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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. FLORES).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
April 26, 2012.

I hereby appoint the Honorable BILL FLORES to act as Speaker pro tempore on this day.

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

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 17, 2012, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

IMMIGRATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, with the unfortunate Arizona State immigration law under review by the Supreme Court, it's an appropriate time to take a step back and look at the big picture. Mexico is exhibiting some of the demographic changes taking place around the world that are seen in the most extreme forms in places like Japan and Italy, where birth rates are falling, their populations are aging, and dramatic stress is placed upon their economies.

It's not yet to that point in Mexico, but the game has definitely changed. In contrast, the United States has had a growing and vibrant population, in no small measure because we've been energized from people around the world. It's time to consider our immigration policies and practices for the future.

Even though there's been no more contentious issue in American politics than that of immigration, the situation surrounding Mexican immigration has changed profoundly. As I mentioned, the birth rate is falling, and for the first time as many people are leaving the United States for Mexico as are arriving from Mexico in the United States.

Illegal entry is clearly declining. The number of arrests at the border demonstrates that. People are being deported in greater numbers than ever before. It's not that there isn't still a problem. There are still some bad actors coming across the border, no mistake about it.

There are important opportunities to concentrate on what's important, such as people who are dealing with drugs, pose security threats, and who are criminals. Wasting resources on a scattershot effort on people who are here just to work or to be with their families is not particularly a wise use of resources, and it doesn't make us any safer.

It's past time to deal with the millions of people who are already here and part of the fabric of our communities. Often, they are with families that include children who are citizens and other family members who are citizens as part of an extended family. It's not just the members of those extended families that rely on one another; America relies on these millions of people, as the Alabama legislature found out with draconian efforts to try and deal with illegal immigrants—and legal immigrants, by the way—that ended up almost ruining a number of their farmers, and their legislature had to backtrack.

Immigrants have always been a source of America's strength. Our current policies inflict damage to the realities of those family ties, especially to children who are already citizens.

We also do other dumb things. We deny VISAs to smart people who are educated at great expense at some of the finest institutions in America with important skills that will be valuable to business. We make it hard for them to work here. Unfortunately, if their skills are going to be utilized, too often they end up being hired by foreign overseas competitors, or American companies have to create jobs for them overseas.

There are a half-dozen pieces of legislation in a piecemeal fashion that will make it better. One of the most important is the DREAM Act, which would allow children who were brought here at an early age to be able to earn the right to citizenship if they have done well with their education or serve in the military.

I'm pleased to see all of these different pieces of legislation that would bring a measure of rationality and fairness gaining support. The most important thing we can do is return to that spirit of bipartisan cooperation that was exhibited by the late Ted Kennedy and, by the way, how JOHN MCCAIN used to be, before he ran for reelection in today's Arizona, because they were sponsoring comprehensive immigration reform. They didn't rely on half a dozen pieces of legislation, but really looked at the problem holistically for the people involved, for the community, and for the country. They would have a thoughtful path to citizenship that people could earn, not being granted amnesty but by paying taxes, learning the language, demonstrating a clear commitment to what it takes to

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be a constructive part of the community.

Comprehensive immigration reform is what ultimately will help us unwind this problem, save money and heartache, and get about the business of building a stronger American future for all our families.

YUCCA MOUNTAIN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. SHIMKUS) for 5 minutes.

Mr. SHIMKUS. Mr. Speaker, I come to the floor again, as I have in the past 2 years, to talk about the location of high-level nuclear waste around this country and compare and contrast it with where we have high-level nuclear waste, mostly spent nuclear fuel, but other types defined as waste, and compare it to where it should be based upon a 1982 law, the Nuclear Waste Policy Act and the 1987 amendment to that law which identified Yucca Mountain as the location where we should be storing high-level nuclear waste.

Today we go to the Pennsylvania and West Virginia areas, and we compare Yucca Mountain with a nuclear power plant called Limerick. At Yucca Mountain, currently there is no nuclear waste on site. At Limerick, there are 1,143 metric tons of uranium spent nuclear fuel on the site. At Yucca Mountain, the waste would be stored, if it's there, a thousand feet underground. At Limerick, you can see waste is stored aboveground in pools and casks. That's above ground.

If it was stored in Yucca Mountain, it would be a thousand feet above the water table. Why is that? Well, Yucca Mountain is in a desert, so that's why the water table is very, very low. Well, at Limerick, the waste is stored 20 feet above the groundwater.

Finally, Yucca Mountain is 100 miles from the Colorado River. Limerick is on the Schuylkill River 40 miles from Philadelphia. Yucca is about 100 miles from Las Vegas, Nevada. The importance of this is just to address with Fukushima Daiichi, and nuclear waste, and some difficulties we've had, and public policy being as defined by law. The question is, why do we still have nuclear waste in Pennsylvania right outside Philadelphia, and why don't we have it underneath a mountain in a desert?

The answer is—I know it would shock people—politics here in Washington, especially in the other Chamber, not complying with the law, along with an administration that is in league with those who have blocked a final scientific study for Yucca Mountain. What I have been doing is going around and looking at the senators from the States around the nuclear power plants that I have been addressing.

Where do they stand individually? Well, Senator CASEY, a relatively new Senator, has really been silent on that, although he has said, as a Senator from a State with 9 commercial reactors and 10 million people living within 50 miles of those reactors, I can tell you that nuclear security is extremely important to Pennsylvanians. Obviously the nuclear waste is not that important to him since he has been silent on Yucca Mountain.

Senator TOOMEY is quoted as saying the alternative is what we have now, highly active radio waste located at 131 sites in 39 States, including nuclear power plants close to the Lehigh Valley. That cannot be as safe and secure as burying the waste deep in Yucca Mountain. I would agree with the Senator.

Senator MANCHIN from West Virginia, who is relatively new, has been silent on what we should do with the high-level nuclear waste. Part of this process is to identify that and hopefully have him come out in a statement. Senator ROCKEFELLER voted ''no.'' His statement is, nuclear energy is touted by its proponents as a carbon-free option that should have its share of the Nation's electricity generation expanded.

□ 1010

Yet we have never figured out what to do about the permanent storage and human health and safety concerns regarding high radioactive waste with a half-life measured in tens of thousands of years. That's where I very much disagree with the Senator, because the Federal Government has spent 20 years and $9 billion studying Yucca Mountain. Unprecedented 100 million-year projections were completed showing Yucca's safety. There is no safer place in the entire United States for nuclear waste than Yucca Mountain.

So, then, I've been doing a tally across the country of the Senators and where they stand as of today. We have 48 who support Yucca Mountain and high-level nuclear waste; 18, we don't know. Hopefully, they'll get a chance to cast a vote. And we have 20 who are ''no.'' In the filibuster world that operates in the other Chamber, you know we really need 60. We're very close. In fact, if 12 of these 18 undecideds are ''yes,'' there should be no reason why we would allow Senator REID and the President of the United States to block further development and movement to take all of our high-level nuclear waste and store it safely in a mountain in a desert.

QUALITY OF LIFE ISSUES OF THE DAY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 5 minutes.

Ms. JACKSON LEE of Texas. Yesterday, the guest chaplain asked that the House of Representatives be blessed and that each Member of the House of Representatives be blessed. In our opportunity to be free in our expression of religion, I ask that each of us bless this Nation. For that reason, I set this morning to discuss just a series of issues, hoping that we can improve the quality of life of not only Americans, but people around the world.

First, we have to clean up our house. And so I express outrage of the actions of two former TSA workers—TSO officers and two present TSO officers.

All of us can fall short because we are human, but the outrage of participating in drug trafficking right here in the United States as an official of the United States Government should be condemned by all of us, and I will call for immediate hearings to ensure that the culture of TSO officers, besides their frontline duty, is to respect the job and the task. As a champion of their work, believing that their work is vital to the security of this Nation and the fact that we have not been attacked on our soil since 9/11, I call for immediate investigation and response.

This morning, as well, we determined that the Secret Service, who finished quickly an investigation of the Colombian debacle dealing with sex workers, prostitutes, we now have discovered through a contractor that, in fact, actions occurred in El Salvador. We thought it might not be the culture. But let's own up and begin, as necessary, to purge those who are reckless in their behavior. Thank you to the men and women of the Secret Service who have always done their duty. But to the dastardly deeds of these who think it's a playground: Get out now. There is no tolerance for this kind of behavior.

Let me move immediately to the work in Syria. I was the first Member to go to the Syrian Embassy to ask for the fall, or the removal, of Dr. Assad, and we have been moving along while others have been slaughtered. Meetings and discussions at the U.N. National Security Council, a special envoy—''do this and do that''—while women and children are being slaughtered, it is time for there to be a stronger statement on the removal of Dr. Assad and the increase in U.N. peacekeepers. The people need your help in Syria. The bloodshed continues and the fear is insurmountable, almost. It is necessary on behalf of their human rights to be able to move quickly in Syria.

As the Supreme Court has discussed the Arizona law, I hope that we can bless America by having comprehensive immigration reform. I hope we can understand that there are laws that work well. Just helping a Korean student who was shot in my jurisdiction whose father was denied entry because of his language and didn't understand, he now has been granted humanitarian parole. Let's have comprehensive immigration reform so that we don't have States who are stopping families who are U.S. citizens in the streets of Arizona, profiling them because of this dastardly law, that we don't have police officers having to become immigration officers while they need to be rescuing people and saving people. Let's do the decent thing. Let's bless America and have comprehensive immigration reform.

Then, of course, the Senate is debating the issue of the Violence Against Women Act, an act that as a new Member of Congress I had the pleasure of both cosponsoring and writing amendments as a member of the House Judiciary Committee, and it is sad that we have a divide on the Violence Against Women Act that has bipartisan support. This House should take up the Leahy bill immediately as it passed the Senate. Do you realize how many women are being killed a day, an hour, because of the domestic violence that this particular act helps to outreach, provide resources, counseling and opportunities to be able to nurture those women and to be able to ensure that they are safe?

As a former board member of the Houston Area Women's Center that has been a living example of protecting women against dastardly violence and, of course, men who are subjected to domestic violence, it is, unfortunately, a form of an epidemic in this country, as we have seen with bullying. We have to be able to bless America and have people turn internally. Let them seek help. But why stall the passage of the Violence Against Women Act which, in fact, will provide the nurture, comfort, and resources and the national statement that we abhor and stand against violence against women and others who are being impacted violently against this Nation.

As a Member who stood along Chairman Hyde many years ago, the late Chairman Hyde, the chairman of the House Judiciary Committee, a Republican who stood alongside of us to say he stands with legislation to protect women, get the Senate to do its business and let the House do its business. Let us bless America.

HONORING COACH PAT HEAD SUMMITT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Tennessee (Mrs. BLACKBURN) for 5 minutes.

Mrs. BLACKBURN. Mr. Speaker, I rise today to offer my praise to one of Tennessee's true living legends.

Born in Clarksville, Tennessee, in Tennessee's Seventh Congressional District, Coach Pat Head Summitt paved the way for women athletes at Cheatham County High School and then at the University of Tennessee-Martin. She was an exemplary student athlete, and today the gym at UT-Martin is named in her honor.

She took the reins at the University of Tennessee in 1974, and she has led the Lady Vols to an unprecedented 31 consecutive NCAA Tournament appearances. In her time as a coach, she has coached 12 Olympians, 20 Kodak All-Americans, and 77 All-SEC performers. After 1,098 career wins over 38 seasons, Pat Head Summitt is the all-time winningest coach in NCAA basketball history.

Pushing excellence both on and off the court, Coach Summitt prepared her players to be successful women when they hang up their jerseys. We will remember her legacy at UT for two things: winning games and, most importantly, graduating players. Every Lady Volunteer—every Lady Volunteer—who finished their eligibility at the University of Tennessee graduated from college. That is a statistic to cheer about. Coach Summitt has dedicated her career and her magnificent journey to the great game of women's basketball and to the student athletes she has championed.

This week, we have welcomed Coach Summitt and her son, Tyler. They've been here in D.C. with us this week as we have saluted her career and as we cheer her as she now coaches millions of volunteers in fighting Alzheimer's and early onset dementia.

Thank you, Coach Summitt, for leading by example both on and off the court.

□ 1020

ISRAEL INDEPENDENCE DAY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland (Mr. HOYER) for 5 minutes.

Mr. HOYER. Ladies and gentlemen of the House, 64 years ago, the State of Israel was born out of the hope of a generation and on the heels of history's darkest human tragedy. Notwithstanding the many grave challenges that it has faced since that day and still in our time, Israel has achieved a thriving economy, a strong national defense, and an important role as a member of the family of nations.

Israel's existence itself is a powerful symbol of the Jewish people's resolve never again to permit its sons and daughters to face the threat of persecution or genocide. On my many visits to Israel, I have witnessed the triumph of a dream—a beautiful dream that sustained the Jewish people for 2,000 years and that has been fulfilled through the blossoming of a desert, the emergence of Israel's high-tech economy, and the freedoms of speech, press, and religion for its citizens of every faith.

Israel continues to impress the world with her achievements in business, technology, sports, the arts, and the defense of human rights. They are even more remarkable when considering the very real dangers Israel faces in the form of terrorism, regional instability, and the threat from Iran.

For Americans, Israel's peace and security has always been an important national interest of the United States of America. As President Obama has made very clear, our countries will continue to work closely together to prevent a nuclear-armed Iran. Not only do the United States and Israel share common interests; we also share common values. Democracy, equal opportunity, human rights, and a yearning for peace are the ideals we hold in our hearts, and together we have worked for 64 years to defend them and promote them.

On the anniversary of Israel's independence, Americans continue to stand side by side with Israel as it pursues peace and security for its people and, yes, for its region.

I pray for the peace of Israel and its people and for all the people of that troubled region. And I know the strong bonds between our nations will endure for generations to come. Those futures were what we worked so hard to make possible for thousands and thousands.

INTERNATIONAL WOMEN OF COURAGE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. DOLD) for 5 minutes.

Mr. DOLD. Mr. Speaker, in March, the United States recognized 10 women who were risking their lives to bring about justice in their countries. These women were honored in the United States as the 2012 International Women of Courage and visited Congress to share their stories and give a voice to the people of their countries who have nowhere else to turn.

I had the privilege of meeting with each of these women and listening to their stories and learning more about their fight to end human rights abuses and to make the world a better place. I was impressed with their strength, their courage, and want to share some of their stories with you here today so that we can continue to speak up for those who have no voice.

Maryam Durani is from Afghanistan. At age 27, she is the director of Women's Association for Culture and speaks out for the rights of women and girls in Kandahar province. Her life has been threatened numerous times, and yet she continues to fight for women in Afghanistan and has started the only female-focused radio station in the nation. She received the International Women of Courage Award for ''striving to give a voice to women through the power of media, government, and civil society.''

Pricilla de Oliveira Azevedo is from Brazil. She is 34 and serves as the General Coordinator for Strategic Programs for the Rio de Janeiro State Secretariat of Public Security. She is one of the most senior officers in the Police Pacification Units in her country and has worked to end drug-dealing operations in Brazil. She arrested a gang of criminals who had once kidnapped her and is working with the state and local governments to improve conditions throughout Brazil. She received this award for ''integrating previously marginalized populations into the larger Rio de Janeiro community.''

Zin Mar Aung is from Burma. At age 36, she is a democratic activist who was a former political prisoner and was held for 11 years because of her efforts to promote democracy, women's empowerment, and conflict resolution in Burma. She received this award for ''championing democracy, strengthening civil society, and empowering individuals to contribute meaningfully

to the political transformation of Burma.''

Jineth Bedoya Lima is from Colombia and at age 38 is an investigative journalist. While on assignment, she was repeatedly raped and left in a Dumpster. She was left in this Dumpster by her attackers and told that they were sending a message to the Colombian press. Since that horrific attack, she has spoken out against sexual violence and has become a role model for women in Colombia. She was given this award for ''her unfailing courage, determination, and perseverance fighting for justice'' all around the globe.

Hana Elhebshi is a 27-year-old architect from Libya who contributed to the proper documentation of the violence during the revolution in her country. She also is an advocate for women's rights in her country and received this award for ''courageous advancement of the cause of freedom of expression and promotion of women's rights during times of conflict and transition in Libya.''

Aneesa Ahmed is from Maldives and founded Hope for Women. She advocates for ending gender-based violence in Maldives and has served as the Deputy Minister of Women's Affairs. She received this award for ''courageous advocacy of women's rights and protection from domestic violence.''

Shad Begum is 33 and is from Pakistan. She is a courageous human rights activist. She provides political training, microcredit information and more to women in her country. There have been numerous attempts to end her life, but she remains committed to advancing women's rights and even won a local office in her country. She received this award for ''fearlessly championing Pakistani women's political and economic rights.''

Samar Badawi is from Saudi Arabia and at 31 monitors human rights in her country. She is the first woman in Saudi Arabia to file a lawsuit against the government demanding that women have a right to vote. She won this award for ''demonstrating significant courage in her activism while becoming a champion in the struggle for women's suffrage and legal rights in Saudi Arabia.''

Hawa Abdallah Mohammed Salih is from Sudan and is a human rights activist. Forced to flee Darfur, she lived in an internally displaced persons camp and has since spoken out against human rights abuses in these very camps and has advocated for women's rights in her country. She has been persecuted by the Government of Sudan and forced to flee her country. She received this award for ''giving a voice to the women and children of Darfur.''

Safak Pavey is a member of the Parliament in Turkey and is the first disabled woman elected to Parliament in her country. She is working to empower the disabled, women, and minorities in Turkey. She received this award for ''her personal dignity and courage.''

Mr. Speaker, I want to just simply say that these women act as a role model for all women across the country, across the world; and we must stand up for women's rights.

SMART SECURITY: A STRATEGY THAT INVESTS IN AFGHANISTAN AND ITS PEOPLE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. WOOLSEY) for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, last weekend, the United States Government and Afghanistan reached a strategic agreement to define the terms of the relationship between our two countries in the near-term future.

First of all, this agreement affirms that our combat troops will not leave Afghanistan until 2014, which is far too slow a timetable. Don't we have enough evidence right here after 10-plus years that we're not making America safer with this war, we're not minimizing the terrorist threat, and we're not bringing stability and security to Afghanistan?

How much more will Americans be asked to sacrifice? How many more tens of billions in taxpayer dollars will be wasted when we have so many needs right here at home? How many more Americans have to come home in a casket? How many more will take their own lives because the mental health distress of serving in a combat zone becomes too much? How many more have to spend the rest of their lives in a wheelchair, or without a limb or limbs, because of injuries suffered in an immoral and unnecessary war?

□ 1030

Believe me, Mr. Speaker, there is not a minute to waste. Now is the moment to end this war and bring our troops home.

The meeting this weekend does, however, show the importance of a plan going forward, a plan that will define the terms of our engagement with Afghanistan after the war is over.

I've always said that ending the military occupation does not mean abandoning Afghanistan. The question is, what form will our partnership take? And on that question, the agreement signed this weekend provides very little guidance.

According to The Washington Post, in fact, and I'll quote them, they say: ''The specifics of the U.S. commitment to Afghanistan have yet to be formally outlined.''

Then The Post adds that ''the document provides only a vaguely worded reassurance, leaving many to guess at what the U.S. commitment means in practice.''

Well, Mr. Speaker, we need more than a guess. We need a clear strategy for investing in Afghanistan and it's people. And while a lot of the talk has been about continuing to shore up Afghan security forces, we need a much more comprehensive approach.

In short, we need to implement SMART Security, the strategy that I've spoken of from this spot hundreds of times since 2004. SMART Security would replace our military surge with a civilian surge. It would put humanitarian aid in front and center. It would emphasize development and diplomacy instead of invasion and occupation.

It would mean, in place of troops and weapons, we send experts with tools and resources to rebuild Afghan infrastructure, hospitals, and schools. It would mean investing in programs to improve maternal health and child mortality. It would mean a focus on democracy promotion and rebuilding civil society in Afghanistan. It would also mean shifting the emphasis to peace-building, conflict prevention, and human rights education.

This approach would save lives. It would promote peace. It is a superior counterterrorism and national security strategy. It will keep the American people safe. It will advance our values in a way that a decade of war clearly has not.

We can't wait until 2014, Mr. Speaker. We need a SMART Security approach in Afghanistan, and we need it now. And we need to start by bringing our troops home.

HONORING OUR COUNTRY'S VETERANS

The SPEAKER pro tempore. The Chair recognizes the gentleman from South Carolina (Mr. DUNCAN) for 5 minutes.

Mr. DUNCAN of South Carolina. Mr. Speaker, I rise today in honor of our country's veterans, and I want to begin briefly by mentioning an organization that helps veterans that was recently brought to my attention, Patriot Outreach, a nonprofit organization to assist our military with getting the help they need to deal with the trauma associated with aspects of military service. You can learn more about that at PatriotOutreach.org, and I think they're doing a great service for our veterans.

Benjamin Disraeli once said that ''the legacy of heroes is the memory of a great name, and the inheritance of a great example.'' In our country, some of our greatest heroes are veterans, individuals who answered our Nation's call to protect and defend our freedom.

Our veterans are one of our Nation's greatest treasures and, as such, our country has given them a firm promise. Because of their willingness to protect us with their service, when their service ends, we promise to take care of them. But, unfortunately, if you talk to veterans today, they don't believe that our government is living up to their promises.

When we made the commitment to take care of our troops when they returned home, we never said anything about making them jump through hoops or navigate a complicated bureaucracy. We promised our veterans

the Moon and, instead, have failed, in many instances, to provide them with the most basic of care.

As of March 16 this year, the Columbia, South Carolina Regional Office of the Veterans Administration had over 21,927 pending cases, with an average wait time of 232 days.

Survivor benefits for veterans' spouses can take between 10 and 18 months to be disbursed, and sometimes even longer, depending on the health status of the beneficiary.

My office is currently assisting a constituent who contacted us because he has had 12 claims pending before the VA, which date all the way back to 2004. Another constituent has had her claims delayed over 18 months because she's been told by the VA that they don't have medical records. Now, this is despite the fact that she's already sent the VA her medical records twice by certified mail.

Unfortunately, claims aren't the only backlog facing the VA. Veterans are also facing delays in seeking medical attention. A lack of doctors and inefficiency in the system have forced some veterans to have to wait months to receive medical care.

Mr. Speaker, to put it simply, the VA isn't clicking and ticking. Despite the best intentions of VA personnel to deliver a high level of service and care to our veterans, too many of our former servicemen and -women are falling through the cracks.

In the Third District of South Carolina, we recently created an advisory committee composed of retired military veterans to provide insight into some of the problems that they're facing today. Their view is not that the law needs to be changed necessarily, but that the spirit of the law is not being followed. Veterans were promised certain benefits and, in too many cases, they are still waiting to receive them.

In addition to the mounting pile of problems regarding veterans services, I'm deeply concerned that veterans will be negatively impacted by the implementation of ObamaCare. The clear goal of the Obama administration's unconditional and unconstitutional health care law is to begin lumping our servicemen and -women into the bureaucracy of ObamaCare. Not only do I think that this breaks a promise made to our veterans, but I'm afraid it will make an already bad situation worse.

In conclusion, Mr. Speaker, we can do better; and for the sake of our living heroes, we must do better. Let us not forget the promises that we've made to our veterans, and let us not just honor our veterans with our words, but let's also honor them with our actions.

Thank you. May God bless our troops in the field, those here at home. May God bless those who have served our country in uniform, and may God continue to bless the United States of America.

DISCRIMINATORY VOTER IDENTIFICATION LAWS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. JOHNSON) for 5 minutes.

Mr. JOHNSON of Georgia. Mr. Speaker, today I rise to talk about the discriminatory voter ID laws that are undemocratic and simply un-American.

The American Legislative Exchange Council, also known as ALEC, has long been a secretive collaboration between big business and conservative Tea Party Republican politicians serving in this Nation's State and Federal legislatures. ALEC's goal is to advance the special interests of large corporations and the super-rich and wealthy by any means necessary.

Yesterday, I discussed how ALEC has fiendishly and unabashedly produced legislative policy that degrades our air and water quality and wrecks our environment. Last week, I outlined how ALEC has infiltrated our criminal justice system by producing legislation that stimulates higher and higher levels of incarceration, to the benefit and to the surging profits of the private for-profit prison industry.

And if that wasn't enough, with 194 days left until the general election, ALEC has been working hard to suppress the votes of the most vulnerable in our society. ALEC has met with its corporate allies and right-wing State officials behind closed doors to promote legislation to suppress the votes of likely Democratic voters.

By making it more difficult for people to exercise their right to vote, ALEC's model voter ID act grants an electoral advantage to Republicans, while undermining the right of individuals to vote.

In addition, ALEC has worked to make it easier for corporations to participate in the political process. Their Public Safety and Elections Task Force promotes model legislation that would disenfranchise millions of voters, devastate campaign finance reform, and allow for greater corporate influence in elections.

Mr. Speaker, it has injected these corrosive laws into our States, and they have spread like untreated cancer. Bills based on ALEC's model legislation have already been introduced in 34 States and passed in many of those States.

□ 1040

Voter suppression comes in many forms, from new voter ID laws to eliminating Election Day registration to restricting voter registration drives by community groups to reducing the number of days for early voting and limiting the number of days for voter registration. There is no doubt that ALEC is directly tied to the proliferation of these voter ID laws in the States' legislatures.

These policies are not about preventing fraud in the voting process. This legislation is solely about disenfranchising minorities, the elderly, and other at-risk voters, such as the poor, who are unlikely to have the technical kinds of ID that these pieces of legislation demand.

After the spotlight has started to shine on ALEC, they have come out publicly and said, Okay, we're going to get out of the public policy business. They're not going to not write any more model legislation like the Florida ''shoot first and ask questions later.'' They're not going to introduce any more of that type of legislation. They also have announced they're going to shut down their Public Safety and Elections Task Force, which is the committee that produced the voter suppression legislation.

That's a good thing. But the damage has already been done, and we're going to have to remain vigilant about this group, this shadowy group, ALEC, this unholy alliance between Tea Party Republican legislators and big business. We'll have to keep our eyes open. I'll have more to talk about in the coming days.

JONATHAN FRANK DAVIS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. WESTMORELAND) for 5 minutes.

Mr. WESTMORELAND. Mr. Speaker, I've come to the floor this morning with great sadness but also with a great sense of pride to honor the service of a Georgia hero, Private First Class Jonathan Frank Davis.

On March 29, 2012, Jonathan gave the ultimate sacrifice in Kandahar province, Afghanistan, while supporting Operation Enduring Freedom.

Jonathan was the son of Reverend and Mrs. Kerry Davis of Griffin, Georgia. His mother, Tracey, described him as tenderhearted, a tenderness that extended to both his peers and animals. His heart was so large that they now have numerous pets running around their home due to Jonathan not being able to turn away a single stray.

His nurturing and giving nature was one of the things that was loved most about him. As a child, Jonathan always stood up for his classmates who were being bullied, and many of Jonathan's peers remember that he was the first to come to their defense. He was willing to give his shirt off his back to help others and was always concerned about the well-being of everyone around him, especially those less fortunate.

Jonathan was playful and strove to make others happy, either by playing funny pranks on them or with his unforgettable smile that could light up a room. Jonathan attended Griffin High School, where he played soccer, and after graduation, he, like myself, married his high school sweetheart. Her name is Kristen.

Kristen is expecting their first child, and Jonathan talked all the time of how excited he was to become a father. He carried the sonogram of baby Benjamin in his wallet everywhere he went

and couldn't wait to teach their baby boy soccer.

Jonathan's unwavering courage, huge heart, and strong Christian faith are the reasons why he answered his calling to join the Army. He was assigned to the 4th Squadron, 73rd Calvary Regiment, 4th Brigade Combat Team of the 82nd Airborne Division at Fort Bragg, North Carolina. He was pursuing a medical career after the Army and, having already completed part of his EMT and paramedic training, was on the path to attending medical school.

Jonathan was part of a scout group sweeping an area in Afghanistan and doing what he does best—protecting others—when his group came under enemy fire and he suffered fatal wounds. At only age 20, Jonathan was taken from us much too soon. On April 7, the First Assembly of God Church in Griffin, Georgia, celebrated the life of Jonathan, and he was laid to rest by his close family and friends.

I am proud to stand before you and honor the life of PFC Jonathan Davis and thank him for his dedicated service to our country. His endless generosity and brave spirit are among the many reasons he will be missed so much by all who had the privilege to know him.

Joan and I extend our deepest sympathy to the friends and family of Jonathan, and we will never forget his great sacrifice for our Nation and those that allow us to live free every day.

Jonathan, until we meet again some day, thank you, Brother.

STOP MILITARY RAPE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. SPEIER) for 5 minutes.

Ms. SPEIER. Mr. Speaker, I rise again for the 19th time to highlight the epidemic of rape and sexual assault in the military.

By the military's own figures, 19,000 sexual assaults and rapes occur each year, but only 13 percent of the members of the military actually report them.

Last week, I met with Secretary of Defense Leon Panetta, along with my colleagues, to discuss DOD's new report of data on rape and sexual assault in the military. The report shows a slight increase in reports of rape and assault but a startling decrease in the number of charges brought against reported perpetrators. With a decrease in charges came a significant decrease in prosecutions, in punishments, and in convictions. The numbers, frankly, are very discouraging.

When I left the meeting, I was only pleased about one thing. Secretary Panetta and I agreed that the only way to solve this problem is with an increase in prosecutions. We agree on the results to be achieved, but for right now, we do not agree on the steps to achieve it.

After our meeting, Secretary Panetta announced new initiatives, but DOD's three major proposals will not increase prosecutions, convictions, or punishments.

Proposal one: elevate cases of rape and sexual assault to higher-ranking officials in the chain of command. Military commanders today told me that many are already having them handled by colonels and captains, yet this does not result in more prosecutions. I believe the cases have to be handled by an impartial office within the military but outside the chain of command.

Proposal number two: establish a special victim's unit in each service of the military. These units have been in place in the Army since 2009. I'm impressed with the training program that is offered to the various members of the investigation and prosecution within the Army. But again, we have not seen an increase in prosecutions, convictions, or punishments as of yet.

