this earth''—in closing.

''I'm not the luckiest man,'' Hutcheson said. ''I'm the most blessed man. I'm blessed to work with the people I work with. I'm blessed to be in the community I live in, and I'm blessed to have a family who thinks much more highly of me than I deserve.''

150TH ANNIVERSARY OF TEMPLE BETH ISRAEL

Mr. LEVIN. Mr. President, religious institutions play an important role in communities across the Nation. They are places where families bond; they are places where culture and traditions are handed down from generation to generation; and they are places where many turn for guidance. This Saturday, April 21, marks a significant milestone for one such place of worship in Jackson, MI. On Friday evening, Temple Beth Israel will celebrate the sesquicentennial anniversary of its founding on April 21, 1862. This momentous occasion will be commemorated through a service that highlights the congregation's rich history and important place within the greater Jackson community.

Since 1862, this close-knit synagogue has been a mainstay in Jackson and has helped to preserve and instill religious values and culture from one generation to the next. Nowhere is this better portrayed than in a short vignette on Temple Beth Israel's web site, which brings to life what may seem to be routine—scores of proud families pouring out of a service laughing, smiling and bonding with one another; providing a place for members of the Jewish community to come together in fellowship to learn, to seek spiritual guidance and to celebrate important religious and life events is at the core of Temple Beth Israel's mission.

Temple Beth Israel, situated on West Michigan Avenue, is the first and only synagogue in the city of Jackson and is at the center of Jewish life there. Four stained glass windows representing the ideals the congregation holds dear—Torah, peace, justice and good deeds—adorn the synagogue's sanctuary. Through the years, there have been abundant examples of these ideals put into action.

Temple Beth Israel is a landmark, literally. Preceding the Temple's founding was the Hebrew Benevolent Society. One of the lasting achievements of the Benevolent Society was the purchase, along with others in the community, of land for burial in 1859. Today, it stands as one of the oldest Jewish cemeteries in continuous use in Michigan and has been recognized nationally as an important landmark through its listing in the National Register of Historic Places. Notable, also, is that Temple Beth Israel served as the student pulpit for Rabbi Sally Priesand, the first female rabbi in the United States.

I extend my very best to the Temple Beth Israel community as they commemorate this wonderful milestone. Through strong spiritual leadership and an active congregation, they have etched an impressive legacy for all to see. Jackson, MI is a better place because of their work, and as they look toward the future, I am certain it is equally bright. A hearty mazel tov to Temple Beth Israel.

HOLOCAUST REMEMBRANCE DAY

Mr. LEAHY. Mr. President, today, Thursday, April 19, is Holocaust Remembrance Day. Observances and remembrance activities are taking place across the Nation in civic centers, schools, churches and synagogues, on military bases and in workplaces.

As always, the United States Holocaust Memorial Museum—created as a permanent living memorial to its victims—is taking a leading role in this annual observance.

We must never forget the horrors of the Holocaust, we must never let the world forget, and we must never forget or neglect the Holocaust's lessons.

Never forgetting means keeping alive the memory of those who suffered and died in the Holocaust.

Never forgetting also means declaiming against crimes against humanity that erupt in our midst, and on our watch.

As searing as the Holocaust's lessons are, the world is too easily tempted to avert its eyes from heinous crimes committed by governments and others against our fellow human beings. The community of nations will always bear the shame of doing so little during the massacres on the killing fields of Cambodia, and in the villages of Rwanda.

The United States Holocaust Memorial Museum itself has taken the lead in shining a light on atrocities in our time in Darfur, and I commend its Committee on Conscience for lending its unmatched moral authority to the crusade to bring an end to the violence there.

In that spirit, our voices are also needed to expose the crimes against humanity that are occurring behind the walls of the prison camps of North Korea. More and more information now is coming to light about the systematic, state-sponsored brutality that is being waged upon some 200,000 people, according to the State Department, in those camps. The fact of these prison camps is not new. But horrifying new glimpses are now coming to light from those who have successfully broken free and crossed the frontier to eventual freedom. Publicly available satellite photos are helping to expose a system whose very existence the North Korean government continues to deny.

A new report on these prison camps, authored by David Hawk, has been released by the Committee for Human Rights in North Korea, a U.S.-based, private organization. It documents the imprisonment of entire families, including children and grandparents for the ''political crimes'' of other family members.

At the report's Washington release this month, a young man born to prisoners—and thereby condemned to spend his entire life in one of these camps—spoke about visiting the United States Holocaust Memorial Museum, every time he comes to Washington. Shin Dong-hyuk's harrowing escape is detailed in a new book by Blaine Harden, a former Washington Post reporter.

We have vital national security interests at stake in our dealings with the North Korean regime, which has acquired nuclear weapons. I am one

who believes that we can fully and effectively pursue these interests through diplomacy and other means, without having to mute our outrage about human rights atrocities like these.

I welcome the strong comments about this report made by Robert King, the United States human rights envoy for North Korea, who said that conditions in North Korea's prison camps are worse than in the former Soviet Union's gulag. I would hope that today's leaders of Russia and China would voice similar outrage about these atrocities.

Social media and a powerful video recently brought the story of the crimes of Joseph Kony and his Lord's Resistance Army to an audience of millions of people around the world. Let us individually and together similarly raise our voices against the crimes against humanity that are taking place behind the walls and barbed wire of North Korea's labor camps, where some one in four people die each year—starved to death, or worked to death, or executed.

Let it not be said by future generations that though we knew enough, we did not care enough to condemn and to lend our efforts to end this brutal system.

Several news organizations have reported or commented on this new information about North Korea's prison camps. I commend to the Senate's attention two recent such writings. I ask unanimous consent that an editorial, and a commentary by Fred Hiatt, both from the Washington Post, be printed in the RECORD.

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

[From the Washington Post, Apr. 12, 2012]

TURNING A BLIND EYE TO NORTH KOREA'S 'HIDDEN GULAG'

(Editorial)

While attention focused on North Korea this week ahead of Friday morning's missile launch, hundreds of Americans, Koreans, Japanese and others gathered in Washington to examine a different aspect of life in that communist nation: its ''hidden gulag.''

That was the title of an unprecedented conference organized by the U.S. Committee for Human Rights in North Korea (HRNK) and the Jacob Blaustein Institute for the Advancement of Human Rights. The gulag is a network of labor camps that houses 150,000 to 200,000 prisoners. They are generally arrested for no crime, sent away with no trial, never again allowed to communicate with anyone outside the camps, fed on starvation rations and forced to work until they die. Other than from one camp, according to South Korean expert Yoon Yeo-sang, no one deported to North Korea's gulag is ever released.

As noted by Blaine Harden, author of the recently published book ''Escape from Camp 14,'' the North Korean gulag has existed twice as long as did the Soviet network of labor camps created by Lenin and Stalin, and 12 times as long as Hitler's concentration camps. Yet, for the most part, ''Americans don't know anything about these camps,'' Mr. Harden said. ''They don't know they exist.''

This is not, the title of the conference notwithstanding, because the gulag is all that hidden, although North Korea's regime continues to deny its existence. In fact, as David Hawk said, a great deal is known about the camps, both from the testimony of those who have escaped and from satellite imagery. Mr. Hawk has just published the second edition of his definitive survey, also called ''The Hidden Gulag,'' which draws on horrifying testimony from 60 former prisoners.

The reason for the ignorance is mostly political. The United States, with a goal of keeping the peace and depriving North Korea of nuclear weapons, has not made human rights a priority. In South Korea, the gulag has been a political football between left-wing politicians favoring warmer ties with the North and right-wing politicians pushing a harder line. China, North Korea's neighbor to the north and west, abuses the human rights of its own population and does not believe any country's freedom to abuse its population in the same way should be interfered with.

China, in fact, is complicit in North Korea's abuses, since it sends many defectors who have made it across the Yalu River back into North Korea, where they face punishment or, if they are repeat escapees, execution. North Korean women who have become pregnant in China often are forced to abort their children. ''In cases where the pregnancy is too advanced, guards beat the infants to death or bury them alive after they are born,'' writes Roberta Cohen, the chair of HRNK.

Inevitably, there remains much that is unknown. It's impossible to be confident of a population count for the gulag, Mr. Hawk said, because it's not clear whether deaths are outpacing deportations.

Enough is known, however, for indifference to be inexcusable. As a first step, the United Nations could establish a commission of inquiry to investigate crimes against humanity taking place inside the prison camps. As Ms. Cohen said, ''It is not just nuclear weapons that have to be dismantled but an entire system of political repression.''

[From the Washington Post, Mar. 25, 2012]

NORTH KOREA'S DEHUMANIZING TREATMENT OF ITS CITIZENS IS HIDING IN PLAIN SIGHT

(By Fred Hiatt)

With President Obama in Korea this week, we will hear a lot about the dangers of North Korea's nuclear aspirations.

We're unlikely to hear about a young man named Shin Dong-hyuk, who was bred, like a farm animal, inside a North Korean prison camp after guards ordered his prisoner-parents to mate. But Shin arguably has as much to teach about Korea's past and future as about the cycle of negotiation, bluster and broken promises over the nuclear issue.

''Shin was born a slave and raised behind a high-voltage barbed-wire fence.''

So writes Blaine Harden, a former East Asia correspondent for The Post, in a soon-to-be-published account of Shin's life, ''Escape from Camp 14.''

Harden describes a closed world of unimaginable bleakness. We often speak of someone so unfortunate as to grow up ''not knowing love.'' Shin grew up literally not understanding concepts such as love, trust or kindness. His life consisted of beatings, hunger and labor. His only ethos was to obey guards, snitch on fellow inmates and steal food when he could. At age 14, he watched his mother and older brother executed, a display that elicited in him no pity or regret. He was raised to work until he died, probably around age 40. He knew no contemporaries who had experienced life outside Camp 14.

At 23, Shin escaped and managed, over the course of four years, to make his way through a hungry North Korea—a larger, more chaotic version of Camp 14—into China and, eventually, the United States. He is, as far as is known, the only person born in the North Korean gulag to escape to freedom.

Improbably, his tale becomes even more gripping after his unprecedented journey, after he realizes that he has been raised as something less than human. He gradually, haltingly—and, so far, with mixed success—sets out to remake himself as a moral, feeling human being.

How is this tale even possible in the 21st century, the era of ''Never Again,'' of the United Nations proudly (in 2005) declaring that all nations have a ''responsibility to protect'' civilian populations abused by their own governments?

''Fashioning a comprehensive policy to deal with North Korea's nuclear programs, its human rights abuses, and its failed economy is hardly child's play,'' explains Victor Cha, a Georgetown University professor, in his forthcoming book, ''The Impossible State.'' ''No administration thus far has been successful at addressing one, let alone all three.''

Cha, who helped shape Korea policy on the National Security Council under President George W. Bush, describes a nation where schoolchildren learn grammatical conjugations by reciting ''We killed Americans,'' ''We are killing Americans,'' ''We will kill Americans.''

With 25 million people, it is a failed state in every way but one, which is coddling the regime and a small elite that resembles a criminal syndicate more than a traditional bureaucracy. While cautioning that predictions are risky, Cha argues that ''the end is near.'' The next U.S. presidential term, he predicts, is likely to face ''a major crisis of the state in North Korea, and potentially unification.''

When that happens, ''what is likely to be revealed is one of the worst human rights disasters in modern times.''

Only, as both books make clear, it won't be much of a revelation. Harden points out that North Korea's labor camps ''have now existed twice as long as the Soviet gulag and about twelve times longer than the Nazi concentration camps.'' They are easily identified in satellite photographs. One is larger than the city of Los Angeles. Altogether they house about 200,000 people.

They are visible, in other words, but people do not want to see them, and Shin's story helps explain why.

It's no surprise that China, with its own gulag archipelago, objects to any suggestion that a government can't abuse its citizens as it pleases.

But South Koreans, living in freedom, also fear a North Korean collapse—not only for the potential financial cost but also because they sense how different their erstwhile countrymen have become. Not all North Koreans live as stunted a life as Shin did inside Camp 14, but generations of isolation, propaganda and warped morality take a toll. And 20 years of post-Soviet experience have taught us that civic virtues can be far more difficult to rekindle than private markets or democratic forms.

When he watched his teacher beat a six-year-old classmate to death for stealing five grains of corn, Shin says he ''didn't think much about it.''

''I did not know about sympathy or sadness,'' he says. ''Now that I am out, I am learning to be emotional. I have learned to cry. I feel like I am becoming human.''

But seven years after his escape, Harden writes, Shin does not believe he has reached that goal. ''I escaped physically,'' he says. ''I haven't escaped psychologically.''

FOOD SAFETY ACCOUNTABILITY ACT

Mr. LEAHY. Mr. President, one year ago, the Senate unanimously passed the Food Safety Accountability Act. This week, the Food and Drug Administration announced that raw tuna from a California supplier has sickened more than 100 people in 20 States with salmonella poisoning. We do not yet know the cause of the current outbreak, but if enacted, the Food Safety Accountability Act would help stop outbreaks of illness related to food safety. It is time for the House to pass this noncontroversial legislation.

The Food Safety Accountability Act promotes more accountability for food suppliers by increasing the sentences that prosecutors can seek for people who violate our food safety laws in those cases where there is conscious or reckless disregard of a risk of death or serious bodily injury. Current statutes do not provide sufficient criminal sanctions for those who knowingly violate our food safety laws.

Knowingly distributing adulterated food is already illegal, but it is in most cases merely a misdemeanor, and the Sentencing Commission has found that perpetrators generally do not serve jail time. The alternative, fines and recalls, fall short in protecting the public from harmful products. Too often, those who are willing to endanger our American citizens in pursuit of profits view such fines or recalls as merely the cost of doing business.

Salmonella poisoning is all too common and sometimes results from inexcusable, knowing conduct such as that carefully targeted by the Food Safety Accountability Act. The company responsible for a salmonella outbreak last summer had a long history of environmental, immigration, labor, and food safety violations. It is clear that fines are not enough to protect the public and effectively deter this unacceptable conduct. We need to make sure that those who knowingly poison the food supply will go to jail. This bill will significantly increase the chances that those who commit serious food safety crimes will face jail time rather than merely a slap on the wrist.

Food safety received considerable attention in the last Congress, and I was pleased that we finally passed comprehensive food safety reforms, but our work is not done. A provision almost identical to the Food Safety Accountability Act has previously passed the House with strong, bipartisan support. Now that the Senate has unanimously passed this bill, it is long overdue for the House to act.