Proposal three: create a centralized database of these proceedings and cases. This is a good thing. It's already required in the Department of Defense as a result of the NDAA 2009.

So for all intents and purposes, all of these initiatives are already in place to some extent. The problem is the chain of command, and let me explain.

Claudia Castillo, an Army corporal whose attempts for justice back in 2003 and 2004 were thwarted repeatedly by commanding officers, including a high-ranking lieutenant colonel, all of whom were unmoved by her reports of sexual assault and harassment.

Corporal Castillo was on combat deployment in Iraq when she awoke to a fellow specialist on top of her sexually assaulting her and using force. She was in shock and screamed until he left. She immediately reported the assault to her platoon sergeant, who responded with a lack of surprise or concern. He advised her to wait while he ''looked into it.'' He did not have any advice for how she could get help or go forward.

Corporal Castillo also encountered several incidents of harassment, stalking, and erratic behavior by a much older staff sergeant. She would wake up to find him standing by her bed while she slept. Her reports to command were greeted by ridicule and not taken seriously.

□ 1050

Command discretion empowers a commander to decide if the case goes forward to a court-martial. Even if very high-ranking commanders are in charge of these cases, captains and colonels are not shielded from the conflicts of interest that exist in the chain of command.

Victims should have the benefit of impartiality by objective experts, which is why my bill, H.R. 3435, attempts to do that. We need to overhaul the current military justice system, and I will continue to tell stories like Corporal Castillo's until military justice means justice for all.

DEE COOK—CHILD ADVOCATES OF FORT BEND COUNTY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. OLSON) for 5 minutes.

Mr. OLSON. Mr. Speaker, I rise today to recognize Dee Cook, a distinguished leader in my home community of Fort Bend County, Texas. For over 40 years, Dee has given her time and her energy to help with the children of Fort Bend County, in part through her commitment and support of Child Advocates of Fort Bend County, which fights on behalf of abused and neglected children.

Dee has served as the grant officer of the George Foundation since 1988. The George Foundation contributes to many worthy causes throughout Fort Bend County, and Dee has played a pivotal role in making sure the generosity of the foundation is directed to causes that help our communities the most. However, it is her generous contributions through the George Foundation to Child Advocates of Fort Bend County that bring me to the floor today.

By contributing her time, energy and resources, Dee has enabled Child Advocates to serve over 8,000 children throughout Fort Bend County. Under her leadership, Dee Cook has helped teach the staff and volunteers to be better leaders, more effective program managers, and to achieve the dream of helping the most vulnerable children in our communities in ways we never thought possible 20 years ago. Her contributions are helping children and, in turn, are strengthening our communities and neighborhoods. On their behalf, she has given a voice to those who desperately need one.

Dee's efforts to build philanthropic leaders do not stop with Child Advocates. She has also started an annual 8-month Leadership for Nonprofit Excellence course to teach the rising stars of Fort Bend County the skills they need to harness and grow Fort Bend's strong nonprofit community. Most importantly, she has led a cooperative effort between the George Foundation and the Sugar Land Chamber of Commerce to create Youth in Philanthropy, the YIP Team. The YIP Team is 100 Fort Bend County high school juniors and seniors who spend a school year seeing how volunteerism and philanthropy coexist to serve our Fort Bend community. At the end of the school year, the YIP Team will put their knowledge to the test by awarding monetary grants to nonprofits—life changing, indeed.

I commend Dee Cook for a lifetime of service to Fort Bend County. I simply want to say to Dee, on behalf of the people of Fort Bend County, thank you. Fort Bend County would not be the county that we all know and love without Dee Cook.

In closing, Dee's love for Fort Bend County will be on display tonight at Constellation Field as Fort Bend's new pro-baseball team, the Sugar Land Skeeters, has its first home game. I join Dee and the people of Sugar Land and Fort Bend County in saying, Go Skeeters.

STUDENT LOANS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Mrs. CAPPS) for 5 minutes.

Mrs. CAPPS. Mr. Speaker, we all know if Congress doesn't come together soon, interest rates on student loans will double on July 1. Rates will go from 3.4 percent to 6.8 percent.

Right now in our country, student loan debt is higher than credit card debt. This is a huge challenge and barrier facing students, their families and our economy. We cannot have our graduates leaving school with crushing debt. It limits the careers they can pursue, and we certainly don't want young people shying away from continuing their education because they know they'll never be able to afford it. We must keep open the doors of opportunity for all and, in the process, produce a well-educated workforce that's going to grow our economy.

But, if Congress doesn't act soon, more than 7 million low- and middle-income students nationwide will be required to pay more for their student loans. This would mean adding thousands of dollars to a college bill, and that's why I am a proud supporter of legislation to address this issue. I support ending some of the lavish subsidies we give to extraordinarily profitable oil companies and using that money to keep student loan rates from doubling and, at the same time, reducing our deficit by billions of dollars.

We must get our priorities straight. We should be investing in our students and bringing down our deficit instead of handing over taxpayer dollars to some of the richest corporations in the world. I urge my colleagues to join in this effort.

VA COMMUNITY-BASED OUTPATIENT CLINICS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Louisiana (Mr. BOUSTANY) for 5 minutes.

Mr. BOUSTANY. Mr. Speaker, I recently received the first monthly update from the U.S. Department of Veterans Affairs since the announced delays associated with the Lafayette and Lake Charles VA Community-based Outpatient Clinics. VA Secretary Eric Shinseki's office followed through on my request for detailed monthly updates of the progress the VA is making with regard to these clinics in both Lafayette and Lake Charles. The errors in the contracting process were solely the VA's fault, and they've admitted it. I will remain vigilant in overseeing the expedited process to deliver south Louisiana veterans the local care they need and deserve.

I am pleased to announce that there are new and much-needed services for veterans coming to Lafayette in early May. These services include home-based primary care, imaging and x ray services, prosthetics and dental care. For the veterans in Lake Charles, a mobile clinic providing primary care services is expected to begin June 4, and the selection of a location is under way. This will be a first for our veterans in Lake Charles who have had to travel far to get basic care. According to the VA officials, the Veterans Affairs' clinic primary care services will be available in Lake Charles 3 days per week also beginning June 4. Women's services will be provided 1 day per week in Lake Charles beginning then as well.

We need to do more, and we're going to do more. These are all very important services the veterans of south Louisiana deserve after sacrificing so much for our country. They should not have to wait any longer for this very much needed medical care. Expediting this process must remain a top priority for the VA.

Having cared for veterans in the VA system during my medical career, I know localized, personalized outpatient facilities and care are best for our veterans. This is a critical priority for our area. This is the least we can do for those who have fought on behalf of our country, and I am committed to ensuring that this unnecessary VA mistake does not repeat itself in the future. I will continue demanding accountability from the VA leadership on this and on other issues. I will continue to be the leading advocate for local veterans as we work to improve health care for our veterans in Lafayette and Lake Charles and in the surrounding communities of south Louisiana.

God bless those who have served our country. God bless America.

VIOLENCE AGAINST WOMEN ACT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Wisconsin (Ms. MOORE) for 5 minutes.

Ms. MOORE. Mr. Speaker, I come humbly to the well today, under the ''E Pluribus Unum,'' to ask that there be swift bipartisan action in reauthorizing the Violence Against Women Act. VAWA's authorization, of course, lapsed at the end of the last fiscal year, on September 30, 2011.

□ 1100

Unfortunately, for every day that passes by, women pay the price. The annual National Census of Domestic Violence Services—a daily snapshot taken every year by the National Network to End Domestic Violence—found that in one 24-hour period in the United States, over 67,000 victims were served through emergency shelters, transitional housing, counseling, legal advocacy, and more. Over 22,000 hotline phone calls were answered and over 26,000 people participated in domestic violence prevention and education training.

For all these people who are served, unfortunately, in the same 24-hour period, there are nearly 11,000 unmet requests for services because these programs neither have the resources to help these victims nor the authorizations based on best practices on how we need to change VAWA in order to meet the needs of women.

Our colleagues across the Capitol in the Senate are on the cusp of passing a bipartisan VAWA reauthorization bill that contains these provisions to strengthen our ability to combat not only domestic violence, but also sexual assault, dating violence, and stalking. And I'm so proud to say that right here on this floor, 1 month ago, I introduced a companion bill to the Senate legislation that contains these badly needed updates to reflect the input of numerous stakeholders and lays a path forward for VAWA.

The vision is to protect all victims, no matter what their gender, sexual orientation, immigration status, or whether or not they reside in sovereign territories or in States. These updates have garnered criticism from our colleagues on the other side of the aisle that offer fundamental, simple rights that ought to be guaranteed by the 14th Amendment.

For example, this bill would recognize the tribes' authority to prosecute non-Indians or Indians who abuse their American Indian spouses or dating partners on tribal lands. Fifty-two percent of women who are beaten, battered, raped, or stalked on tribal lands are not prosecuted because tribes have no authority. And on tribal lands, there is no follow-up and no prosecution.

The bill would also provide equal opportunity for areas that are in traditionally underserved areas, including those who have barriers because of their religion, gender identity, or sexual orientation. It's absurd to say that because you are a homosexual that you don't deserve protection from being beaten, stalked, or raped. And, of course, the Hippocratic Oath would have us scoop up a person who may be lying in the street, hit by a truck. We don't ask people for their immigration papers in order to intervene in a life-saving intervention. Why would we demand this of immigrant women?

We have got to ensure a more comprehensive response to the continuing problem of enforcement, reporting, and services for victims of sexual assault.

In spite of the strides we have made toward a new and improved VAWA, just yesterday the House Republicans put their so-called ''clean'' reauthorization bill on the floor. Let me tell you this: it's clean, perhaps, because we don't want to sully our hands dealing with the beaten, stalked, murdered, and bullied butch-batterers, because we don't want to deal with homosexuality. We want clean reauthorization, a sleight of hand that keeps immigrant women in the shadows and keeps their pain and their battery and their victimization in the shadows and makes them invisible. We're actually sanctioning the abuse that occurs on tribal lands and providing a sanctuary for assailants who commit these crimes on

native lands by not providing this authority to tribal nations.

I urge my Republican colleagues to work together with House Democrats to craft a truly bipartisan update of VAWA.

RECESS

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

Accordingly (at 11 o'clock and 5 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. FLEISCHMANN) at noon.

PRAYER

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

Eternal God, we give You thanks for giving us another day. Lead us this day in Your ways that our Nation might be guided along the roads of peace, justice, and goodwill.

Grant strength and wisdom to our Speaker and the Members of both the people's House and the Senate, to our President and his Cabinet, and to our Supreme Court.

Bless as well the moral and military leaders of our country, and may those who are the captains of business, industry, and unions learn to work together toward the mutual benefit of all, walking in the ways of righteousness and working for the highest good of our beloved land.

Grant us the courage to develop a sound energy program for the good of all, and may our people respond with willing hearts to make that program work.

Bless us this day and every day, and may all that is done within the people's House be for Your greater honor and glory.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. HIGGINS 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.

MESSAGE FROM THE SENATE

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

S. 1789. An act to improve, sustain, and transform the United States Postal Service.

The message also announced that pursuant to section 5 of title I of division H of Public Law 110–161, the Chair, on behalf of the Vice President, appoints the following Senator as Vice Chairman of the U.S.-Japan Interparliamentary Group conference for the One Hundred Twelfth Congress:

The Senator from Alaska (Ms. MURKOWSKI).

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

YUCCA REPOSITORY BILL

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

Mr. WILSON of South Carolina. Mr. Speaker, in 2002, Yucca Mountain was approved as the location for our Nation's nuclear repository, which was previously authorized by Congress in 1987. In 2010, sadly, the President placed party politics over the interests of the American people and began the wasteful process of stopping the project.

Consumers in South Carolina have paid over $1.3 billion for the establishment of a national nuclear repository at Yucca Mountain. In order to establish accountability and to protect the people living in the Second Congressional District of South Carolina, I have introduced the Yucca Utilization to Control Contamination Act. This bill gives the administration two options: first, certify the Yucca Mountain project or, second, face fines to reimburse consumers across the Nation who have paid for its opening.

The President constantly talks about fairness. It is only fair that the people of South Carolina receive the services they have already paid for with hard-working taxpayer dollars promoting jobs.

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

PATIENTS DESERVE CHOICE

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

Ms. CHU. Patients deserve choice when selecting the right prescriptions and pharmacies for them, but powerful, unregulated middlemen, known as pharmacy benefit managers, or PBMs, are limiting their options, and most people don't even know it.

These companies are telling doctors what drugs they can prescribe, limiting access to pharmacy patient care, and they're telling customers what pharmacies they can go to. That's not fair to patients. With the pending merger of two of the biggest PBMs, one company will control three-quarters of the private insurance market. This leaves us with even less competition, higher prices, and fewer choices.

That's why I support the Medicare Pharmacy Transparency and Fair Auditing Act. This bill will ensure that PBMs are transparent and fair when dealing with local pharmacies, and it will help make sure the Medicare part D prescription program works for seniors. It will be an important step in protecting pharmacy choice for patients.

SUGAR REFORM

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

Mr. PITTS. Mr. Speaker, last week, liberal MSNBC host Ed Schultz found himself agreeing with the Heritage Foundation and Mitt Romney. What issue could possibly unite liberals and conservatives? The answer is: sugar reform.

You see, sugar farmers and sugar processors benefit from a Federal sugar program that fixes prices and guarantees their profits. Indeed, Schultz noted that one of the biggest processors, American Crystal Sugar, makes $1.5 billion in revenue and pays its CEO $2.4 million a year in compensation.

While Schultz is, probably, mostly concerned about a labor dispute between American Crystal and its workers, I hope he will also consider the many other workers in sugar-using industries. The Federal program inflates the price of sugar in the U.S., placing American sugar users at a severe disadvantage to their foreign competition. In the last 15 years, more than 100,000 workers in sugar-using industries have lost their jobs.

I've been proud to work with Congressman DANNY DAVIS to reform this program and to make it fair for everyone. Democrats and Republicans, liberals and conservatives agree that the government shouldn't be guaranteeing corporate profits at the expense of workers and consumers. I hope the Ag Committee will reform the sugar program as we deal with the farm bill.

HORSE SLAUGHTER

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

Ms. SCHAKOWSKY. Mr. Speaker, I rise today about a serious issue: horse slaughter.

A recent poll confirms what many of us already know: 80 percent of American voters are opposed to slaughtering

horses for human consumption. Regardless of gender, political affiliation, or whether they live in urban or rural areas, Americans oppose this awful practice.

The last U.S. horse slaughterhouses were closed in 2007 but, despite public opposition, Congress recently restarted horse meat inspections, paving the way for slaughterhouses to reopen. That's why we need to pass the American Horse Slaughter Prevention Act, which would prohibit the sale and transport of horses for slaughter in the United States, as well as prohibit their transport across the borders to Canada and Mexico. The passage of this critical bipartisan bill would save the lives of approximately 100,000 American horses exported for slaughter each year.

Horses have a special place in our Nation's history and folklore, and they are not raised for food. This bill would make sure that these majestic creatures are treated with the respect and dignity they deserve. It should be passed now.

□ 1210

SUPPORT FOR ISRAEL

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

Mr. DEUTCH. Mr. Speaker, today is Israel's independence day, Yom Ha'azmaut, and I recognize our great ally's many achievements over the past 64 years.

Israel has endured against all odds, against border attacks, against deniers of a right to exist, against international bias; and even in the face of the threats posed by Iran's nuclear ambitions, Israel valiantly strides forward.

Israel is a world hub for biotechnology, for medical research, green energy and innovation, and she is also a welcoming home to those seeking freedom and equal rights as the region's only true democracy.

So as we celebrate Israel's independence day, let's remember why our bonds run so deep. It's more than strategic cooperation or shared security. It's the values that Americans and Israelis share. For democracy and freedom, for basic human dignity, that's what forms the bond; and it's a bond that I will always work to protect and support.

NATIONAL CHILD ABUSE PREVENTION MONTH

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

Mr. SCHILLING. Mr. Speaker, a few months ago I had the opportunity to visit the Children's Advocacy Center in my hometown of Rock Island, Illinois. The work that they do there to help children and their families that are victims of crimes is truly amazing, and I am grateful for their commitment to helping the children that need it the most.

April is recognized as National Child Abuse Prevention Month. Unfortunately, sexual abuse of children is still a serious problem in our country, and too many cases go unreported.

My colleague from California and I have introduced H.R. 3486, the Speak Out to Stop Child Abuse Act, which would require States that receive Federal funding under their Child Abuse Prevention and Treatment Act to have a law on the books that makes it a criminal penalty for any adult who knowingly fails to report the sexual abuse of a child.

H.R. 3486 simply asks States to help by requiring adults who witness the sexual abuse of a child to report it. I want to thank Congresswoman BASS for introducing this legislation, and I also recommend all of my colleagues help support this, also.

CHILD ABUSE PREVENTION

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

Ms. BASS of California. Mr. Speaker, I rise today to recognize April as National Child Abuse Prevention Month. During this month, it is important that we acknowledge the role that we all play in promoting the social and emotional well-being of children in our communities. Unfortunately, throughout this congressional term, we've been astonished by a few high-profile child sex abuse cases; and in some situations, the abuse was unreported for years, leaving dozens of youth vulnerable to further maltreatment for decades. This is unacceptable. Adults should never turn a blind eye after seeing sexual abuse firsthand.

Sadly, failing to report child sexual abuse is not new. In 1999, Sherrice Iverson, a 7-year-old girl from Los Angeles was attacked in a restroom. A witness didn't stop the attack or even call for help. She was ultimately murdered. Fortunately, California enacted a law in her name to help ensure this never happens again.

At the end of 2011, Representative BOBBY SCHILLING and I introduced a similar bill here in Congress. The bipartisan Speak Out to Stop Child Abuse Act requires all adult witnesses to report child sexual abuse to law enforcement or Child Protective Services. I ask my colleagues to cosponsor this bipartisan bill.

EPA

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

Mr. FLEMING. Mr. Speaker, the EPA is out to get you and crucify you. That's the message from one of President Obama's EPA appointees to our country's oil and natural gas companies.

Yesterday, we learned that an official at the Environmental Protection Agency based in Dallas used the Roman Empire to illustrate the kind of philosophy that he's followed at the EPA. Here's what he said:

> The Romans used to conquer little villages in the Mediterranean. They'd go into a little Turkish town somewhere, they'd find the first five guys they saw, and they would crucify them. And then you know that town was really easy to manage for the next few years.

That's exactly what he did as an EPA official, going after a company that was safely using hydraulic fracturing to drill for gas. He led the charge to crucify this company with no proof that the company had done anything wrong in a case that was finally dismissed last month by a Federal court.

This is enviro-fascism at its worst; and if someone needs to be made an example of, it's this EPA official who disregarded science and facts to radically and negligently pursue the Obama administration's war on energy.

VA DISABILITY CLAIMS

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

Mr. MCNERNEY. Mr. Speaker, I rise to discuss issues affecting veterans throughout California, particularly the VA disability claims backlog and inaccuracy rates at the Oakland regional office.

A Vietnam veteran from my district, like many others across the country, is suffering from stage 4 lung cancer caused by exposure to Agent Orange. He made great sacrifices to defend our country, but waited for more than a year for the Oakland office to process his claim.

My office was able to help him, but such delays are unacceptable. Unfortunately, long waits have become the norm for veterans in northern California. With more and more veterans returning from Iraq and Afghanistan, it is imperative that the VA take action now to address the backlog in Oakland.

While I welcome the news that the entire staff at the facility will be retrained, much more is needed. I call on the VA to implement a concrete plan to address the inaccuracies and delays at the Oakland office. Our region's and Nation's veterans deserve no less.

STUDENT LOANS

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

Mr. HIGGINS. Mr. Speaker, I rise to discuss an important issue to young America: that's access to affordable higher education.

Young Americans today are graduating college with a degree but also with $25,000, $50,000, and $100,000 in student loan debt. Thirty-seven million people have outstanding student loan debt totaling over $1 trillion. Two-

thirds of the debt held by Americans under the age of 30 is student loan debt.

In 2007, a Democratic Congress cut the interest rate on student loans in half to 3.4 percent, but it is set to expire this summer, and allowing the interest rate to double would constitute a tax hike on students in middle America.

In my western New York district alone, this rate increase would affect 62,000 students and their families. I urge my colleagues to take immediate action on this issue because all Americans deserve a fair shot at a good education.

□ 1220

LET'S HELP THE STUDENTS

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

Mr. DEFAZIO. Mr. Speaker, the House Republicans want to play politics on the issue of doubling the student loans. They say, well, the reduction in student loan interest rates was never supposed to be permanent. Guess what. The Bush tax cuts, which I voted against, for millionaires and billionaires were never supposed to be permanent either, but you're fighting to preserve them every step of the way.

We can do one simple thing here. If we raised the tax rate on income over $350,000 only from 35 to 36 percent, we could give millions of students a more affordable education with lower interest rates. Those who have already made it would share a little bit of the burden to help those who want to be the next generation of business leaders and political leaders and scientists for our country.

Come on, guys. The millionaires and billionaires, they can take care of themselves. That wasn't supposed to be permanent. Let's help the students.

GIRL SCOUTS

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

Mr. HOLT. Mr. Speaker, a century ago Juliette Gordon Low assembled 18 girls from Georgia for the first Girl Scout meeting. From ''Daisy'' Low's start, 50 million people have been counted among the ranks of the Girl Scouts of the USA, and today there is a membership of more than 3 million.

Today, Girl Scouts are involved in much more than cookies. I've had the privilege to see their wonderful community service projects, have attended award ceremonies, and I know about their work to introduce girls of all ages to math and science.

Recently, I had the opportunity to spend time with members of the Girl Scouts from West Windsor in Plainsboro, New Jersey. Their robotics team placed first in the Eastern Pennsylvania Division of the FIRST LEGO League, and they're competing in the World Festival in St. Louis this week. I send them my best wishes.

I'm inspired by the Girl Scouts, and I rise to honor all the work that the Girl Scouts have done over 100 years, and I wish them success for the next 100 years.

STUDENT LOAN REFORM

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, in a global economy, putting a college education within reach for every American has never been more important, but it has also never been more expensive.

Our Nation's young people have been hit particularly hard over the economic downturn in the last several years. In Texas and all across the country, students and recent college graduates are now facing the highest unemployment rate of any other group. Two-thirds of the class of 2010 graduated with an average of $25,000 of student loan debt. Young Americans are rightly concerned about their future, and so am I.

Mr. Speaker, on July 1 of this year, Stafford loan interest rates are set to double unless Congress takes action. As we sit here as a Congress, we need to work together to prevent this increase. I, along with my Democratic colleagues in Congress and President Obama, have been working on a number of efforts to make college more affordable.

PROTECTING OUR FUTURE

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

Mr. COHEN. Mr. Speaker, the best thing Members of Congress can do to represent their constituents well is to stay in touch.

Today we had another teletown hall in my district, and we listened to seniors be concerned about Social Security and Medicare. They wondered why the Ryan budget takes away from them and why would Social Security and Medicare, which are good for so many years to come and not the cause of the deficit, why their future health care expenses and their daily expenses are being threatened. Those are good questions, and I let them know that the Democrats in this Congress and in the Senate aren't going to allow that to be jeopardized. We are going to maintain Social Security and Medicare as we know it. It's so important.

For the young people—and I see one up there. The young people, Mr. Speaker, need to see that student loan rates stay at 3.4 percent and not the way the Republicans are going to do it and pay for it by taking away cervical cancer screenings and mammograms for women. That's wrong. We need to protect our future, the future generations, be statesmen and not worry about tomorrow's election.

NATIONAL DAY OF PRAYER

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

Mr. MCINTYRE. Mr. Speaker, I rise today for the observance of the National Day of Prayer, which will take place next Thursday, May 3.

This tradition began under President Eisenhower and continued through peacetime and wartime, through times of prosperity and times of uncertainty, and demonstrates our commitment as a Nation to maintaining a foundation of prayer.

Through prayer, we acknowledge that God gives us peace in the midst of our circumstances, we seek the wisdom to know and act upon God's purpose for our lives, and we feel the power of God to protect and provide for those of us who call on His name. We know that the true source of power cannot be found here in the Halls of Congress or in the Oval Office in the West Wing or in the chambers of the Supreme Court, but only on our knees before the one who is the true source of power.

So may we pray not only next Thursday on the National Day of Prayer and join communities across this Nation which are joining in prayer for our country, but may we do so also in honor and in recognition of our national motto, ''In God we trust.'' Indeed, may God bless this great Nation.

RESPECT AMERICA'S CONSTITUTIONAL RIGHTS

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

Ms. HAHN. Mr. Speaker, we must hold the government accountable for the safekeeping of the sensitive information that we choose to share with it.

In response to a number of privacy concerns I have with the Cyber Intelligence Sharing and Protection Act, I sought to encourage more government accountability by cosponsoring a bipartisan amendment with Congressman WOODALL that was offered to the Rules Committee yesterday addressing some of these concerns.

Under the current bill, the threshold for having a cause of action against the government for disclosing personal information is exceptionally hard to meet. Our amendment would have lowered this threshold, ensuring that the government treats highly sensitive and personal information it receives with the utmost care.

While this amendment was a great example of Democrats and Republicans coming together on an issue that all Americans care about deeply, unfortunately, the Rules Committee chose not to move it forward.

While I believe it is important to protect our country against impending

cyberattacks, it must be done in a manner that fully respects Americans' constitutional rights.

PROVIDING FOR CONSIDERATION OF H.R. 3523, CYBER INTELLIGENCE SHARING AND PROTECTION ACT; PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES; PROVIDING FOR CONSIDERATION OF H.R. 4628, INTEREST RATE REDUCTION ACT; AND FOR OTHER PURPOSES

Mr. NUGENT. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 631 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 631

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3523) to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Permanent Select Committee on Intelligence. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Permanent Select Committee on Intelligence now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112-20. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. It shall be in order at any time through the legislative day of April 27, 2012, for the Speaker to entertain motions that the House suspend the rules, as though under clause 1 of rule XV, relating to the following measures:

(a) The bill (H.R. 2096) to advance cybersecurity research, development, and technical standards, and for other purposes.

(b) The bill (H.R. 3834) to amend the High-Performance Computing Act of 1991 to authorize activities for support of networking and information technology research, and for other purposes.

(c) The bill (H.R. 4257) to amend chapter 35 of title 44, United States Code, to revise requirements relating to Federal information security, and for other purposes.

SEC. 3. Upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 4628) to extend student loan interest rates for undergraduate Federal Direct Stafford Loans. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce; and (2) one motion to recommit.

SEC. 4. The Committee on Appropriations may, at any time before 6 p.m. on Wednesday, May 2, 2012, file privileged reports to accompany measures making appropriations for the fiscal year ending September 30, 2013.

□ 1230

The SPEAKER pro tempore (Mr. FORTENBERRY). The gentleman from Florida is recognized for 1 hour.

Mr. NUGENT. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. NUGENT. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. NUGENT. Mr. Speaker, I rise today in support of this rule, House Resolution 631. The rule provides for consideration of multiple pieces of legislation meant to provide solutions to some of today's most pressing threats and concerns. House Resolution 631 ensures that we'll be able to have a robust debate on important issues facing our Nation's cybersecurity infrastructure while also providing the path forward for student loan legislation that reflects quick action we need to take on this pressing issue.

First, House Resolution 631 gives this House the opportunity to be a leader when it comes to our Nation's cybersecurity needs. The rule also sets up the opportunity for us to vote tomorrow on a measure that addresses our Nation's student loan programs. Without this legislation, Americans with Federal student loans will see their rate double starting in July.

These are issues that cannot wait. Our Nation's security cannot wait. At a time when our workforce is so bleak and President Obama's policies keep digging us deeper and deeper into a financial hole, we cannot wait on finding a solution for those young people with student loan debt who are still trying to find a place in our workforce.

We all know that the Internet has fundamentally changed the way we live our lives day-to-day. I think it's safe to say that even 20 years ago, many of us in this room couldn't have imagined that one day we would live in a world where we could do almost anything we wanted, be it buy groceries, run a business, or talk to a loved one serving our country overseas, through a computer. The Internet has made all this possible.

But for all the ways the Internet has made life, business, and even government, to some extent, faster, more responsive, and more transparent, it has also opened us up to new threats. U.S. companies report an onslaught of cyberintrusions that steal sensitive information. Even our own government has suffered from cyberattacks. This type of rampant Internet theft not only costs American companies valuable information, intellectual property, and research and development work, it also costs American workers their jobs. It's hard to say exactly how much cyberattacks cost our Nation's economy, but they could cost as much as $400 billion a year, according to one report from the Computer Security Institute and the FBI.

Today, the House will begin consideration of a bill that will help protect our Nation from these kinds of threats. H.R. 3523, the Cyber Intelligence Sharing and Protection Act, would allow private companies to voluntarily share information with each other and with the government in a sort of public-private Internet security partnership. The bill includes significant safeguards to protect personal and private information. It significantly limits the Federal Government's use of that information that the private companies voluntarily provide, including the government's ability to search data.

It requires that the independent inspector general for the intelligence community audit information shared with the government and report the results to Congress to ensure regular oversight. It also encourages the private sector to make the information it shares with others, including the government, as anonymous as possible.

This is a strongly bipartisan piece of legislation, Mr. Speaker, that was passed out of the Intelligence Committee with an overwhelming vote of 17–1. In the Rules Committee yesterday, we heard testimony from both sides, speaking to the cooperative, bipartisan work that was done in this piece of legislation. I commend the work that the Intelligence Committee did with members on both sides of the aisle, as well as with private sector companies, trade groups, privacy and

civil liberty advocates, and the executive branch. It's because of these efforts that virtually every sector of the economy supports this legislation. It's also why there are more than 100 cosponsors of this legislation, including 11 committee chairmen.