The American people should be confident that the food they buy for their families is safe. The uncertainty and fear caused by the current salmonella outbreak only reinforces the need to pass the common sense Food Safety Accountability Act. I urge the House to quickly pass the Senate bill and join us in taking this important step toward protecting our food supply.

TRIBUTE TO IRENE DAVEY

Mr. BROWN of Massachusetts. Mr. President, today I wish to recognize Irene Davey of Attleboro, MA, who on January 26, 2012, turned 104 years of age. It is a privilege for me to join her family, friends and veterans everywhere in extending warm wishes to Irene.

In March of 1943, Irene joined the U.S. Army and served until November 1945. Irene had a distinguished military career where she earned the rank of staff sergeant. She was part of a force of about 351,000 women who served in World War II. Irene served in the Women's Army Auxiliary Corps and was assigned to motor transport.

While serving in the Army, Irene directly contributed to the success of the motor corps by training the other women in the auxiliary corps to drive trucks and provide vehicle maintenance. One of her duties while serving in the motor corps included transporting sick and injured soldiers home by ambulance. She even became a recruiter, using what she had learned in the Army to bring in the next generation of soldiers.

Irene understood the true meaning of shared sacrifice. The motto of the time was ''release a man to help your man.'' According to Irene it meant that if a woman could take a man's job, that man was released to join the armed forces. That made the armed forces stronger, helping your man who was in the armed forces be that much safer.

After World War II, Irene continued her service by becoming a warden at the election polls in her hometown of Attleboro. Irene is an exceptional woman who has served her country and community in many ways. Irene has been a champion for veterans all her life and the Commonwealth of Massachusetts owes her its deepest gratitude.

There is nothing Irene likes more than hearing someone thanking a veteran for their service. Today, however, the Senate recognizes Irene Davey the poet, songwriter, and lifelong public servant.

Irene has witnessed many wonderful events during her long and distinguished life. Throughout her years, she has demonstrated that one person can make a difference. It is people as dedicated as Irene who continue to make a difference in this world. Others should take notice and become inspired by the example that she has set.

I would like to thank Irene for her tremendous service to our country and our communities. I know that her family and friends, as well as the people of Massachusetts are extremely proud of her selfless service.

ADDITIONAL STATEMENTS

TRIBUTE TO BOWEN FLOWERS

• Mr. COCHRAN. Mr. President, I am pleased to commend Bowen Flowers of Clarksdale, MS, for his service and contributions to the State of Mississippi while serving as the 77th President of Delta Council. The Delta Council was formed in 1935 and has grown into a widely respected economic development organization representing the business, professional, and agricultural leadership of the alluvial floodplain commonly known as the Mississippi Delta. I am grateful to Delta Council for its continuous role in meeting the economic and quality of life challenges which have historically confronted this part of my State.

Bowen Flowers' tenure as president of Delta Council has coincided with the development of a new farm bill, the primary legislation for establishing Federal agriculture and food policies. Mr. Flowers has used his insight and judgment to lead the Delta Council in effectively working with Congress to help ensure that the priorities of those living and working in rural America are met. He is also recognized for his dedication to conservation and wildlife as part of his ongoing service to Mississippi.

In addition to his role as president of Delta Council, Mr. Flowers is a director of Staplcotn Producer Cooperative and the Covenant Bank, and is a commissioner on the Coahoma County Soil and Water Commission. Some of his previous leadership positions include director of the Mississippi Association of Conservation Districts, president of the Mississippi Soybean Promotion Board, producer director of the National Cotton Council, president of Delta Wildlife, and chairman of the Delta Council Soil and Water Committee.

Bowen Flowers is well respected in Mississippi and his performance as president of the Delta Council will add to his well-earned reputation of working to improve the quality of life of rural America. His dedication to the future of the Mississippi Delta and those who live there speaks highly of him as a person. In Mississippi, we appreciate Bowen Flowers, as well as his wife Susan and their daughter Anderson, for their service and commitment to Mississippi.•

TRIBUTE TO ALFRED RANKINS, SR.

• Mr. COCHRAN. Mr. President, I am pleased to commend Alfred Rankins, Sr., of Greenville, MS, for his tireless and effective leadership while serving on the Washington County Board of Supervisors. Mr. Rankins recently retired from the board following a long career dedicated to protecting and enhancing the lives of the residents of Greenville and Washington County, and people throughout the Mississippi Delta. Washington County has historically faced a unique set of challenges, and I am grateful for the board's consistent leadership in willingly addressing these challenges on a daily basis.

Al Rankins has served Washington County long enough to understand the

dynamics of the local economy and the needs of the region. Mr. Rankins served on the Board of Supervisors since 1990 and served as its president. His tenure was characterized by consistent focus on retaining and recruiting new businesses and industries to the area. During his career, Al Rankins has also been a member of the Mississippi Water Management Advisory Board and the Allied Enterprise Advisory Board. On the Delta Council, he served as the longtime chairman of the Council's Flood Control Committee and as chairman of the Development Department Board of Directors.

Prior to serving in these important jobs, Al Rankins worked almost 21 years as a police officer for the city of Greenville, retiring in 1990 as deputy chief. He also served his country honorably during a tour of duty in Vietnam with the U.S. Air Force.

Related to his career as a civic leader and business owner, Al Rankins has received many accolades and honors, including the Lifetime Achievement Award for Civil Service to the Community, the Outstanding Citizen Achievement Award, and the Outstanding Service to the Community Award. These awards are examples of the recognition extended to Mr. Rankins for his public service and community volunteer contributions to the Mississippi Delta Region.

Al Rankins and his wife Mary are a credit to my great State. In conjunction with the end of his long service with the Washington County Board of Supervisors, I join many Mississippians in commending Alfred Rankins, Sr., for his dedication and service to the people of Mississippi.●

REMEMBERING BRUNO BENNA

● Mr. HELLER. Mr. President, today I wish to pay tribute to a Nevadan who spent his life working to strengthen his local community and enrich the lives of its residents. After a courageous 9-year battle with cancer, Bruno Benna passed on April 1, 2012. Our State has lost a selfless and giving Nevadan. My thoughts and prayers continue to be with his family.

From starting a small concrete company that would later become a staple in Reno to his patronage for the fine arts, Bruno was involved in nearly every facet of Northern Nevada's community. In 1958, he co-founded C.B. Concrete Company, which literally laid the foundations for modern Reno. For the next 50 years, Bruno contributed to the construction of Reno's major infrastructure projects. Generations of Reno residents have become familiar with C. B. Concrete Company's iconic yellow trucks emblazoned with the bumble bee logo.

C. B. Concrete Company exemplifies the vital role small businesses play in both our economy and local community. As the backbone of our economy, they must continue to remain vibrant and healthy in order to create jobs at a time when Nevadans need them the most. I am saddened that Reno has lost such a passionate entrepreneur who was responsible for employing hundreds of Nevadans. Northern Nevada was fortunate to have such a talented businessman who was continuously striving to improve the business community while serving on the Reno Chamber of Commerce Board, the U.S. Interstate Commerce Commission, and as an advisor to the U.S. Small Business Administration.

In 1997, Bruno and his wife, Edna, started the Benna Family Foundation to give back to their community. Through the foundation, the couple were avid supporters of the University of Nevada, the Nevada Discovery Museum, the Nevada Opera, the Nevada Art Museum, and the Reno Little Theater. In 2002, Governor Kenny Guinn awarded the Bennas with the Governor's Arts Award for their decades of service for arts in Northern Nevada.

Bruno's extensive philanthropic endeavors and generous contributions to our State continue to be inspiring to those within the Reno and larger northern Nevada community. I am both grateful for and humbled by his commitment to the Silver State. I ask my colleagues to join me today in remembering the life of a great Nevadan.●

RECOGNIZING WEST BRANCH HERITAGE TIMBER, LLC

● Ms. SNOWE. Mr. President, my home State of Maine, with its vast acres of trees, has traditionally been a hub for the lumber industry since the advent of wood pulp in paper making. In recent years, the lumber industry has suffered due to the economic downturn, and the resulting decline in the housing market has reduced the need for wood products to build homes such as hardwood flooring and cabinet construction. Despite this, there are companies that persevere in the face of such hardships, confronting economic challenges with innovation and creativity. Today, I rise to commend and recognize one such company, West Branch Heritage Timber, for helping to revive the lumber industry while creating a beautiful and artistic product inscribed with Maine's rich history.

Since 2010, West Branch Heritage Timber located in Millinocket, ME, has harvested 20,000 tons of wood from Quakish Lake—part of the Penobscot River system—which became a repository for thousands of tons of lost timber cut by river-driving loggers over a century ago. The extensive wood inventory remained preserved under the water for over 100 years, until coowners Steve Saunders and Tom Shafer developed an idea to retrieve the unique and magnificent lumber. To put it simply, these two innovators have been ''fishing'' this timber from the bottom of the lake for the commercial value it holds today.

Currently, West Branch Heritage Timber is in the process of reclaiming an estimated 1 million cord of timber at the bottom of the West Branch of the Penobscot River, making it the largest timber reclamation project ever conducted in New England. The quality of their product has not gone unnoticed as this small firm was recently selected by another local business, Shaw & Tenney of Orono, as the primary wood supplier for the paddles they are producing for L.L. Bean's 100-year anniversary. Lake wood contains aesthetically impressive designs which develop and evolve as minerals from the lake's water seeps deep into the wood over many years, creating rich earth tones. Shaw & Tenney saw an opportunity to utilize this niche-commodity offered by West Branch Heritage Timber to demonstrate the beauty of Maine in L.L. Bean's commemorative paddles.

However, the artistic preservation of history is only one purpose that the wood of Quakish Lake serves. Steve hopes that the business will soon obtain a paper mill contract as West Branch would be able to provide pulping wood at a substantially less cost than competitors. Steve has attested to the feasibility and value of such a venture by estimating the potential to produce 40,000 tons of wood annually for the next 20 years. While the company currently employs nine full-time employees, obtaining a pulp contract would allow for expansion and job creation.

The ingenuity and creativity of the West Branch Heritage Timber team embodies the entrepreneurial spirit of our country's history and serves as an exemplary small business that so ardently comprises the backbone of the American economy. I am proud to extend my congratulations to Steve and Tom, as well as everyone at West Branch Heritage Timber, for their hard work in providing a product that is both beautiful and vital to the resurgence of Maine's lumber industry.●

2012 NATIONAL DRUG CONTROL STRATEGY—PM 46

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on the Judiciary:

To the Congress of the United States:

I am pleased to transmit the 2012 *National Drug Control Strategy*, which follows through on the commitment made by my Administration to chart a new course in our efforts to reduce illicit drug use and its consequences in the United States. The balanced approach outlined in the Administration's inaugural *National Drug Control Strategy* has yielded significant results, which are detailed in the following pages.

Our Nation still faces serious drug-related challenges, however. Too many Americans need treatment for substance use disorders but do not receive

it. Prescription drug abuse continues to claim American lives, and those who take drugs and drive threaten safety on our Nation's roadways. Young people's perceptions of the risks of drug use have declined over the past decade, and research suggests that this often predicts future increases in drug use. There is still much left to do to reform our justice system and break the cycle of drug use and crime. Our commitment to work with partner nations must remain steadfast to reduce drug production, trafficking, and related transnational threats.

Based upon the progress we have achieved over the past three years, I am confident we can address these challenges through concerted action along the entire spectrum of prevention, early intervention, treatment, recovery support, criminal justice reform, law enforcement, and international cooperation. However, we must match our commitment with the appropriate resources.

Illicit drug use in America contributed to an estimated $193 billion in crime, health, and lost productivity costs in 2007, the year for which the most recent estimate is available. In today's challenging economic environment, we cannot afford such a drain on our economy and public resources. While difficult budget decisions must be made at all levels of government, we must ensure continued support for policies and programs that reduce drug use and its enormous costs to American society. In doing so, we will not only strengthen our economy but also sustain the national character and spirit that has made the United States a world leader.

I look forward to continuing to work with the Congress and Federal, state, local, tribal, and territorial leaders, international partners, and the American people in this important endeavor.

BARACK OBAMA.

THE WHITE HOUSE, *April 19, 2012*.

MESSAGE FROM THE HOUSE

At 10:37 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2453. An act to require the Secretary of the Treasury to mint coins in commemoration of Mark Twain.

H.R. 4348. An act 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.

MEASURES REFERRED

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

H.R. 2453. An act to require the Secretary of the Treasury to mint coins in commemoration of Mark Twain; to the Committee on Banking, Housing, and Urban Affairs.

MEASURE DISCHARGED

The following joint resolution was discharged by petition, pursuant to 5 U.S.C. 802(c), and placed on the calendar:

S.J. Res. 36. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the National Labor Relations Board relating to representation election procedures.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 2327. A bill to prohibit direct foreign assistance to the Government of Egypt until the President makes certain certifications related to treatment of nongovernmental organization workers, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–5741. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Asian Longhorned Beetle; Additions to Quarantined Areas in Massachusetts'' (Docket No. APHIS–2010–0128) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5742. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Importation of Clementines From Spain; Amendment to Inspection Provisions'' (Docket No. APHIS–2010–0036) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5743. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Importation of Pomegranates From Chile Under a Systems Approach'' (Docket No. APHIS–2010–0024) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5744. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Importation of Fresh Pitaya Fruit From Central America Into the Continental United States'' (Docket No. APHIS–2010–0113) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5745. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Guidance Under Sections 642 and 643 (Income Ordering Rules)'' ((RIN1545–BH66) (TD 9582)) received in the Office of the President of the Senate on April 16, 2012; to the Committee on Finance.

EC–5746. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Guidance Under Section 267(f); Deferral of Loss on Transactions Between Members of a Controlled Group'' ((RIN1545–BI92) (TD 9583)) received in the Office of the President of the Senate on April 16, 2012; to the Committee on Finance.

EC–5747. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a manufacturing license agreement for the manufacture of significant military equipment abroad and the export of defense articles, including, technical data, and defense services to Malaysia for the assembly, test and production of the Colt M4 carbine in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC–5748. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–343 ''Tenant Security Deposits Clarification Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–5749. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–344 ''South Capitol Street Memorial Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–5750. A communication from the Director of the Regulation Policy and Management Office of the General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Rules Governing Hearings Before the Agency of Original Jurisdiction and the Board of Veterans' Appeals; Repeal of Prior Rule Change'' (RIN2900–AO43) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Veterans' Affairs.

EC–5751. A communication from the Director of the Regulation Policy and Management Office of the General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Payment or Reimbursement for Emergency Services for Nonservice-Connected Conditions in Non-VA Facilities'' (RIN2900–AN86) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Veterans' Affairs.

EC–5752. A communication from the Acting Assistant Secretary of Defense (Reserve Affairs), transmitting, pursuant to law, a report relative to a proposed change by the Navy Reserve to the Fiscal Year 2011 National Guard and Reserve Equipment Appropriation (NGREA) procurement; to the Committee on Armed Services.

EC–5753. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting legislative proposals and accompanying reports relative to the National Defense Authorization Act for Fiscal Year 2013; to the Committee on Armed Services.

EC–5754. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Karnal Bunt; Regulated Areas in California'' (Docket No. APHIS–2011–0074) received in the Office of the President of the Senate on April 17, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5755. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to

law, the report of a rule entitled ''Golden Nematode; Removal of Regulated Areas'' (Docket No. APHIS–2011–0036) received in the Office of the President of the Senate on April 17, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5756. A communication from the Management and Program Analyst, Forest Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''National Forest System Land Management Planning'' (RIN0596–AD02) received in the Office of the President of the Senate on April 17, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5757. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Quizalofop Ethyl; Pesticide Tolerances'' (FRL No. 9340–5) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with amendments:

S. 743. A bill to amend chapter 23 of title 5, United States Code, to clarify the disclosures of information protected from prohibited personnel practices, require a statement in nondisclosure policies, forms, and agreements that such policies, forms, and agreements conform with certain disclosure protections, provide certain authority for the Special Counsel, and for other purposes (Rept. No. 112–155).

By Mr. INOUYE, from the Committee on Appropriations:

Special Report entitled ''Allocation to Subcommittees of Budget Totals for Fiscal Year 2013.'' (Rept. No. 112–156).

By Mrs. MURRAY, from the Committee on Appropriations, without amendment:

S. 2322. An original bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2013, and for other purposes (Rept. No. 112–157).

By Ms. MIKULSKI, from the Committee on Appropriations, without amendment:

S. 2323. An original bill making appropriations for Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes (Rept. No. 112–158).

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. LEAHY for the Committee on the Judiciary.

William J. Kayatta, Jr., of Maine, to be United States Circuit Judge for the First Circuit.

John Thomas Fowlkes, Jr., of Tennessee, to be United States District Judge for the Western District of Tennessee.

Kevin McNulty, of New Jersey, to be United States District Judge for the District of New Jersey.

Michael A. Shipp, of New Jersey, to be United States District Judge for the District of New Jersey.

Stephanie Marie Rose, of Iowa, to be United States District Judge for the Southern District of Iowa.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. REED (for himself and Mr. ISAKSON):

S. 2301. A bill to help prevent the occurrence of cancer resulting from the use of ultraviolet tanning lamps by providing sufficient information to consumers regarding the health risks associated with the use of such devices; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEAHY:

S. 2302. A bill to extend the temporary suspension of duty on certain ski boots, cross country ski footwear, and snowboard boots; to the Committee on Finance.

By Mr. DURBIN (for himself and Mr. KIRK):

S. 2303. A bill to require rulemaking by the Administrator of the Federal Emergency Management Agency to address considerations in evaluating the need for public and individual disaster assistance, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. MIKULSKI:

S. 2304. A bill to amend title XVIII of the Social Security Act to allow chiropractors to provide items and services through private contracts under the Medicare program; to the Committee on Finance.

By Mr. LIEBERMAN:

S. 2305. A bill to extend the temporary suspension of duty on yarn of carded hair of Kashmir (cashmere) goats, of yarn count less than 19.35 metric, not put up for retail sale; to the Committee on Finance.

By Mr. LIEBERMAN:

S. 2306. A bill to extend the temporary suspension of duty on fine animal hair of Kashmir (cashmere) goats, processed beyond the degreased or carbonized condition; to the Committee on Finance.

By Mr. LIEBERMAN:

S. 2307. A bill to extend the temporary suspension of duty on yarn of carded cashmere of 19.35 metric yarn count or higher; to the Committee on Finance.

By Mr. LIEBERMAN:

S. 2308. A bill to extend the temporary suspension of duty on yarn of combed cashmere or yarn of camel hair; to the Committee on Finance.

By Mr. LIEBERMAN:

S. 2309. A bill to extend the temporary suspension of duty on camel hair, carded or combed; to the Committee on Finance.

By Mr. LIEBERMAN:

S. 2310. A bill to extend the temporary suspension of duty on woven fabrics containing 85 percent or more by weight of vicuna hair; to the Committee on Finance.

By Mr. LIEBERMAN:

S. 2311. A bill to extend the temporary suspension of duty on waste of camel hair; to the Committee on Finance.

By Mr. LIEBERMAN:

S. 2312. A bill to extend the temporary suspension of duty on camel hair, not processed in any manner beyond the degreased or carbonized condition; to the Committee on Finance.

By Mr. LIEBERMAN:

S. 2313. A bill to extend the temporary suspension of duty on camel hair, processed beyond the degreased or carbonized condition; to the Committee on Finance.

By Mr. LIEBERMAN:

S. 2314. A bill to extend the temporary suspension of duty on noils of camel hair; to the Committee on Finance.

By Mr. LIEBERMAN:

S. 2315. A bill to extend the temporary suspension of duty on yarn of carded camel hair; to the Committee on Finance.

By Mr. KERRY (for himself and Mr. BROWN of Massachusetts):

S. 2316. A bill to designate the Salt Pond Visitor Center at the Cape Cod National Seashore as the ''Thomas P. O'Neill, Jr. Salt Pond Visitor Center'', and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. STABENOW (for herself, Mr. PORTMAN, Mr. BROWN of Ohio, Mr. DURBIN, Mr. LEVIN, Mr. CASEY, Mr. SCHUMER, Mrs. GILLIBRAND, Ms. KLOBUCHAR, and Mr. FRANKEN):

S. 2317. A bill to compel the Secretary of the Army to complete the Great Lakes Mississippi River Interbasin Study within 18 months and to focus particular attention on the permanent prevention of the spread of aquatic nuisance species between the Great Lakes and the Mississippi River Basins; to the Committee on Environment and Public Works.

By Mr. KERRY (for himself, Mr. BOOZMAN, Mr. COONS, Mr. ISAKSON, Ms. LANDRIEU, Mr. GRAHAM, and Mr. DURBIN):

S. 2318. A bill to authorize the Secretary of State to pay a reward to combat transnational organized crime and for information concerning foreign nationals wanted by international criminal tribunals, and for other purposes; to the Committee on Foreign Relations.

By Ms. COLLINS (for herself, Mr. LIEBERMAN, Mr. BROWN of Massachusetts, Mr. AKAKA, and Mr. CARPER):

S. 2319. A bill to amend the Homeland Security Act of 2002 to direct the Administrator of the Federal Emergency Management Agency to modernize the integrated public alert and warning system of the United States, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. AYOTTE (for herself and Mr. BEGICH):

S. 2320. A bill to direct the American Battle Monuments Commission to provide for the ongoing maintenance of Clark Veterans Cemetery in the Republic of the Philippines, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MENENDEZ (for himself and Mr. AKAKA):

S. 2321. A bill to amend the Public Health Service Act to provide for the expansion, intensification, and coordination of the programs and activities of the National Institutes of Health with respect to Tourette syndrome; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. MURRAY:

S. 2322. An original bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2013, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Ms. MIKULSKI:

S. 2323. An original bill making appropriations for Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mrs. HUTCHISON:

S. 2324. A bill to amend the Wild and Scenic Rivers Act to designate a segment of the Neches River in the State of Texas for potential addition to the National Wild and Scenic

River System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. NELSON of Florida (for himself, Mrs. BOXER, and Mr. KIRK):

S. 2325. A bill to authorize further assistance to Israel for the Iron Dome anti-missile defense system; to the Committee on Foreign Relations.

By Mr. SCHUMER (for himself and Mrs. GILLIBRAND):

S. 2326. A bill to designate the new United States courthouse in Buffalo, New York, as the ''Robert H. Jackson United States Courthouse''; to the Committee on Environment and Public Works.

By Mr. PAUL:

S. 2327. A bill to prohibit direct foreign assistance to the Government of Egypt until the President makes certain certifications related to treatment of nongovernmental organization workers, and for other purposes; read the first time.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. COBURN (for himself and Mr. UDALL of Colorado):

S. Res. 427. A resolution to prevent the creation of duplicative and overlapping Federal programs; to the Committee on Rules and Administration.

By Mr. BLUMENTHAL (for himself, Mr. GRAHAM, Ms. KLOBUCHAR, Mr. KIRK, Ms. COLLINS, Mr. COATS, Mr. MCCAIN, and Mr. CARDIN):

S. Res. 428. A resolution condemning the Government of Syria for crimes against humanity, and for other purposes; to the Committee on Foreign Relations.

By Mr. WICKER (for himself, Mr. COONS, Mr. COCHRAN, Mr. CARDIN, Mr. DURBIN, Mr. BOOZMAN, and Mr. BINGAMAN):

S. Res. 429. A resolution supporting the goals and ideals of World Malaria Day; to the Committee on Foreign Relations.

By Mr. WICKER (for himself, Mr. PRYOR, Mr. COCHRAN, Mr. BOOZMAN, Mr. INHOFE, and Mr. TESTER):

S. Res. 430. A resolution recognizing the 75th anniversary of the founding of Ducks Unlimited, Incorporated, the achievements of the organization in habitat conservation, and the support of the organization for the waterfowling heritage of the United States; considered and agreed to.

By Ms. CANTWELL:

S. Res. 431. A resolution celebrating the 50th anniversary of the 1962 Seattle World's Fair; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 91

At the request of Mr. WICKER, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 91, a bill to implement equal protection under the 14th article of amendment to the Constitution for the right to life of each born and unborn human person.

S. 424

At the request of Mr. SCHUMER, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 424, a bill to amend title XVIII of the Social Security Act to preserve access to ambulance services under the Medicare program.

S. 434

At the request of Ms. MIKULSKI, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 434, a bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education.

S. 881

At the request of Ms. LANDRIEU, the names of the Senator from Georgia (Mr. ISAKSON) and the Senator from Texas (Mrs. HUTCHISON) were added as cosponsors of S. 881, a bill to amend the Consumer Credit Protection Act to assure meaningful disclosures of the terms of rental-purchase agreements, including disclosures of all costs to consumers under such agreements, to provide substantive rights to consumers under such agreements, and for other purposes.

S. 891

At the request of Mr. GRASSLEY, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 891, a bill to amend title XVIII of the Social Security Act to provide for the recognition of attending physician assistants as attending physicians to serve hospice patients.

S. 1244

At the request of Mr. INOUYE, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 1244, a bill to provide for preferential duty treatment to certain apparel articles of the Philippines.

S. 1534

At the request of Mr. NELSON of Florida, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1534, a bill to prevent identity theft and tax fraud.

S. 1591

At the request of Mrs. GILLIBRAND, the names of the Senator from California (Mrs. BOXER) and the Senator from Louisiana (Ms. LANDRIEU) 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. 1629

At the request of Mrs. GILLIBRAND, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 1629, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 1734

At the request of Mr. BLUMENTHAL, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1734, a bill to provide incentives for the development of qualified infectious disease products.

S. 1773

At the request of Mr. BROWN of Ohio, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1773, a bill to promote local and regional farm and food systems, and for other purposes.

S. 1850

At the request of Mr. HARKIN, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1850, a bill to expand and improve opportunities for beginning farmers and ranchers, and for other purposes.

S. 1919

At the request of Mr. REID, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1919, a bill to amend title 18, United States Code, to provide penalties for transporting minors in foreign commerce for the purposes of female genital mutilation.

S. 2003

At the request of Mrs. FEINSTEIN, the name of the Senator from New Mexico (Mr. BINGAMAN) 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. 2066

At the request of Ms. MURKOWSKI, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 2066, a bill to recognize the heritage of recreational fishing, hunting, and shooting on Federal public land and ensure continued opportunities for those activities.

S. 2112

At the request of Mr. BEGICH, the name of the Senator from Montana (Mr. BAUCUS) 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. 2139

At the request of Mrs. MCCASKILL, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 2139, a bill to enhance security, increase accountability, and improve the contracting of the Federal Government for overseas contingency operations, and for other purposes.

S. 2146

At the request of Mr. BINGAMAN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2146, a bill to amend the Public Utility Regulatory Policies Act of 1978 to create a market-oriented standard for clean electric energy generation, and for other purposes.

S. 2160

At the request of Mrs. HUTCHISON, her name 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 New Hampshire (Mrs. SHAHEEN) and the Senator from North Carolina (Mr. BURR) were added as cosponsors of S. 2165, a bill to enhance strategic cooperation between the United States and Israel, and for other purposes.

S. 2185

At the request of Mr. GRAHAM, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of S. 2185, a bill to authorize the Secretary of Health and Human Services acting through the Administrator of the Health Resources and Services Administration, to award grants on a competitive basis to public and private entities to provide qualified sexual risk avoidance education to youth and their parents.

S. 2255

At the request of Mrs. BOXER, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 2255, a bill to amend chapter 1 of title 36, United States Code, to add Welcome Home Vietnam Veterans Day as a patriotic and National observance.

S. 2295

At the request of Mr. LEAHY, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 2295, a bill to permit manufacturers of generic drugs to provide additional warnings with respect to such drugs in the same manner that the Food and Drug Administration allows brand names to do so.

S. 2296

At the request of Mrs. HAGAN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2296, a bill to amend the Higher Education Opportunity Act to restrict institutions of higher education from using revenues derived from Federal educational assistance funds for advertising, marketing, or recruiting purposes.

S. RES. 380

At the request of Mr. GRAHAM, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. Res. 380, a resolution to express the sense of the Senate regarding the importance of preventing the Government of Iran from acquiring nuclear weapons capability.

S. RES. 400

At the request of Ms. STABENOW, the name of the Senator from Hawaii (Mr. AKAKA) 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.