But recognizing that we don't always face one problem at a time, this rule also provides for consideration of a measure to address student loans. Our legislation, the Interest Rate Reduction Act, would prevent federally subsidized student loan interest rates on new loan disbursements from doubling to 6.8 percent from the current 3.4 percent on July 1 of this year. This 1-year measure would cost the government $5.9 billion.

Now, you all probably heard me talk again and again about bringing our Nation back to its core mission. You've also heard me talk about how we need to cut back on the ''nice-to-haves'' and make hard choices of what we will and won't pay for. Back when the previous majority passed their health care takeover in 2010, they paid for it, in part, by taking $9 billion from college financial aid trust funds. Now that they've robbed Peter to pay Paul, they're realizing Peter still needs that money, too. To resolve the problem, the Interest Rate Reduction Act pays for this stopgap measure by taking some of that stolen money back from the ObamaCare slush fund and redirecting it to student financial aid.

Sometimes this House has to multitask, Mr. Speaker. As we face an economy that can't afford to lose any more jobs to cyberattacks and college loan recipients who can't find a job thanks to President Obama's failed policies, that is one of those times. House Resolution 631 provides the House with a way forward on both of these critical measures.

With that, I encourage my colleagues to vote ''yes'' on the rule, ''yes'' on the underlying pieces of legislation, and I reserve the balance of my time.

Mr. POLIS. I thank the gentleman from Florida for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, I rise today in opposition to the rule and the underlying bills: H.R. 3523, the Cyber Intelligence Sharing and Protection Act, or CISPA, and H.R. 4628, the Interest Rate Reduction Act.

□ 1240

Both bills are being brought to the House under a hyperpartisan, closed process that limits debate and discussion that can improve the legislation and allow the House to work its will. Many of the meaningful amendments that would have protected privacy under CISPA were not allowed under this rule, and under the Interest Rate Reduction Act, no amendments were allowed.

I want to address both of the bills that are contained in this underlying rule. First, the Interest Rate Reduction Act. This is a bill of rather mysterious origin that appeared in the Rules Committee yesterday mere hours after having been introduced by its lead sponsor, Mrs. BIGGERT of Illinois. No regular order was followed for this bill. This bill received no hearings and no markups by the committee of jurisdiction, and within hours of its being introduced, it was brought immediately to the Rules Committee with direction to go to the floor of the House of Representatives without a single member of either party having any opportunity to amend the bill and with only 1 hour of debate.

What is new about this cliff with regard to student loan rates? This was a well-known fact with regard to the expiration date that, in fact, the Stafford student loan interest rate would increase from 3.4 to 6.8 percent. I've joined my colleague, Mr. COURTNEY, who will later address these issues as a sponsor of his bill that would address extending the lower student loan rate, and yet, there had been no interest from the committee chair or Republicans with regard to this issue until yesterday afternoon, when a new bill, without the benefit of a markup, was presented in committee and to the Rules Committee, going completely around the committee of jurisdiction.

Look, there is a legitimate issue here. Middle class families are having a tougher and tougher time affording college for their kids at the same time that a college education is more necessary than ever for young people to have the skills they need to compete in the global economy. It's a serious issue that deserves serious treatment. There's a lot of cost drivers with regard to education. Some have commented about a higher education bubble that has led to higher and higher tuition rates. Certainly, how the State and Federal share of higher education funding is targeted and the manner in which it's spent absolutely affect tuition rates and whether there's a bubble.

But instead of a thoughtful approach, an approach that looked at drivers of cost, an approach that looked at outcomes from higher education, and an approach that looked at employment levels pre- and post-higher education, a bill was immediately created and brought to the floor within a day. Again, there is technically a 3-day rule that the majority has said that they would follow. They would give Members of this body on both sides 3 days to consider legislation, but they calculate 3 days in a very funny way. There were, as far as I know, no Members of this body who saw that particular student loan bill before yesterday afternoon. Here we are today on the rule, with final passage vote—without any opportunity to amend—expected to occur midday tomorrow.

By most calculations, it sounds like, well, less than 3 days. They had maybe 6 hours, 7 hours yesterday, 24 today, and maybe 10 tomorrow. It seems like, in fact, less than 48 hours, less than 2 days. But, nevertheless, it's yet another example of only governing out of a sense of crisis, and with regard to this issue one in which we do have time, fundamentally, to follow regular order, and even more importantly, we did have time. This is not an issue that appeared from nowhere. Why has the chair of the committee of jurisdiction not been working on this issue for weeks or months? While many of us on our side, including myself, appreciate the sudden interest in helping middle class families afford college, it would be good to do so in a more thoughtful manner that truly addresses the cost drivers of education.

I also take issue with the other underlying bill, the initial bill that we thought would be debated under this rule before this other mysterious bill appeared out of nowhere and came to the Rules Committee. This was a bill that did follow regular order in the Intelligence Committee, and while a number of amendments that are meaningful are included in this rule, several of the most meaningful amendments that truly would have addressed the privacy concerns with regard to CISPA are not allowed under this rule.

CISPA asks Americans, once again, to make a false choice between security and liberty. Now, we all agree, on both sides of the aisle, Americans in general, that cybersecurity is an important issue that needs to be addressed. That's why it's critical that we get information-sharing correct. This bill in its current form before us is an unprecedented, sweeping piece of legislation that would waive every single privacy law ever enacted in the name of cybersecurity. It would even waive the terms of service and would supersede the terms of service that most American consumers, American people, believe they are entering into in a contract with a provider of a Web site or service of their choice. That information, without any safeguards, would be shared with the government.

As a former tech entrepreneur myself, I know very well how important cybersecurity is. Frankly, it's something that I've never thought we could rely on the government to do for us, and I think a lot of tech companies feel the same way. But that doesn't mean that in the effort for expediency we should give up our privacy rights and liabilities to protect online networks.

While I appreciate the efforts the sponsors of the bill have made to improve the bill slightly in the direction that people can have more comfort with, they haven't gone nearly far enough to ensure that customers' private information remains just that, private. There's nothing in this bill to stop companies from sharing their private information with every branch of the government, including secret, unaccountable branches, including the military. And allowing the military and the NSA to spy on American citizens on American soil goes against

every principle that this Nation stands for.

A lot has been made of saying, oh, it's optional. Well, it may be optional for the corporations to share information, but is it optional for their users, whose information they have, who entered a specific terms of service agreement, to have their information shared without their consent? In many cases, under a terms of service agreement, the users, in fact, may be the owners of the information. The company that it's hosted on may, in fact, merely be a host or provider. But, again, outside of any legal process, this gives that company, whether it's hosting or providing, the ability to share wholesale information that can include health records, that can include firearm registration information, that can include credit card information, that can include account information, and that can include political information, with secret government authorities.

Now, we have government authorities that have the responsibility and are charged with keeping America safe on American soil, namely, the Department of Homeland Security and the FBI. They've worked hard over decades to strike a fine balance between protecting our liberties and security. The military and the NSA are unaccustomed to that balance. That's why even within the military many from DOD have expressed opposition to this bill. Eric Rosenbach, the Deputy Assistant Secretary of Defense for Cyber Policy within DOD, said that a civilian agency, and not an agency within DOD, should be responsible for securing the domestic civilian Internet.

According to Mr. Rosenbach:

> It's almost certainly not the right approach for the United States of America to have a foreign intelligence focus on domestic networks, doing something that throughout history has been a domestic function.

So, not only will the military and the NSA be able to receive private information if CISPA passes, but they'll be able to use it for almost any justification. Now, while ostensibly a cybersecurity bill, CISPA allows information-sharing ''for the protection of national security,'' a broad and undefined category that can include practically everything under the sun. Is a Tea Party activist a threat to national security? Is a Communist activist a threat to national security? The danger that this can be used for political oppression and to stifle political speech is very real under this bill.

In addition, because of the immunity clauses of this bill, there's no incentive at all for companies to withhold their customers' sensitive private information. Companies are exempted from any liability for violating their own terms of service and sharing information with secret government agencies. In fact, given the high compliance cost for this sort of sharing, CISPA actually incentivizes companies to dump all of their information on the government so they can take advantage of this blanket immunity that this bill includes.

This legislation also has glaring omissions when it comes to the Nation's future capacity to be competent in cybersecurity. The bill lacks adequate support and direction for paths that can actually improve the cybersecurity of our Nation: Training in the pipeline for cybersecurity experts, including STEM programs in our K–12 schools in computer science; embedding cybersecurity in computer science; and providing scholarships and ways that students can attain the highest levels and enter public service to support the cybersecurity of the Nation.

□ 1250

Mr. Speaker, there should be an open rule for both of the underlying bills to give Members of this House across the ideological spectrum the opportunity to address the deficiencies in both these bills.

Now, we've heard from supporters of the cybersecurity bill that privacy concerns are overblown. ''Trust us,'' they've said. Republicans say: Trust Big Government bureaucrats. Trust anonymous intelligence officers to use that information responsibly.

Well, under this bill, we have no choice but to trust them, because the bill imposes no serious limitation on what corporations or secret government agencies can do with our private information.

It's outrageous to have a closed rule on the student loan interest bill—a bill that no Member of this body, Democrat or Republican, has had any opportunity to amend. And it is also outrageous to not allow a full discussion of the thoughtful amendments brought forth by Members of both parties that would remedy some of the very severe deficiencies in the cybersecurity bill.

I, therefore, cannot support this rule or these flawed bills, and I reserve the balance of my time.

Mr. NUGENT. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. THORNBERRY).

Mr. THORNBERRY. I appreciate the gentleman from Florida for yielding to me.

I rise in support of the rule and the cyber bill that it brings to the floor, as well as the other cyber bills which the House will consider today and tomorrow.

Let me begin, Mr. Speaker, by acknowledging the leadership of the Speaker and majority leader for setting up a process for a thoughtful examination of the many issues related to cybersecurity. They recognize that not only is it a significant national security threat, it's a threat to our economy and to jobs. But at the same time, what we are trying to protect, at least 85 to 90 percent of it is owned and operated by the private sector. So one has to tread carefully in this area, and we have tried to do so with the limited legislation that is before the House today and tomorrow.

I also want to thank the members of the House Cybersecurity Task Force, who put in a great deal of time and expertise in sorting through these issues and making recommendations: Mr. ADERHOLT, Mr. CHAFFETZ, Mr. COFFMAN, Mr. GOODLATTE, Mr. HURT, Mr. LATTA, Mr. LUNGREN, Mr. MCCAUL, Mr. MURPHY, Mr. STIVERS, and Mr. TERRY. Of course, a number of Members have worked on these issues for several years, including a number of those I've just mentioned, as well as Mr. LANGEVIN, Mr. RUPPERSBERGER, people on both sides of the aisle.

Finally, I also want to take a second to thank the staffs of the various committees who have worked on this issue, as well as Josh Martin and Michael Seeds of my office, as well as Jen Stewart, the Speaker's national security adviser, whose guidance on substance and process was invaluable.

Mr. Speaker, we will have ample opportunity to debate the merits of the individual pieces of legislation, but I think it's important at the beginning just to step back and say: Why all this hubbub about computers? What does all that mean?

Well, I think we should start with the point that cyber—and that includes networks that are connected to the Internet and networks that are not connected to the Internet—but cyber is deeply ingrained in virtually every facet of our lives now, from the time we get up until the time we go to sleep and all the times in between. We very much depend on cyber, and anything you very much depend on can, and often does, become a vulnerability.

We know of at least three different kinds of vulnerabilities these days. People can reach through the Internet and steal information which businesses, large, medium, and small, have produced. It happens every day in this country. Intellectual property is ripped out of the possession of those who produce it. And every time people steal information, they cost us jobs; they are stealing jobs as well. So our economy is directly affected by the difficulty in protecting the information that we, as individuals and businesses, store on our computers.

In addition to that, though, information can be destroyed on our computers or it can be manipulated, or the computers themselves can be manipulated so that what we intend to do or what we want to do is not possible. If, for example, you have a lot of bank records that are destroyed or other such important records, then it can have a huge effect on our economy as well as our security.

But going beyond stealing information, destroying information, we now know it's possible to reach through the Internet and other networks to have physical consequences in the real world, to flip a switch, to open a valve. It's the sort of thing that happened with the Stuxnet virus in Iran. But there are physical consequences to doing so. So that's part of the reason

that people talk about the electricity grid going down, a whole city being poisoned by its water supply, chemical plants releasing emissions that they don't intend to release, physical consequences.

Real death, potentially, and destruction can occur all because of things going on the Internet. That's the reason a lot of people talk about a cyber 9/11 or a cyber Pearl Harbor.

I know it's tempting to think all that's hype, but the truth is that over the past decade—and especially over the past couple of years—the number and sophistication of threats has grown much more rapidly than our ability to respond. And it's especially our laws and policies that have not kept up with the growing sophistication of threats.

So the bills that we have before us this week, four of them, try to begin to take a step to close that gap between the growing threat and laws and policies. They don't solve all the problems, they don't try to, but they are a step in the right direction.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. NUGENT. I yield the gentleman an additional 1 minute, if he needs it.

Mr. THORNBERRY. I appreciate the gentleman yielding.

I would just point out two other things, briefly:

One is, again, one criticism one hears is that, well, you don't solve this problem or that problem, and that is absolutely true. These bills, all four of them, don't solve all the problems in cyberspace. But we shouldn't let the pursuit of the perfect answer prevent us from accomplishing some significant steps in the right direction, and that's what these bills do.

The second point I'd make, as the gentleman from Florida mentioned, is three of these bills were reported out of committee by voice vote. The information-sharing bill was reported out 17–1. I believe that it has been made better since then. New protections are there. A host of restrictions on how the information can be used and privacy protections have been added and will be added with the amendments to come.

So I think this deserves the support of all Members on both sides of the aisle, and Members on both sides of the aisle should take credit for taking a step to make our Nation more secure.

Mr. POLIS. Mr. Speaker, it's my honor to yield 2 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. I thank the gentleman for yielding.

I rise today to oppose the rule and the underlying bill, despite my genuine concern for cybersecurity.

I believe that despite some positive changes by the chairman and ranking member it still fails to adequately safeguard the privacy of Americans, and that is why I am the one that voted against it in committee.

We absolutely can combat the serious threat by cyberattacks and still ensure that we are protecting not only our computer systems, but also the civil liberties of Americans. As the Obama administration wrote yesterday in opposition to this bill, ''cybersecurity and privacy are not mutually exclusive.''

I am particularly concerned because this legislation has the potential of exposing personal information of customers that may be shared both with the government and between companies. The Obama administration writes that the bill ''lacks sufficient limitations on the sharing of personally identifiable information between private entities.''

I offered an amendment to simply require companies to make reasonable efforts to remove information unrelated to the cybersecurity threat which can be used to identify specific persons. Even with this basic standard for compliance, the big private companies refused to make the effort, and my amendment was not made in order.

Further, the bill allows the U.S. military to directly receive cyberinformation on Americans. By allowing companies to give information to the NSA or other military agencies, this bill threatens the long-held American tradition that the military does not snoop on U.S. soil against U.S. citizens. So I also offered an amendment to require that information to be received only by civilian agencies, ensuring a layer of protection between citizens and the military.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. POLIS. I yield the gentlewoman an additional 30 seconds.

Ms. SCHAKOWSKY. Unfortunately, my amendments, together with all other privacy amendments, will not be considered today.

□ 1300

I urge my colleagues to join me in opposing this rule and the underlying bill. We can and we will have the opportunity to do better.

Mr. NUGENT. I continue to reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 2½ minutes to the gentleman from California (Mr. SCHIFF).

Mr. SCHIFF. I thank the gentleman for yielding.

Mr. Speaker, I rise in reluctant opposition to this rule and to the underlying bill in its current form. I greatly appreciate the nonpartisan work on the issue by Chairman ROGERS and Ranking Member RUPPERSBERGER. They've worked in a refreshingly collaborative fashion on this bill and on the work of the Intelligence Committee, generally.

Yet, I find I cannot support the bill in its current form due to my concerns about its impact on civil liberties and the privacy of Americans. While amendments were submitted to the Rules Committee that would address these issues, including an amendment I jointly submitted with Ms. SCHAKOWSKY and Mr. HASTINGS, none of these amendments were made in order in this rule.

I share the view of the sponsors of the legislation that cybersecurity is a serious issue that requires congressional action. I also believe that information-sharing is an important piece of responding to the cybersecurity threats, though it is, by no means, sufficient alone without other elements such as hardening critical infrastructure against cyberattacks.

I'm disappointed in the rule because the problems with the bill are eminently fixable and, in fact, multiple amendments, including my own, were submitted that would improve the bill.

Yesterday afternoon, the White House issued a Statement of Administration Policy saying the President's senior advisers would advise him to veto the bill if it came to him in the current form because of the lack of protection for civil liberties. As the administration's statement said: ''Cybersecurity and privacy are not mutually exclusive.''

I believe we can and must protect ourselves from cyberattack and that we can and must preserve our privacy. This is eminently doable, but we are not there yet.

My amendment, which was not made in order, would have accomplished four tasks. First, it would have made DHS, a civilian agency, the primary coordinating agency for information-sharing.

Second, it would require rules to minimize the sharing of personally identifiable information. The amount of personally identifiable information shared would be the least amount needed to combat the cybersecurity threat, and no more.

Third, it would narrow the uses of cybersecurity information to cybersecurity purposes, specific national security threats, and certain other serious crimes.

And, finally, it would more specifically define cyberthreat information to make sure that we don't sweep up information we don't intend to and don't need.

In conclusion, amendments like this one would have improved the bill and better balanced the need to protect ourselves against cyberthreats with the equal imperative of preserving the privacy of the American people.

I am disappointed that the House won't have the opportunity to vote on those amendments; and, as a result, I urge a ''no'' vote on the rule.

Mr. NUGENT. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. BARTON).

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. Mr. Speaker, I do rise in support of the rule. I think the number of amendments that they've made in order is consistent with Speaker BOEHNER's policy of running an open House.

Unfortunately, one of those amendments that was not made in order is

the Barton-Markey amendment on privacy. I am going to vote ''no'' on the underlying bill because it does not protect the privacy of the individual American citizen.

We do have a real threat, a cyberthreat, in this country. This bill is an honest attempt to deal with that threat; but absent explicit privacy protection against individuals, to me, that is a greater threat to democracy and liberty than the cyberthreats that face America.

So unless they pull the bill and they revise some of the privacy protections, I am going to ask for a ''no'' vote on the bill. But on the rule, I do think we should vote for the rule.

Mr. POLIS. Mr. Speaker, I yield 2½ minutes to the gentleman from Mississippi (Mr. THOMPSON).

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise in opposition to this rule and the underlying bill.

At the beginning of this Congress, expectations were high for meaningful progress on cybersecurity. Speaker BOEHNER even established a task force within the Republican Conference to come up with recommendations.

But a funny thing happened on the way to Cyber Week. Key Republican task force recommendations were abandoned. They abandoned measures to approve data breach notification laws, formalize DHS' cyber-role and, more importantly, enhance the cybersecurity of critical infrastructure networks.

These omissions from Cybersecurity Week were no small matter. We all have critical infrastructure in our districts, be it a pipeline, a power plant, an airport or even a dam.

Top national security officials, both in the Obama and Bush administrations, have briefed us on the significant cyberattacks to critical infrastructure. They have told us that voluntary information-sharing is simply not enough.

In fact, the CSIS Cyber Commission, the Republican task force, and NSA Director Alexander have all said that Congress must do something to proactively address critical infrastructure vulnerabilities.

But House leadership ignores these voices. Instead, it has decided that information-sharing alone is enough to fix the problem.

Mr. Speaker, this boils down to a simple question: Who do you trust?

Turning to H.R. 3523: What does it do?

In an effort to improve our cybersecurity, this bill would erode the privacy protections of every single American using the Internet. Put simply, this bill would allow any certified business to share with any government agency, who can then use this information for any national security purpose and grant that business immunity from virtually any liability. None of these amendments authored by the Intelligence Committee would change that truth.

Further, the Rules Committee decided to block consideration of amendments submitted by me and other like-minded colleagues to address the fundamental privacy flaws in this bill.

If my colleagues want to do something on cybersecurity, then vote ''yes'' on any or all of the suspension bills to be considered today; but do not vote for H.R. 3523. It would set back the privacy rights that our constituents have enjoyed since the beginning of the Internet.

Again, I urge my colleagues to vote ''no'' on the rule and the underlying bill.

Mr. NUGENT. Mr. Speaker, I continue to reserve the balance of my time.

Mr. POLIS. Mr. Speaker, it is my honor to yield 2 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. This legislation might as well be called the Cyber Insecurity Bill because it fails to address the reality of cyberthreats already facing our Nation. And if this bill had a privacy policy, it would read: you have no privacy.

They would not even allow the Barton-Markey privacy language to be put in order to debate out here on the House floor.

Let's talk about what the bill does not do. Although the bill would allow the government to tell nuclear power plant operators that a new version of the Stuxnet computer worm could cause widespread Fukushima-style meltdowns in this country, would this bill require the industry to take even a single step to protect American nuclear reactors? No.

Would this bill require industry to even tell the government what it is doing to protect against a cyberthreat nuclear meltdown? No.

Would this bill require industry to even tell the government when it had experienced an actual cyberattack? No.

Now, let's talk about what this bill would do. Could companies share personal information about consumers with other companies, even if that information had nothing to do with cybersecurity? Yes.

Would companies be free from liability if they share that personal information of every American? Yes.

Could the government use personal information to spy on Americans? Yes.

In this last Congress, FRED UPTON and I wrote the GRID Act, which passed by voice vote on the suspension calendar 2 years ago.

□ 1310

It would have said to the Federal Energy Regulatory Commission: Do you have the authority to mandate grid security standards against an attack coming in from Iran or from China?

This bill does nothing to protect against the threat at the electricity grid system in this country that could lead to nuclear meltdowns. This Republican Congress still refuses to bring up the real security we need against a cyberattack. We have an all-volunteer Army in Iraq and Afghanistan, brave men and women, but they follow orders. We must give the orders to the electric industry and to the other industries to protect this country against a cyberattack. This bill does not do it.

Mr. NUGENT. I continue to reserve the balance of my time.

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

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to provide that, immediately after the House adopts this rule, we will bring up H.R. 4816, Mr. TIERNEY's bill, to prevent the doubling of student loan interest rates, fully paid for and then some, reducing the deficit by $7 billion by repealing tax giveaways for big oil companies.

To discuss our student loan bill, I yield 2 minutes to the gentleman from Massachusetts (Mr. TIERNEY).

Mr. TIERNEY. I thank the gentleman for yielding.

Mr. Speaker, it is imperative that this House take action to stop the need-based student loan interest rates from doubling at the end of June. If we defeat the previous question, the House will have an opportunity to take up a bill that I have filed and introduced that will keep those interest rates at 3.4 percent for 1 year.

My Democratic colleagues and I recognize the importance of being fiscally responsible, so our bill is completely paid for. We pay for it by ending unnecessary tax subsidies for big oil and gas companies. These are the same companies that took home $80 billion in profits last year. Exxon pocketed nearly $4.7 million every hour.

We have to make choices here in Congress. Our side of the aisle believes that it is a fair and reasonable choice to eliminate an unjustified subsidy to hugely profitable industries so that 7 million students, including some 177,000 in my Commonwealth of Massachusetts alone, will not see an increase in their student loans. Our side of the aisle believes that encouraging middle class students and their families to be able to pay for college educations should be a bigger priority than continuing tax subsidies for Big Oil.

Now, the other side of the aisle has been tremendously late to this issue. I know the presumptive nominee for the Presidential race has changed his mind and has come around to believing that this is important—a practice that he does on a regular basis. They've come around to the side of knowing that we should keep these interest rates low, and we welcome that; but the fact of the matter is that they have decided to make the wrong choice in how we're going to pay for it.

The bill that is expected to come to the House floor tomorrow includes a short-term fix for the student loan issue, but it will do it at the expense of women and children. What is it with my colleagues on the other side of the aisle with the knee-jerk reaction of,

every time they have to do something, they take a gratuitous swipe at women's health benefits and women's health choices? Their bill would end funding for breast and cervical cancer screenings for women, and their bill would end funding for child immunizations. Their bill makes the wrong and the reckless choice.

I urge my colleagues to defeat this motion so that we can consider my bill for a vote on the floor, a bill that makes the right choice, that makes sure we keep the rates low, that makes sure the oil companies get rid of that subsidy they no longer need or should have.

Mr. NUGENT. I continue to reserve the balance of my time.

Mr. POLIS. I yield 2 minutes to the gentleman from California, the ranking member of the Education and the Workforce Committee, Mr. MILLER.

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. I thank the gentleman for yielding.

I rise in strong support of the Tierney motion, the legislation that he and Mr. COURTNEY of Connecticut introduced yesterday in the Congress.

For years now, the Democrats have stood on the side of lower interest rates for families and for students. We have paid for 4 years of that starting in 2007. We took the money and the subsidies away from the big banks, and we recycled that on behalf of students and their families in order to lower the cost of college and to make it more affordable for those families seeking college educations for their young children.

The fact of the matter is that the Republicans fought that effort. They're fighting that effort today. Actually, they were fighting it yesterday, and they changed their minds. After almost a unanimous vote on their budget—the Ryan budget, the Republican budget—to allow student interest rates to double, they have now changed their minds. That's important. That's good. We need to make sure that the rates don't double on July 1.

How are you going to pay for that?

We want it paid for. We don't want to do what they did last week and provide $46 billion in tax cuts to the wealthiest Americans and add it to the deficit—$46 billion in new deficit spending in 1 year. So the Speaker says, well, he's just going to take it out of the slush fund. Really? The Speaker of the House thinks that the prevention fund is a slush fund? The Speaker of the House thinks that birth defects and the funding to mitigate birth defects is a slush fund? Does the Speaker of the House really believe that a screening program for women with cervical and breast cancer is a slush fund?

No. This is a matter of life and death for young children who get immunized out of the prevention fund. For women who get this screening, we know what the early detection of breast cancer means for women and their survivability rates. This isn't a slush fund; but what they're asking you to do is to repeal this fund that goes to communities all over this country in order that people will have access to this kind of preventative care.

Yes, they'll say, but you took some money out of this fund to do the payroll tax reduction for the middle class. Yes, but we didn't repeal the fund. They're taking $10 billion out of the fund and repealing it and putting women and children at risk. That's not a slush fund, Mr. Speaker. That's immoral.

Mr. NUGENT. Mr. Speaker, I continue to reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 1 minute to the gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Mr. Speaker, our second President, John Adams, once said:

> Facts are stubborn things, and whatever may be our wishes or the dictates of our passion cannot alter the state of facts.

As to how we got here on the student loan bill, here are the facts. Unlike what was stated by the proponent of this rule, on January 24, the President of the United States stood on that podium and challenged Congress to block the increase of rates from 3.4 percent to 6.8 percent. The Republican majority has done nothing over the last 3 months to respond to that—no bill, no hearing, no markup. In fact, they passed the Ryan budget, which locked in the higher rate at 6.8 percent and doubled down and went after Pell Grants for needy students who need those grants to pay for college.

The politics has changed. That's the fact.

What happened here, and the Speaker's reversal over the last 24 hours, which we welcome, is now being paid for by a grotesque pay-for which goes after women and children rather than going after the folks who can afford to pay for it—the oil companies, the gas companies that made $137 billion in profits last year.

Support the Tierney motion and oppose this rule.

Mr. NUGENT. I continue to reserve the balance of my time.

Mr. POLIS. It is my honor to yield 1 minute to my colleague, the gentleman from Michigan (Mr. PETERS).

Mr. PETERS. Mr. Speaker, I am proud to have cosponsored legislation with my colleagues Mr. COURTNEY and Mr. TIERNEY in order to keep student loan rates from doubling in 65 days.

Right now, millions of high school seniors are deciding where they are going to attend college. At kitchen tables across the country, students are making decisions that will impact the rest of their lives. So, today, I find it hard to believe that Republicans have decided to pit public health against higher education. By introducing this misguided, deeply partisan bill, it is clear that my Republican colleagues aren't taking the responsibility to families very seriously. It is unconscionable that this body would be playing politics with our children's futures.

With the same urgency that Republicans rammed through a $46 billion tax cut to millionaires and billionaires, I am sure we can find a responsible way to prevent piling on even more debt on our college students. I urge my colleagues to vote for the defeat of the previous question and to adopt a bipartisan, bicameral solution that can be quickly signed by the President.

Mr. NUGENT. I continue to reserve the balance of my time.

Mr. POLIS. I would like to inquire of the gentleman from Florida if he has or is expecting any additional speakers.

Mr. NUGENT. I do not.

Mr. POLIS. It is my honor to yield 1 minute to the gentlewoman from California (Ms. PELOSI), the Democratic leader.

Ms. PELOSI. I thank the gentleman for yielding and for giving us this opportunity to talk about a choice we have here today.

Everybody knows that what is essential to a democracy is the education of our children, of investments in the future so that people can reach their own personal self-fulfillment and provide for their families but, also, so that our country can be competitive in the global economy. It is a very important part of the American Dream.

□ 1310

Democrats believe in imposing ladders of opportunity where people can have the opportunity to succeed if they want to work hard, play by the rules, take responsibility.

An important rung of that ladder is education. We all know the impact that the GI Bill had on America's great middle class, growing America's great middle class, the education of our returning veterans to our country, enabling them to have more education than their parents, and that has been the way it has always been in our country's history, the enduring theme of reigniting the American Dream.

So we have a challenge before us, because the clock is ticking on a July deadline. At that time, left to the budget of the Republicans, the Ryan-Republican-Tea Party budget, there would have been a doubling of interest rates from 3.4 percent to 6.8 percent. We've been having this debate for a while on how we could stop that doubling from happening. Republicans told us they were tired of hearing about the interest rate debate.

Until now, thanks to President Obama taking this issue public so that the American people understood what was at stake here and that the doubling of interest rates would deprive some people of even going to college and be more costly for many others. In fact, 7 million students would be affected, and that means at least 20 million people, assuming they have an average of two people in their families.