AMENDMENT NO. 1975

At the request of Mr. MERKLEY, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of amendment No. 1975 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

AMENDMENT NO. 2031

At the request of Mrs. MCCASKILL, the names of the Senator from Iowa (Mr. HARKIN), the Senator from Vermont (Mr. LEAHY), the Senator from Arkansas (Mr. PRYOR), the Senator from Ohio (Mr. BROWN), the Senator from Minnesota (Mr. FRANKEN), the Senator from West Virginia (Mr. MANCHIN), the Senator from Maryland (Ms. MIKULSKI) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of amendment No. 2031 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

AMENDMENT NO. 2034

At the request of Mr. AKAKA, the names of the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Massachusetts (Mr. KERRY) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of amendment No. 2034 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

AMENDMENT NO. 2036

At the request of Mr. PRYOR, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of amendment No. 2036 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

AMENDMENT NO. 2041

At the request of Mr. MANCHIN, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of amendment No. 2041 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

AMENDMENT NO. 2042

At the request of Mr. CASEY, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of amendment No. 2042 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

AMENDMENT NO. 2043

At the request of Mr. UDALL of New Mexico, the names of the Senator from Vermont (Mr. LEAHY), the Senator from Michigan (Ms. STABENOW) and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of amendment No. 2043 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

AMENDMENT NO. 2050

At the request of Mr. SCHUMER, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of amendment No. 2050 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

AMENDMENT NO. 2056

At the request of Mr. TESTER, the names of the Senator from Vermont (Mr. SANDERS), the Senator from Oregon (Mr. MERKLEY), the Senator from North Dakota (Mr. CONRAD) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of amendment No. 2056 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

AMENDMENT NO. 2060

At the request of Mr. COBURN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of amendment No. 2060 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED (for himself and Mr. ISAKSON):

S. 2301. A bill to help prevent the occurrence of cancer resulting from the use of ultraviolet tanning lamps by providing sufficient information to consumers regarding the health risks associated with the use of such devices; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, today I am pleased to be joined by Senator ISAKSON in introducing the Tanning Transparency and Notification Act, or the TAN Act.

This legislation is a continuation of an initiative that we worked on together five years ago during the Food and Drug Administration Amendments Act, FDAAA, of 2007. That initiative required the Food and Drug Administration, FDA, to issue a report to Congress on whether the labeling requirements for indoor tanning devices provide sufficient information to consumers regarding the risks that the use of such devices pose for the development of irreversible damage to the eyes and skin, including skin cancer.

We called for this report in 2007 because the FDA had not updated its warnings on tanning beds since 1979. The FDA still has not acted and we believe that users of indoor tanning beds deserve to be fully informed. While the American Academy of Dermatology, the FDA, the National Institutes of Health, the Centers for Disease Control and Prevention, and the World Health Organization, WHO, continue to discourage the use of indoor tanning beds, this message and up-to-date information about the risks of indoor tanning are still not being adequately provided to consumers.

Not surprisingly, the FDA found in its report to Congress that updating current labeling requirements for tanning beds would better protect consumers from irreversible skin damage. This is an excerpt from the FDA's own report:

> Based on its analysis of the results of the consumer study required by section 230 of FDAAA, FDA has determined that there are warnings that are capable of adequately communicating the risks of indoor tanning,

and that a modified warning statement label may more effectively convey these risks than the current labeling requirements. FDA has also determined that changes to the positioning requirements for the warning statement label may communicate such risks more effectively.

Unfortunately, the FDA has not heeded its own advice. Tanning bed labels remain unchanged and skin cancer rates continue to rise. This year, approximately 131,810 new cases of melanoma will be diagnosed in the United States, and nearly 9,180 people will die from melanoma. Some of these cases result from the use of tanning beds.

Two million Americans, approximately 70 percent of whom are girls and women, visit a tanning salon each day. The WHO reports that the risk of cutaneous melanoma increases by 75 percent when use of tanning devices starts before 30 years of age.

Better informing these individuals about the incidence of melanoma, and increasing transparency and improving notification about the risks of indoor tanning are all ways to reduce skin cancer rates. The Tanning Transparency and Notification Act would require the FDA to carry out the recommendations in its report and update the labeling requirements for tanning beds.

Initiatives like this can make a difference in the health of Americans. Indeed, just last year, the FDA finalized critical regulations—at my and others' urging—that were 30 years in the making regarding sunscreen labeling. Providing consumers with critical information about the risks of indoor and outdoor tanning can help better protect them against skin cancer. I look forward to working with my colleagues on improving the labeling of indoor tanning beds and continuing efforts to combat skin cancer.

By Mr. DURBIN (for himself and Mr. KIRK):

S. 2303. A bill to require rulemaking by the Administrator of the Federal Emergency Management Agency to address considerations in evaluating the need for public and individual disaster assistance, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. DURBIN. Mr. President, today I am introducing the Fairness in Federal Disaster Declaration Act. I am introducing it on behalf of myself and my colleague, Senator MARK KIRK. What we are trying to achieve is fairness in FEMA's consideration of whether a community will be granted Federal assistance after a disaster. I think this legislation is essential because of what just happened in my State.

From 2007 to 2011, Illinois was denied Federal assistance three times. Texas was denied nine times. The damage was caused by everything from wildfires to tropical storms. California was denied five times during that 5-year period. Florida was denied four times, including for damage from Hurricane Ike. And unfortunately, as I mentioned, in my home State of Illinois, the communities of Harrisburg and Ridgway were denied.

This is the damage I saw when I went down to Harrisburg, IL, after a recent tornado. This was a shopping mall, but it was virtually collapsed by winds of 175 miles-per-hour intensity. That is the second highest intensity of recorded winds in a tornado. This property damage, of course, is just a minor part of what actually happened. The major part was the loss of life. Seven people were killed as a result of the tornado damage.

I grew up in the Midwest. I have seen tornadoes all my life. I lived waiting to hear the air raid sirens and head toward the basement. But I never saw anything quite as devastating as what I saw in Harrisburg. And then when I went over to Ridgway, IL, about 25 miles away, I saw that the local Catholic church, which had been standing for I think a century, collapsed when the winds hit it.

It was clear to me and to the Governor and many others as we toured the site that this was going to be a Federal disaster area.

That 175 mile-an-hour wind literally lifted homes off of their slab foundations and tossed them on top of other homes. In one neighborhood in Harrisburg, I happened to see some people leaving in a truck, and I stopped them and they said that the lady in the front seat actually lived in one of the houses that had been destroyed. She pointed it out to me. She got up early enough so that she heard the air raid siren and had the good sense to hit the floor in the bathroom right before the tornado hit her home. Of course, after it hit, and another home collapsed on top of it, the ceiling of her bathroom collapsed on her, but there was enough room for her to survive. They started hearing shortly thereafter the rescuers coming in. She made it with a few scratches and bruises. Just across the street, in one of the homes that was tossed was a 22-year-old local nurse who died as a result.

There were great efforts by first responders, terrific humanitarian gestures. The local coal miners a few miles away, when they heard about the disaster, in full gear, came out of the coal mines and rushed into Harrisburg to pull people out of their homes after they had collapsed.

We went ahead and made our application for Federal disaster aid in Harrisburg, IL, and we were denied. In the President's home State, we were denied. We thought, something is wrong here. We thought, with all of this damage from a tornado of this intensity, it must be wrong. So Governor Quinn sat down with local and State officials and redrafted our application for Federal assistance. It was sent to Washington, and it was denied a second time. I was stunned by it. I couldn't believe it, after having seen it, that this happened.

We went to FEMA and said, What did we miss here? People died, over 100 homes were destroyed, and it ripped its way through Harrisburg and into Ridgway, IL. What was missing here? Well, they said, we have to do a calculation under the law, and one of the elements in the calculation is the population of your State. Well, this is how it turned out. The damage that happened in southern Illinois, if it had happened across the river in Indiana or in Kentucky or in Missouri, would have been a Federal disaster. But because we have about 12 million people, we weren't declared a Federal disaster. What is the thinking behind that? If you are from a big State, you must have a lot of resources to take care of your own problems. Not so. Unfortunately, the State budget of Illinois is virtually bankrupt.

So we decided it was time to put a bill in that took into consideration a lot of factors and did not allow this disqualification for a large State. The bill Senator MARK KIRK and I are introducing today assigns a value to each of the six factors that are to be considered in a disaster declaration analysis. When it comes to individual assistance, help for people to rebuild their homes and pay for temporary housing, we use the same consistent factors no matter where the disaster strikes. The population of the State is worth 5 percent of the consideration. The consideration of the concentration of damages is worth 20 percent; the amount of trauma to the disaster area, 20 percent; the number of special populations such as the elderly or unemployed, 20 percent of the analysis; the amount of voluntary assistance in the area, 10 percent; and the amount of insurance coverage for the type of damage incurred, 20 percent.

Our bill also adds a seventh consideration to FEMA's metrics: the economics of the area. It turns out that southern Illinois is hard-pressed. There are a lot of unemployed people, a struggling economy. So we take a look at the local tax base, the median income as it compares to that of the State, and the poverty rate in the area that has been hard hit. It is reasonable that FEMA should take into consideration the size of a State; I don't argue with that, but it shouldn't loom large and disqualify situations which clearly deserve to be considered Federal disasters. Assigning values to the factors will ensure that damage to a specific community weighs more than just the State's population.

After the tornadoes hit Harrisburg and Ridgway, the head of the Illinois Emergency Management Agency, Jonathon Monken, worked with locals and people from the FEMA regional office to determine if the State could apply for public assistance—money to help local Mayor Gregg in Harrisburg and others pay for overtime accrued by all the people working around the clock to help the community dig out of the destruction. What Director Monken and others discovered was that it would have been a waste of the State's

time and resources to even consider applying for it. We didn't meet FEMA's threshold.

Currently, FEMA multiplies the number of people in a State by $1.35 to determine the threshold of the amount of damage a State would have to incur to qualify for public assistance. In Illinois, that figure is $17 million. Well, Harrisburg, Ridgway, and the surrounding communities had about $5.5 million in public assistance damage. That is a lot of loss for rural areas and small towns, but not enough to qualify for Federal assistance.

So we put together in this bill a standard for public assistance—money that would go to local units of government. Per capita consideration, 10 percent; localized impact of the disaster, 40 percent; the estimated cost of assistant needed, 10 percent; insurance coverage, 10 percent; the number of recent multiple disasters, 10 percent; and an analysis of other Federal assistance in the area, 10 percent. The bill would also add a seventh consideration just as it did under individual assistance, and that is the economic circumstances of the affected area. I mentioned earlier the elements that were brought into consideration there. I think this is a more honest and realistic approach.

Today, in order to introduce this bill, I am talking about a disaster which visited our State a few weeks ago. Tomorrow it could be the State of one of my colleagues. My colleagues could find out that a devastating natural disaster does not qualify for Federal disaster assistance simply because of the population of their State. I don't think that is a fair metric to use. I think our approach is fairer.

I commend this bill to my colleagues. As I say in closing, over this last few months it was Illinois. Tomorrow, it may be a colleague's State. Please take the time and look at this approach. I think it is fair to taxpayers. It is certainly fair to families across America.

Those of us who have been in the Senate and the Congress for a while have stepped up time and again when our colleagues were affected by a natural disaster. I hope my colleagues will take the time to consider this legislation from Senator KIRK and myself.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD as follows:

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

S. 2303

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 ''Fairness in Federal Disaster Declarations Act of 2012''.

SEC. 2. REGULATORY ACTION REQUIRED.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency (in this Act referred to as the ''Administrator'' and ''FEMA'', respectively) shall amend the rules of the Administrator under section 206.48 of title 44, Code of Federal Regulations, as in effect on the date of enactment of this Act, in accordance with the provisions of this Act.

(b) NEW CRITERIA REQUIRED.—The amended rules issued under subsection (a) shall provide for the following:

(1) PUBLIC ASSISTANCE PROGRAM.—Such rules shall provide that, with respect to the evaluation of the need for public assistance—

(A) specific weighted valuations shall be assigned to each criterion, as follows—

(i) estimated cost of the assistance, 10 percent;

(ii) localized impacts, 40 percent;

(iii) insurance coverage in force, 10 percent;

(iv) hazard mitigation, 10 percent;

(v) recent multiple disasters, 10 percent;

(vi) programs of other Federal assistance, 10 percent; and

(vii) economic circumstances described in subparagraph (B), 10 percent; and

(B) FEMA shall consider the economic circumstances of—

(i) the local economy of the affected area, including factors such as the local assessable tax base and local sales tax, the median income as it compares to that of the State, and the poverty rate as it compares to that of the State; and

(ii) the economy of the State, including factors such as the unemployment rate of the State, as compared to the national unemployment rate.

(2) INDIVIDUAL ASSISTANCE PROGRAM.—Such rules shall provide that, with respect to the evaluation of the severity, magnitude, and impact of the disaster and the evaluation of the need for assistance to individuals—

(A) specific weighted valuations shall be assigned to each criterion, as follows—

(i) concentration of damages, 20 percent;

(ii) trauma, 20 percent;

(iii) special populations, 20 percent;

(iv) voluntary agency assistance, 10 percent;

(v) insurance, 20 percent;

(vi) average amount of individual assistance by State, 5 percent; and

(vii) economic considerations described in subparagraph (B), 5 percent; and

(B) FEMA shall consider the economic circumstances of the affected area, including factors such as the local assessable tax base and local sales tax, the median income as it compares to that of the State, and the poverty rate as it compares to that of the State.

By Ms. COLLINS (for herself, Mr. LIEBERMAN, Mr. BROWN of Massachusetts, Mr. AKAKA, and Mr. CARPER):

S. 2316. A bill to amend the Homeland Security Act of 2002 to direct the Administrator of the Federal Emergency Management Agency to modernize the integrated public alert and warning system of the United States, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Ms. COLLINS. Mr. President, today, I rise to introduce the Integrated Public Alert and Warning System, IPAWS, Modernization Act of 2012. I am pleased to be joined by Senators LIEBERMAN, SCOTT BROWN, AKAKA, and CARPER in introducing this bill. It will ensure that more people receive life-saving information in more parts of America, more of the time, through current and future technologies.

Effective communication with the public before, during, and after a disaster is vitally important and can literally mean the difference between life and death. Since the 1950's, the U.S. Government has had a system in place to ensure that citizens can be warned in times of crisis. This system can also be used for local authorities to warn citizens of impending severe weather or other hazards to public safety.

Most people know the Emergency Alert System, EAS, as the crawling text on their television screens, and although this system remains the backbone of our national alerting capability, times have changed, and so must the way we communicate with the public during times of crisis.

This bill will strengthen the IPAWS system and ensure that as many Americans as possible receive these alerts in a timely and useful manner. The bill ensures that the integrated public alert and warning system incorporates multiple communications technologies, including new technologies such as smart phones and social networking sites;

The bill is designed to adapt to and incorporate future technologies;

The bill is designed to provide alerts to the largest portion of the affected population, including remote areas;

The bill promotes local and regional public and private partnerships; and

The bill provides redundant alert mechanisms in order to reach the greatest number of people possible.

The bill also requires the FEMA Administrator to ensure the inclusion of those with disabilities in the alert and warning system; ensure that the system is included in future exercises conducted through DHS's National Exercise Program, including the annual National Level Exercises; and requires FEMA to coordinate with DHS's National Terrorism Advisory System office. The bill provides for periodic nationwide tests of the system, and establishes a training program to instruct federal, state, tribal and local government officials in system use.

The bill also establishes an IPAWS Advisory Committee composed of federal, State and local representatives, as well as members who represent relevant industry groups and a consumer/privacy advocate. The committee would meet at least once a year and issue a yearly report on improvements to IPAWS. The bill also states that the administrator may not transmit a message from the President that does not relate to a natural disaster, act of terrorism, other man-made disaster, or other hazard to public safety.

This bill has been endorsed by the National Emergency Management Association, NEMA, the National Association of Broadcasters, NAB, the National Federation of the Blind, and the Hearing Loss Association of America. Additionally, we have received a letter of support from the CEOs of all 50 State broadcast trade associations.

I look forward to working with all of my colleagues to pass this bill and have it signed into law.

Mr. President, I ask unanimous consent that letters of support be printed in the RECORD.

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

NATIONAL ASSOCIATION OF BROADCASTERS,
Washington, DC, April 16, 2012.

Hon. SUSAN COLLINS, Ranking Member,
Committee on Homeland Security and Governmental Affairs, Dirksen Senate Office Building, Washington, DC.

DEAR RANKING MEMBER COLLINS: I write in support of your bill, the Integrated Public Alert and Warning System (IPAWS) Modernization Act of 2012, which will modernize the public alert and warning system of the United States to ensure that the president, under all conditions, can effectively alert and warn citizens during times of disaster. America's broadcasters strongly support this legislation.

Broadcasters serve our local communities during emergencies by providing life-saving information, important news and weather reports. We have proudly worked with local and federal governments for more than six decades, airing alerts issued by the Emergency Alert System (EAS), and continue to do so today. Working hand in hand with law enforcement, broadcasters have helped to successfully recover more than 540 abducted children to date through the use of AMBER Alerts.

The IPAWS Modernization Act of 2012 is an important step towards expanding the nation's public warning system by integrating multiple communications systems and future technologies. This legislation promotes local and regional public and private partnerships and provides redundant alert mechanisms to reach the largest number of people during an emergency.

Additionally, this legislation establishes a training program to instruct federal, state, tribal and local government officials in system use. Broadcasters are very supportive of such a training program and view this as a critical component to successful alerting. Strengthening coordination among the different levels of government, the legislation will set up an IPAWS Modernization Select Advisory Committee composed of federal, state and local representatives as well as members from various industry groups. We look forward to participating in this Advisory Committee and continuing our partnership with the federal government.

Sincerely,

GORDON H. SMITH,
President and CEO.

HEARING LOSS ASSOCIATION OF AMERICA,
Bethesda, MD, April 12, 2012.

Hon. SUSAN COLLINS,
U.S. Senate, Dirksen Senate Office Building, Washington, DC.

DEAR SENATOR COLLINS: The Hearing Loss Association of America is pleased to endorse the Integrated Public Alert and Warning System Modernization Act of 2012. We applaud your efforts to update the integrated public alert and warning system, and are particularly pleased to see that this legislation would require specific steps to ensure individuals with disabilities are not forgotten.

One of the Federal Emergency Management Agency's (FEMA) core responsibilities is to keep Americans informed about threats to public safety, and yet the current public alert and warning system is not always accessible to people with hearing loss. In fact, the November 9, 2011 testing of EAS proved to be problematic: some cable stations did not provide the needed text to properly inform people with hearing loss that it was only a test; some did not provide the needed audible alerts; others did not provide the emergency alert at all.

The Integrated Public Alert and Warning System Modernization Act of 2012 updates the system to incorporate multiple communication technologies and adapt to emerging technology, and it requires the system to reach people with hearing loss and other disabled people. The bill also ensures that organizations representing people with hearing loss will sit on an advisory committee that will make recommendations on modernization of the system, keeping people with hearing loss engaged with Federal agencies during this process.

By requiring the system to incorporate new technologies but still reaching people with hearing loss and other people with disabilities, FEMA will be supporting technology that is accessible to all. The modernization will also ensure that people with hearing loss are provided with the same critical information at the same time as the rest of the country, allowing everyone to make independent, educated decisions during emergencies. On behalf of Americans with hearing loss, we thank you again for taking the initiative in this matter and sponsoring this important legislation.

Sincerely,

BRENDA BATTAT,
Executive Director.

NATIONAL EMERGENCY MANAGEMENT ASSOCIATION,
Washington, DC, March 7, 2012.

Hon. SUSAN COLLINS,
Ranking Member, Homeland Security and Governmental Affairs Committee, U.S. Senate, Washington, DC.

DEAR SENATOR COLLINS: On behalf of the National Emergency Management Association (NEMA) representing the emergency management director of all 50 states, Territories, and the District of Columbia, we are pleased to endorse The Integrated Public Alert and Warning System Modernization Act of 2012.

The Integrated Public Alert and Warning System (IPAWS) was designed to bring together different and emerging communication technologies into a fully coordinated network so comprehensive communication may occur in the event of an emergency or disaster. Created by a 2006 Executive order, IPAWS represents a step forward from outdated systems which relied on radio and television alone to reach the population at-large when there is an incident.

Since the 2006 Executive Order, IPAWS has languished without a true direction, appropriate authorization, or codified organization. Your legislation brings about all these needed aspects to the program that we have supported in recent years. In 2008, NEMA unanimously approved a position paper regarding IPAWS. One aspect of the program in which we felt needed improvement was greater coordination with state and local governments. Since last year, outreach to state officials has certainly improved, but we believe your recommendation of the IPAWS Advisory Committee will help bring about even more coordination with the Federal Emergency Management Agency.

Alert systems represent critical components of local and state emergency operations plans, so it remains essential the IPAWS system is integrated, coordinated, and comprehensive. We must remain careful, however, that these components to not come at the expense of already stressed state budgets.

We greatly appreciate your leadership on this issue and look forward to working together with you, Chairman Lieberman, and the rest of the committee to ensure passage of this bill. Please feel free to utilize our membership as a resource as The Integrated Public Alert and Warning System Modernization Act of 2012 moves through the legislative process. You may also call upon our Director of Government Relations, Matt Cowles any time.

Sincerely,

JIM MULLEN,
NEMA President, Director, Washington Military Department Division of Emergency Management.

NATIONAL FEDERATION OF THE BLIND,
Baltimore, MD, April 18, 2012.

Hon. SUSAN COLLINS,
U.S. Senate, Dirksen Senate Office Building, Washington, DC.

DEAR SENATOR COLLINS: The National Federation of the Blind (NFB), the nation's largest and oldest organization of blind people, endorses the Integrated Public Alert and Warning System Modernization Act of 2012. We thank you for sponsoring a bill that updates the integrated public alert and warning system to require inclusion of individuals with disabilities, and we encourage the U.S. Senate to pass this legislation promptly.

One of the Federal Emergency Management Agency's (FEMA) core responsibilities is to keep Americans informed about threats to public safety, and yet many aspects of the current public alert and warning system are not accessible to blind people. This inaccessibility is perpetuated by misconceptions about blindness and the ever-growing popularity of inaccessible digital technology. As a result, blind people are regularly denied access to critical public information. The Integrated Public Alert and Warning System Modernization Act of 2012 updates the system to incorporate multiple communication technologies and adapt to emerging technology, and it requires the system to reach blind and other disabled people. The bill also ensures that a representative from a blindness advocacy group will sit on an advisory committee that will make recommendations on the modernization, keeping the blind engaged with Federal agencies during this process.

By requiring the system to incorporate new technologies but still reach blind and other disabled people, FEMA will be encouraging manufacturers and carriers to make their communication technologies accessible by nonvisual means. The modernization will also ensure that blind people are provided with the same critical information at the same time as the rest of the country, allowing blind people to make independent, educated decisions during emergencies. On behalf of blind Americans, we thank you again for taking the initiative in this matter and sponsoring this legislation.

Sincerely,

JOHN G. PARÉ, Jr.,
Executive Director for Strategic Initiatives.

NATIONAL ALLIANCE OF STATE BROADCASTERS ASSOCIATIONS,
April 16, 2012.

Hon. SUSAN M. COLLINS,
U.S. Senator,
Washington, DC.

DEAR SENATOR COLLINS: The undersigned, who are the chief executive officers of the named State Broadcasters Associations, are pleased to offer our support and endorsement for your proposed bill authorizing the Integrated Public Alert and Warning System (IPAWS).

If passed, this bill will ensure that more people receive life saving information in more parts of America, more of the time,

through current and future alert and warning technologies, while strengthening broadcasters' role as the backbone of America's public alerting system.

Many of us serve as chairs or members of our respective State Emergency Communications Committees, which are charged with managing the Emergency Alert System (EAS) in our states. We have all worked tirelessly over the years to ensure that a robust, reliable alerting system is available when it is needed.

We have observed over the years that the system needs a higher level of coordination among the various federal, state and local public safety and emergency management agencies as ''message originators,'' on the one hand, and the broadcast, cable and satellite ''message relayers'' on the other hand; and that the absence of any formal, on-going training of state and local public safety and emergency management personnel on the use of EAS has hampered state and local officials' willingness and ability to use it efficiently in times of emergency, thus putting lives and property at risk.

Your bill will address these problems and will make giant strides toward improvement of alert and warning capability in our states and across our nation. We look forward to working with you toward successful passage of this important measure.

Very truly yours,

The Undersigned CEOs of the Fifty State Broadcast Trade Associations.

Alabama Broadcasters Association, Sharon Tinsley; Alaska Broadcasters Association, Darlene Simono; Arizona Broadcasters Association, Art Brooks; Arkansas Broadcasters Association, Doug Krile; California Broadcasters Association, Stan Statham; Colorado Broadcasters Association, Byron Grandy; Connecticut Broadcasters Association, Mike Rice; Florida Association of Broadcasters, Pat Roberts; Georgia Association, of Broadcasters, Jere Pigue; Hawaii Association of Broadcasters, Jamie Hartnett; Idaho State Broadcasters Association, Connie Searles; Illinois Broadcasters Association, Dennis Lyle; Indiana Broadcasters Association, Linda Compton; Iowa Broadcasters Association, Sue Toma; Kansas Association of Broadcasters, Kent Cornish; Kentucky Broadcasters Association, Gary White; Louisiana Association of Broadcasters, Lou Munson; Maine Association of Broadcasters, Suzanne Goucher; Maryland/D.C./Delaware (MDCD) Broadcasters Association, Lisa Reynolds; Massachusetts Broadcasters Association, Jordan Walton; Michigan Association of Broadcasters, Karole L. White; Minnesota Broadcasters Association, Jim du Bois; Mississippi Association of Broadcasters, Jackie Lett; Missouri Broadcasters Association, Donald Hicks; Montana Broadcasters Association, Greg MacDonald; Nebraska Broadcasters Association, Marty Riemenschneider; Nevada Broadcasters Association, Robert Fisher; New Hampshire Association of Broadcasters, Jordan Walton; New Jersey Broadcasters Association, Paul Rotella; New Mexico Broadcasters Association, Paula Maes; New York State Broadcasters Association, David Donovan; North Carolina Association of Broadcasters, Wade Hargrove, Esq.; North Dakota Broadcasters Association, Beth Helfrich; Ohio Association of Broadcasters, Chris Merritt; Oklahoma Association, of Broadcasters, Vance Harrison; Oregon Association of Broadcasters, Bill Johnstone; Pennsylvania Association of Broadcasters, Rich Wyckoff; Radio Broadcasters Association of Puerto Rico, Jose A. Ribas Dominicci; Rhode Island Broadcasters Association, Lori Needham; South Carolina Broadcasters Association, Shani White; South Dakota Broadcasters Association, Steve Willard; Tennessee Association of Broadcasters, Whit Adamson; Texas Association of Broadcasters, Ann Arnold; Utah Broadcasters Association, Dale Zabriskie; Vermont Association of Broadcasters, Jim Condon; Virginia Association of Broadcasters, Doug Easter; Washington State Association of Broadcasters, Mark Allen; West Virginia Broadcasters Association, Michele Crist; Wisconsin Broadcasters Association, Michelle Vetterkind; Wyoming Association of Broadcasters, Laura Grott.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 427—TO PREVENT THE CREATION OF DUPLICATIVE AND OVERLAPPING FEDERAL PROGRAMS

Mr. COBURN (for himself and Mr. UDALL of Colorado) submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 427

Resolved,

SECTION 1. SHORT TITLE.

This resolution may be cited as the ''Preventing Duplicative and Overlapping Government Programs Resolution''.

SEC. 2. REPORTED LEGISLATION.

Paragraph 11 of rule XXVI of the Standing Rules of the Senate is amended—

(1) in subparagraph (c), by striking ''and (b)'' and inserting ''(b), and (c)'';

(2) by redesignating subparagraph (c) and subparagraph (d); and

(3) by inserting after subparagraph (b) the following:

''(c) The report accompanying each bill or joint resolution of a public character reported by any committee (including the Committee on Appropriations and the Committee on the Budget) shall contain—

''(1) an analysis by the Congressional Research Service to determine if the bill or joint resolution creates any new Federal program, office, or initiative that would duplicate or overlap any existing Federal program, office, or initiative with similar mission, purpose, goals, or activities along with a listing of all of the overlapping or duplicative Federal program or programs, office or offices, or initiative or initiatives; and

''(2) an explanation provided by the committee as to why the creation of each new program, office, or initiative is necessary if a similar program or programs, office or offices, or initiative or initiatives already exist.''.

SEC. 3. CONSIDERATION OF LEGISLATION.

Rule XVII of the Standing Rules of the Senate is amended by inserting at the end thereof the following:

''6. (a) It shall not be in order in the Senate to proceed to any bill or joint resolution unless the committee of jurisdiction has prepared and posted on the committee website an overlapping and duplicative programs analysis and explanation for the bill or joint resolution as described in subparagraph (b) prior to proceeding.