So this has a direct impact on many people in our country. It's a bread-and-

butter issue. It's a kitchen table issue where people talk about how they're going to make ends meet, and one of those ends is the education of their children.

So all of a sudden Republicans in the House have seen the light. They're willing to reverse a vote that they took not more than a week ago—100 percent of them voted for the Ryan budget, which would allow the interest rates to double from 3.4 percent to 6.8 percent. Thank God they have seen the light. Thank you, President Obama, for shedding some light on this, and now they say they're for stopping that.

But how do they want to pay for it? They want to take it from their favorite target—women's health. I don't know why it hasn't dawned on them yet that the health of America's women is very important to the health of America's families.

So they want to take the funds from women's health and then also childhood immunizations. That's very important. Immunization of every child in America is very important to every other child in America. That's where they want to take the money from.

The motion that we have here today is to say instead of taking the money, instead of robbing Paula to pay Peter, we should be taking the money from the tax subsidies that go to Big Oil in our country. That's what we should be doing. Isn't that a better show of what our values are, that we value the health of our women and our children?

To make matters worse, not only are they suggesting that we take the money from the prevention fund, the immunization and screening for breast cancer and cervical cancer and other women's health issues, not only are they saying we should take the $6 billion from there, they're saying we should take the additional $5 billion that would be left in the account and repeal it. We're taking twice as much money as we need for the student loan bill because we're going to use this as an excuse to do away with this prevention initiative that affects women's health so directly. It's outrageous. We prefer tax subsidies for Big Oil rather than the health of America's women.

Once again, they're targeting women's health.

So, I urge my colleagues to vote against the previous question so we will have an opportunity to at least put before the House an alternative that says give us a choice to choose between whether we want to pay for our young people's education by removing some of the subsidies to Big Oil or we want to take it out of women's health.

The very idea that the Republicans would deny us a vote to do that speaks very clearly about how focused they are on targeting women's health as something that they want to cut.

So, again, I urge my colleague to vote ''no'' on the previous question, which would allow the House to vote on a Democratic bill that reduces the interest rates, keeps them at 3.4 instead of raising them to 6.8, which is in the Republican budget. If we cannot do that, I urge my colleagues to vote ''no'' on this ill-conceived, way-out-of-whack statement of values that we would make women's health pay for children's education when we should be doing both.

So ''no'' on the previous question—we're not allowed to at least even take a vote—''no'' on the bill, and let's admit that we can do better than that.

Mr. NUGENT. I continue to reserve the balance of my time.

Mr. POLIS. I yield myself the remainder of the time.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment of Mr. TIERNEY's bill into the record along with extraneous material immediately prior to the vote on the previous question.

The SPEAKER pro tempore (Mr. GINGREY of Georgia). Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. POLIS. Mr. TIERNEY's bill will not only provide the House, as was passionately argued by the leader, Ms. PELOSI, and Mr. TIERNEY, the opportunity to decide between women's health or special tax breaks for oil and gas companies, but will also reduce the deficit by $7 billion. The time of record deficits when restoring the fiscal integrity of our Nation is critical to our competitiveness in job creation. I hope that this House acts boldly by defeating the previous question and allowing us to vote on reducing the deficit by $7 billion.

With regard to CISPA, it simply strikes the wrong balance between security and liberty. Information-sharing is important. I think a bipartisan consensus can be reached. And while I appreciate the spirit with which CISPA was offered and members of both parties worked on it, the bill is so far from perfect, we need to continue to work on it and defeat this rule and allow more amendments.

Any American who values his or her privacy should be concerned by the implications of this bill trusting Big Government and secret agencies with our most personal information. The reality is that CISPA represents a massive government overreach in the name of security. We need accountability and we need oversight. We can't have secretive agencies accountable to no one with vast powers over American citizens on our soil.

For these reasons, I oppose the underlying pieces of legislation. I urge a ''no'' vote on the rule and the previous question.

I yield back the balance of my time.

Mr. NUGENT. Mr. Speaker, I've been here now 1 year and 4 months, and I'm always amazed at what we hear from the other side. I hear about how this is supposed to be an attack on women's health. You know, it's interesting because that's the position that President Obama's taken. I understand that that's the position that my friends on the other side of the aisle have taken, but it's not true.

You know, yesterday in markup in Energy and Commerce in regards to this pay-for, they talked about a number of issues in regards to this slush fund that HHS has. Now, it's interesting, part of that slush fund comes out to a partly paid for by the U.S. Department Health and Human Services, the Department's Communities Putting Prevention to Work campaign.

□ 1330

It's $100 million. Part of it was in spaying and neutering pets, which I agree with, but I don't see how that is taking money away from women's health. If you go on to HHS' Web site, where they actually chronicle the spending from this slush fund, not one place does it talk about cervical cancer or breast cancer in regards to the dollars spent. So to stand here on this floor and accuse Republicans of being against women and women's health when the facts don't back it up—if you go to HHS' Web site, you will see specifically where the money has been spent. Like I said, in one area it is $100 million. The other area that they've gone after is media campaigns as they relate to soda, fast-foods, and others. That's not women's health.

Mr. Speaker, the Democrats would like you to forget that in 2010, they took over $9 billion away from student financial aid. The same argument that they're making today, they took it away. I wasn't here in 2010, so it's kind of hard to have your cake and eat it, too. When we say robbing from Peter to pay Paul, and now Peter needs the money, those are students that need the money. Those are students that can't afford to pay additional interest on loans that they're already having a hard time paying off because they are trying to find a job.

Mr. Speaker, we've heard so much about cybersecurity today, but remember that the committee started their work on cybersecurity over a year ago in regards to hearings and working in a bipartisan way that produced a bill that was overwhelmingly bipartisan, 17–1. In this Congress, that's pretty difficult to do. But they saw the need based upon their experience within where we stand today as it relates to threats against our infrastructure, those people that actually create jobs, and against our government.

Not only have they worked tirelessly amongst themselves, but they reached out to other stakeholders in a way that I believe has been unprecedented in regards to trying to craft a bill that, while not perfect, is a step in the right direction.

This isn't about government coming in—you heard one gentleman up here talking about how government should tell businesses what to do. Folks, this is America. This is about freedom for businesses. If they don't act upon information, shame on them. It's not about

government takeover of private businesses that tells them how to operate. It is about, though, the ability of government to help formulate the aspect of protecting our cybersecurity. It's all about that. It's about sharing of information. It's about right now the Federal Government is precluded from sharing information to help alert those businesses out there to protect themselves. We know about it, and we can't even tell them.

That was one of the inherent problems we had back in 9/11, the fact that we couldn't talk to each other, that agencies didn't talk and share information. Now we want to set ourselves up for a greater catastrophe, one that could bring this Nation down to its knees or worse.

You heard about regular order or not regular order. We had regular order on the cybersecurity bill, and it's not enough. Sixteen amendments were made in order. The gentleman from Colorado's amendment was made in order. Five privacy-related amendments were made in order, two Republican and three of those bipartisan. Of the total of those 16 amendments made in order, eight were Republican, four were Democrats, and four were bipartisan. Mr. Speaker, I believe in regular order, and I think that was a perfect example of how this House is supposed to work. That was regular order at its best.

We talk about a fair and open process. I want to make sure that we protect the American people; that when you go to bed tonight, your financial information is still going to be secure tomorrow, that you're going to have the ability to protect yourself financially. One of those is to allow businesses to share cyberthreats that are made against them and others, and also for the Federal Government to share when they see a cyberthreat coming that could affect a business today in America.

HHS has discretion on how they spend that slush fund. Remember, that money was stolen from students back in 2010 to provide for their education. It was stolen. Call it what you want, but now it's just righting a wrong. It's about making sure that our students have the ability to get an education and hopefully get a great job.

I also heard my good friend from Colorado mention about how we're going to make a decision as to who's a national security threat. He mentioned the Tea Party in the same word with Communists. I think it's pretty clear that the Tea Party is not a national security threat and communism is. I don't think that takes a whole lot of rocket science.

Mr. POLIS. Will the gentleman yield?

Mr. NUGENT. I yield to the gentleman.

Mr. POLIS. The point being made is that it depends on one's political perspective where one sees a national security threat. Some see it on the left, some see it on the right. I don't trust Big Government decisionmakers to decide who is and isn't a threat to security.

Mr. NUGENT. Reclaiming my time, I get what you're saying. But at the end of the day when you're trying to say, I guess, a description in regards to that, and you say Communists and then you say Tea Party, I think it's pretty clear. The Tea Party is not a threat to national security. Communism is and has been.

Mr. Speaker, I support this rule and encourage my colleagues to support it as well.

We're talking about two issues here today that have a lot of bipartisan agreement. Our Nation's cybersecurity is just an integral part of our national security as a whole. It's part—not all—but part of our national security as a whole. And we agree something must be done with our Nation's students as it relates to the loan debt that they have. These are issues that I think we all agree on, Democrats and Republicans alike.

I know from some of our previous conversations that my friend, Mr. POLIS, is a fan of NPR. So I wanted to let him know this, just in case he didn't. This morning NPR did a story about the fact that China and Russia aren't the only threats to our Nation's cybersecurity anymore. In fact, according to the story today, the newest cybersecurity threat we face today is going to continue and grow, and it's from Iran. Even though Iran may not have as strong a cyberpresence now as Russia and China do, it's continuing to grow. It's growing at the same time as their nuclear program is growing, too. Iran has learned how to manipulate the Internet to shut down protesters in their own country, to hack Web sites that have antigovernment messages, and carry out sophisticated cyberattacks in their own country to identify those dissidents who may disagree with the government. With threats like that growing every day, we need to make sure our networks here at home in America are safe and secure.

This bipartisan—I can't stress this enough—this bipartisan Rogers cybersecurity bill is critical. It's a critical step in ensuring America and our private industry are safe from cyberattacks. We talk about bipartisan a lot in this Chamber. We don't always practice it. This committee not only practiced it, but they reached outside of the committee itself to those that may be supportive and may be opposed, and they tried to work and put forth amendments that would make this a better bill.

□ 1340

That's what it's all about, the amendment process, is to make something better, nor tear it down. So I encourage colleagues on both sides of the aisle to support this strongly bipartisan legislation both on cybersecurity and protecting our students and student loans.

As the President begins his taxpayer-funded college tour, which is really more like a reelection tour, he's going to be talking a lot about student loan debt. Well, he can talk all he wants because in this House we're going to act—and we're going to do it in a way that fixes a problem that was a temporary fix for 5 years.

Well, guess what. We're going to fix it again. We're going to make sure that our students have the ability to get a college education and be able to pay it back in a way that they can be successful in the future. We're going to make sure that the ratio of the student loan rates don't double come this July 1.

In Washington-speak, to a lot of people, that's a ways off. But up here, this House, this Congress has kicked cans down the road before to the tune of 20 years when they're looking out and saying, oh, we've got plenty of time, and all of sudden we have other issues facing this country—and now we have one here.

This House is taking action to correct a wrong or a problem that exists today in America, both in cybersecurity and in student loans, and we're going to do it without costing the taxpayers anything by taking money out of the ObamaCare slush fund, which was funded by cuts to student loan programs to begin with, and sending it back to our student loans.

Now remember, this slush fund can be used for anything. As we saw, they used it for a whole bunch of things. As they tried to link us to women's health issues, not one of those were related to that. Not one nickle or dime was spent on those, even though they would like to say it was.

So, Mr. Speaker, I support the rule and the underlying legislation.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 631 OFFERED BY MR. POLIS OF COLORADO

Amend section 3 to read as follows:

SEC. 3.(a) Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4816) to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the chair and ranking minority member of the Committee on Education and the Workforce and the chair and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final

passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

(b) Clause 1(c) of rule XIX shall not apply to the consideration of the bill specified in subsection (a).

(The information contained herein was provided by the Republican Minority on multiple occasions throughout the 110th and 111th Congresses.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today may look bad for the Republican majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. NUGENT. With that, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adopting House Resolution 631, if ordered; and suspending the rules and passing H.R. 2240, if ordered.

The vote was taken by electronic device, and there were—yeas 241, nays 179, not voting 11, as follows:

[Roll No. 182]

YEAS—241

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

NAYS—179

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

NOT VOTING—11

Davis (KY)
Filner
Holden
Marino
McHenry
Paul
Rangel
Slaughter
Sullivan
Waters
Waxman

□ 1405

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

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Madam Speaker, on rollcall 182, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "nay."

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the resolution.

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 236, nays 185, not voting 10, as follows:

[Roll No. 183]

YEAS—236

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

NAYS—185

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

NOT VOTING—10

Davis (KY)
Filner
Holden
Marino
McHenry
Paul
Rangel
Sessions
Slaughter
Sullivan

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1414

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Madam Speaker, on rollcall No. 183, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "nay."

LOWELL NATIONAL HISTORICAL PARK LAND EXCHANGE ACT OF 2012

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 2240) to authorize the exchange of land or interest in land between Lowell National Historical Park and the city of Lowell in the Commonwealth of Massachusetts, and for other purposes, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1420

CYBER INTELLIGENCE SHARING AND PROTECTION ACT

GENERAL LEAVE

Mr. ROGERS of Michigan. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 3523.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 631 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 3523.

The Chair appoints the gentlewoman from Illinois (Mrs. BIGGERT) to preside over the Committee of the Whole.

□ 1422

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3523) to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes, with Mrs. BIGGERT in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Michigan (Mr. ROGERS) and the gentleman from Maryland (Mr. RUPPERSBERGER) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. ROGERS of Michigan. Madam Chair, I yield myself 4 minutes.

Never a problem have I seen when it comes to our national security, Madam Chair, that we are just not prepared to handle.

In just the last few years, nation-states, like China, have stolen enough intellectual property from just the Fed's contractors that it would be equivalent to 50 times the print collection of the Library of Congress. We have nation-states that are literally stealing jobs and our future. We also have countries that are engaged in activities and have capabilities that have the ability to break networks, computer networks, which means you can't just reboot. It means your system is literally broken. Those kinds of disruptions can be catastrophic when you think about the financial sector or the energy sector or our command and control elements for all of our national security apparatus.

This is as serious a problem as I have seen. So, last year, I and my partner—DUTCH RUPPERSBERGER, the vice chairman and ranking member of the Intelligence Committee—agreed that this was a significant enough problem to the future prosperity of America that we'd better do something about it.

We needed to stop the Chinese Government from stealing our stuff. We needed to stop the Russians from what they're doing to our networks and to people's personal information, data, and resources. We needed to prepare for countries like Iran and North Korea so that they don't do something catastrophic to our networks here in America and cause real harm to real people.

So, in a bipartisan way, we set out to do something very, very, very narrow. When the government spies overseas, it collects malware—viruses, software that is dangerous to our computers. That means they can either steal our stuff—the personal information off of your computer—or they can steal the secrets that make your business viable, the kinds of secrets that give people jobs.

So wouldn't it be great if we could take that source code, that software and share it with the private sector so that they could put it on their private systems, like they do every single day to try to protect networks, and have that added advantage of that extra coverage from that malicious source code? The good news is this happens every day. If you have Norton or McAfee or Symantec or any other antivirus protection on your computer, it has patches of information that they know is really bad stuff, and every time you turn your computer on, it updates and tries to protect your computer, your personal information.

That's all this is. It is adding to that patchwork some zeroes and some ones that we know is malicious code that is either going to steal your information or break your computer or something worse. That's all this bill is. It draws a very fine line between the government and the private sector. It is all voluntary. There are no new mandates. There is no government surveillance—none, not any—in this bill. It just says, if we know we have this source code, shouldn't we be obligated to give it so it doesn't do something bad to the companies and individuals in America. That's all this bill does.

We have worked collaboratively with hundreds of companies, with privacy groups, with civil libertarians. We have worked with government folks. We have had hundreds and hundreds of meetings for over a year. We have kept this bill open in an unprecedented transparent way to try to meet the needs of privacy concerns, civil libertarian concerns, civil liberties concerns. We wanted to make sure that, with this bill, people understood exactly what we were trying to do, how simple it is, and how crucial it is to the future defense of this great Nation.

Without our ideas, without our innovation that countries like China are stealing every single day, we will cease to be a great Nation. They are slowly and silently and quickly stealing the value and prosperity of America.

The CHAIR. The time of the gentleman has expired.

Mr. ROGERS of Michigan. I yield myself an additional 1 minute.

One credit card company said that they get attacked for your personal information 300,000 times a day—one company. We have a company that can directly show you stolen intellectual property. This one particular company estimated 20,000 manufacturing jobs that they lost for Americans, which were good-paying jobs, because countries like China stole their intellectual property and illegally competed against them in the marketplace.

This is as bad a problem, Madam Chair, as I have seen. I think you'll hear throughout the day this has been a responsible debate and that it has been a responsible negotiation to get to privacy concerns and our ability to protect your information on your computer through this series of zeroes and ones, the binary code on our computers.

Again, I want to thank my ranking member for his partnership and his work. He has been exceptional to work with on something on which we both agree and on which we agreed, in a bipartisan fashion, was a danger to the future prosperity of America.

With that, I reserve the balance of my time.

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

First of all, I do want to thank the chairman for working with us in a bipartisan way to protect our country from this very serious threat of cyberattacks.

As the ranking member of the House Intelligence Committee, people often ask me what keeps me up at night. I tell them: weapons of mass destruction entering the country undetected and also a catastrophic cyberattack shutting down our water supply, power grid or banking systems; and those are just a few of the many areas that could be attacked and shut down.

Every day, U.S. Web sites and our Nation's networks are threatened by foreign governments like China, Iran, Russia, and other groups trying to steal our money and valuable trade secrets. According to the National Counterterrorism Executive, the number one thing cyberthieves are trying to steal is information and communication technology, which form the backbone of nearly every other technology. In fact, according to the United States Cyber Command, $300 billion worth of trade secrets are stolen every year. This proves we need to make real changes to how we protect our cybersystems.

The Cyber Intelligence Sharing and Protection Act helps the private sector protect itself and its clients from these attackers and data thieves. The intelligence community has the ability to detect these cyberthreats, these malicious codes and viruses, before they are able to attack our networks; but right now, Federal law prohibits the intelligence community from sharing the classified cyberthreat with the companies that will protect us, that control the network—the AT&Ts, the Verizons, the Comcasts, those groups. We have the ability to give them the information to protect us; yet we have to pass a law to do that, and that's why we are here today.

□ 1430

The Cyber Intelligence Sharing and Protection Act will clearly do that if we pass the bill. It allows the intelligence community to share the codes and signatures associated with malware and viruses and the means to counter the bad stuff with the companies. These companies keep a lookout for these viruses and work to stop them before they are able to attack their system.

Companies then voluntarily give information about the cyberattack back to the government, machine code consisting of strings of zeroes and ones that uniquely identifies the malware. Cyberanalysts will use this information to better understand the attack and try to figure out who launched it and where it came from.

This information will be used to protect against similar attacks in the future.

Now, the Democrats worked hard to protect privacy and civil liberties in this bill throughout the entire process. We fought for additional privacy protections in the original bill that was marked up in committee. In the version we will vote on tomorrow morning, additional changes are also included in the amendments.

Privacy and civil liberty groups and the White House all agree we made important positive changes that went a long way to improve the initial bill that came out of committee. We severely limit what information can be shared with the government and how it can be used.

It is also important to note the entire process is completely voluntary and provides industry the flexibility they need to deal with business realities.

The bill also requires an annual report from the inspector general of the intelligence community to ensure none of the information provided to the government is mishandled or is misused. This is a very important privacy issue.

The review will include annual recommendations to improve the protection of privacy and civil liberties. That review will be done again by the inspector general.

We also made it clear this legislation grants no new authority to the Department of Defense, the National Security Agency, or the intelligence community. At the urging of the White House and others, we included the Department of Homeland Security in the process so that there is not even a perception that our intelligence agencies or military will be in control of this. The Homeland Security Department will be coordinating as a civil body.

In addition, companies that act in good faith to protect systems and networks can receive liability protection. This is what our bill does.

Now, what does it not do? The bill does not allow the government to order companies to turn over private email or other personal information. This is not surveillance. The bill does not allow the government to monitor private networks, read private email, censor, or shut down any Web site.

We have a broad coalition of support with 100 cosponsors, close to 30 companies and industry groups, and dozens of trade organizations like Facebook, Microsoft, IBM, a lot of different groups that are supporting this bill.

This is not a perfect bill, but the threat is great. I believe this legislation is critical for our national security and yet deals with the issue of privacy. We can do better in privacy, and we hope to get the bill to the Senate, where there will be a lot more negotiation. Congress must act now, and I encourage my colleagues to vote for this bill.

I reserve the balance of my time.

Mr. ROGERS of Michigan. I yield 2 minutes to the gentlelady from North Carolina (Mrs. MYRICK) who is on the Intelligence Committee and has a tremendous expertise on counterterrorism issues.

Mrs. MYRICK. I want to say a big thanks to the chair and to the ranking member for all of their months of hard work on putting this cybersecurity bill together, and it is a bipartisan Intelligence Committee bill.

We all know the private sector is a very diverse world that includes reputable companies but also grey market suppliers and counterfeiters, and State-owned enterprises and other entities that often act against the national security interests of the United States, as well as other private companies.

The information technology sector, in particular, includes companies that are associated with some foreign governments and militaries and intelligence services of nations that attack the United States in cyberspace daily.

State and local entities, along with the private sector, don't have the resources, the capabilities, or the information necessary to address these cybersecurity threats. This bill creates a necessary mechanism for the Federal Government to share its informational resources and cybersecurity threat analysis with the private sector and with State and local entities.

The purpose of the bill is to transmit important cybersecurity information from the Federal Government to the private sector, not vice versa. The bill would empower the private sector to begin taking necessary steps to protect itself from cyberattacks, some they don't have any clue are happening.

Ultimately though, it's going to be important for Congress and the Federal Government to continue the debate on cybersecurity to determine how to best confront the changing threats because this world is changing daily, and the Federal Government can't leave those responsibilities solely to the private sector, especially, like the chairman already mentioned, countries like China that are continuously developing cyberwarfare capabilities and the cyberattacks that they commit against the Western companies and infrastructures and government entities we all know about.

So I urge my colleagues to vote ''yes'' on this important piece of legislation and an important step in trying to protect the private sector in this country.

Mr. RUPPERSBERGER. Madam Speaker, I yield 2 minutes to my distinguished colleague from the State of Utah (Mr. BOSWELL) who formerly served on the Intelligence Committee.

The CHAIR. The gentleman from Iowa is recognized for 2 minutes.

Mr. BOSWELL. Thank you, I appreciate the correction. We grow corn in Iowa, and we grow potatoes in Idaho. A little bit of fun.

I rise to speak in support of this bill today. I look across at Chairman ROGERS and here at Ranking Member RUPPERSBERGER, and I have great confidence. I know these men. I know their staff. They've come to this very serious matter that lays before our country that we need to understand. We must take action.

I'm encouraged by the process to involve key stakeholders from private industry and privacy groups during this drafting. This transparent engagement shaped many of the bipartisan constructive amendments being considered today that will improve the bill, and it's a good thing.

The threat from malicious actors in cyberspace is real. You've heard it said over and over already by those who have spoken ahead of me. I concur with what they say. It's an absolutely real thing. You only need to pick up the newspaper or turn on the TV to see the threats facing our networks. These networks include those that power our homes, our factories, and our small businesses, allow our banking system to function and provide the very backbone to our current American way of life, and we rely on these networks every day.

The bill under consideration today is a very narrow piece, but what we can agree on is it's a critical one to helping secure our networks and, therefore, the way of life as we know it today.

There are continuing debates on how to implement the bill, but the debate isn't over what needs to be done; it must be done. Information we ask our intelligence community to use and that protects our government networks should, in a secure way, be shared to protect the many other critical networks we rely on.

I believe companies are doing what they can to protect their networks to the extent they can today, but there is more that must be done.

We cannot be in a situation where the government had information to prevent or mitigate a catastrophic cyberattack, and yet we did not have the procedure in place to share this information. Our American way of life includes a great respect for privacy and our civil liberties. We make no mistake about that.

This bill, with the addition of many of the amendments which were drafted in concert with privacy groups, addresses many of those concerns.

In addition, the annual unclassified report required by the statutory intelligence community inspector general will inform whether there are additional adjustments needed to be made.

The CHAIR. The time of the gentleman has expired.

Mr. RUPPERSBERGER. I yield the gentleman an additional 10 seconds.

Mr. BOSWELL. So, in closing, I want to say this: Congress cannot wait to act. Network security hasn't kept up with network speed. This is the fundamental purpose of this bill. I encourage Members to begin to secure our networks through sharing information about the threats. Please vote ''yes.''

Mr. ROGERS of Michigan. I yield 2 minutes to the gentleman from Illinois (Mr. KINZINGER).

Mr. KINZINGER of Illinois. I thank the ranking member and the chairman for your hard work on the issue and the members on the committee.

This is very important. It goes beyond partisanship. This is about national security.

The idea of cyberattacks, it's not something that is just out there in space that we really don't have to worry about. This is an issue that's here today, and it's here right now. In

fact, just today, the New York Stock Exchange was the target of a DDoS attack on some of its external computer systems. That's not something that we just magically happen to have today. This is happening every day, thousands and thousands of times a day.

□ 1440

I'm a military guy and I'm a military pilot. I think a lot about the threats from outside. You think a lot about threats of terrorism and threats of invasion or anything along that line. But I'll tell you one of the biggest threats that really keep us up at night is this idea of a cyberattack. I think it's something that we have to take head-on. This voluntary information-sharing between classified portions of our government and certified private actors will serve to enhance our defenses greatly.

It is important to note the amount of classified information currently shared between our government and private industry is muddled at best. The few private companies who are lucky enough to receive an invitation into the current classified annex of cybersecurity-sharing face significant challenges when it comes to even understanding what that information is. Many times they simply get a badly scanned printout of a current threat situation from which they try to prevent a future attack, and it is woefully inadequate.

We talk a lot about the Russians and about the Chinese and their use of cyberwarfare against us. That's a significant threat. That's something very serious. But I want to speak just momentarily about the threat from Iran.

We all know that Iran is a very serious country that is very seriously focused on bringing down, in many cases, the West. They've said it themselves. The Iranian regime from the highest level down has publicly stated their plans to fight enemies with abundant power in cyberspace and Internet warfare. It's also publicly stated that Iran blames the West for the Stuxnet virus which disrupted their nuclear program, and they have vowed retaliation. The combination of the low cost and effectiveness of cyberwarfare has led the Iranian Revolutionary Guard to actively and effectively recruit radical Islamist hackers for nefarious purposes. We can't stand idly by while we see nations like Iran threaten the future of this country.

So I support this bill, and I commend the folks who have worked on it.

Mr. RUPPERSBERGER. Madam Chair, I yield 2 minutes to my distinguished colleague from the State of New Jersey, Mr. RUSH HOLT, who was formally on the Intelligence Committee.

Mr. HOLT. Madam Chair, I thank the gentleman.

The proponents of this legislation, who are all friends and well intentioned, have repeatedly said there's a real threat, a threat to our critical infrastructure, affecting our waterworks, and our electric grid. But this bill is so poorly constructed it is not designed to protect against those threats. There are any number of flaws with it.

The American Civil Liberties Union points out that there would be an exception to all privacy laws; and it would allow companies to share private and personal data that they hold on their American customers, actually, among themselves and with the government. It would not limit companies to sharing only technical or nonpersonal data. They'd be free from any liability of misuse. They would only have to plead good intentions.

The bill fails to narrowly define the privacy laws it would contravene; it fails to put the cybersecurity efforts in a civilian agency; it fails to require companies to remove personal identifiable information about individuals; it fails to sufficiently limit the government's use of information; it fails to create a robust oversight and accountability structure. With the bill in its current form, there's no requirement that personal information must be removed. There's no consumer or stakeholder group involved in the oversight. There's no way for any member of the public to know if their data has been shared in error, and on and on.

And I should point out that it is not just the American Civil Liberties Union that opposes this. Even the American Library Association opposes it. The President, himself, says, if this passes, he will veto it. Passing this bill in response to the cyberthreat would be like going into Iraq because al Qaeda terrorists were a real threat.

Yes, there's a real threat. This is not the answer.

Mr. ROGERS of Michigan. Madam Chair, I yield 2 minutes to the distinguished gentleman from Ohio (Mr. STIVERS).

Mr. STIVERS. Madam Chair, I would like to thank the gentleman from Michigan for yielding me time. I would also like to thank him for his leadership on this effort, as well as the ranking member, the gentleman from Maryland (Mr. RUPPERSBERGER).

I rise today in support of the cybersecurity legislation under consideration. As a member of the Cybersecurity Task Force, I'm pleased that many of our recommendations are included in this bill.

Cybersecurity is a very important issue. Every day there are people trying to use cyberattacks to steal our money, steal our jobs, and attack our national security.

I know as a member of the Financial Services Committee that our financial sector spends billions of dollars every year trying to protect against cyberattacks. They protect consumers by increasing controls, making sure they have encryption, authenticating customers, and protecting customer data.

That's all protecting our wallets, but we also need to protect our jobs. Unfortunately, there are folks who would like to use cyberattacks to steal our intellectual property and give it to those who compete against America, which will steal our jobs.

Not allowing information-sharing like this bill does would be like saying to the Marines and the Army, You can't share information about how the enemy is going to attack you. As a member of the National Guard for the last 26 years, I know that cyber is also a real threat to our national security.

This bill will update our information-sharing to allow private companies to share information with the government and the government to share information, and includes some important liability protection as well. It's a carefully crafted bill.

I think the gentleman from Michigan (Mr. ROGERS) and the gentleman from Maryland (Mr. RUPPERSBERGER) have been very open to working with folks to try to improve this bill. I'm looking forward to supporting some of the bipartisan amendments that I think will improve this bill.

Madam Chair, we must protect ourselves against cyberattacks, against those who would steal our money, steal our jobs, and attack our country. This bill is not a panacea, but it's a great start. I'm happy to support it, and I hope all my colleagues will vote ''yes.''