''(b) The analysis and explanation required by this subparagraph shall contain—

''(1) an analysis by the Congressional Research Service to determine if the bill or joint resolution creates any new Federal program, office, or initiative that would duplicate or overlap any existing Federal program, office, or initiative with similar mission, purpose, goals, or activities along with a listing of all of the overlapping or duplicative Federal program or programs, office or offices, or initiative or initiatives; and

''(2) an explanation provided by the committee as to why the creation of each new program, office, or initiative is necessary if a similar program or programs, office or offices, or initiative or initiatives already exist.

''(c) This paragraph may be waived by joint agreement of the Majority Leader and the Minority Leader of the Senate upon their certification that such waiver is necessary as a result of—

''(1) a significant disruption to Senate facilities or to the availability of the Internet; or

''(2) an emergency as determined by the leaders.''.

SENATE RESOLUTION 428—CONDEMNING THE GOVERNMENT OF SYRIA FOR CRIMES AGAINST HUMANITY, AND FOR OTHER PURPOSES

Mr. BLUMENTHAL (for himself, Mr. GRAHAM, Ms. KLOBUCHAR, Mr. KIRK, Ms. COLLINS, Mr. COATS, Mr. MCCAIN, and Mr. CARDIN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 428

Whereas, on December 22, 2010, the Senate passed S. Con. Res. 71 (111th Congress), a bipartisan resolution recognizing that it is in the national interest of the United States to prevent and mitigate acts of genocide and other mass atrocities against civilians;

Whereas, since the uprisings in Syria began in January 2011, the Government of Syria has manifestly failed in its responsibility to protect its people;

Whereas, on August 4, 2011, President Barack Obama issued Presidential Study Directive/PSD–10, stating, ''Preventing mass atrocities and genocide is a core national security interest and a core moral responsibility of the United States.'';

Whereas, on November 23, 2011, the United Nations-appointed Independent International Commission of Inquiry on the Syrian Arab Republic expressed grave concern that ''crimes against humanity of murder, torture, rape or other forms of sexual violence of comparable gravity, imprisonment or other severe deprivation of liberty, enforced disappearances of persons and other inhumane acts of a similar character have occurred in different locations in Syria since March 2011'' and that ''the Syrian Arab Republic bears responsibility for these crimes and violations'';

Whereas, on February 3, 2012, Syria security forces began using indiscriminate sniper fire and shelling of the densely populated neighborhoods of Homs with heavy weaponry;

Whereas, on February 4, 2012, President Obama stated that President Assad ''has no right to lead Syria and has lost all legitimacy with his people and the international community'';

Whereas, on February 4, 2012, the United States co-sponsored a draft United Nations Security Council resolution condemning ''the continued widespread and gross violations of human rights and fundamental freedoms by the Syrian authorities such as the use of force against civilians, arbitrary executions, killing and persecution of protestors and members of the media, arbitrary detention, enforced disappearances, interference with access to medical treatment, torture, sexual violence, and ill-treatment, including against children'';

Whereas, on February 17, 2012, the Senate passed S. Res. 379 (112th Congress), stating

that the ''gross human rights violations perpetuated by the Government of Syria against the people of Syria represent a grave risk to regional peace and stability'';

Whereas, on February 22, 2012, the Independent International Commission of Inquiry on the Syrian Arab Republic found in a subsequent report that ''[a] reliable body of evidence exists that, consistent with other verified circumstances, provides reasonable grounds to believe that particular individuals, including commanding officers and officials at the highest levels of Government, bear responsibility for crimes against humanity and other gross human rights violations'' and that ''children continue to be arbitrarily arrested and tortured while in detention'';

Whereas, on February 28, 2012, the United Nations Security Council was informed that over 7500 people in Syria have been killed, an estimated 100 more are killed each day in attacks directed against the civilian population, and there are between 100,000 and 200,000 internally displaced persons in Syria;

Whereas, on February 28, 2012, Secretary of State Hillary Clinton testified before the Subcommittee on the Department of State, Foreign Operations, and Related Programs of the Committee on Appropriations of the Senate concerning President Assad, stating that ''based on the definitions of war criminal and crimes against humanity, there would be an argument to be made that he would fit into that category'';

Whereas, on March 1, 2012, Assistant Secretary of State for Near East Affairs Jeffrey Feltman testified before the Committee on Foreign Relations of the Senate that ''large numbers of Syrians are living every day under siege, deprived of basic necessities including food, clean water and medical supplies, and women and children are wounded and dying for lack of treatment'';

Whereas, on March 8, 2012 Ambassador Susan Rice, the United States Permanent Representative to the United Nations, stated that the United States ''remain[s] determined to hasten the day when the brave people of Syria can shake off the yoke of bondage and tyranny'';

Whereas, on March 27, 2012, United States Ambassador to Syria Robert Ford, in testimony before the Tom Lantos Human Rights Commission, cited massive human rights violations that, ''may amount to crimes against humanity''; and

Whereas, with the intent and knowledge of the highest level of the Government of Syria, including commanding officers of the Syria security forces and the President of the Syrian Arab Republic, Bashir Assad, members of the Syria security forces have reportedly committed a widespread and systematic pattern of gross human rights violations, including use of force against civilians, torture, extra judicial killings, arbitrary executions, sexual violence, the execution of defectors, and interference with medical treatment and other humanitarian assistance: Now, therefore, be it

Resolved, That the Senate—

(1) condemns the Government of Syria, Syria security forces, and the President of the Syrian Arab Republic for widespread and systematic attacks against the civilian population of Syria;

(2) commends the President for the vote of the United States at the United Nations Security Council to condemn the continued widespread and gross violations of human rights and fundamental freedoms by the authorities in Syria;

(3) urges the President to use his authority to collect information on incidents in Syria that may constitute crimes against humanity under section 2113 of the ADVANCE Democracy Act of 2007 (title XXI of Public Law 110–53; 22 U.S.C. 8213) and take action to ensure that the Government of Syria, its leaders, and senior officials who are responsible for crimes against humanity are brought to account for such crimes in an appropriately constituted tribunal;

(4) urges the President to formally establish the Atrocities Prevention Board established by Presidential Study Directive–10 in August 2011, and for the Board to provide recommendations to the President concerning the prevention of mass atrocities in Syria;

(5) urges the international community, working with the people of Syria to review legal processes available to hold officials of the Government of Syria, Syria security forces, and the President of the Syrian Arab Republic accountable for crimes against humanity and gross violations of human rights; and

(6) expresses solidarity and support for the people of Syria as they seek to exercise universal rights and pursue peaceful democratic change.

Mr. BLUMENTHAL. Mr. President, I rise to submit a resolution condemning the Government of Syria for crimes against humanity. I am pleased to be joined by Senators GRAHAM, KLOBUCHAR, KIRK, CARDIN, COATS, COLLINS, and MCCAIN in submitting this resolution.

I am very proud we have strong bipartisan support and I thank, in particular, Senator GRAHAM for his leadership, along with Senator MCCAIN, who repeatedly and consistently in this area of human rights and liberties have stood for basic American principles of democracy and freedom. I had the great opportunity to visit a number of the Middle Eastern countries with them, and my strong support for this kind of resolution rises from the first-hand views we were able to have of the results of freedom fighters in Tunisia, Libya and Egypt and the impact on the future of their country and being on the right side of history, as the United States was there. Those people showed their gratitude and welcomed us to their countries.

I am grateful to Senators MCCAIN and GRAHAM for giving me that opportunity, along with Senators SESSIONS and HOEVEN, who accompanied us, for their leadership.

Syrian crimes against humanity include acts such as murder, torture and unlawful punishment and imprisonment when committed as part of a widespread or systematic attack on civilian populations.

Since peaceful protests began last year, the Syrian regime has brutalized and savaged its own people, leaving thousands dead as it commits horrific crimes against humanity, including the abduction and torture of children.

This resolution tells the Syrian people they are not alone, that the American people are with them as they fight for freedom and basic democratic rights; the people of the world are watching.

On November 23, 2011, the U.N.-appointed Independent International Commission of Inquiry on the Syrian Arab Republic expressed grave concern that ''crimes against humanity of murder, torture, rape or other forms of sexual violence . . . imprisonment or other severe deprivation of liberty, enforced disappearances of persons and other inhumane acts . . . have occurred in different locations in Syria since March 2011.''

The Commission also found that ''the Syrian Arab Republic bears responsibility for these crimes and violations.''

Assistant Secretary of State for Near East Affairs Jeffrey Feltman testified before the Committee on Foreign Relations of the Senate that ''large numbers of Syrians are living every day under siege, deprived of basic necessities including food, clean water and medical supplies, and women and children are wounded and dying for lack of treatment.''

General Mattis, commander of the U.S. Central Command, for whom I have the strongest and deepest respect, explained before the Senate Armed Services Committee ''the Syrian military continues to ruthlessly use lethal force with impunity against the Syrian people.''

In this body, we have not remained silent in the face of this humanitarian disaster, approving on February 17, 2012, S. Res. 379, condemning violence by the Government of Syria against the Syrian people. We have also approved S. Res. 391, which I cosponsored, condemning violence by the Government of Syria against journalists and expressing the sense of the Senate on freedom of the press in Syria.

The world should be inspired by the continuing courage and determination of Syrian protesters standing and speaking, despite the Syrian military gunning down and bombing their homes, businesses, and neighborhoods.

I know our Nation is at war and rightly wary of intervention abroad. But military intervention is not our only option, not the only means to summon support or step forward in solidarity with the freedom fighters in Syria, nor is military intervention alone sufficient to call forth the world's conscience. Even without military action, we need not abdicate the democratic rights and principles that underlie and underpin our own Nation's constitutional ethos.

One powerful and profound step this body can take is to bear witness to the atrocities occurring in Syria. More than 9,000 people have died in Syria since these protests began. As Elie Wiesel has said, ''For the dead and the living, we must bear witness.''

The Syrian thugs who detain and torture children must know the United States bears witness to their crimes. We should say to President Assad that the world is watching and witnessing as he uses snipers to target civilians, indiscriminately shelling homes and businesses, and torturing protesters who dare to speak of change.

This resolution calls on President Obama to bear witness by using his existing authority. America can and

must bear witness by taking and preserving evidence of actions and incidents in Syria that constitute crimes against humanity. America must bear witness by asking the President's newly created Atrocities Prevention Board to consider crimes against humanity occurring in Syria.

These atrocities epitomize the crimes this prevention board must address. I commend President Obama and Secretary of State Clinton for their work at the U.N. and with our allies to assist the Syrian people. We should make our own findings about what has occurred in Syria concerning the crimes against humanity. We cannot avoid this obligation simply because the result may present difficult choices.

As Martin Luther King would often remind us, ''The arc of the moral universe is long, but it bends toward justice.''

If we bear witness today, justice will come closer for the Syrian people. President Assad and the Government of Syria, its leaders and senior officials who are responsible for crimes against humanity, will be brought to account and justice for their crimes.

I urge my colleagues to join me in supporting this resolution.

SENATE RESOLUTION 429—SUPPORTING THE GOALS AND IDEALS OF WORLD MALARIA DAY

Mr. WICKER (for himself, Mr. COONS, Mr. COCHRAN, Mr. CARDIN, Mr. DURBIN, Mr. BOOZMAN, and Mr. BINGAMAN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 429

Whereas April 25th of each year is recognized internationally as World Malaria Day;

Whereas malaria is a leading cause of death and disease in many developing countries, despite being completely preventable and treatable;

Whereas fighting malaria is in the national security interest of the United States Government, as reducing the risk of malaria protects members of the Armed Forces of the United States serving overseas in malaria endemic regions, and reducing malaria deaths helps to promote stability in less developed countries;

Whereas, according to the Centers for Disease Control and Prevention, 35 countries, the majority of which are in sub-Saharan Africa, account for 98 percent of global malaria deaths;

Whereas young children and pregnant women are particularly vulnerable to and disproportionately affected by malaria;

Whereas malaria greatly affects child health, as children under the age of 5 account for an estimated 85 percent of malaria deaths each year;

Whereas malaria poses great risks to maternal health, causing complications during delivery, anemia, and low birth weights, with estimates that malaria infection causes 400,000 cases of severe maternal anemia and between 75,000 and 200,000 infant deaths annually in sub-Saharan Africa;

Whereas heightened national, regional, and international efforts to prevent and treat malaria over recent years have made measurable progress and helped save hundreds of thousands of lives;

Whereas the World Malaria Report 2011 by the World Health Organization states that in 2011, approximately 50 percent of households in sub-Saharan Africa owned at least 1 insecticide-treated mosquito net (referred to in this preamble as an ''ITN''), and household surveys indicated that 96 percent of people with access to an ITN within a household actually used the ITN;

Whereas, in 2010, a total of 185,000,000 people were protected by indoor residual spraying (referred to in this preamble as ''IRS'');

Whereas the World Malaria Report 2011 further states that malaria mortality rates have fallen by more than 25 percent globally, and 33 percent in Africa alone, since 2000;

Whereas the World Malaria Report 2011 further states that out of 99 countries with ongoing malaria transmissions, 43 countries recorded decreases of more than 50 percent in the number of malaria cases between 2000 and 2010, and 8 other countries recorded decreases of more than 25 percent;

Whereas continued national, regional, and international investment in efforts to eliminate malaria, including prevention and treatment efforts and the development of a vaccine to immunize children from the malaria parasite, is critical in order to continue to reduce malaria deaths, prevent backsliding in areas where progress has been made, and equip the United States and the global community with the tools necessary to fight malaria and other global health threats;

Whereas the United States Government has played a leading role in the recent progress made toward reducing the global burden of malaria, particularly through the President's Malaria Initiative (referred to in this preamble as ''PMI'') and the contribution of the United States to the Global Fund to Fight AIDS, Tuberculosis, and Malaria;

Whereas the United States Government is pursuing a comprehensive approach to ending malaria deaths through PMI, the United States Agency for International Development, the National Institutes of Health, the Centers for Disease Control and Prevention, the Department of Defense, and the private sector focused on helping partner countries to achieve major improvements in overall health outcomes through advances in access to, and the quality of, healthcare services in resource-poor settings; and

Whereas PMI, recognizing the burden of malaria on many partner countries, has set a target of reducing the burden of malaria by 50 percent for 450,000,000 people, representing 70 percent of the at-risk population in Africa, by 2015: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of World Malaria Day, including the target of ending malaria deaths by 2015;

(2) recognizes the importance of reducing malaria prevalence and deaths to improve overall child and maternal health, especially in sub-Saharan Africa;

(3) commends the recent progress made toward reducing global malaria deaths and prevalence, particularly through the efforts of the President's Malaria Initiative and the Global Fund to Fight AIDS, Tuberculosis, and Malaria;

(4) strongly supports ongoing public-private partnerships to research and develop more effective and affordable tools for malaria diagnosis, treatment, and vaccination;

(5) recognizes the goals to combat malaria in the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008 (Public Law 110–293; 122 Stat. 2918);

(6) supports continued leadership by the United States in bilateral, multilateral, and private sector efforts to combat malaria as a critical part of the President's Global Health Initiative; and

(7) encourages other members of the international community to sustain and scale up their support for and financial contributions to efforts worldwide to combat malaria.