Mr. RUPPERSBERGER. I yield 2 minutes to my distinguished colleague from the State of California, Mr. ADAM SCHIFF, who is also the ranking member on the Technical and Tactical Intelligence Committee.

Mr. SCHIFF. I thank the gentleman for yielding.

Madam Chair, I rise in reluctant opposition to the bill. But at the outset, I want to acknowledge the extraordinary work done by our chairman, MIKE ROGERS, and our ranking member, DUTCH RUPPERSBERGER. These two gentlemen have changed the nature and culture of our committee, made it far more productive, and they've done great work getting us to this point. And I want to acknowledge that at the outset.

There's still work to be done in two areas principally, and I want to talk briefly about that. Even before I do that, I want to acknowledge why we're here.

We do ourselves, I think, a disservice when we talk about a cyberthreat. That sounds like something that may come in the future, something to be concerned about that might take place down the line. We're under cyberattack right now. This is not speculative. This is not intangible. This is happening right now. This needs to be dealt with, and we do need a sense of urgency. But there is a distance yet to go, and in two areas in particular.

One is, when we gather cyberinformation and we share it between companies or between the government and companies, as we must do, we want to make sure that we minimize any unnecessary invasion of privacy of the American people. We can

do both, and we have to do both. We need to protect ourselves from cyberattack, and we need to protect and preserve the privacy rights of the American people.

I think the bill needs a requirement that personally identifiable information be minimized to the maximum extent practicable. All we're asking for is what can reasonably be done. We're not asking for the private sector or the government to do the impossible, but we should require of our government that they minimize personal information that is shared to protect us from cybercrime. That's the first thing.

The second item that really needs to be incorporated in this bill that my colleague, Mr. THOMPSON, will talk about as well is the need to protect critical infrastructure. That is a big missing piece in the bill, and I understand from my colleagues that it's not within the Intelligence Committee jurisdiction. That's correct. But as we saw from the Rules Committee, they're more than capable of incorporating things from more than one committee's jurisdiction in the rule, as we see in a rule that incorporates student loan interest and a bill on that subject with a bill on cybersecurity. There is nothing preventing the Rules Committee from bringing into the discussion today and allowing amendments on critical infrastructure.

The absence of those two big pieces makes it impossible for me to support the bill today.

The CHAIR. The time of the gentleman has expired.

Mr. RUPPERSBERGER. I yield the gentleman an additional 30 seconds.

Mr. SCHIFF. I thank the gentleman.

I just want to conclude by saying I look forward to our continued work on this bill, and I appreciate the great cooperation between the chair and ranking member, and I have respect for all the members of the committee.

□ 1450

Mr. ROGERS of Michigan. Madam Chair, I yield 2 minutes to the gentleman from Nevada (Mr. HECK).

Mr. HECK. I come to the floor today to voice my strong support for the Cyber Intelligence Sharing and Protection Act. We know that every day, American companies and computer systems are targeted by foreign nation-state actors who prey on sensitive business and personal information to gain an unfair advantage in the global marketplace. The theft of research and development results, negotiating positions, or pricing information costs us jobs here at home and puts personal information at risk. The same vulnerabilities that can result in the theft of sensitive business information could be used to attack critical infrastructure we rely on such as power plants, air traffic control systems, and electrical grids. An attack on these systems would be devastating. Protecting them and the constituents they serve must be considered an urgent national security concern.

The government currently uses classified cyberthreat intelligence to protect its own systems, computer networks, and critical infrastructure. The business community has voiced its desire to be given the tools necessary to protect itself from cyberthreats. This bill will allow the government to provide classified cyberthreat information to private sector companies so that they can protect sensitive information and their customers' privacy against malicious cyberattacks. The bill places no mandates or burdens on private sector companies and does not expand the size or scope of the Federal Government. All information-sharing is totally voluntary under this legislation, and there are strong privacy protections in place for the information that is shared.

After receiving input from the private sector and civil liberty groups and by building upon the success of an existing intelligence-sharing pilot program with defense contractors, we have produced a bill that upholds constitutional rights to privacy while providing the private sector with the necessary means to defend itself against cyberattackers. I want to commend Chairman ROGERS and Ranking Member RUPPERSBERGER for their outstanding leadership in crafting this legislation that was written in a transparent and bipartisan fashion.

I urge my colleagues to support this bill that protects our homeland, protects our economy, and protects our privacy.

Mr. RUPPERSBERGER. Madam Chair, I yield 2 minutes to my distinguished colleague from the State of Mississippi, Mr. BENNIE THOMPSON, who is also the ranking member of the Homeland Security Committee.

Mr. THOMPSON of Mississippi. Madam Chairman, I rise in opposition to H.R. 3523. I also appreciate the efforts of my colleagues on the Intelligence Committee for fostering a greater sharing of cyberthreat information. This bill is a start, but my opposition is because it does not do what we know that we need to have done.

Having been involved in homeland security issues for nearly a decade, I know how important it is to protect our Nation's networks from cyberattacks. But in an effort to foster information-sharing, this bill would erode the privacy protections of every single American using the Internet. It would create a Wild West of information-sharing, where any certified business can share with any government agency, who can then use the information for any ''national security'' purpose and grant that business immunity from virtually any liability. None of the amendments offered by the chairman and ranking member would change any of those basic facts.

I and several of my colleagues offered amendments that would have addressed those concerns by ensuring that civilian agencies would take the lead in information-sharing, restricting how the government could use the information, and making sure consumers' sensitive information is adequately protected. Unfortunately, the House will not have an opportunity to consider them today.

If my colleagues want to accomplish something on cybersecurity, then vote ''yes'' on any or all of the suspension bills before us today; but do not vote for H.R. 3523. It violates the ''do no harm'' rule and would set back the privacy rights of all our citizens who have enjoyed the establishment of the Internet.

This fatally flawed bill is opposed by not only every major privacy or civil liberties group, from the ACLU to the Constitution Project to the Center for Democracy and Technology, but also the Obama administration. For these reasons, Madam Chair, I strongly urge a ''no'' vote on H.R. 3523.

Mr. ROGERS of Michigan. Madam Chair, I yield 2 minutes to the gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. I thank the gentleman.

Madam Chairman, I rise in support of this bill. It's a sensible bill that builds a necessary pillar in the cybersecurity strategy of our Nation.

I've immersed myself in cybersecurity over the last couple of years. I've been on two task forces. I'm on the Energy and Commerce Committee. I've met with industry leaders in all of the critical infrastructure areas. And as I've gathered information and input, there's two principles at stake here. The common thread from all of them have said: we have to be flexible, and we have to be able to communicate. Those are the two principles on which this bill is based.

Number one, flexibility. What it means is you can't lock this into a government agency because when government agencies start taking control of setting standards or working with an industry group to set standards on cybersecurity, the hackers take 5 seconds to get around that, and it will take years then for the industry to move around that. You are setting them up as ducks waiting to be shot if we do that. So we can't. We've got to give them the flexibility. The least government interference is what gives them the flexibility.

The next part is communication. What I learned from the critical infrastructure industries is that what they want to know is, is there a threat out there, and what's the specifics of the threat? They know they're under attack every day. Maybe our defense agencies have specific information they can share, but they can't because it's top secret.

So this bill allows there to be communication of specific threats to perhaps communicate from government to private sector some better practices that they can enact. That's what this breaks down, that barrier, not some of these civil liberty conspiracy theories. This is simple communication between government and private sector or private sector to private sector. This isn't

reporting on whether you're downloading an illegal movie or whatever. This is about securing our infrastructure.

Mr. RUPPERSBERGER. Madam Chair, I yield 2 minutes to my distinguished colleague and friend from the State of Rhode Island (Mr. LANGEVIN), who is also a member of our Intelligence Committee and has worked very hard with the chairman and myself on the issue of cybersecurity. I consider him one of our experts on the Hill in the area of cybersecurity.

(Mr. LANGEVIN asked and was given permission to revise and extend his remarks.)

Mr. LANGEVIN. I want to thank the gentleman for yielding.

I rise in strong support of H.R. 3523, and I want to thank Chairman ROGERS and Ranking Member RUPPERSBERGER for a bipartisan and inclusive process on an extremely difficult and technical issue. While I don't believe this legislation is perfect, and much work remains to be done, CISPA represents an important good-faith effort to come together as a necessary first step towards better cybersecurity for our Nation.

I have long worked on this issue for many years to raise awareness and to secure our Nation against the threats that we face in cyberspace. Quite frankly, we are running out of time. I believe it's important that we act now to begin our legislative response to this critical issue.

We all know how dependent we are on the Internet and how we use it so much in our daily lives, but the Internet was never built with security in mind. What's happening is our adversaries are using the vulnerabilities against us.

I've also been very clear that we need to have robust privacy protections that must be included to safeguard personal information and also defend civil liberties in any cybersecurity response that we do enact. I'm pleased to say this legislation has been strengthened in that regard, and I believe more can be done as we continue this important debate.

That being said, the efficient sharing of cyberthreat information envisioned by this legislation is vital to combating advanced cyberthreats and stemming the massive ongoing theft of identities, intellectual property, and sensitive security information.

□ 1500

This legislation clearly and simply will allow the government to provide classified information threat signatures to the private sector and also allow the private sector to share with us the cybersecurity attacks that they are experiencing, sharing that with the government so we have better situational awareness. If you look at this, it basically gives us radar, if you will, in cyberspace, sharing information back and forth on cyberthreats that are facing the country.

This bill is a good step, but it's only a first step. Voluntary information-sharing is helpful and it's needed, but it does not, on its own, constitute strong cybersecurity.

The CHAIR. The time of the gentleman has expired.

Mr. RUPPERSBERGER. I yield the gentleman from Rhode Island 30 additional seconds.

Mr. LANGEVIN. I thank the gentleman for the additional time.

I have long maintained that we must also move forward on legislation that establishes minimum standards for the cybersystems that govern our critical infrastructure, particularly the electric grid and our water systems.

With that, I again want to thank Chairman ROGERS and Mr. RUPPERSBERGER for their outstanding efforts, and I ask my colleagues to support this important cybersecurity information-sharing legislation.

Mr. ROGERS of Michigan. Madam Chair, I yield 2 minutes to the gentlewoman from California (Mrs. BONO MACK).

Mrs. BONO MACK. Madam Chair, I rise today in strong support of this bill. This critically needed legislation will help to safeguard America in the future from cyberattacks by unscrupulous and rogue nations, terrorists and cybercriminals. We need to act before a disaster takes place, not after it, and this is our chance.

As chairwoman of the House Subcommittee on Commerce, Manufacturing and Trade, I have spent the past 16 months holding hearings and thoroughly examining the issue of online privacy. So as a cosponsor of this legislation, I have very carefully reviewed its privacy provisions, and I'm satisfied that it will not negatively impact American consumers.

Frankly, the privacy concerns are exaggerated. There is no bogeyman hiding in the closet, and Big Brother is not tapping into your hard drive. This bill provides absolutely no authority to the Federal Government to monitor private networks—none. Additionally, all information-sharing with the government would be completely voluntary.

The bill also encourages the private sector to ''anonymize'' the information it shares with the government or other entities, including—and this is very important to remember—the removal of personally identifiable information prior to sharing it.

Finally, the bill also requires the intelligence community inspector general to review information-sharing between the private sector and the government and to provide an annual report to the Congress on its findings.

These are very strong privacy protection features, and I applaud Chairman ROGERS and Ranking Member RUPPERSBERGER for working so hard to protect the American consumer and to make this a truly bipartisan effort.

Unfortunately, some people and some groups will say anything to try and scuttle this bill—sounding false alarms and raising imaginary red flags—despite the very real and dangerous threat posed by terrorists and our enemies if we do nothing.

Madam Chair, I strongly urge the adoption of H.R. 3523.

Mr. RUPPERSBERGER. I yield 2 minutes to my distinguished colleague from the State of Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Thank you, Ranking Member RUPPERSBERGER.

Madam Chair, I rise in opposition to this very disturbing bill.

One thing that is important to keeping our country number one has been the personal freedoms that we have all enjoyed since this country's beginning. Those freedoms lie in the Bill of Rights. And the Fourth Amendment to the United States Constitution within that Bill of Rights provides for a right of privacy. Now this right of privacy can be impacted by technology and various advances in science that make eavesdropping, surveillance, and investigation easier and also more secretive by law enforcement, by personal individuals, and by corporations, by any component that may look to misuse information for their personal benefit. So I rise in opposition to this disturbing bill.

CISPA would grant the private sector blanket permission to harvest Americans' data for extremely broad ''cybersecurity purposes,'' notwithstanding any other provision of law. It would grant the private sector blanket permission to then share that data with the Federal Government, notwithstanding any other privacy laws or agreements with users.

The Acting CHAIR (Mrs. CAPITO). The time of the gentleman has expired.

Mr. RUPPERSBERGER. I yield the gentleman an additional 30 seconds.

Mr. JOHNSON of Georgia. Then, as if that weren't disturbing enough, this bill would grant the government broad authority to share that information between intelligence and law enforcement agencies and use it for virtually any purpose defined as important to cybersecurity or national security.

I know it's 2012, but it sure feels like ''1984'' in this House today. If you value liberty, privacy, and the Constitution, then you will vote ''no'' on CISPA.

Mr. ROGERS of Michigan. Madam Chair, I yield 2 minutes to the gentleman from California (Mr. NUNES).

Mr. NUNES. Madam Chair, I rise in strong support of this bill.

The bill before us today is targeted towards a very specific and growing threat to our Nation. Every day, American businesses are being targeted by China, Russia, and other foreign actors for cyber-exploitation and theft. These acts of industrial espionage are causing enormous losses of valuable American intellectual property that ultimately costs the United States jobs. We cannot afford to allow high-paying jobs to be stolen in this manner, nor can we simply sit by and allow the cyberwarfare being conducted against us to continue without consequences.

Madam Chairman, jobs are at stake, as is the technological capital of the United States. But if the reality of this economic cyberwarfare isn't convincing enough, you should understand that there are other good reasons for us to support this bill.

The state-of-the-art technology stolen from Americans can easily be turned against us and represents a serious threat to America's critical infrastructure. None in this body would likely disagree that we have to prevent our enemies from protecting American military technology. That's why we have long had export controls and other mechanisms to prevent such a thing from occurring. Madam Chairman, how is the theft of intellectual property any less a threat today?

Whether we like it or not, cyberwarfare is a reality. Our government and its security agencies understand this and are using both classified and unclassified information to fight the threat. But without passage of this bill, they are being forced to do so without the meaningful participation of industries—private industries—that are being subjected to attacks, that in some cases our government even knows about but cannot share that with those private companies.

So we shouldn't expect America's private sector innovators to protect themselves if we won't tell them where the attacks are coming from. If we don't share this information or allow them to share information with us, how do we expect to secure the sensitive information?

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

Mr. ROGERS of Michigan. I yield the gentleman from California an additional 30 seconds.

Mr. NUNES. So we essentially have three choices. We can pass this bill, very narrowly focused, allowing our intelligence community to work with private industry, or we can fund a massive new government program. I think we've proven that those massive new government programs seldom work and are often costly. Or would the opponents of this bill simply rather do nothing and allow our country to continue to be attacked every day?

We need to pass this bill to enable cyberthreat-sharing and provide clear authority for the private sector to defend its networks.

Madam Chair, I want to close by saying that we should congratulate Chairman ROGERS and Ranking Member RUPPERSBERGER for the work that they've done to protect this country.

□ 1510

Mr. RUPPERSBERGER. Madam Chair, I yield 3 minutes to my distinguished colleague from the State of Oklahoma (Mr. BOREN), who is also a member of the Intelligence Committee. He has worked very closely with me and the chairman to bring this bill to the floor today, and we thank him for that.

Mr. BOREN. Madam Chair, I rise today in support of the Cyber Intelligence Sharing and Protection Act. I'm proud to have been a part of this bipartisan effort, led by Chairman ROGERS and Ranking Member RUPPERSBERGER, to bring this bill to the floor today.

There is one fact on which everyone can agree: our country must strengthen its cybersecurity capabilities. To achieve this, we need the cooperation of industry, government, and our citizens, and we need to protect the unique interests of each of these groups.

Some may be asking the question, how does this bill protect American industry? It gives private companies the ability to receive classified information from the government to protect their networks. The bill also gives them flexibility to share information with the government without compromising their business equities or harming their customers. This information-sharing partnership will enhance government efforts to analyze and understand malicious codes and other cyberthreats.

I think companies that have publicly supported this legislation have gotten a bad rap in the press. I think we all need to remember that these American companies are not the enemy. They employ thousands of Americans and provide essential cyberservices to millions of people. They are profit-making entities that want to satisfy their customers and grow their businesses. These American companies have absolutely no motivation to send private customer information to the government or anyone else. In fact, they have every reason to protect it.

Under this legislation, American companies will enhance their capability to protect the private information of their customers by receiving classified assistance from the government. Moreover, they will help their customers and the country by voluntarily informing the government of malware and other malicious conduct and threats that emerge from their networks. But that is not the only way that this bill protects our citizens' privacy. It restricts the government's use and retention of any personal information that companies may choose to share. In addition, it directs the intelligence community inspector general to monitor and report any abuse of users' privacy.

Finally, we must also remember that the government is not the enemy. The intelligence community does not want to squander this opportunity to improve our Nation's cybersecurity by abusing the civil liberties or privacy of American citizens. To this end, the bill specifies that the government can only use the information it receives from the private sector for purposes directly related to addressing cyberthreats, national security, and threats to life and limb.

In closing, this legislation strikes the appropriate balance between the interests of the private sector industry, the Federal Government, and private citizens.

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

Mr. RUPPERSBERGER. I yield the gentleman an additional 30 seconds.

Mr. BOREN. It will help our country avoid a potential cybercatastrophe that could threaten our national security and endanger our economic prosperity.

With that, I urge my fellow Members to join me and support this important bill.

Again, I want to say specifically to our ranking member and our chairman, thank you for putting the country's interests ahead of partisan gain. We're working together in this committee, both Democrats and Republicans, to do what is in the best interest of our intelligence community and the United States of America.

Mr. RUPPERSBERGER. Madam Chair, may I ask how much time we have on both sides?

The Acting CHAIR. The gentleman from Maryland has 8 minutes remaining, and the gentleman from Michigan has 10½ minutes remaining.

Mr. ROGERS of Michigan. Madam Chair, I yield 1½ minutes to the gentleman from Texas (Mr. BARTON).

Mr. BARTON of Texas. I thank the chairman.

> The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

My friends, that is the Fourth Amendment to the Constitution, one of the original 10 in the Bill of Rights protecting, in writing, the privacy of the United States citizenry.

I want to give Mr. ROGERS and Mr. RUPPERSBERGER an ''A'' for effort in terms of identifying the problem, but I have to give them an ''F'' for problem solution.

The word ''privacy'' in the underlying bill is mentioned one time, and that in passing. There are no explicit protections for privacy. In fact, there is an explicit exemption of liability to all people who engage in the collection, dissemination, transfer, and sharing of information. The cause of action, if you feel your privacy has been violated, is to go to district court and prove there was willful and knowing sharing of your information without your permission. If you prevail in Federal district court, you get $1,000, or whatever it costs you.

My friends, we have a real problem. I take the chairman at his word—he's a former FBI agent—that he wants to solve this cyberthreat. I know he means it. But until we protect the privacy rights of our citizens, the solution is worse than the problem that they're trying to solve.

Please vote ''no'' on this bill.

Mr. RUPPERSBERGER. Madam Chair, I have no more speakers, and I yield myself such time as I may consume.

First thing, there were some comments that I would like to respond to.

First thing, this bill does not allow the wholesale violation of privacy rights. This bill is extremely important to our national security, but also important to our citizens of this great country, our privacy rights, and civil liberties.

The chairman and I have taken this very seriously, as have the members of our caucus. We know this is not a perfect bill—there will probably be additional changes. We will have more debate later on this afternoon.

Now, some of the things I want to address. During the drafting of this legislation we put forward a wide range of privacy protections. We worked for the last year with the White House, privacy groups, and business groups to come to a coalition to make sure that we get this bill right.

First, the bill severely limits what kind of information can be shared with the government. Only information directly pertaining to the threat can be shared, which is mostly formulas, X's and O's of the virus code. It's almost something that the companies deal with now in dealing with spam.

Second, the bill encourages companies to voluntarily strip out personal information that may be associated with these zeroes and ones. Occasionally, that does occur, and we have to deal with that, and we'll continue to deal with that issue.

There also are strong use limitations on the data. This information must be used for cybersecurity purposes or the protection of national security. The information cannot be used for regulatory purposes. For example, if there's evidence of tax evasion, that information cannot be used in a criminal proceeding, only in national security, only in the areas of life and limb, or for anything involving juvenile crimes.

The bill prohibits the government from requiring the companies to give information to the government in exchange for receiving the cyberthreat intelligence. That means that when we pass the information of the attacks—it's called the secret sauce—to the providers, it's only voluntarily. The government can't put any restrictions on that whatsoever. That really means that this is not surveillance at all.

The bill does not allow the government to order you to turn over private email or other personal information. This is not, again, surveillance.

The bill does not allow the government to monitor private networks, read private emails, censor or shut down any Web site. This is not SOPA.

In an effort to improve the bill even more, the intelligence community—thank you to the leadership of Chairman ROGERS—has been working with privacy groups, the White House, and other interested parties to address these concerns with the legislation. We on our side of the aisle take, again, this issue of privacy very seriously. The committee has maintained an open door policy and made more changes to the bill to make it even better as we have gone on up until today.

The legislation grants no new authority to the Department of Defense, National Security, or the intelligence community that require it to direct any public or private cybersecurity effort. If the government violates any of these restrictions placed on it by the legislation, the government can be sued for damages, costs, and attorneys fees.

I think it is extremely important—we on the Intelligence Committee deal with these issues every day. This is a very sophisticated area that we deal with that most people don't know. So we're attempting, and we have for the last year, to educate as many of our Members as we can. But it's important to know that national security is clear—our effort and what we're attempting to do—but also to maintain the privacy, the constitutional rights of our citizens.

I reserve the balance of my time.

□ 1520

Mr. ROGERS of Michigan. Madam Chair, I yield 2 minutes to the distinguished gentleman from Texas (Mr. THORNBERRY).

Mr. THORNBERRY. Madam Chair, I don't think we can say often enough how important it is that the chairman and ranking member have worked together, not only on the substance of this bill, but in the process of getting us here. They have, truly, put the country's interests first, and I think all Members should commend them for that.

This was a good bill when it was reported out of committee 17–1. I think it will be a better bill once the amendments are considered and adopted. And for any Member who has concerns about privacy or misuse of information, I think they should look at the amendments that are going to be adopted; and any reasonable concern, any semi-reasonable concern about privacy will be addressed with the limitations that those amendments add.

Madam Chair, this bill does not solve all the problems in cybersecurity. All four bills that we're considering today and tomorrow don't solve all the problems we have in cybersecurity. But it makes no sense to me, as some seem to have argued, that we should not solve this problem of information-sharing because we're not solving all the problems that somebody can see out there.

This problem of information-sharing has been central to cybersecurity concerns for some time. I happened across a report from December 2004 that was issued by a subcommittee I chaired of the Select Committee on Homeland Security, along with the gentlelady from California (Ms. ZOE LOFGREN), where we wrote: Whether it is vulnerability assessments, threat warnings, best practices or emergency response, information-sharing with the private sector is critical to securing the United States from cyberattack. That was 8 years ago.

Why has it not occurred? Because all the legal obstacles, all the fear of being sued has prevented it from occurring. And that's what this bill does. It clears away the legal underbrush that has prevented the kind of information-sharing that people have been talking about for a decade.

This is a good, important step. It doesn't solve all the problems, but it puts more information at the disposal of critical infrastructure so that they can be protected. It should be adopted.

Mr. RUPPERSBERGER. Madam Chair, I have a speaker on the way.

Mr. ROGERS, do you have any more speakers?

Mr. ROGERS of Michigan. I do.

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

Mr. ROGERS of Michigan. Madam Chair, I yield 2 minutes to the distinguished gentleman from the great State of Oregon (Mr. WALDEN).

Mr. WALDEN. I thank the chairman and the ranking member for their bipartisan and thoughtful approach to this incredibly important issue facing our country. I support your legislation. I commend you both for identifying a glaring hole in our cyberdefenses: better information-sharing between the private sector and the government.

Such sharing is a force multiplier. It combines the technological strength of our network providers with the ongoing efforts of our agencies to combat growing cyberthreats. From the get-go, the bill has protected privacy and civil liberties and ensured that any information-sharing is voluntary.

I understand Chairman ROGERS has also gone the extra mile to reach out to the privacy community and will be offering and supporting amendments to address any lingering concerns that may remain from misunderstandings over the language. Breaking down the barriers to information-sharing is a linchpin to better cybersecurity, and this legislation will be a tremendous step forward in securing cyberspace for our citizens.

But don't take my word for it. That's what cybersecurity firms and researchers, Internet service providers, and government officials told the Subcommittee on Communications and Technology, which I chair, in the three separate hearings that we held. That's what a bipartisan working group I convened concluded when it interviewed a broad spectrum of stakeholders in the cybersecurity debate.

By contrast, no matter how well-intentioned, cybersecurity regulations would likely just expand government, reduce flexibility, impose costs, misallocate capital, create more red tape and not more security. According to one government witness, regulating cybersecurity practices would ''stifle

innovation and harm the industry's ability to protect consumers from cyberthreats.''

Indeed, voluntary efforts, not government regulation, are already improving cybersecurity for communications networks that cover 80 percent of Americans.

When Congress is looking at a complex issue like cybersecurity, we need to heed the Hippocratic Oath: First, do no harm.

So I want to thank my colleagues for making this process especially open and transparent. Representative ROGERS has graciously reached out to members of the Energy and Commerce Committee to understand our concerns about protecting privacy and civil liberties and preventing regulatory overreach, and Representative THORNBERRY's work in organizing the House Republican Cybersecurity Task Force, which included Representatives TERRY and LATTA, members of my subcommittee.

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

Mr. ROGERS of Michigan. I yield the gentleman an additional 30 seconds.

Mr. WALDEN. The bottom line is, we're going to protect America from the greatest threat to America and to Americans with this legislation. We need to make sure that our private sector is nimble and flexible and innovative; and tying its hands with prescriptive regulation—we heard over and over again in our subcommittee hearings—would do the opposite of that and would result in the bad guys getting an edge on the good guys.

I support this bipartisan legislation. I urge its passage.

Mr. RUPPERSBERGER. Madam Chair, I yield 2 minutes to my distinguished colleague from the State of Georgia, Mr. JOHN LEWIS, one of the most respected Members of our Congress.

Mr. LEWIS of Georgia. Madam Chair, I want to thank my friend, the gentleman from Maryland (Mr. RUPPERSBERGER) for yielding.

Madam Chair, I rise to oppose H.R. 3523. It is a step back.

Those of us who protested in the fifties and the sixties, who were called Communists, who had our telephone calls recorded, we have a long memory. We remember our Nation's dark past.

Martin Luther King, Jr.'s telephone was wiretapped. His hotel room was wiretapped. His home was wiretapped. Our office was wiretapped. Our meetings were wiretapped. And it was not just people spying on civil rights activists, but people protesting against the war in Vietnam.

We didn't have a Facebook, a Twitter, or email. These new tools must be protected. Today we have a mission, a mandate, and a moral obligation to protect future generations of activists and protestors.

So I say to my colleagues, stand with us today. Stand up and stand on the right side of history. Oppose H.R. 3523.

Mr. ROGERS of Michigan. Madam Chair, I yield myself 2 minutes.

Lots of misinformation about this bill today. I respect the gentleman from Georgia greatly for his efforts. I heard the gentleman from Texas talk about searches and seizures. And this is the good news: there are none of those things in this bill. None.

You know, if I knew that your house was to be robbed, I would expect that if the police knew, that they'd pick up the phone and call you and say, you are going to be robbed. Take precaution. We'll be their shortly.

This bill just says, if we have this nasty source code, these zeroes and ones, I want to give it to you so you can protect your systems. That's it. No monitoring, no content, no surveillance, nothing. That's not what this bill is about.

I understand the passion about it. That's why we've taken a year to forge this bipartisan effort to get where we believe privacy is protected. It is paramount that we do that, that our civil liberties are protected. It is paramount that we do that.

But we at least take down the hurdle to share nasty source code or software that's flying through the Internet, that's developed, and it's very sophisticated, by the Chinese and the Russians and the Iranians and other groups and non-nation-state actors that are going to steal your personal information.

That's all this is. It's sharing bad source code so you can put it on your system so you don't get infected. End of story.

I wish people would read the bill, all of it, every word of it. I think you'll find the carefully crafted language to make sure that our rights are protected, that the Fourth Amendment is protected.

And by the way, just like the Army, the Navy, the Marines, your FBI is protecting you. That's what this bill allows it to do, simply that.

So, as I said, I respect greatly the gentleman from Georgia. There's a lot of atrocities I think he lived through in his life that no one should have to live through. We took those things into consideration when we wrote this bill, and that's why we've got so much support and so much technical company support, companies like Facebook and Microsoft and all of those groups.

So I hope people read the bill and support the bill.

I reserve the balance of my time.

□ 1530

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

In closing, I want to say again that the purpose of this bill, as the chairman just said, is very basic and simple. We want to protect our citizens from attacks. We are being attacked as we speak right now. Just last year, it was estimated we lost $300 billion worth of trade secrets. We even know that one country is attacking a fertilizer company to find out how we make it better than they do. This is putting our businesses in jeopardy and jobs in jeopardy, and we know we sure need jobs.

More importantly, those of us who work in this field know how serious these threats are. The head of our FBI, whose responsibility it is to provide our domestic national security, has said that one of the most serious threats, if not a bigger threat, in terrorism would be a catastrophic cyberattack. We've already talked today about what that would be. We have Secretary Napolitano, the Director of Homeland Security, who has said the same thing: that it is one of the most serious issues our country has to deal with. It's unfortunate, but most of our citizens aren't aware of how serious this threat is.