SENATE RESOLUTION 430—RECOGNIZING THE 75TH ANNIVERSARY OF THE FOUNDING OF DUCKS UNLIMITED, INCORPORATED, THE ACHIEVEMENTS OF THE ORGANIZATION IN HABITAT CONSERVATION, AND THE SUPPORT OF THE ORGANIZATION FOR THE WATERFOWLING HERITAGE OF THE UNITED STATES

Mr. WICKER (for himself, Mr. PRYOR, Mr. COCHRAN, Mr. BOOZMAN, Mr. INHOFE, and Mr. TESTER) submitted the following resolution; which was considered and agreed to:

S. RES. 430

Whereas Ducks Unlimited, Incorporated (referred to in this preamble as ''Ducks Unlimited'') was founded in 1937, when the drought-plagued waterfowl populations of North America plunged to unprecedented lows;

Whereas, after decades of commitment to conserving waterfowl habitats, Ducks Unlimited has become the largest private organization for waterfowl and wetlands conservation worldwide and one of the most effective private organizations dedicated to that cause;

Whereas, since the founding of Ducks Unlimited, the organization has conserved and protected more than 4,500,000 acres of waterfowl habitat in the United States and more than 12,600,000 acres of waterfowl habitat in North America;

Whereas Ducks Unlimited has nearly 750,000 members internationally, including 550,000 members in the United States;

Whereas, since the founding of Ducks Unlimited, the organization has raised more than $3,400,000,000 for waterfowl conservation and education, leveraging public support to obtain more than half of its contributions from private sources;

Whereas Ducks Unlimited provides support to local projects that are important to waterfowlers in each State of the United States; and

Whereas Ducks Unlimited maintains the vital mission of conserving, restoring, and managing wetlands and associated habitats for the waterfowl of North America, a mission that also benefits other wildlife and people: Now, therefore, be it

Resolved, That the Senate recognizes the important contributions of Ducks Unlimited, Incorporated and its members across the United States to the conservation of habitats and the preservation of the waterfowl of North America during the past 75 years.

SENATE RESOLUTION 431—CELEBRATING THE 50TH ANNIVERSARY OF THE 1962 SEATTLE WORLD'S FAIR

Ms. CANTWELL submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 431

Whereas, on April 21, 2012, the City of Seattle will celebrate the 50th anniversary of the 1962 Seattle World's Fair (referred to in

this preamble as the ''Seattle World's Fair''), which showcased the optimism, energy, and innovative spirit of Seattle;

Whereas more than 9,000,000 people visited the Seattle World's Fair, a number that represents roughly 3 times the total population of the State of Washington at the time;

Whereas the Seattle World's Fair brought together the most talented architects of the Pacific Northwest to create a civic legacy and the treasured Seattle Center public space, which includes the Space Needle, the Seattle Center Armory, the Pacific Science Center, the Coliseum (now known as ''Key Arena''), Memorial Stadium, the International Fountain, and the Opera House;

Whereas the Seattle World's Fair facilitated the construction of key transportation infrastructure, including the SR 520 floating bridge, the portion of Interstate 5 that traverses downtown Seattle, and the Monorail;

Whereas, to officially open the Seattle World's Fair, President John F. Kennedy used the same historic telegraphic key that had been used to open the Alaska-Yukon-Pacific Exposition in Seattle 53 years earlier;

Whereas the attendance of music icon Elvis Presley in Seattle during the filming of the movie ''It Happened at the World's Fair'' further elevated the City of Seattle as an international city for the arts;

Whereas the theme of the Seattle World's Fair, ''science'', foreshadowed regional innovations in technology and advanced manufacturing that now support world leading companies and tens of thousands of high-paying jobs;

Whereas some of the earliest satellite transmissions of telephone calls and television broadcasts occurred at the Seattle World's Fair, and the Seattle area is now home to global information and communications technology companies; and

Whereas the Seattle World's Fair celebrated aviation and the new Space Age, and the aerospace industry in the Seattle area now employs 82,000 people (including 7,000 engineers), generates a combined annual revenue of $32,000,000,000, and includes a cluster of 650 companies: Now, therefore, be it

Resolved, That the Senate—

(1) celebrates the 50th anniversary of the 1962 Seattle World's Fair;

(2) commends the City of Seattle for its innovation, growth, and entrepreneurial spirit during the past 50 years;

(3) supports the ''Next Fifty'' initiative to develop a blueprint for success in Seattle for the next half-century; and

(4) requests that the Secretary of the Senate transmit an enrolled copy of this resolution to the City of Seattle for appropriate display.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2077. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 2037 submitted by Mr. DURBIN and intended to be proposed to the bill S. 1789, to improve, sustain, and transform the United States Postal Service; which was ordered to lie on the table.

SA 2078. Mr. ROCKEFELLER (for himself and Mr. CARDIN) submitted an amendment intended to be proposed to amendment SA 2073 submitted by Mr. ROCKEFELLER and intended to be proposed to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2079. Mr. MANCHIN (for himself, Mr. ROCKEFELLER, Mr. MERKLEY, and Ms. MIKULSKI) submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2080. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2081. Mr. CORKER submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2082. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2083. Mr. CORKER submitted an amendment intended to be proposed by him to the bill S. 1789, supra; which was ordered to lie on the table.

SA 2084. Mr. REID (for Mr. COONS) proposed an amendment to the bill H.R. 1021, to prevent the termination of the temporary office of bankruptcy judges in certain judicial districts.

TEXT OF AMENDMENTS

SA 2077. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 2037 submitted by Mr. Durbin and intended to be proposed 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:

On page 1, strike line 3 and all that follows through page 2, line 8, and insert the following:

''(10) PROHIBITION ON CLOSING, CONSOLIDATION, AND REDUCTION IN WORKFORCE.—

''(A) IN GENERAL.—During the 3-year period beginning on the date of enactment of the 21st Century Postal Service Act of 2012, if the Postal Service conducted an area mail processing study after June 1, 2001 with respect to a postal facility which was terminated or concluded that no significant cost savings or efficiencies would result from closing, consolidating, or reducing the number of employees of the postal facility, the Postal Service may not—

''(i) close the postal facility;

''(ii) consolidate the postal facility; or

''(iii) involuntarily separate an employee of the postal facility from service, except for removal for cause on charges of misconduct or delinquency.

SA 2078. Mr. ROCKEFELLER (for himself and Mr. CARDIN) submitted an amendment intended to be proposed to amendment SA 2073 submitted by Mr. Rockefeller and intended to be proposed 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:

On page 1, strike line 8 and insert the following:

to enroll in Medicare.

(g) CLAIMS POOL.—Notwithstanding section 8903c(b)(5)(A) of title 5, United States Code, as added by subsection (a), the Office may not establish a separate claims pool for individuals eligible for coverage under any of the enrollment options under section 8903c(b)(4) of title 5, United States Code, as added by subsection (a).

SA 2079. Mr. MANCHIN (for himself, Mr. ROCKEFELLER, Mr. MERKLEY, and Ms. MIKULSKI) submitted an amendment intended to be proposed by him 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:

At the appropriate place, insert the following:

SEC. ____. MORATORIUM ON CLOSING AND CONSOLIDATING POSTAL FACILITIES OR POST OFFICES, STATIONS, OR BRANCHES.

(a) DEFINITION.—In this section, the term ''postal facility'' has the same meaning as in section 404(f) of title 39, United States Code, as added by this Act.

(b) MORATORIUM.—Notwithstanding section 404 of title 39, United States Code, as amended by this Act, or any other provision of law, the Postal Service may not close or consolidate a postal facility or post office, station, or branch, except as required for the immediate protection of health and safety, before the later of—

(1) the date on which the Postal Service establishes the retail service standards under section 203 of this Act; and

(2) the date that is 2 years after the date of enactment of this Act.

(c) CONFORMING PROVISION.—Section 205(b) of this Act shall have no force or effect.

SA 2080. Ms. SNOWE submitted an amendment intended to be proposed by her 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:

On page 28, strike line 13 and all that follows through page 30, line 8, and insert the following:

''(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—

''(aa) that does not include a plan to reduce the capacity of the postal facility without closing the postal facility has been completed; or

''(bb) is in progress; and

''(II) a determination as to the necessity for the closing or consolidation of the postal facility has not been made.

''(C) PRC REVIEW.—

''(i) IN GENERAL.—For each area mail processing study conducted under subparagraph (A) or relating to a postal facility described in subparagraph (B)(ii), the Postal Regulatory Commission shall determine whether—

''(I) the area mail processing study used an appropriate methodology; and

''(II) the cost savings identified in the area mail processing study relating to that postal facility are accurate.

''(ii) REPORT.—The Postal Regulatory Commission shall submit to the Postal Service a report regarding each determination made under clause (i).

''(D) LIMITATION ON CLOSING OR CONSOLIDATION.—

''(i) IN GENERAL.—The Postal Service may not make a determination under subsection (a)(3) to close or consolidate a postal facility if the Postal Regulatory Commission determines under subparagraph (C) that—

''(I) the area mail processing study relating to that postal facility did not use an appropriate methodology; or

''(II) the cost savings identified in the area mail processing study relating to that postal facility are inaccurate.

''(ii) SUBSEQUENT AREA MAIL PROCESSING STUDIES.—If the Postal Regulatory Commission makes a determination described in clause (i) regarding to an area mail processing study relating to a postal facility, the Postal Service may conduct a subsequent area mail processing study relating to that postal facility in accordance with this paragraph.

SA 2081. Mr. CORKER submitted an amendment intended to be proposed by him 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:

On page 39, strike line 20 and all that follows through page 45, line 17, and insert the following:

SEC. 205. OTHER PROVISIONS.

(a) FREQUENCY OF MAIL DELIVERY.—Section 101 of title 39, United States Code, is amended by adding at the end the following:

''(h) Subject to the requirements of section 3661, nothing in this title or any other provision of law shall be construed to prevent the Postal Service from taking any action necessary to provide for a 5-day-per-week delivery schedule for mail and a commensurate adjustment in the schedule for rural delivery of mail.''.

(b) OVERALL VALUE OF FRINGE BENEFITS.—Section 1005(f) of title 39, United States Code, is amended by striking the last sentence.

(c) MODERN RATE REGULATION.—Section 3622(d) of title 39, United States Code, is repealed.

(d) DELIVERY SERVICE STANDARDS, MAIL PROCESSING, AND COMMUNITY POST OFFICES.—Sections 201 and 202 of this Act, and the amendments made by those sections, shall have no force or effect.

(e) APPLICABILITY OF REDUCTION-IN-FORCE PROCEDURES.—Section 1206 of title 39, United States Code is amended by adding at the end the following:

''(d) Collective-bargaining agreements between the Postal Service and bargaining representatives recognized under section 1203, ratified after the date of enactment of this subsection, shall contain no provision restricting the applicability of reduction-in-force procedures under title 5 with respect to members of the applicable bargaining unit.

''(e)(1) If a collective-bargaining agreement between the Postal Service and bargaining representatives recognized under section 1203, ratified after the date of enactment of this subsection, includes reduction-in-force procedures which can be applied in lieu of reduction-in-force procedures under title 5, the Postal Service may, in its discretion, apply with respect to members of the applicable bargaining unit—

''(A) the alternative procedures (or, if 2 or more are agreed to, 1 of the alternative procedures); or

''(B) the reduction-in-force procedures under title 5.

''(2) In no event may, if procedures for the resolution of a dispute or impasse arising in the negotiation of a collective-bargaining agreement (whether through binding arbitration or otherwise) are invoked under this chapter, the award or other resolution reached under such procedures provide for the elimination of, or the substitution of any alternative procedures in lieu of, reduction-in-force procedures under title 5.''.

(f) HISTORIC POST OFFICES.—Section 404(d) of title 39, United States Code, is amended by adding at the end the following:

''(7)(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.

SA 2082. Mr. DURBIN submitted an amendment intended to be proposed by him 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:

On page 35, line 16, strike the quotation marks and the second period and insert the following:

''(10) PROHIBITION ON CLOSING, CONSOLIDATION, AND REDUCTION IN WORKFORCE.—

''(A) IN GENERAL.—During the 3-year period beginning on the date of enactment of the 21st Century Postal Service Act of 2012, if the Postal Service conducted an area mail processing study after June 1, 2001 with respect to a postal facility which was terminated or concluded that no significant cost savings or efficiencies would result from closing, consolidating, or reducing the number of employees of the postal facility, the Postal Service may not—

''(i) close the postal facility;

''(ii) consolidate the postal facility; or

''(iii) involuntarily separate an employee of the postal facility from service, except for removal for cause on charges of misconduct or delinquency.

''(B) APPLICATION.—Subparagraph (A) shall apply with respect to a postal facility that was not closed or consolidated before May 15, 2012, without regard to the conclusions of any area mail processing study conducted with respect to the postal facility after the publication of an area mail processing study described in subparagraph (A).''.

SA 2083. Mr. CORKER submitted an amendment intended to be proposed by him 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:

On page 39, strike line 20 and all that follows through page 45, line 17, and insert the following:

SEC. 205. OTHER PROVISIONS.

(a) FREQUENCY OF MAIL DELIVERY.—Section 101 of title 39, United States Code, is amended by adding at the end the following:

''(h) Subject to the requirements of section 3661, nothing in this title or any other provision of law shall be construed to prevent the Postal Service from taking any action necessary to provide for a 5-day-per-week delivery schedule for mail and a commensurate adjustment in the schedule for rural delivery of mail.''.

(b) OVERALL VALUE OF FRINGE BENEFITS.—Section 1005(f) of title 39, United States Code, is amended by striking the last sentence.