So we've attempted to allow our intelligence community, which is one of the best in the world, to have the ability to see these threats coming in from other countries or from terrorist groups and to be able right now to give this information over to the private sector to protect us, you, me, our businesses. That's what this bill does. Nothing more. What we're attempting to do is to move the bill and get the bill to the Senate.

We can always do better in the area of privacy and civil liberties, and we're going to continue to do that. We can always do better in the area of homeland security and go further to protect those institutions and our grid systems and that type of thing; but this is the start, because the one thing that now is stopping our country and is stopping us from protecting our citizens is this Congress.

This Congress needs to pass this bill now. We need to move forward. We need to get it to the Senate. We need to start working with the Senate. Then hopefully we'll deal and work very closely with the White House and find a bill so that we can protect our citizens and also protect our civil liberties and privacy.

I also understand Mr. LEWIS. We all respect him and what he has gone through. As a former prosecutor and lawyer who has worked on many search and seizure warrants and that type of thing, I can tell you this: there are no violations in this bill at all. That is not what this bill is about. If it were, I wouldn't be in favor of it.

I thank you, Mr. ROGERS, for your cooperation and for working with us in this bipartisan manner. It is a very serious issue.

I yield back the balance of my time.

Mr. ROGERS of Michigan. I yield myself the balance of my time.

I do want to thank the ranking member and both staffs from both committees who have been tireless in this effort to get it right and to find that right place where we could all feel comfortable.

The amendments that are following here are months of negotiation and work with many organizations—privacy groups. We have worked language

with the Center for Democracy and Technology, and they just the other day said they applauded our progress on where we're going with privacy and civil liberties. So we have included a lot of folks.

It has been a long road. It has been the most open and transparent bill that, I think, I've ever worked on here. We kept it open to the very end to make sure that we could find the language that clarified our intent to protect privacy, to protect civil liberties, and to just be able to share dangerous information with victims. That's all this bill is. The whopping 13 pages it is does only that. So I appreciate the comments today. I look forward to the amendment debate.

Again, Mr. RUPPERSBERGER, it has been a joy to work with you on this particular issue.

As an old Army officer once told me, once you find a problem, you are morally obligated to do something about it. We set about it a year ago to make America safe and to protect your network at home from people stealing it, breaking it, and doing something worse.

So, Madam Chair, I look forward to the debate on the amendments, and I yield back the balance of my time.

Mr. CUMMINGS. Madam Chair, although I am voting against the Cyber Intelligence Sharing and Protection Act of 2011 today, I recommend Representative C.A. ''DUTCH'' RUPPERSBERGER, the Ranking Member of the House Intelligence Committee, for his efforts to improve the bill significantly since its passage out of committee. He has been a leader in protecting our Nation against cyber attacks, and he has gone out of his way to make this bill as inclusive and bipartisan as possible. I want to thank him for the time he took to meet with me personally to discuss this legislation and ways to improve it going forward.

I oppose this bill in its current form for several reasons. First, the Republicans on the House Rules Committee refused to allow debate on an amendment offered by Representative BENNIE THOMPSON, the Ranking Member of the House Committee on Homeland Security, to expand this legislation to protect our Nation's critical infrastructure.

In testimony before the House Intelligence Committee, then-CIA Director Leon Panetta called cybersecurity ''the battleground for the future.'' Our Nation's critical infrastructure—including power distribution, water supply, telecommunications, and emergency services—has become increasingly dependent on computerized information systems to manage their operations and to process, maintain, and report essential information. Any effort to address this national security threat must address our Nation's critical infrastructure.

In addition, the legislation includes several provisions that are problematic. For example, under the information-sharing provisions of the bill, private entities receive absolute immunity from criminal or civil liability for any harm that may result from a company's actions that stem from the sharing or receiving of cyber threat information as long as the company can show it was acting in good faith.

This bill would also create a new exemption to the Freedom of Information Act that is unwarranted since current law exemptions provide the flexibility necessary to protect sensitive information. The bill would prohibit agencies from disclosing ''cyber threat information,'' and it would hold the government liable for such disclosure. Unfortunately, an amendment offered on the floor did not sufficiently address these concerns.

Finally, the bill would allow companies to share private consumer data without adequate protections or oversight. Private entities would decide the type and amount of information to share with the Federal Government, and nothing in the bill would require companies to strip out unnecessary personally identifiable information. Again, an amendment offered on the floor did not go far enough to adequately address this issue.

I appreciate the great effort that went into pulling this bill together, but more work is needed before I can offer my support. It is critical that we protect Americans from cyber attacks, and I hope we can continue to improve this legislation as we move forward.

Mr. NADLER. Madam Chair, I rise in strong opposition to H.R. 3523, the Cyber Intelligence Sharing and Protection Act (CISPA).

The main topic this week, as announced by the House Republican Leadership, is cyber security, a serious issue for our Nation. As we become more dependent on computers and technology for even common or routine actions that happen every day, we become at increased risk of great damage from a cyber attack. Nations or individuals who wish us harm know that, and so we must be vigilant.

What we are considering today is premised on the idea that greater information sharing of cyber threats between the government and the private sector will improve security. While this is a relatively uncontroversial idea in concept, the bill before us raises a number of concerns.

It is important to note at the outset that the bill allows companies to share information, including private e-mails and other Internet communications, with the government—notwithstanding any other law. So, protections in existing law, such as the Electronic Communications Privacy Act (ECPA) and the Wiretap Act, are totally superseded. The government could get all of your information without a warrant or subpoena, and you would have little ability, if any, to stop it. Such a blanket exemption should give us great pause.

Unfortunately, the rest of the bill does not provide sufficient safeguards to justify this blanket exemption. To begin with, the definition of the cyber threat information to be shared is very broad. Suggestions have been made that define what should be included as cyber threat information in a narrow but sufficient way. These suggestions were not included in this bill.

At the very least, companies and other entities providing the government with information should be required to take some reasonable steps to remove personally identifiable information. Such reasonable steps need not be overly burdensome, but, again, even this limited protection was not included.

Once this information was shared with the government, it could be reviewed and used by any department. The Department of Defense, National Security Agency, and other defense and intelligence agencies thus would have access to the private, domestic internet activities of innocent Americans. This mixing of domestic information with military entities is dangerous and unprecedented. In fact, our policy has long-been to keep the military out of such domestic affairs. Information about cyber security should be limited to the relevant domestic government bodies, such as the Department of Homeland Security.

The power of government to use the information it receives would also be tremendously broad. One allowable use for this information is the hopelessly vague ''national security.'' In the past, the government has considered peace groups, civil rights activists, and other advocates to be ''threats'' to national security. It is easy to imagine how this term could be utilized for all the wrong reasons. The bill is supposed to be about cyber security, but allowing use of the information collected for national security purposes does not necessarily serve that purpose.

Further, the bill makes enforcing even the limited restrictions it contains difficult. With respect to private entities, as long as they act ''in good faith,'' they are immune from any civil or criminal case in state or federal court. This low standard means that any time a company claims it thought it was following the law, persons harmed by the improper sharing of information will have no recourse.

The bill does allow for civil actions against government violations. Unfortunately, the ability to bring a lawsuit against the government, as provided for in the bill, is deficient in three ways.

First, the bill only would allow lawsuits against the government for breaches if filed ''not later than two years after the date of the violation.'' That time period is wholly unworkable, unfair, and unrealistic.

Second, as written the bill only would impose liability on the government only for ''intentionally'' or ''willfully'' violating its restrictions. While this is helpful, such a limited liability scheme ignores damages arising from negligence. Such negligent acts could involve the failure to properly protect sensitive information or the failure to act with due care in deciding what information should be used.

Lastly, the only remedy is monetary damages. Injunctive relief, which could force the government to change its practices, is not provided for.

I filed an amendment with the Rules Committee to solve these three problems regarding the ability to hold the government accountable. It was not made in order.

In fact, multiple amendments were filed with the Rules Committee which would have made significant improvements to this bill. They would have narrowed its terms, limited how information could be used, protected personal information, and so on. The Rules Committee chose not to make them in order. Some of the amendments the House was allowed to consider will improve the bill, but not enough to sufficiently protect our privacy and civil liberties.

In closing, I want to reiterate that I recognize the importance of the issue of cyber security. I agree with the proponents of the bill that we must improve our cyber security defenses.

But, I remain firmly committed to the notion that we can protect our security and maintain our liberty, privacy, and freedom. This bill puts our privacy at great risk, and unnecessarily so. As such, I oppose its passage and recommend my colleagues do the same.

Mr. RAHALL. Madam Chair, I recognize the need to address the threats posed to our Nation and the American economy in cyber

space, but I also believe we must be very careful in maintaining the appropriate balance between protecting our national security and preserving our civil liberties.

Given the concerns about this measure and the perceived threat to sensitive and personal information of American citizens, I believe that the House should take additional time to deliberate on this measure. The American public deserves an opportunity to gain a fuller understanding of the provisions included in this bill and how their daily lives may be affected by it.

For these reasons, I will oppose the bill.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Permanent Select Committee on Intelligence, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee print 112–20. That amendment in the nature of a substitute shall be considered as read.

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

H.R. 3523

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 ''Cyber Intelligence Sharing and Protection Act''.

SEC. 2. CYBER THREAT INTELLIGENCE AND INFORMATION SHARING.

(a) IN GENERAL.—Title XI of the National Security Act of 1947 (50 U.S.C. 442 et seq.) is amended by adding at the end the following new section:

''CYBER THREAT INTELLIGENCE AND INFORMATION SHARING

''SEC. 1104. (a) INTELLIGENCE COMMUNITY SHARING OF CYBER THREAT INTELLIGENCE WITH PRIVATE SECTOR AND UTILITIES.—

''(1) IN GENERAL.—The Director of National Intelligence shall establish procedures to allow elements of the intelligence community to share cyber threat intelligence with private-sector entities and utilities and to encourage the sharing of such intelligence.

''(2) SHARING AND USE OF CLASSIFIED INTELLIGENCE.—The procedures established under paragraph (1) shall provide that classified cyber threat intelligence may only be—

''(A) shared by an element of the intelligence community with—

''(i) certified entities; or

''(ii) a person with an appropriate security clearance to receive such cyber threat intelligence;

''(B) shared consistent with the need to protect the national security of the United States; and

''(C) used by a certified entity in a manner which protects such cyber threat intelligence from unauthorized disclosure.

''(3) SECURITY CLEARANCE APPROVALS.—The Director of National Intelligence shall issue guidelines providing that the head of an element of the intelligence community may, as the head of such element considers necessary to carry out this subsection—

''(A) grant a security clearance on a temporary or permanent basis to an employee or officer of a certified entity;

''(B) grant a security clearance on a temporary or permanent basis to a certified entity and approval to use appropriate facilities; and

''(C) expedite the security clearance process for a person or entity as the head of such element considers necessary, consistent with the need to protect the national security of the United States.

''(4) NO RIGHT OR BENEFIT.—The provision of information to a private-sector entity or a utility under this subsection shall not create a right or benefit to similar information by such entity or such utility or any other private-sector entity or utility.

''(5) RESTRICTION ON DISCLOSURE OF CYBER THREAT INTELLIGENCE.—Notwithstanding any other provision of law, a certified entity receiving cyber threat intelligence pursuant to this subsection shall not further disclose such cyber threat intelligence to another entity, other than to a certified entity or other appropriate agency or department of the Federal Government authorized to receive such cyber threat intelligence.

''(b) USE OF CYBERSECURITY SYSTEMS AND SHARING OF CYBER THREAT INFORMATION.—

''(1) IN GENERAL.—

''(A) CYBERSECURITY PROVIDERS.—Notwithstanding any other provision of law, a cybersecurity provider, with the express consent of a protected entity for which such cybersecurity provider is providing goods or services for cybersecurity purposes, may, for cybersecurity purposes—

''(i) use cybersecurity systems to identify and obtain cyber threat information to protect the rights and property of such protected entity; and

''(ii) share such cyber threat information with any other entity designated by such protected entity, including, if specifically designated, the Federal Government.

''(B) SELF-PROTECTED ENTITIES.—Notwithstanding any other provision of law, a self-protected entity may, for cybersecurity purposes—

''(i) use cybersecurity systems to identify and obtain cyber threat information to protect the rights and property of such self-protected entity; and

''(ii) share such cyber threat information with any other entity, including the Federal Government.

''(2) SHARING WITH THE FEDERAL GOVERNMENT.—

''(A) INFORMATION SHARED WITH THE NATIONAL CYBERSECURITY AND COMMUNICATIONS INTEGRATION CENTER OF THE DEPARTMENT OF HOMELAND SECURITY.—Subject to the use and protection of information requirements under paragraph (3), the head of a department or agency of the Federal Government receiving cyber threat information in accordance with paragraph (1) shall provide such cyber threat information to the National Cybersecurity and Communications Integration Center of the Department of Homeland Security.

''(B) REQUEST TO SHARE WITH ANOTHER DEPARTMENT OR AGENCY OF THE FEDERAL GOVERNMENT.—An entity sharing cyber threat information that is provided to the National Cybersecurity and Communications Integration Center of the Department of Homeland Security under subparagraph (A) or paragraph (1) may request the head of such Center to, and the head of such Center may, provide such information to another department or agency of the Federal Government.

''(3) USE AND PROTECTION OF INFORMATION.—Cyber threat information shared in accordance with paragraph (1)—

''(A) shall only be shared in accordance with any restrictions placed on the sharing of such information by the protected entity or self-protected entity authorizing such sharing, including appropriate anonymization or minimization of such information;

''(B) may not be used by an entity to gain an unfair competitive advantage to the detriment of the protected entity or the self-protected entity authorizing the sharing of information;

''(C) if shared with the Federal Government—

''(i) shall be exempt from disclosure under section 552 of title 5, United States Code;

''(ii) shall be considered proprietary information and shall not be disclosed to an entity outside of the Federal Government except as authorized by the entity sharing such information;

''(iii) shall not be used by the Federal Government for regulatory purposes;

''(iv) shall not be provided by the department or agency of the Federal Government receiving such cyber threat information to another department or agency of the Federal Government under paragraph (2)(A) if—

''(I) the entity providing such information determines that the provision of such information will undermine the purpose for which such information is shared; or

''(II) unless otherwise directed by the President, the head of the department or agency of the Federal Government receiving such cyber threat information determines that the provision of such information will undermine the purpose for which such information is shared; and

''(v) shall be handled by the Federal Government consistent with the need to protect sources and methods and the national security of the United States; and

''(D) shall be exempt from disclosure under a State, local, or tribal law or regulation that requires public disclosure of information by a public or quasi-public entity.

''(4) EXEMPTION FROM LIABILITY.—No civil or criminal cause of action shall lie or be maintained in Federal or State court against a protected entity, self-protected entity, cybersecurity provider, or an officer, employee, or agent of a protected entity, self-protected entity, or cybersecurity provider, acting in good faith—

''(A) for using cybersecurity systems or sharing information in accordance with this section; or

''(B) for decisions made based on cyber threat information identified, obtained, or shared under this section.

''(5) RELATIONSHIP TO OTHER LAWS REQUIRING THE DISCLOSURE OF INFORMATION.—The submission of information under this subsection to the Federal Government shall not satisfy or affect any requirement under any other provision of law for a person or entity to provide information to the Federal Government.

''(c) FEDERAL GOVERNMENT USE OF INFORMATION.—

''(1) LIMITATION.—The Federal Government may use cyber threat information shared with the Federal Government in accordance with subsection (b) for any lawful purpose only if—

''(A) the use of such information is not for a regulatory purpose; and

''(B) at least one significant purpose of the use of such information is—

''(i) a cybersecurity purpose; or

''(ii) the protection of the national security of the United States.

''(2) AFFIRMATIVE SEARCH RESTRICTION.—The Federal Government may not affirmatively search cyber threat information shared with the Federal Government under subsection (b) for a purpose other than a purpose referred to in paragraph (1)(B).

''(3) ANTI-TASKING RESTRICTION.—Nothing in this section shall be construed to permit the Federal Government to—

''(A) require a private-sector entity to share information with the Federal Government; or

''(B) condition the sharing of cyber threat intelligence with a private-sector entity on the provision of cyber threat information to the Federal Government.

''(d) FEDERAL GOVERNMENT LIABILITY FOR VIOLATIONS OF RESTRICTIONS ON THE DISCLOSURE, USE, AND PROTECTION OF VOLUNTARILY SHARED INFORMATION.—

''(1) IN GENERAL.—If a department or agency of the Federal Government intentionally or willfully violates subsection (b)(3)(C) or subsection

(c) with respect to the disclosure, use, or protection of voluntarily shared cyber threat information shared under this section, the United States shall be liable to a person adversely affected by such violation in an amount equal to the sum of—

''(A) the actual damages sustained by the person as a result of the violation or $1,000, whichever is greater; and

''(B) the costs of the action together with reasonable attorney fees as determined by the court.

''(2) VENUE.—An action to enforce liability created under this subsection may be brought in the district court of the United States in—

''(A) the district in which the complainant resides;

''(B) the district in which the principal place of business of the complainant is located;

''(C) the district in which the department or agency of the Federal Government that disclosed the information is located; or

''(D) the District of Columbia.

''(3) STATUTE OF LIMITATIONS.—No action shall lie under this subsection unless such action is commenced not later than two years after the date of the violation of subsection (b)(3)(C) or subsection (c) that is the basis for the action.

''(4) EXCLUSIVE CAUSE OF ACTION.—A cause of action under this subsection shall be the exclusive means available to a complainant seeking a remedy for a violation of subsection (b)(3)(C) or subsection (c).

''(e) REPORT ON INFORMATION SHARING.—

''(1) REPORT.—The Inspector General of the Intelligence Community shall annually submit to the congressional intelligence committees a report containing a review of the use of information shared with the Federal Government under this section, including—

''(A) a review of the use by the Federal Government of such information for a purpose other than a cybersecurity purpose;

''(B) a review of the type of information shared with the Federal Government under this section;

''(C) a review of the actions taken by the Federal Government based on such information;

''(D) appropriate metrics to determine the impact of the sharing of such information with the Federal Government on privacy and civil liberties, if any;

''(E) a review of the sharing of such information within the Federal Government to identify inappropriate stovepiping of shared information; and

''(F) any recommendations of the Inspector General for improvements or modifications to the authorities under this section.

''(2) FORM.—Each report required under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

''(f) FEDERAL PREEMPTION.—This section supersedes any statute of a State or political subdivision of a State that restricts or otherwise expressly regulates an activity authorized under subsection (b).

''(g) SAVINGS CLAUSES.—

''(1) EXISTING AUTHORITIES.—Nothing in this section shall be construed to limit any other authority to use a cybersecurity system or to identify, obtain, or share cyber threat intelligence or cyber threat information.

''(2) LIMITATION ON MILITARY AND INTELLIGENCE COMMUNITY INVOLVEMENT IN PRIVATE AND PUBLIC SECTOR CYBERSECURITY EFFORTS.—Nothing in this section shall be construed to provide additional authority to, or modify an existing authority of, the Department of Defense or the National Security Agency or any other element of the intelligence community to control, modify, require, or otherwise direct the cybersecurity efforts of a private-sector entity or a component of the Federal Government or a State, local, or tribal government.

''(3) INFORMATION SHARING RELATIONSHIPS.—Nothing in this section shall be construed to—

''(A) limit or modify an existing information sharing relationship;

''(B) prohibit a new information sharing relationship;

''(C) require a new information sharing relationship between the Federal Government and a private-sector entity; or

''(D) modify the authority of a department or agency of the Federal Government to protect sources and methods and the national security of the United States.

''(h) DEFINITIONS.—In this section:

''(1) CERTIFIED ENTITY.—The term 'certified entity' means a protected entity, self-protected entity, or cybersecurity provider that—

''(A) possesses or is eligible to obtain a security clearance, as determined by the Director of National Intelligence; and

''(B) is able to demonstrate to the Director of National Intelligence that such provider or such entity can appropriately protect classified cyber threat intelligence.

''(2) CYBER THREAT INFORMATION.—The term 'cyber threat information' means information directly pertaining to a vulnerability of, or threat to, a system or network of a government or private entity, including information pertaining to the protection of a system or network from—

''(A) efforts to degrade, disrupt, or destroy such system or network; or

''(B) efforts to gain unauthorized access to a system or network, including efforts to gain such unauthorized access to steal or misappropriate private or government information.

''(3) CYBER THREAT INTELLIGENCE.—The term 'cyber threat intelligence' means information in the possession of an element of the intelligence community directly pertaining to a vulnerability of, or threat to, a system or network of a government or private entity, including information pertaining to the protection of a system or network from—

''(A) efforts to degrade, disrupt, or destroy such system or network; or

''(B) efforts to gain unauthorized access to a system or network, including efforts to gain such unauthorized access to steal or misappropriate private or government information.

''(4) CYBERSECURITY PROVIDER.—The term 'cybersecurity provider' means a non-governmental entity that provides goods or services intended to be used for cybersecurity purposes.

''(5) CYBERSECURITY PURPOSE.—The term 'cybersecurity purpose' means the purpose of ensuring the integrity, confidentiality, or availability of, or safeguarding, a system or network, including protecting a system or network from—

''(A) efforts to degrade, disrupt, or destroy such system or network; or

''(B) efforts to gain unauthorized access to a system or network, including efforts to gain such unauthorized access to steal or misappropriate private or government information.

''(6) CYBERSECURITY SYSTEM.—The term 'cybersecurity system' means a system designed or employed to ensure the integrity, confidentiality, or availability of, or safeguard, a system or network, including protecting a system or network from—

''(A) efforts to degrade, disrupt, or destroy such system or network; or

''(B) efforts to gain unauthorized access to a system or network, including efforts to gain such unauthorized access to steal or misappropriate private or government information.

''(7) PROTECTED ENTITY.—The term 'protected entity' means an entity, other than an individual, that contracts with a cybersecurity provider for goods or services to be used for cybersecurity purposes.

''(8) SELF-PROTECTED ENTITY.—The term 'self-protected entity' means an entity, other than an individual, that provides goods or services for cybersecurity purposes to itself.

''(9) UTILITY.—The term 'utility' means an entity providing essential services (other than law enforcement or regulatory services), including electricity, natural gas, propane, telecommunications, transportation, water, or wastewater services.''.

(b) PROCEDURES AND GUIDELINES.—The Director of National Intelligence shall—

(1) not later than 60 days after the date of the enactment of this Act, establish procedures under paragraph (1) of section 1104(a) of the National Security Act of 1947, as added by subsection (a) of this section, and issue guidelines under paragraph (3) of such section 1104(a);

(2) in establishing such procedures and issuing such guidelines, consult with the Secretary of Homeland Security to ensure that such procedures and such guidelines permit the owners and operators of critical infrastructure to receive all appropriate cyber threat intelligence (as defined in section 1104(h)(3) of such Act, as added by subsection (a)) in the possession of the Federal Government; and

(3) following the establishment of such procedures and the issuance of such guidelines, expeditiously distribute such procedures and such guidelines to appropriate departments and agencies of the Federal Government, private-sector entities, and utilities (as defined in section 1104(h)(9) of such Act, as added by subsection (a)).

(c) INITIAL REPORT.—The first report required to be submitted under subsection (e) of section 1104 of the National Security Act of 1947, as added by subsection (a) of this section, shall be submitted not later than one year after the date of the enactment of this Act.

(d) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the National Security Act of 1947 is amended by adding at the end the following new item:

''Sec. 1104. Cyber threat intelligence and information sharing.''.

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in House Report 112–454. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. LANGEVIN

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 112–454.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1, line 13, strike ''UTILITIES'' and insert ''CRITICAL INFRASTRUCTURE OWNERS AND OPERATORS''.

Page 2, line 1, strike ''utilities'' and insert ''critical infrastructure owners and operators''.

Page 3, line 13, strike ''utility'' and insert ''critical infrastructure owner or operator''.

Page 3, line 16, strike ''utility'' each place it appears and insert ''critical infrastructure owner or operator''.

Page 17, strike lines 12 through 16.

The Acting CHAIR. Pursuant to House Resolution 631, the gentleman from Rhode Island (Mr. LANGEVIN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Rhode Island.

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

The bill that we are considering today creates a voluntary information-sharing network, which could provide owners and operators of critical infrastructure with valuable threat information that would help them to secure their networks from cyberattacks.

Unfortunately, the legislation specifies that it applies only to ''private sector entities and utilities.'' While ''utilities'' is defined extremely broadly in the legislation as any entity that provides ''essential services,'' including telecommunications and transportation providers, there remains the possibility that the definition may exclude pieces of our critical infrastructure that have significant cybervulnerabilities.

My amendment, which I am offering with my good friend Mr. LUNGREN from California, strikes the uses of the word ''utilities'' and replaces it in each instance with the phrase ''critical infrastructure owners and operators.'' This is a commonsense way to avoid potential confusion and to eliminate any possibility that critical entities could be denied the opportunity to opt into this voluntary information-sharing framework and thereby share and receive the valuable classified threat information that will be available under CISPA.

This amendment will not significantly expand the scope of the legislation, but instead will help prevent interpretations of language that could be contrary to the committee's intent, which I believe is the same as mine.

Now, while I recognize that any regulation of critical infrastructure would be outside the Intelligence Committee's jurisdiction, I nonetheless want to take this opportunity to voice my strong conviction that our efforts must not stop with the legislation that we are considering this week.

Just as the airline industry must follow Federal Aviation Administration safety standards, the companies that own and operate the infrastructure on which the public most relies should be accountable for protecting their consumers when confronted with a significant risk. I, along with many Members on both sides of the aisle and experts within and outside of government, have come to the same basic conclusion: the status quo of voluntary action will not result in strong cyberprotections for our most valuable and vulnerable industries. The Secretary of Homeland Security emphasized last week that our critical infrastructure control systems, which are mainly in private hands, must come up to a certain baseline level in cybersecurity standards.

With increased public awareness helping to build momentum for legislative action, we have a real chance to address these threats. I hope that we will not look back on this moment years from now, regretting a missed opportunity after the damage has been done. While the amendment we are offering today will not by itself provide the protections that Mr. LUNGREN and I ultimately believe are necessary for our critical infrastructure, it is a useful first step, and I am thankful to Mr. LUNGREN for joining me in this effort.

With that, Madam Chair, I reserve the balance of my time.

Mr. ROGERS of Michigan. I rise in opposition to the amendment.

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

Mr. ROGERS of Michigan. I want to first compliment Mr. LANGEVIN for working with us on the cybersecurity bill. He has been an instrumental force in pushing this cybersecurity issue to the front and in getting the language that we have that finds that right balance.

My concern with this, which is why I thought, at least, the President's advisers who were recommending to him that he veto the bill were misguided, is that now we have done something in this bill that is fairly unique. It is all voluntary, and we have separated the government and the private sector. The government is not going to be involved in private sector networks, and they're not going to be involved in the government networks. Perfect. That's exactly the balance we found.

With this, it crosses both of those, and it gets us to a place that I think we need to have a lot more discussion on, and you can see by the level of debate just on this issue how people are really nervous about the Federal Government getting into their business.

□ 1540

This, I'm afraid, opens it up to that. Here's the good news. We believe this is already covered in the bill as far as the sharing component, and you replace the word ''utility'' with something that isn't defined, ''critical infrastructure, owners and operators.'' We're not sure what that is, and in some cases you could extrapolate that to be even the local police, who argue they're part of the national security infrastructure. Does that mean local police are going to get very sensitive foreign cyberintelligence information? And why would they have it? We don't know the answers to those questions, and that's why we're having such a hard time with this amendment.

I would argue that there does need to be a Homeland Security bill, and it really shouldn't be done in the Intelligence Committee. It should be done in the Homeland Security Committee.

So I would love to work with Mr. LANGEVIN as the process works its way through the Homeland Security Committee and believe that that should be fully debated.

Remember, when you start getting regulation into the private sector, including private networks, that, I argue, is troublesome and very worrisome to me, and something I would have a hard time supporting.

So, I look forward to working with the gentleman. I would have to oppose this amendment, but I want to thank you for all your work on the cyberissue and, clearly, this cyber information-sharing bill.

I reserve the balance of my time.

Mr. LANGEVIN. I thank the chairman of the Intelligence Committee for his thoughts. I respectfully disagree. The word ''utilities'' is important, but I believe ''critical infrastructure,'' out of an abundance of caution, is a better term than ''utilities''.

How much time do I have, Madam Chair?

The Acting CHAIR. The gentleman has 2 minutes remaining.

Mr. LANGEVIN. I yield 1½ minutes to the distinguished chairman on the Department of Homeland Security Committee, the gentleman from California (Mr. DANIEL E. LUNGREN).

Mr. DANIEL E. LUNGREN of California. I think the amendment is quite simple. As written, the bill allows for information to be shared with the private sector and utilities, but there are those that do not fall within that that I think we would all agree should be able to have this relationship.

Our amendment would have the simple effect of including those elements such as airport authorities, mass transit authorities, or municipal hospitals, which are neither private sector nor utilities, to be able to participate in this voluntary information-sharing regime.

I find it odd to find out that the committee is worried about the definition of ''critical infrastructure.'' That has been defined in the U.S. Code for over a decade. It is in the language in 42 U.S.C. 5195c, the Critical Infrastructure Protection Act of 2001, which defines critical infrastructure as:

> Systems or assets, whether physical or virtual, so vital to the United States that the incapacity or destruction of such systems and assets would have a debilitating impact on security, national economic security, national public health or safety, or any combination of those matters.

That has been the definition that we have supported. That's been the definition that we've worked on. Your committee, our committee, all committees have. I find this a very simple amendment that tries to reach what we are all trying to reach. It does not grant any more authority to the Federal Government. It allows for the sharing of information to vital entities, as the gentleman has suggested, that we would all agree ought to be there.

I would hope that pride of authorship is not the problem here. We're trying to do something that we think makes common sense. And if folks have trouble with the definition of critical infrastructure, you would have thought it would have been raised in the last decade.

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

Mr. LANGEVIN. I yield the gentleman an additional 15 seconds.