(c) MODERN RATE REGULATION.—Section 3622(d) of title 39, United States Code, is repealed.

(d) DELIVERY SERVICE STANDARDS, MAIL PROCESSING, AND COMMUNITY POST OFFICES.—Sections 201 and 202 of this Act, and the amendments made by those sections, shall have no force or effect.

(e) APPLICABILITY OF REDUCTION-IN-FORCE PROCEDURES.—Section 1206 of title 39, United States Code is amended by adding at the end the following:

''(d) Collective-bargaining agreements between the Postal Service and bargaining representatives recognized under section 1203, ratified after the date of enactment of this subsection, shall contain no provision restricting the applicability of reduction-in-force procedures under title 5 with respect to members of the applicable bargaining unit.''.

(f) HISTORIC POST OFFICES.—Section 404(d) of title 39, United States Code, is amended by adding at the end the following:

''(7)(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.

SA 2084. Mr. REID (for Mr. COONS) proposed an amendment to the bill H.R. 1021, to prevent the termination of the temporary office of bankruptcy judges in certain judicial districts; as follows:

Strike section 3 and insert the following:

SEC. 3. BANKRUPTCY FILING FEE INCREASE.

(a) BANKRUPTCY FILING FEES.—Section 1930(a)(3) of title 28, United States Code, is amended by striking ''$1,000'' and inserting ''$1,167''.

(b) UNITED STATES TRUSTEE SYSTEM FUND.—Section 589a(b)(2) of title 28, United States Code, is amended by striking ''55'' and inserting ''48.89''.

(c) COLLECTION AND DEPOSIT OF MISCELLANEOUS BANKRUPTCY FEES.—Section 406(b) of the Judiciary Appropriations Act, 1990 (28 U.S.C. 1931 note) is amended by striking ''25'' and inserting ''33.33''.

(d) PAYGO OFFSET EXPENDITURE LIMITATION.—$42 of the incremental amounts collected by reason of the enactment of subsection (a) shall be deposited in a special fund in the Treasury to be established after the date of enactment of this Act. Such amounts shall be available for the purposes specified in section 1931(a) of title 28, United States Code, but only to the extent specifically appropriated by an Act of Congress enacted after the date of enactment of this Act.

(e) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect 180 days after the date of enactment of this Act.

SEC. 4. SUBSEQUENT REAUTHORIZATION.

Prior to further reauthorization of any judgeship authorized by this Act, the Committee on the Judiciary of the Senate and House of Representatives shall conduct a review of the bankruptcy judgeships authorized by this Act to determine the need, if any, for continued reauthorization of each judgeship, to evaluate any changes in all bankruptcy case filings and their effect, if any, on filing fee revenue, and to require the Administrative Office of the Courts to submit a report to the Committee on the Judiciary of the Senate and House of Representatives on bankruptcy case workload, bankruptcy judgeship costs, and filing fee revenue.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MANCHIN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during

the session of the Senate on April 19, 2012, at 9:30 a.m., in room 366 of the Dirksen Senate Office Building.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. MANCHIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on April 19, 2012, at 10 a.m., to hold a hearing entitled, ''Syria: U.S. Policy Options.''

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

COMMITTEE ON INDIAN AFFAIRS

Mr. MANCHIN. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on April 19, 2012, in room SD–628 of the Dirksen Senate Office Building, at 2:15 p.m., to conduct a hearing entitled ''S. 1684, the Indian Tribal Energy Development and Self-Determination Act Amendments of 2011.''

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. MANCHIN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate, to conduct a hearing entitled ''Time Takes Its Toll: Delays in OSHA's Standard-Setting Process and the Impact on Worker Safety'' on April 19, 2012, at 10 a.m., in room 430 of the Dirksen Senate Office Building.

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

COMMITTEE ON THE JUDICIARY

Mr. MANCHIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on April 19, 2012, at 10 a.m., in SD–226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

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

SUBCOMMITTEE ON SEAPOWER

Mr. MANCHIN. Mr. President, I ask unanimous consent that the Subcommittee on Seapower of the Committee on Armed Services be authorized to meet during the session of the Senate, on April 19, 2012, at 9:30 a.m.

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

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that on Monday, April 23, at 5 p.m. the Senate proceed to executive session to consider Calendar No. 528; that there be 30 minutes of debate equally divided in the usual form; that upon the use or yielding back of that time, the Senate proceed to vote, with no intervening action or debate, on Calendar No. 528; that the motion to reconsider be considered made and laid upon the table, there be no intervening action or debate, and there be no further motions in order; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action; and the Senate then resume legislative session.

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

TEMPORARY BANKRUPTCY JUDGESHIPS EXTENSION ACT OF 2011

Mr. REID. I ask unanimous consent that the Judiciary Committee be discharged from further consideration of H.R. 1021.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 1021) to prevent the termination of the temporary office of bankruptcy judges in certain judicial districts.

There being no objection, the Senate proceeded to consider the bill.

Mr. LEAHY. Mr. President, I congratulate Senator COONS on the passage of legislation that will reauthorize 30 temporary bankruptcy judgeships in districts around the country. I was pleased to support Senator COONS' very strong and persistent efforts on this important legislation. The Judiciary Committee reported this legislation favorably on December 15, 2011. I am glad to see the Senate finally being allowed to act.

The bill we pass today, when enacted, will reauthorize 30 temporary judgeships in 14 States and Puerto Rico. All of these positions have already expired, and without this legislation, upon retirement or departure of the judges in these positions, they could not be filled again. Needlessly reducing the resources of our bankruptcy courts does nothing but put more pressure on Americans who are already navigating a difficult economic environment. This legislation should help avoid that and provide some small degree of relief to overburdened bankruptcy courts around the country. Quite frankly, I think we should be doing more.

As Chairman of the Judiciary Committee, I will note one concern with the legislation the Senate passes today. In order to secure passage of this legislation, Senator COBURN insisted upon adding a section to the bill that purports to tell future Senate and House Judiciary Committees how to conduct their business. Senator COBURN's amendment would dictate that before any of these 30 judgeships could be reauthorized again, the Senate and House Judiciary Committee's would be required to take certain steps and require a report from the Administrative Office of the United States Courts (AO). As a member of the Judiciary Committee, Senator COBURN knows this is precisely what committees do in the ordinary course of the consideration of legislation, and what was done during the development of this legislation. Senator COONS worked with the AO, which made recommendations, and with bankruptcy judges in a variety of districts to determine where need was greatest. To codify an unenforceable mandate nominally imposed on future Congresses is unnecessary and unwise.

I thank and congratulate Senator COONS for his hard work and attention to this issue. This would not be passing without his diligence, focus, and legislative skill. He has done what has seemed impossible.

Mr. REID. I ask unanimous consent that a Coons amendment, which is at the desk, be agreed to, the bill as amended be read a third time and passed, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the bill be printed in the RECORD.

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

The amendment (No. 2084) was agreed to, as follows:

AMENDMENT NO. 2084

(Purpose: To address bankruptcy filing fee increases, future reauthorizations, and for other purposes)

Strike section 3 and insert the following:

SEC. 3. BANKRUPTCY FILING FEE INCREASE.

(a) BANKRUPTCY FILING FEES.—Section 1930(a)(3) of title 28, United States Code, is amended by striking ''$1,000'' and inserting ''$1,167''.

(b) UNITED STATES TRUSTEE SYSTEM FUND.—Section 589a(b)(2) of title 28, United States Code, is amended by striking ''55'' and inserting ''48.89''.

(c) COLLECTION AND DEPOSIT OF MISCELLANEOUS BANKRUPTCY FEES.—Section 406(b) of the Judiciary Appropriations Act, 1990 (28 U.S.C. 1931 note) is amended by striking ''25'' and inserting ''33.33''.

(d) PAYGO OFFSET EXPENDITURE LIMITATION.—$42 of the incremental amounts collected by reason of the enactment of subsection (a) shall be deposited in a special fund in the Treasury to be established after the date of enactment of this Act. Such amounts shall be available for the purposes specified in section 1931(a) of title 28, United States Code, but only to the extent specifically appropriated by an Act of Congress enacted after the date of enactment of this Act.

(e) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect 180 days after the date of enactment of this Act.

SEC. 4. SUBSEQUENT REAUTHORIZATION.

Prior to further reauthorization of any judgeship authorized by this Act, the Committee on the Judiciary of the Senate and House of Representatives shall conduct a review of the bankruptcy judgeships authorized by this Act to determine the need, if any, for continued reauthorization of each judgeship, to evaluate any changes in all bankruptcy case filings and their effect, if any, on filing fee revenue, and to require the Administrative Office of the Courts to submit a report to the Committee on the Judiciary of the Senate and House of Representatives on bankruptcy case workload, bankruptcy judgeship costs, and filing fee revenue.

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

The bill (H.R. 1021), as amended, was read the third time and passed, as follows:

H.R. 1021

Resolved, That the bill from the House of Representatives (H.R. 1021) entitled ''An Act to prevent the termination of the temporary office of bankruptcy judges in certain judicial districts.'', do pass with the following amendment:

Strike section 3 and insert the following:

SEC. 3. BANKRUPTCY FILING FEE INCREASE.

(a) BANKRUPTCY FILING FEES.—Section 1930(a)(3) of title 28, United States Code, is amended by striking ''$1,000'' and inserting ''$1,167''.

(b) UNITED STATES TRUSTEE SYSTEM FUND.—Section 589a(b)(2) of title 28, United States Code, is amended by striking ''55'' and inserting ''48.89''.

(c) COLLECTION AND DEPOSIT OF MISCELLANEOUS BANKRUPTCY FEES.—Section 406(b) of the Judiciary Appropriations Act, 1990 (28 U.S.C. 1931 note) is amended by striking ''25'' and inserting ''33.33''.

(d) PAYGO OFFSET EXPENDITURE LIMITATION.—$42 of the incremental amounts collected by reason of the enactment of subsection (a) shall be deposited in a special fund in the Treasury to be established after the date of enactment of this Act. Such amounts shall be available for the purposes specified in section 1931(a) of title 28, United States Code, but only to the extent specifically appropriated by an Act of Congress enacted after the date of enactment of this Act.

(e) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect 180 days after the date of enactment of this Act.

SEC. 4. SUBSEQUENT REAUTHORIZATION.

Prior to further reauthorization of any judgeship authorized by this Act, the Committee on the Judiciary of the Senate and House of Representatives shall conduct a review of the bankruptcy judgeships authorized by this Act to determine the need, if any, for continued reauthorization of each judgeship, to evaluate any changes in all bankruptcy case filings and their effect, if any, on filing fee revenue, and to require the Administrative Office of the Courts to submit a report to the Committee on the Judiciary of the Senate and House of Representatives on bankruptcy case workload, bankruptcy judgeship costs, and filing fee revenue.

RECOGNIZING THE 75TH ANNIVERSARY OF THE FOUNDING OF DUCKS UNLIMITED, INCORPORATED

Mr. REID. I ask unanimous consent that we now proceed to S. Res. 430.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 430) recognizing the 75th anniversary of the founding of Ducks Unlimited, Incorporated, the achievements of the organization in habitat conservation, and the support of the organization for the waterfowling heritage of the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 430) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 430

Whereas Ducks Unlimited, Incorporated (referred to in this preamble as ''Ducks Unlimited'') was founded in 1937, when the drought-plagued waterfowl populations of North America plunged to unprecedented lows;

Whereas, after decades of commitment to conserving waterfowl habitats, Ducks Unlimited has become the largest private organization for waterfowl and wetlands conservation worldwide and one of the most effective private organizations dedicated to that cause;

Whereas, since the founding of Ducks Unlimited, the organization has conserved and protected more than 4,500,000 acres of waterfowl habitat in the United States and more than 12,600,000 acres of waterfowl habitat in North America;

Whereas Ducks Unlimited has nearly 750,000 members internationally, including 550,000 members in the United States;

Whereas, since the founding of Ducks Unlimited, the organization has raised more than $3,400,000,000 for waterfowl conservation and education, leveraging public support to obtain more than half of its contributions from private sources;

Whereas Ducks Unlimited provides support to local projects that are important to waterfowlers in each State of the United States; and

Whereas Ducks Unlimited maintains the vital mission of conserving, restoring, and managing wetlands and associated habitats for the waterfowl of North America, a mission that also benefits other wildlife and people: Now, therefore, be it

Resolved, That the Senate recognizes the important contributions of Ducks Unlimited, Incorporated and its members across the United States to the conservation of habitats and the preservation of the waterfowl of North America during the past 75 years.

ORDERS FOR MONDAY, APRIL 23, 2012

Mr. REID. I ask unanimous consent that when the Senate completes its business today, it stand adjourned until Monday, April 23, at 12 noon; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that the Senate then resume consideration of the motion to proceed to S. 1925; that at 2 p.m., the Republican leader or his designee be recognized to make a motion to proceed to S.J. Res. 36, which would be under a previous order that has already been entered; further, that at 4 p.m., the Senate resume consideration of the motion to proceed to S. 1925; and, finally, at 5 p.m., the Senate proceed to executive session under the previous order.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

THANKING THE PRESIDING OFFICER

Mr. REID. Mr. President, first of all, I say to the Presiding Officer, thank you very much for your patience. We often need patience, so I appreciate yours.

UNANIMOUS CONSENT AGREEMENT—S. 1789

Mr. REID. Mr. President, I ask unanimous consent that in the previous order with respect to S. 1789 and the Akaka amendment No. 2034 the reference to the modification of the Akaka amendment No. 2034 be stricken.

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

MEASURE READ THE FIRST TIME—S. 2327

Mr. REID. Mr. President, there is a bill at the desk due for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2327) to prohibit direct foreign assistance to the Government of Egypt until the President makes certain certifications related to treatment of nongovernmental organization workers, and for other purposes.

Mr. REID. Mr. President, I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

PROGRAM

Mr. REID. Mr. President, at 5:30 p.m. on Monday, there will be a rollcall vote on confirmation of the Wimes nomination.

This evening we reached an agreement to complete action on the postal reform bill. On Monday there will be time from 12 p.m. to 2 p.m. and from 4 p.m. to 5 p.m. and following the vote at 5:30 p.m. for Senators to debate their amendments to the bill.

ADJOURNMENT UNTIL MONDAY, APRIL 23, 2012

Mr. REID. Mr. President, I ask unanimous consent that the Senate adjourn under the previous order.

There being no objection, the Senate, at 8:16 p.m., adjourned until Monday, April 23, 2012, at 12 noon.