Mr. DANIEL E. LUNGREN of California. I would hope that we could have support for this bipartisan amendment brought forward by the gentleman who

serves on the Intelligence Committee. I serve on the Homeland Security Committee. I'm chairman of the Subcommittee on Cybersecurity.

It seems to me to make imminent sense. I do not understand why there is some opposition to this amendment. I thank the gentleman.

Mr. ROGERS of Michigan. How much time do I have remaining?

The Acting CHAIR. The gentleman has 3 minutes remaining.

Mr. ROGERS of Michigan. I would just remind the gentleman that the definition does not go back anywhere in this bill to that. It leaves it open, and when you start, again, crossing that valley between the government and the private sector, it causes serious issues—as you can see, the people who are very concerned that the government is going to get into regulating anything on the Internet.

I would say this is no pride of authorship. I don't know if Mr. RUPPERSBERGER and I could have any more authors participate in our bill than we have.

The problem here is very real and very substantive. And that's why I think both the gentlemen, who have as much passion and care and commitment to this issue as I've seen, need to work that issue on the Homeland Security Committee so you can do it in a way that won't rise to the level of the objections that we have seen when just the suggestion of regulating outside of the purview of national security comes into discussion.

That's why I would hope the gentleman would exercise extreme caution when taking that walk. It is perilous for the government to get into regulating the Internet, and I oppose that completely. That's why we have these problems, I think, arise from it. I think, if these are issues that they can get over, that this should have substantive debate. Remember, this very narrow bill took 1 year—1 year—of work and negotiation and discussions to get it to where we are today.

So, I would encourage that maybe more thought ought to be put in it, and I would look forward to working with both gentleman as they introduce and work their bills through the Homeland Security Committee, as I think would be appropriate.

I reserve the balance of my time.

Mr. LANGEVIN. Again, I thank the chairman of the Intelligence Committee for his thoughts. I want to be very clear that this term substituting ''critical infrastructure'' for ''utilities'' does not lend to regulating critical infrastructure. It just allows for the broadest possible definition of information-sharing among those entities that are deemed to be critical infrastructure.

With that, I thank Chairman LUNGREN for his support of this bipartisan amendment, and I yield back the balance of my time.

Mr. ROGERS of Michigan. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Rhode Island (Mr. LANGEVIN).

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

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

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

The Chair understands that amendment No. 2 will not be offered.

AMENDMENT NO. 3 OFFERED BY MR. POMPEO

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 112–454.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 8, beginning on line 18, strike ''or sharing information'' and insert ''to identify or obtain cyber threat information or for sharing such information''.

The Acting CHAIR. Pursuant to House Resolution 631, the gentleman from Kansas (Mr. POMPEO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Kansas.

Mr. POMPEO. I want to thank Chairman ROGERS and Chairman RUPPERSBERGER for their hard work on this important piece of legislation. I am among those folks who, when I first learned of this legislation, had some concerns to make sure that it was balanced and it did the right things. Also as a former Army officer, I recognize the deep national security implications of the cyberthreat, but I also wanted to make sure that we also did everything that was necessary to protect everyone's privacy rights.

This is a simple amendment. It makes clear that the liability protection in the bill with respect to the use of such systems only extends to the identification and acquisition of cyberthreat information and no further.

This is an unprecedented threat from countries like China and Russia. These are hostile nations, and they're committing resources, unprecedented resources, to attack U.S. networks each and every minute of every day. While this new threat is being developed by our foreign enemies, organized criminals and foreign hackers also just as easily deploy malicious cyberattacks to disrupt stock markets, transportation networks, businesses, governments, and even our military operations.

A devastating cyberattack could easily be unleashed from the remote comfort of enemies' computers thousands of miles away from our Nation. We must take this threat very, very seriously.

Part of the challenge in cyberspace is that a line of computer code could be just as deadly as a traditional military weapon. We've already seen these attacks used as an instrument of war. In 2008, Georgia suffered a significant cyberattack prior to the invasion by Russia. This attack crippled Georgia's banking system and disrupted the nation's cell phone services, helping to clear the battlefield for the invading Russians.

Perhaps the most significant dangerous activity in cyberspace even goes unnoticed. Cyberspies lay in wait for years in order to eventually steal precious military and economic secrets. Each of these examples further illustrates the need for legislation. Unfortunately, some civil liberties and privacy advocates claim that liability protection in this bill with respect to the use of cybersecurity systems could lead to broader activities than authorized.

This legislation doesn't do that, but my amendment simply provides clarifying language to the original language of the bill, and thus enjoys the support of bipartisan cosponsors of the legislation, as well as the outside groups that raise these concerns.

Madam Chair, I urge approval of this amendment.

With that, I reserve the balance of my time.

The Acting CHAIR. Does any Member seek time in opposition?

Mr. POMPEO. I yield as much time as he may consume to the gentleman from Michigan (Mr. ROGERS), the chairman of the Intelligence Committee.

□ 1550

Mr. ROGERS of Michigan. I want to thank Mr. POMPEO for working with us. This was an amendment negotiated with Mr. RUPPERSBERGER and myself and Mr. POMPEO to clearly define the intention of the bill, and I think it offers protections. I think we should all strongly support Mr. POMPEO's amendment.

Mr. POMPEO. Madam Chair, I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. ROGERS OF MICHIGAN

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 112–454.

Mr. ROGERS of Michigan. I have an amendment at the desk, Madam Chair.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 9, beginning on line 2, strike ''affect any'' and insert ''affect—''.

Page 9, strike lines 3 through 5 and insert the following:

''(A) any requirement under any other provision of law for a person or entity to provide information to the Federal Government; or

''(B) the applicability of other provisions of law, including section 552 of title 5, United

States Code (commonly known as the 'Freedom of Information Act'), with respect to information required to be provided to the Federal Government under such other provision of law.

The Acting CHAIR. Pursuant to House Resolution 631, the gentleman from Michigan (Mr. ROGERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. ROGERS of Michigan. Madam Chair, I strongly encourage the support of this amendment. It's a simple amendment we negotiated. It is clarifying language again on FOIA.

With that, I yield such time as he may consume to the gentleman from California (Mr. ISSA).

Mr. ISSA. I thank the gentleman for yielding. Hopefully there will be time left over also for Mr. CHAFFETZ, who has worked hard on this amendment.

I want to thank the chairman for working with our committee on this amendment that clarifies in the Cyber Intelligence Sharing and Protection Act that FOIA, the Freedom of Information Access Act, is in fact clearly in effect for the vast majority of this information.

We understand that companies—I will just take an example—such as electric utility companies may share their very vulnerabilities as a part of a process to reduce or eliminate these vulnerabilities. We certainly understand that that's not FOIAable. National security is not FOIAable. However, we, in this amendment, ensure that everything is at least possibly FOIAable whenever it would be appropriate, and then the only question is does it stand for one of the exclusions. So by making it narrow, we tell the American people that the Freedom of Information Act is in effect on cybersecurity and will not be unreasonably withheld.

I think this is critical at a time when greater transparency is the promise and there is a great deal of concern about cybersecurity somehow being something that would take away America's freedoms. Just the opposite is true. Our freedom of the Internet, our freedom to have an effective and efficient system on which to build our infrastructure both for electricity and other utilities, but also for our everyday life, essentially requires the kind of cooperation that we anticipate.

Mr. RUPPERSBERGER. Madam Chair, I claim time in opposition to the amendment; however, I do not oppose the amendment.

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

There was no objection.

Mr. RUPPERSBERGER. I agree with Mr. ISSA's comments. This is a joint amendment of Mr. ROGERS and me. The amendment would make it clear that while FOIA exemption protects information obtained under the bill, regulatory information required by other authorities remains subject to FOIA requests.

The chairman and I agree the law should not create a broad change. The type of information that is available under the Freedom of Information Act, we have a responsibility to protect classified information from disclosure, but we also understand the need to keep information open to the public. The amendment makes clear that information available under other authorities remains subject to FOIA, and I urge all Members to support this bipartisan amendment.

Mr. CHAFFETZ. Will the gentleman yield?

Mr. RUPPERSBERGER. I yield to the gentleman from Utah.

Mr. CHAFFETZ. I thank the gentleman for yielding.

I appreciate the bipartisan nature in which this is moving forward. I appreciate specifically Chairman ROGERS, Chairman ISSA, and the ranking member.

I stand in support of this amendment. I think FOIA is a very important principle we have in this, and this just strengthens that.

I would also say, Madam Chair, that I was opposed to SOPA. I was adamantly opposed to this. But this bill in particular is desperately needed in this country. Cybersecurity is a very real threat, and this bill is something that is needed in this country. I think it is strong in its Fourth Amendment protections. I think it's appropriate for this Nation to do this. We need to make sure that we're smart in how we advance.

There have been some much-needed amendments that were adopted. But again, the bill, as we see it moving forward, I think, will strengthen cybersecurity in this country, and I'm proud of the fact that Chairman ROGERS is bringing this bill to the floor.

I urge the support of this amendment and the underlying bill.

Mr. ROGERS of Michigan. Madam Chair, I yield back the balance of my time.

Mr. RUPPERSBERGER. I yield back the balance of my time.

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

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

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

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

It is now in order to consider amendment No. 5 printed in House Report 112–454.

AMENDMENT NO. 6 OFFERED BY MR. QUAYLE

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 112–454.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 9, strike lines 8 through 18 and insert the following:

''(1) LIMITATION.—The Federal Government may use cyber threat information shared with the Federal Government in accordance with subsection (b)—

''(A) for cybersecurity purposes;

''(B) for the investigation and prosecution of cybersecurity crimes;

''(C) for the protection of individuals from the danger of death or serious bodily harm and the investigation and prosecution of crimes involving such danger of death or serious bodily harm;

''(D) for the protection of minors from child pornography, any risk of sexual exploitation, and serious threats to the physical safety of such minor, including kidnapping and trafficking and the investigation and prosecution of crimes involving child pornography, any risk of sexual exploitation, and serious threats to the physical safety of minors, including kidnapping and trafficking, and any crime referred to in 2258A(a)(2) of title 18, United States Code; or

''(E) to protect the national security of the United States.

Page 16, before line 1 insert the following:

''(4) CYBERSECURITY CRIME.—The term 'cybersecurity crime' means—

''(A) a crime under a Federal or State law that involves—

''(i) efforts to degrade, disrupt, or destroy a system or network;

''(ii) efforts to gain unauthorized access to a system or network; or

''(iii) efforts to exfiltrate information from a system or network without authorization; or

''(B) the violation of a provision of Federal law relating to computer crimes, including a violation of any provision of title 18, United States Code, created or amended by the Computer Fraud and Abuse Act of 1986 (Public Law 99–474).''.

The Acting CHAIR. Pursuant to House Resolution 631, the gentleman from Arizona (Mr. QUAYLE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

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

I appreciate the opportunity to speak in favor of this bipartisan amendment that I'm offering along with Congresswoman ESHOO, Congressman THOMPSON, and Congressman BROUN.

H.R. 3523 is designed to increase the sharing of government intelligence and cyberthreats with the private sector and allow private sector companies to share threat information on a voluntary basis. The bill is consistent with our founding principles and our Constitution. Indeed, as the nature of the threats facing our Nation change, I believe this legislation is vital to protecting our country.

Every day our military intelligence communities work to counter traditional threats like nuclear and biological weapons in order to prevent a catastrophic attack on U.S. soil, but today's security threats are becoming less traditional. Four nations have chosen cyberspace as an area of particular

vulnerability for America and are targeting critical military and economic cyberinfrastructure.

Admiral Mike Mullen, the former Chairman of the Joint Chiefs of Staff, lists cyberattacks as one of the top threats facing the United States. Secretary of Defense and former CIA Director Leon Panetta warned that the next Pearl Harbor we confront could very well be a cyberattack that cripples our power systems, our grid, our security systems, our financial systems, our governmental systems.

This legislation not only protects our national security and intellectual property, it also provides private and public entities to voluntarily work with the government to protect every individual's personal information from nation-state actors like China, Russia, and Iran, who are determined to use cyberattacks to steal from us and weaken us.

□ 1600

This bipartisan amendment will further solidify protecting the homeland from foreign nation-states wishing to do us harm, while protecting civil liberties.

This amendment significantly narrows the bill's current limitation of the Federal Government's use of cyberthreat information that is voluntarily shared by the private sector. Specifically, this amendment strictly limits the Federal Government's use of voluntarily shared cyberthreat information to the following five purposes: cybersecurity purposes; investigation and prosecution of cybersecurity crimes; protection of individuals from danger of death or serious bodily harm; and protection of minors from child pornography, any risk of sexual exploitation, and serious threats to the physical safety of a minor; finally, protection of the national security of the United States.

If the government violates the use limitation, the bill provides for government liability for actual damages, costs, and attorney fees in Federal court. These provisions together ensure that information cannot be shared with the government or used under this bill unless there's a direct tie to cybersecurity.

Cyberterrorists work fast, so Congress needs to work faster to protect America. Enabling information-sharing between the government and private sector is the quickest and easiest way to prevent a cyberattack on our Nation. Our amendment ensures we can accomplish this goal while also protecting the privacy of all Americans, and I urge my colleagues to support it.

Mr. RUPPERSBERGER. I rise to claim time in opposition, but I do not oppose the amendment.

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

There was no objection.

Mr. RUPPERSBERGER. I yield to the gentleman from California (Mr. THOMPSON). He is on the Intelligence Committee and also a sponsor of this amendment.

Mr. THOMPSON of California. I thank the gentleman for yielding.

Madam Chair, I rise in support of the Thompson-Eshoo-Quayle-Broun amendment to this bill. The threat of a devastating cyberattack is real and cannot be understated. I believe the Federal Government and private companies need to work together to protect our national and economic security. But in doing so, we still have a responsibility to protect the constitutional rights of law-abiding citizens.

I'm concerned that the underlying bill is drafted in a way where consumer information could be shared too broadly and used in ways unrelated to combating cybersecurity threats. The Thompson-Eshoo-Quayle-Broun amendment will tighten the bill's limitation on the Federal Government's use of cyberthreat information shared under this legislation. Specifically, our amendment will limit the Federal Government's use of shared information only for cybersecurity purposes, for the investigation and prosecution of cybersecurity crimes, to protect against the threat of imminent harm, and protect our country's national security.

This bill, even with our amendment, isn't perfect. As this legislation moves forward, I expect the word of the chairman to be honored when he says that our committee will work together to further protect personal information and limit its use. For example, further narrowing terms in this bill, such as ''to protect the national security of the United States,'' will be necessary, I believe, to fully protect our civil liberties.

Mr. QUAYLE. I yield 30 seconds to the chairman of the Intelligence Committee, Mr. ROGERS.

Mr. ROGERS of Michigan. Thank you, Mr. QUAYLE.

Again, this is an amendment worked out with Mr. RUPPERSBERGER, Mr. THOMPSON, Mr. QUAYLE, and myself. Ms. ESHOO is also on the amendment.

This is in consultation with all of the privacy groups and the civil liberty groups. We wanted to make sure that the intent matched the language. And we think this is a limiting amendment on what it can be used for, which is very narrow, is very specific; and we think this enhances already good privacy protections in the bill, and I strongly support it and would encourage the House to strongly support the bipartisan amendment.

Mr. RUPPERSBERGER. I yield back the balance of my time.

Mr. QUAYLE. I just want to thank the chairman and the ranking member and their staffs for working tirelessly on this bill. It's a good bill, and this amendment, I believe, strengthens it.

I urge my colleagues to support it, and I yield back the balance of my time.

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

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

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

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

AMENDMENT NO. 7 OFFERED BY MR. AMASH

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 112–454.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 10, after line 10, insert the following new paragraph:

''(4) PROTECTION OF SENSITIVE PERSONAL DOCUMENTS.—The Federal Government may not use the following information, containing information that identifies a person, shared with the Federal Government in accordance with subsection (b):

''(A) Library circulation records.

''(B) Library patron lists.

''(C) Book sales records.

''(D) Book customer lists.

''(E) Firearms sales records.

''(F) Tax return records.

''(G) Educational records.

''(H) Medical records.

The Acting CHAIR. Pursuant to House Resolution 631, the gentleman from Michigan (Mr. AMASH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

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

I'm extremely concerned about the privacy implications of the bill. The liability waiver goes too far, and the government can access too much of Americans' private information and use it in too many ways.

Our amendment addresses that last concern. Our amendment prohibits CISPA from being used to snoop through sensitive documents that can personally identify Americans. The documents that our amendment makes off-limits to the government are library and book records, information on gun sales, tax returns, educational records, and medical records.

We didn't pull this list out of thin air. In fact, the list already exists in Federal law as part of the PATRIOT Act. Under the PATRIOT Act, the Federal Government can obtain these documents as part of a foreign intelligence investigation only if senior FBI officials request the documents and a Federal judge approves.

Many have questioned the wisdom of allowing the government access to sensitive documents even in those more limited circumstances. If the PATRIOT Act requires the approval of a Federal judge and a senior FBI official, surely we can't allow access to such personal information without any judicial or agency oversight. I don't know why the

government would want to snoop through library lists or tax returns to counter a cyberattack. But if the government wants these records, it has existing legal processes to obtain them. Our constituents' privacy demands that we not give the government unfettered and unsupervised access to these documents in the name of cybersecurity.

Please support the bipartisan Amash-Labrador-Nadler-Paul-Polis amendment.

I reserve the balance of my time.

The Acting CHAIR. Does any Member seek recognition in opposition to the amendment?

Mr. AMASH. I yield back the balance of my time.

Mr. NADLER. Madam Chair, I rise in strong support of the Amash-Labrador-Nadler-Paul-Polis Amendment.

While I believe most Members agree both that a cyber attack could be devastating and that sharing information will help to fight that threat, the underlying bill is overly broad and intrusive. Our amendment will add at least a modicum of protection for Americans' privacy.

While the idea of privacy may seem quaint to some in this day of social networking and the Internet, most Americans still believe that they have a zone of privacy vis-a-vis the government. As such, it is important we protect private actions from the prying eyes of government. Moreover, the government has a history of misusing such information and so we need to be very circumspect in what we allow it access to.

Our amendment prohibits records or information regarding what books you bought or checked out of the library, your medical records, tax returns, and so on from being used by the government for any purpose if it obtained that information pursuant to this bill. There is no need for the government to have this most personal of information—I don't see how any of it could be possibly relevant to cyber security. And, if the information can't be legally used, hopefully that will discourage companies from sharing it in the first place.

The categories of information in our amendment are already given a protected status in the Foreign Intelligence Surveillance Act (FISA). FISA requires a court order and the approval of a high-ranking FBI official to request these personal materials. If that is the standard under FISA, we should not let companies cavalierly hand such records to the government with no independent review at all.

I urge my colleagues to support this amendment.

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

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

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

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

AMENDMENT NO. 8 OFFERED BY MR. MULVANEY

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 112–454.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 10, after line 10 insert the following:

''(4) NOTIFICATION OF NON-CYBER THREAT INFORMATION.—If a department or agency of the Federal Government receiving information pursuant to subsection (b)(1) determines that such information is not cyber threat information, such department or agency shall notify the entity or provider sharing such information pursuant to subsection (b)(1).

''(5) RETENTION AND USE OF CYBER THREAT INFORMATION.—No department or agency of the Federal Government shall retain or use information shared pursuant to subsection (b)(1) for any use other than a use permitted under subsection (c)(1).

''(6) PROTECTION OF INDIVIDUAL INFORMATION.—The Federal Government may, consistent with the need to protect Federal systems and critical information infrastructure from cybersecurity threats and to mitigate such threats, undertake reasonable efforts to limit the impact on privacy and civil liberties of the sharing of cyber threat information with the Federal Government pursuant to this subsection.

Page 14, after line 13, insert the following:

''(4) USE AND RETENTION OF INFORMATION.—Nothing in this section shall be construed to authorize, or to modify any existing authority of, a department or agency of the Federal Government to retain or use information shared pursuant to subsection (b)(1) for any use other than a use permitted under subsection (c)(1).''.

The Acting CHAIR. Pursuant to House Resolution 631, the gentleman from South Carolina (Mr. MULVANEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

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

Madam Chair, I appreciate the opportunity to rise today to speak in favor to this amendment to the Cyber Intelligence Sharing and Protection Act. CISPA is fundamentally based on the authority granted to Congress in article I of the Constitution and article IV of the Constitution, specifically to provide for the common defense and to protect the Nation against invasion—in fact, the only affirmative duty that this government is obligated to meet under the terms of our Constitution.

This bill protects our Nation from foreign cyberthreats through the voluntary sharing of cyberthreat information. It is important for Members to understand this bill allows for only voluntary sharing of information on cybersecurity threats to the United States between the government and the private sector.

□ 1610

It includes no mandates to the private sector. It contains no new spending and strictly limits how the government can use the information that is voluntarily provided by the private sector. The amendment that I've offered with Mr. DICKS today goes one step further to protect the private information of American citizens. It explicitly prohibits the Federal Government from retaining or using the information for purposes other than specifically specified or set forth in the legislation.

Let's make it clear. The government cannot keep or use the shared information to see if you failed to pay your taxes. The government cannot use this information to read your emails. The government cannot use this information to track your credit card purchases or look at the Web sites that you've been visiting. Under our amendment, the Federal Government cannot use retained information unless it was directly related to a cyber or national security threat.

Finally, this bipartisan amendment requires—requires—the Federal Government to notify any private sector entity that shares information with the government if that information is not, in fact, cyberthreat information so that it doesn't happen again, and the government must delete that information.

The privacy of American citizens is simply too important to dismiss. Our amendment narrows the scope of the bill to ensure personal information is protected and that we are focusing on the true threat—advanced, foreign state-sponsored cyberattacks against America and its private entities.

With that, I would yield such time as he may consume to the chairman.

Mr. ROGERS of Michigan. Madam Chair, I just want to rise in strong support of this amendment. I appreciate Mr. MULVANEY's working with the committee.

This is a limiting amendment, and I think it, again, is in response to making sure that the intent of the bill meets the language of the bill, and this is well done to continue to protect privacy and civil liberties of all Americans and still allow for the government to share malicious source code with the private sector.

Mr. RUPPERSBERGER. Madam Chair, I rise in opposition to the amendment; although I do not oppose the amendment.

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

There was no objection.

Mr. RUPPERSBERGER. I also support this amendment. It is very important. It's another example of what we're attempting to do to protect the privacy and civil liberties of our citizens but yet have a bill that we clearly need to protect them from a national security perspective.

I yield back the balance of my time.

Mr. MULVANEY. I yield back the balance of my time.

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

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

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

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

AMENDMENT NO. 9 OFFERED BY MR. FLAKE

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in House Report 112–454.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 12, after line 18, insert the following new subparagraph:

''(E) a list of the department or agency receiving such information;

The Acting CHAIR. Pursuant to House Resolution 631, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. This amendment is straightforward. It would require the inspector general of the intelligence community to include a list of federal agencies and departments receiving information shared with the government in the report already required by the underlying legislation.

This act is an important piece of legislation that will help private entities and utilities protect themselves from catastrophic attacks to their networks by creating the authority for private entities and utilities to voluntarily share information pertaining to cyberattacks with the Federal Government and vice versa.

H.R. 3523 avoids placing costly mandates on private industry and the creation of a new regulatory structure. That's what I really appreciate about this legislation, as I'm sure everyone does—it's voluntary.

As with any new intelligence program, however, it's incumbent on us to make sure robust protections exist to safeguard privacy rights. The inspector general report required under H.R. 3523 will provide a thorough review of the information shared under these new authorities and will address any impacts such sharing has on privacy and civil liberties. Adding the list of the departments and agencies that were recipients of this shared information, as my amendment would do, would add information on which government agencies exactly are receiving shared information. Such information will further mitigate the risk of abuse to privacy rights and increase the effectiveness of the inspector general's report.

I commend my colleagues from Michigan and Maryland. They've been working hard to put together this bipartisan measure, working up until the very last minute to ensure that Members' concerns are addressed, and I believe that this is an important piece of legislation.

I'd like to yield to the gentleman from Michigan such time as he may consume.

Mr. ROGERS of Michigan. I want to thank the gentleman from Arizona for working with us. This, again, was a negotiated amendment. The gentleman approached us with concerns to make sure that the IG report adequately reflected and allowed us to perform the adequate oversight. This amendment does that. I appreciate his work and effort, and I think this strengthens the bill and continues to provide the oversight and protection of civil liberties and privacy for all Americans.

The Acting CHAIR. Does any Member seek recognition in opposition?

Mr. FLAKE. I just want to say I support the legislation in the underlying bill, and I would urge support for this amendment as well, and I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 11 OFFERED BY MR. POMPEO

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in House Report 112–454.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 14, after line 13, insert the following:

''(4) LIMITATION ON FEDERAL GOVERNMENT USE OF CYBERSECURITY SYSTEMS.—Nothing in this section shall be construed to provide additional authority to, or modify an existing authority of, any entity to use a cybersecurity system owned or controlled by the Federal Government on a private-sector system or network to protect such private-sector system or network.''.

The Acting CHAIR. Pursuant to House Resolution 631, the gentleman from Kansas (Mr. POMPEO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Kansas.

Mr. POMPEO. Madam Chairman, I appreciate this opportunity to offer a second amendment to this incredibly important piece of legislation that's been worked on for an awfully long time to balance the security needs of our Nation and the privacy rights of every United States citizen.

Similar to the first amendment I offered, this amendment addresses some of the concerns raised by me, privacy folks, and civil libertarian advocates to make very clear the intentions of this legislation. I talked earlier about the threat we face today. It's real, it's foreign, it's domestic, and these cyberattacks are an enormous risk to our national security and to our economic security.

I now strongly support this legislation. I've had a chance to work with Chairman ROGERS and Ranking Member RUPPERSBERGER to solidify limitations on this legislation that make it very clear that this government's use of this information will be limited.

I think some have claimed incorrectly that the current bill could be read to provide new authority to the Federal Government to install its Einstein system on private sector networks and to monitor traffic and send it back to the government with absolutely no limitations. That's wrong.

This amendment, however, makes it even more clear. This amendment makes clear that nothing in this bill would alter existing authorities or provide any new authority to any entity to use a Federal Government-owned or -operated cybersecurity system on a private sector system or network to protect such a system or network.

Again, I'm pleased to support the legislation. It doesn't create any new regulatory regime. It doesn't create any more Federal bureaucracy. And it has no additional spending. I urge my colleagues to support this amendment and final passage of CISPA.

I yield whatever time he might consume to the chairman of the Intelligence Committee.

Mr. ROGERS of Michigan. This is an important amendment, and again, I think it alleviates some of the concerns. They were misguided, but this locks it down, makes it very tight and makes it very clear on the limiting of this information, which is the intent of this bill. So I think this amendment addresses the privacy and civil liberties advocates' claims that the liability protection in the bill with respect to the use of cybersecurity systems could be read to be broader than the activities authorized by the legislation.

As I said, that was not true, certainly not the intent. This amendment makes that very clear in the bill that that would not be its purpose, and it is a limiting amendment. I strongly support this amendment. It is a bipartisan amendment as well.

Mr. POMPEO. Madam Chairwoman, I yield back the balance of my time.

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

The amendment was agreed to.

□ 1620

AMENDMENT NO. 12 OFFERED BY MR. WOODALL

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in House Report 112–454.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 14, after line 13 insert the following:

''(4) NO LIABILITY FOR NON-PARTICIPATION.—Nothing in this section shall be construed to subject a protected entity, self-protected entity, cyber security provider, or an officer, employee, or agent of a protected entity, self-protected entity, or cybersecurity provider, to liability for choosing not to engage in the voluntary activities authorized under this section.

The Acting CHAIR. Pursuant to House Resolution 631, the gentleman

from Georgia (Mr. WOODALL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. WOODALL. Madam Chair, my amendment is a simple amendment. What we're doing here in this bill today, to the great credit of the chairman and the ranking member, is instituting a voluntary system by which our private companies and utilities can cooperate in the name of securing America's cyberspace. But what happens so often is, when the Federal Government creates a so-called ''voluntary'' standard, suddenly those folks who choose not to play on that playing field are subject to new liabilities because they rejected that voluntary standard.

Well, if it's going to be a truly voluntary standard, we have to ensure that those who reject it are not held to any new liabilities. I believe that was the intent of the committee as they crafted this legislation, but my amendment makes that clear to say that no new liabilities arise for any company that chooses not to participate in this new truly voluntary cybersecurity cooperative regime.

With that, I reserve the balance of my time.

The Acting CHAIR. Does any Member seek recognition in opposition?

Mr. WOODALL. With that, I want to thank the ranking member and the chairman for their tremendous openness throughout this entire process. Briefing after briefing, phone call after phone call, they both made themselves available to Members on both sides of the aisle so that we could get our questions answered in what is sometimes a difficult area to understand and digest. I thank them both for their leadership, and I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 13 OFFERED BY MR. GOODLATTE

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in House Report 112–454.

Mr. GOODLATTE. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 14, after line 14 insert the following:

''(1) AVAILABILITY.—The term 'availability' means ensuring timely and reliable access to and use of information.

Page 15, strike lines 1 through 25 and insert the following:

''(2) CONFIDENTIALITY.—The term 'confidentiality' means preserving authorized restrictions on access and disclosure, including means for protecting personal privacy and proprietary information.

''(3) CYBER THREAT INFORMATION.—

''(A) IN GENERAL.—The term 'cyber threat information' means information directly pertaining to—

''(i) a vulnerability of a system or network of a government or private entity;

''(ii) a threat to the integrity, confidentiality, or availability of a system or network of a government or private entity or any information stored on, processed on, or transiting such a system or network;

''(iii) efforts to degrade, disrupt, or destroy a system or network of a government or private entity; or

''(iv) efforts to gain unauthorized access to a system or network of a government or private entity, including to gain such unauthorized access for the purpose of exfiltrating information stored on, processed on, or transiting a system or network of a government or private entity.

''(B) EXCLUSION.— Such term does not include information pertaining to efforts to gain unauthorized access to a system or network of a government or private entity that solely involve violations of consumer terms of service or consumer licensing agreements and do not otherwise constitute unauthorized access.

''(4) CYBER THREAT INTELLIGENCE.—

''(A) IN GENERAL.—The term 'cyber threat intelligence' means intelligence in the possession of an element of the intelligence community directly pertaining to—

''(i) a vulnerability of a system or network of a government or private entity;

''(ii) a threat to the integrity, confidentiality, or availability of a system or network of a government or private entity or any information stored on, processed on, or transiting such a system or network;

''(iii) efforts to degrade, disrupt, or destroy a system or network of a government or private entity; or

''(iv) efforts to gain unauthorized access to a system or network of a government or private entity, including to gain such unauthorized access for the purpose of exfiltrating information stored on, processed on, or transiting a system or network of a government or private entity.

''(B) EXCLUSION.— Such term does not include intelligence pertaining to efforts to gain unauthorized access to a system or network of a government or private entity that solely involve violations of consumer terms of service or consumer licensing agreements and do not otherwise constitute unauthorized access.

Page 16, strike line 5 and all that follows through page 17, line 2, and insert the following:

''(5) CYBERSECURITY PURPOSE.—

''(A) IN GENERAL.—The term 'cybersecurity purpose' means the purpose of ensuring the integrity, confidentiality, or availability of, or safeguarding, a system or network, including protecting a system or network from—

''(i) a vulnerability of a system or network;

''(ii) a threat to the integrity, confidentiality, or availability of a system or network or any information stored on, processed on, or transiting such a system or network;

''(iii) efforts to degrade, disrupt, or destroy a system or network; or

''(iv) efforts to gain unauthorized access to a system or network, including to gain such unauthorized access for the purpose of exfiltrating information stored on, processed on, or transiting a system or network.

''(B) EXCLUSION.— Such term does not include the purpose of protecting a system or network from efforts to gain unauthorized access to such system or network that solely involve violations of consumer terms of service or consumer licensing agreements and do not otherwise constitute unauthorized access.

''(6) CYBERSECURITY SYSTEM.—

''(A) IN GENERAL.—The term 'cybersecurity system' means a system designed or employed to ensure the integrity, confidentiality, or availability of, or safeguard, a system or network, including protecting a system or network from—

''(i) a vulnerability of a system or network;

''(ii) a threat to the integrity, confidentiality, or availability of a system or network or any information stored on, processed on, or transiting such a system or network;

''(iii) efforts to degrade, disrupt, or destroy a system or network; or

''(iv) efforts to gain unauthorized access to a system or network, including to gain such unauthorized access for the purpose of exfiltrating information stored on, processed on, or transiting a system or network.

''(B) EXCLUSION.— Such term does not include a system designed or employed to protect a system or network from efforts to gain unauthorized access to such system or network that solely involve violations of consumer terms of service or consumer licensing agreements and do not otherwise constitute unauthorized access.

Page 17, after line 2 insert the following:

''(7) INTEGRITY.—The term 'integrity' means guarding against improper information modification or destruction, including ensuring information nonrepudiation and authenticity.

The Acting CHAIR. Pursuant to House Resolution 631, the gentleman from Virginia (Mr. GOODLATTE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GOODLATTE. Madam Chair, I rise to offer an amendment to H.R. 3523. This amendment is the result of a series of long discussions between Members of the bipartisan coalition supporting this bill and various privacy and civil liberties groups.

As many know, I have long worked with these outside groups and with industry to make sure that where Congress acts with respect to technology, it does so in a way that is thoughtful, intelligent, and shows a strong respect for privacy and civil liberties.

I am a firm believer that Congress can craft legislation that addresses technology issues and allows the private sector to flourish while also protecting the rights of Americans. This amendment seeks to move the legislation further down that path.

To do so, this amendment carefully narrows the definitions of the key terms in the bill—''cyberthreat information,'' ''cyberthreat intelligence,'' ''cybersecurity purposes,'' and ''cybersecurity systems''—and adds in three new definitions from the existing law. Together, these new definitions ensure that companies in the private sector can protect themselves against very real cyberthreats. At the same time, they limit what information the private sector can identify, obtain, and share with others, and they do so in a way that is technology neutral so that the definitions we write into law today do not become obsolete before the ink is dry.

Specifically, these new definitions remove language from prior versions of the bill that could have been interpreted in broad ways. They remove or modify definitions that could have

been thought to cover things that the bill did not intend to cover, like unauthorized access to a system or network that purely involves violations of a terms of service. These revised definitions also rely in part on existing law to cover the appropriate set of threats to networks and systems without being overly broad.

I would note that these definitional changes are important on their own for the narrowing function they serve. In the view of groups like the Center for Democracy and Technology and the Constitution Project, this amendment represents ''important privacy improvement.'' Specifically, the change to the definitions addresses a number of key issues raised by a variety of groups, and many in the Internet user community. As such, these amendments move an already important bill in an even better direction.

I reserve the balance of my time.

Mr. RUPPERSBERGER. Madam Chairman, I rise in opposition to the amendment, but I do not oppose the amendment.

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

There was no objection.

Mr. RUPPERSBERGER. I yield 1 minute to the gentleman from Texas (Mr. POE).

Mr. POE of Texas. I thank the gentleman for yielding.

Anytime the government gets involved in data sharing and data storage, there is going to be the possibility for abuse.

I hear from my constituents in Texas and U.S. companies that they continue to lose information to cyberattacks from abroad. Most of these attacks come from none other than the organized crime syndicate of China, as I call it. They steal our intellectual property, and then they use the stolen information to compete against the United States.

We need a commonsense information-sharing system to combat the growing threat to this way of life that we have in America. However, we have to do it in such a way that protects our privacy and constitutional rights of citizens.

While I believe the intent of the base bill was never to allow the government to use information it obtained for any other purposes than cybersecurity, I believe that the clear and simple language in Mr. GOODLATTE's amendment is necessary to make it 100 percent clear that this is strictly prohibited.

As we remember from the 2012 NDAA debate, it's important, especially when dealing with legislation that affects civil liberties and constitutional rights, Congress needs to be perfectly 100 percent clear. I believe the Goodlatte amendment does this. I urge all Members to support it.

Mr. GOODLATTE. Madam Chairman, at this time, I am pleased to yield 1 minute to the chairman of the Intelligence Committee, the gentleman from Michigan (Mr. ROGERS).

Mr. ROGERS of Michigan. I want to thank the distinguished former chairman and member, Mr. GOODLATTE, for his commonsense amendment. Again, this is working to make sure that this bill is restricted for both information use, privacy, and civil liberties, and why the coalition, I argue, continues to grow because of the good work of folks like Mr. GOODLATTE. It's bipartisan in nature, and I would strongly urge the body's support for the Goodlatte amendment.

Mr. GOODLATTE. Madam Chairman, I am not aware of any other speakers on this amendment, so I would urge my colleagues to support the amendment. It is, as the chairman indicated and the ranking member indicated, bipartisan legislation that will improve the underlying bill in significant ways and protect the civil liberties of American citizens in a more clear fashion.

I thank all of those in the Chamber and outside who contributed ideas to help us craft this amendment and urge all of my colleagues to support it.

I yield back the balance of my time.

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

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

Mr. ROGERS of Michigan. Madam Chair, I demand a recorded vote.

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

Mr. ROGERS of Michigan. Madam Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOODALL) having assumed the chair, Mrs. CAPITO, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3523) to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes, had come to no resolution thereon.

Mr. ROGERS of Michigan. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 3523, pursuant to House Resolution 631, amendments No. 10 and No. 5 in House Report 112–454 may be considered out of sequence.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 631 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 3523.

Will the gentlewoman from West Virginia (Mrs. CAPITO) kindly resume the chair.

□ 1630

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 3523) to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes, with Mrs. CAPITO (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 13 printed in House Report 112–454 by the gentleman from Virginia (Mr. GOODLATTE) had been postponed.

AMENDMENT NO. 14 OFFERED BY MR. TURNER OF OHIO

The Acting CHAIR. It is now in order to consider amendment No. 14 printed in House Report 112–454.

Mr. TURNER of Ohio. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 15, line 7, insert ''deny access to or'' before ''degrade''.

Page 15, line 20, insert ''deny access to or'' before ''degrade''.

Page 16, line 10, insert ''deny access to or'' before ''degrade''.

Page 16, line 21, insert ''deny access to or'' before ''degrade''.

The Acting CHAIR. Pursuant to House Resolution 631, the gentleman from Ohio (Mr. TURNER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. TURNER of Ohio. Madam Chairman, this amendment would make a technical correction to the definition sections of this bill to ensure that U.S. cybersecurity policies remain consistent for protections against threats to our government and private sector networks.

This amendment will maintain consistency among this bill and other cybersecurity policies. The terms ''deny, degrade, disrupt or destroy'' are found throughout our national cybersecurity strategy and our guidance documents. The term ''deny'' was inadvertently omitted from H.R. 3523. Inserting ''deny'' makes the bill consistent with other national documents in the discussion of cybersecurity.

The increase in cybersecurity incidents led to the development of centers like the Air Force's Cyberspace Technical Center of Excellence at Wright Patterson Air Force base in my district in Dayton, Ohio. To combat this growing trend in the sophistication of cyberattacks, the Center of Technical Excellence has been turned to that focus.

The need to protect U.S. networks from denial-of-service attacks was made clear when, for 3 weeks in 2007, Estonia was the target of a large-scale

series of denial-of-service attacks against government Web sites, banks, universities, and Estonian newspapers.

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

I yield 30 seconds to the chairman.

Mr. ROGERS of Michigan. Madam Chair, I want to, again, thank Mr. TURNER for this important clarification amendment and working with us to improve the status of the bill to make sure that we are able to protect America's networks and increases the ability for us to protect privacy and civil liberties.

I appreciate the gentleman's good effort, and I would encourage the House to support the Turner amendment.

The Acting CHAIR. Does any Member seek recognition in opposition?

Mr. TURNER of Ohio. Madam Chair, I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 15 OFFERED BY MR. MULVANEY

The Acting CHAIR. It is now in order to consider amendment No. 15 printed in House Report 112–454.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

SEC. 3. SUNSET.

Effective on the date that is five years after the date of the enactment of this Act—

(1) section 1104 of the National Security Act of 1947, as added by section 2(a) of this Act, is repealed; and

(2) the table of contents in the first section of the National Security Act of 1947, as amended by section 2(d) of this Act, is amended by striking the item relating to section 1104, as added by such section 2(d).

The Acting CHAIR. Pursuant to House Resolution 631, the gentleman from South Carolina (Mr. MULVANEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

Mr. MULVANEY. This amendment, ladies and gentlemen, is fairly simple and straightforward, but it bears discussion for a few moments. It requires the bill to expire of its own terms within 5 years. It's what we call in this business a sunset clause. And by its own terms, if the bill is passed, it will automatically cease to be, cease to be enforceable after 5 years unless this body acts affirmatively to renew it.

Generally, I think this is good policy with most things that we do in Washington, D.C. In fact, several people say that one of the biggest difficulties we have in this town is that we simply create laws all the time and they never go away. So generally speaking, I think sunset clauses are to be admired and to be encouraged.

Even more so is the case, however, when we deal with situations where we have concerns regarding individual liberties. We've worked very, very hard to make this bill a good bill. It is an excellent bill. I'm proud to be a cosponsor of this bill.

But every single time that we start moving into the realm where the government action starts to bump up against individual liberties, it's a good idea to take a pause after this certain amount of time, in this case 5 years, and look our hands over, look over the actual implementation of the bill and make sure that we did exactly what we thought that we were going to do.

Finally, I think in a case when we're dealing with technology, which moves so very rapidly—in fact, we've written this bill as well as we possibly could to try and deal with unanticipated development in technology—but when you're dealing with technology that moves so rapidly and changes so quickly, I think it's important, after a certain period of time, again, here, 5 years, to step back, look our hands over and make sure that things worked exactly as we thought they would.

So, for that reason, Madam Chairman, I ask that this amendment be considered and be approved.

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

The Acting CHAIR. Does any Member seek recognition in opposition to the Member's amendment?

The question is on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY).

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

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

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

AMENDMENT NO. 5 OFFERED BY MS. JACKSON LEE OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 112–454.

Ms. JACKSON LEE of Texas. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 9, after line 5, insert the following:

''(c) CYBERSECURITY OPERATIONAL ACTIVITY.—

''(1) IN GENERAL.—In receiving information authorized to be shared with the Federal Government under this section, the Secretary of Homeland Security is authorized, notwithstanding any other provision of law, to acquire, intercept, retain, use, and disclose communications and other system traffic that are transiting to or from or stored on Federal systems and to deploy countermeasures with regard to such communications and system traffic for cybersecurity purposes provided that the Secretary certifies that—

''(A) such acquisitions, interceptions, and countermeasures are reasonable necessary for the purpose of protection Federal systems from cybersecurity threats;

''(B) the content of communications will be collected and retained only when the communication is associated with known or reasonably suspected cybersecurity threat, and communications and system traffic will not be subject to the operation of a countermeasure unless associated with such threats;

''(C) information obtained pursuant to activities authorized under this subsection will only be retained, used or disclosed to protect Federal systems from cybersecurity threats, mitigate against such threats, or, with the approval of the Attorney General, for law enforcement purposes when the information is evidence of a crime which has been, is being, or is about to be committed; and

''(D) notice has been provided to users of Federal systems concerning the potential for acquisition, interception, retention, use, and disclosure of communications and other system traffic.

''(2) CONTRACTS.— The Secretary may enter into contracts or other agreements, or otherwise request and obtain the assistance of, private entities that provide electronic communication or cybersecurity services to acquire, intercept, retain, use, and disclose communications and other system traffic consistent with paragraph (1).

''(3) PRIVILEGED COMMUNICATIONS.—No otherwise privileged communication obtained in accordance with, or in violation of, this section shall lose its privileged character.

''(4) POLICIES AND PROCEDURES.— The Secretary of Homeland Security shall establish policies and procedures that—

''(A) minimize the impact on privacy and civil liberties, consistent with the need to protect Federal systems and critical information infrastructure from cybersecurity threats and mitigate cybersecurity threats;

''(B) reasonably limit the acquisition, interception, retention, use, and disclosure of communications, records, system traffic, or other information associated with specific persons consistent with the need to carry out the responsibilities of this section, including establishing a process for the timely destruction on recognition of communications, records, system traffic, or other information that is acquired or intercepted pursuant to this section that does not reasonably appear to be related to protecting Federal systems and critical information infrastructure from cybersecurity threats and mitigating cybersecurity threats;

''(C) include requirements to safeguard communications, records, system traffic, or other information that can be used to identify specific persons from unauthorized access or acquisition; and

''(D) protect the confidentiality of disclosed communications, records, system traffic, or other information associated with specific persons to the greatest extent practicable and require recipients of such information to be informed that the communications, records, system traffic, or other information disclosed may only be used for protecting information systems against cybersecurity threats, mitigating against cybersecurity threats, or law enforcement purposes when the information is evidence of a crime that has been, is being, or is about to be committed, as specified by the Secretary.

Page 14, after line 24, insert the following:

''(2) COUNTERMEASURE.—The term 'countermeasure' means an automated action with defensive intent to modify or block data packets associated with electronic or wire communications, internet traffic, program code, or other system traffic transiting to or from or stored on an information system to counteract a cybersecurity threat.''.

The Acting CHAIR. Pursuant to House Resolution 631, the gentlewoman from Texas (Ms. JACKSON LEE) and a

Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE of Texas. Madam Chair, let me thank you for your courtesy. Let me thank the chairperson for his courtesy and the ranking member for his courtesy. I was very appreciative, with the overlapping committee work, for the courtesy of the floor. I thank you very much.

Let me hold up the Constitution and say that I believe in the Constitution and the Bill of Rights, particularly, that protects us against unreasonable search and seizure. And I also recognize the bipartisan effort of this particular legislation and recognize that we may have disagreement.

My amendment ensures that comprehensive policies and procedures are implemented by the Department of Homeland Security to protect Federal systems from cybersecurity threats and minimize the impact on privacy. What it does not do is allow Homeland Security and the Justice Department to spy on Americans.

Let me be very clear. It does not allow the infrastructure of Homeland Security and the Justice Department to spy on Americans. I would not adhere to that.

It is a shame that oversight of our Nation's critical infrastructure, however, was not included in this bill. The hard work that has been done by the Committee on Homeland Security, Mr. LUNGREN and Ms. CLARKE, joined with other Members, was worthy of consideration.

I understand the strictures that we're dealing with. My amendment is designed to put in place comprehensive privacy protections in order to prevent any gross infringement of an individual's civil liberties or privacy rights. It allows the Department of Homeland Security to protect Federal systems that enable air traffic controllers to operate.

Madam Chairperson, we know the climate that we live in. God has blessed us, if I might even say that, but more importantly, the hard work of men and women who happen to be Federal employees, that no action has occurred on our soil since 9/11.

This amendment would allow the Department of Homeland Security to protect Federal systems that enable air traffic controllers to operate, that enable Congress to operate, that enable all Federal agencies to operate.

My amendment is intentionally narrowly tailored to go after known or reasonable threats to our Federal systems. Let me be very clear. This is not a reflection on this legislation from the extent of hard work.

□ 1640

I am just saying that, coming from my perspective, I would hope that we would look at infrastructure.

I am not advocating for the bill. I am advocating for an open discussion on this issue that certain elements have to be resolved in dealing with the cyberthreats that we face. I've long been an advocate for protecting the right to privacy and the civil liberties of all Americans—that is very much a part of this amendment—but I am also mindful of the importance of the infrastructure.

As we assess cybersecurity measures and take steps to implement legislation, I believe we must be sure to strike the proper balance between effective and strong security for our digital networks and protecting the privacy of individuals as well as infrastructure that involves transportation. I am ever mindful that we must be careful not to go about strengthening cybersecurity at the expense of infringing on people's privacy rights and civil liberties, which is why my amendment is narrowly tailored and sets clear restrictions on the scope of communications addressed and why and how that information can be used.

Our Nation's critical infrastructures are composed of public and private institutions in the sectors of agriculture, food, water, public health, emergency services, government, defense industrial base, information and telecommunications, energy, transportation, banking and finance, chemicals and hazardous materials.

I ask my colleagues to support the amendment, and I reserve the balance of my time.

Mr. ROGERS of Michigan. I rise in opposition to the amendment.

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

Mr. ROGERS of Michigan. I yield myself 1½ minutes.

If you thought it was good for the businesses to require Facebook to give them your passwords, you'll love this. If not, you should go apoplectic. I think that's an awful practice on Facebook. This is worse. I want to read just from the law. Notwithstanding any other provision, it allows them to:

> acquire, intercept, retain, use, and disclose communications and other system traffic that are transiting to and from or are stored on the Federal systems and to deploy countermeasures with regard to such communications and system traffic for cybersecurity purposes.

This is dangerous. It's dangerous. For the very narrow bill that has been misrepresented from what we do, this is Big Brother on steroids. We cannot allow this to happen. This would be the government tracking communications or your medical records from the veterans' association. It would track your IRS forms coming in and out of the Federal Government. This is exactly what scares people about trying to get into the business of making sure we protect our networks, but we can't do it by trampling on privacy and civil liberties.

This is awful. I am just shocked, after all of this debate and all of this discussion on our very narrow bill, that my friends would come up with something that wholesale monitors the Internet and gets all of the information which we've fought so hard to protect on behalf of average Americans.

I yield 2 minutes to the gentleman from Georgia (Mr. WESTMORELAND).

Mr. WESTMORELAND. I want to thank the chairman for yielding.

Let me say this to my colleague from Texas: that we have had a number of amendments here today that have tried to streamline this bill in order to make it even narrower and to take out any perception that it would be personal information and limit what government can do and be very explicit in the terms of what this sharing is, which is voluntary, which is narrowly drawn.

The chairman and the ranking member have done a wonderful job of working with other Members to allow these amendments to make this bill better. I am very disappointed. This amendment basically guts the bill—it expands it—when everybody who has been down here so far has been trying to narrow it. This just expands it even more. This is the type of amendment that people fear in that we would give Homeland Security the ability to intercept and keep the transmissions. That is totally out of hand.

I just hope that we will vote against this amendment and support the underlying bill.

Ms. JACKSON LEE of Texas. What an exaggeration. I know that they have been propelled by all of the media that has given them great support.

They know that the underlying bill, in fact, is considered an invasion of privacy; but if you look at my amendment, it is only when the communication is associated with a known or a reasonably suspected cybersecurity threat. It is narrow, but more importantly, it has a privacy provision. I believe in privacy. Let me just say that I was not going to be denied the right to come to the floor to be able to frame what we should be doing—looking at infrastructure and the complement of making sure that privacy is protected.

This particular book, even with the amendments they have, will probably not draw this to the point of acceptance. So I would argue that this is a productive debate but that the amendment that Jackson Lee has submitted does not, in fact, at all violate privacy. I would say to them that I look forward to being able to address this question as we go forward.

I am going to ask, at this time, unanimous consent to withdraw this amendment for the misinterpretation that my friends on the other side of the aisle have predicted or thought that they were going to put on this particular amendment.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT NO. 10 OFFERED BY MS. RICHARDSON

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in House Report 112–454.

Ms. RICHARDSON. Madam Chairwoman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 14, after line 6, insert the following new subparagraph:

''(C) prohibit a department or agency of the Federal Government from providing cyber threat information to owners and operators of critical infrastructure;

The Acting CHAIR. Pursuant to House Resolution 631, the gentlewoman from California (Ms. RICHARDSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. RICHARDSON. I stand today in support of the Richardson amendment to H.R. 3523; but I would like to take a moment to thank the majority leader, Mr. CANTOR, Chairman ROGERS, and Ranking Member RUPPERSBERGER for their tolerance in allowing us to come to the floor. I was ranking member of a committee that was in operation at this time, and I thank you for allowing us to come forward.

The Richardson amendment ensures that owners and operators of critical infrastructure systems that are potential targets to cyberattacks receive information about cyberthreats. Some examples of our critical infrastructure systems that this amendment would apply to are: energy facilities, banking and finance facilities, chemical facilities, dams, nuclear plants, emergency services, agriculture and food systems, water treatment systems. Many of these would be in great danger and would need information.

Every single Member of Congress has critical infrastructure sectors in their districts, whether they be public or private, and every community in this Nation has some critical infrastructure presence that should be protected and advised of threats. In my district, I have the Home Depot Athletic Center, which holds up to 27,000 people. There is the Boeing Company, which manufactures the C–17 planes. There is the Long Beach Police and Fire Department EOC center, the Long Beach Gas and Oil Department, and water treatment facilities. The numbers go on. We need to make sure that not only ports and government facilities but also private facilities are approved and entitled to have this same information.

Some inherent complications are that there are 18 different Federal Government agencies that have jurisdiction over critical infrastructure sectors. For example, the Department of Homeland Security has jurisdiction over chemical, commercial facilities, dams, emergency services, and nuclear power alone.

H.R. 3523, as currently drafted, does not mention how critical infrastructure sectors that do not fall within the jurisdiction of government intelligence agencies would receive critical cyberthreat information or have the systems in place to share information appropriately. This amendment makes an important improvement to that legislation.

I would like to commend Chairman ROGERS and Ranking Member RUPPERSBERGER, who mentioned in their testimony before the Rules Committee and the Intelligence Committee that there was a key fault here in this critical infrastructure section. I am further pleased that the Rules Committee acknowledged that by finding this amendment in order, and I urge my colleagues to consider this seriously.

While Chairman LUNGREN's original cyber bill did not make it to the House floor, I offer this Richardson amendment in the same bipartisan spirit that I did when his bill was brought forward in our subcommittee. Mr. LUNGREN and Mr. LANGEVIN spoke earlier on the bipartisan amendment regarding critical infrastructure, hence my building my comments on that.

Richardson amendment No. 10 ensures that our critical infrastructure sectors will not be left out from receiving information that could protect their systems against a terrorist attack.

□ 1650

This amendment makes sure that industries most at risk of a cyberattack receive information that they need to protect the public and the facilities at large. My amendment makes explicit that critical infrastructure sectors be included in information-sharing relationships and does not include any new Federal authorities.

With that, Madam Chairwoman, I urge my colleagues to support the amendment.

Mr. ROGERS from Michigan. Madam Chair, I rise in opposition to the amendment.

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

Mr. ROGERS of Michigan. I appreciate the gentlelady's effort. Again, we were pretty careful in this year-long process of trying to find a very narrow solution because of all of the challenges that come with trying to get a piece of legislation across the House to the Senate to the President's desk.

I argue that the Homeland Security Committee should engage in a critical infrastructure debate. Here's the problem: it's not defined for the purposes of this bill. So we don't know what that means. We've been very careful to separate the government from the private sector. There is no government involvement in the private sector networks. It is just information, malicious source code-sharing. That's it.

This, we're not sure where it goes. Many in industry believe that they're talking about the backbone of the Internet. Are they talking about the backbone of the Internet? We don't know. It's not well defined. That would mean, then, that the government for the first time gets into the backbone of the Internet. I think that's a horrible, terrible idea.

So I don't think that's what the gentlelady intends, but the problem is that's not what the language says.

I look forward to working with the gentlelady as she works through those issues on Homeland Security because these are hard. They are tricky. Sometimes a word will get you in trouble, as we have found along the path here, and as it should. We should be really careful about how we're doing this.

So I would encourage the gentlelady to work with us. I know Mr. RUPPERSBERGER, since we've been through this, we can provide some help along the way, and we look forward to the product that you all work on that is geared toward the infrastructure piece. Again, this was never intended to solve all the problems. It was intended to be a very narrow first step to say, Hey, if your house is being robbed, we want to tell you before the robber gets there. That's all this bill does. It tells if your computer is going to get hacked and your personal information stolen, we want you to have the malicious code so you can protect yourself. That's all this bill does.

So we get a little nervous when it starts crossing that divide that we've established between the government and the private sector. You start crossing that divide, we think you can get into some serious trouble in a hurry without very clearly defined language and definition.

Unfortunately, I have to oppose the amendment, but I look forward to working with the gentlelady on a very important issue, infrastructure protection, as the Homeland Security does its work.

Mr. RUPPERSBERGER. Will the gentleman yield?

Mr. ROGERS of Michigan. I yield to the gentleman from Maryland.

Mr. RUPPERSBERGER. As we said before, our bill is extremely limited, and we're attempting again to allow our government, our intelligence community, to give the information that's necessary to protect our citizens from these cyberattacks.

Ours is the most active bill that is out there now. Our bill, hopefully, will pass and go to the Senate, and there will be a lot more negotiation. But there is a lot of work to do in other areas, too, such as Homeland Security; and I know there are other issues involved in the Homeland Security markup, I know that there are issues involving Judiciary.

I can say this: I know that the chairman and I for 1 year now have worked very openly with every group that we think would be involved in this bill. Because of different positions taken, including HLU, we listened. This bill is better, and we hope that it passes.

So we clearly will work with you, but we on the Intelligence Committee are very limited to our jurisdiction, and that's why a lot of these issues we can't deal with other than what is in our bill right now.

I thank the gentleman for yielding.

Ms. RICHARDSON. Again, I'd like to thank both the chairman and the ranking member and look forward to the opportunity to work with you.

I would just give you one analogy to consider as we move forward. As you recall on 9/11 when the planes hit those two Twin Towers, the government had the ability to notify the private airlines to scramble the planes and to demand that all of the planes would be landed because we didn't know where they were going to go.

At that point, the government had the ability to work with the private sector, with the airline industry, to communicate information that they were now becoming aware of.

I'm certainly not suggesting that we interfere with the free-flowing ideas of the Internet. What this amendment is suggesting, and I look forward to working with you in the future, is that the government does have the ability if in the event something happens with dropping some chemicals into water, for example, treatment facilities, that the government should certainly have the ability to work with those private sector companies to be able to notify them and ensure that the public is protected.

I thank you for hearing the amendment, and I look forward to working with you going forward.

I yield back the balance of my time.

Mr. ROGERS of Michigan. I thank the gentlelady, and I look forward to that opportunity.

I yield back the balance of my time.

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

The amendment was rejected.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. The Chair understands that amendment No. 16 will not be offered.

Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 112–454 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. LANGEVIN of Rhode Island.

Amendment No. 4 by Mr. ROGERS of Michigan.

Amendment No. 6 by Mr. QUAYLE of Arizona.

Amendment No. 7 by Mr. AMASH of Michigan.

Amendment No. 8 by Mr. MULVANEY of South Carolina.

Amendment No. 13 by Mr. GOODLATTE of Virginia.

Amendment No. 15 by Mr. MULVANEY of South Carolina.

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

AMENDMENT NO. 1 OFFERED BY MR. LANGEVIN

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 167, noes 243, not voting 21, as follows:

[Roll No. 184]

AYES—167

Ackerman
Andrews
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Bonamici
Boren
Boswell
Brady (TX)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clay
Cleaver
Clyburn
Coffman (CO)
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Critz
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dent
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gibson
Gonzalez
Green, Al
Grijalva
Grimm
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hochul
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
King (NY)
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lungren, Daniel E.
Lynch
Markey
Matsui
McCollum
McDermott
McGovern
McIntyre
Meehan
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Nadler
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Serrano
Sewell
Shuler
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Thornberry
Tierney
Tonko
Towns
Tsongas
Turner (NY)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Wilson (FL)
Woodall
Woolsey
Yarmuth

NOES—243

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

NOT VOTING—21

Blumenauer
Bucshon
Canseco
Cantor
Cardoza
Clarke (NY)
Davis (KY)
Filner
Hirono
Holden
Johnson (GA)
Maloney
Marino
McHenry
Murphy (CT)
Paul
Pence
Rangel
Scott, David
Sires
Slaughter

□ 1723

Messrs. ALEXANDER, COSTELLO, DUNCAN of South Carolina, REHBERG, COURTNEY and PEARCE changed their vote from ''aye'' to ''no.''

Mr. BRADY of Texas, Ms. SEWELL, Ms. LORETTA SANCHEZ of California, Mr. CONYERS, Ms. WATERS, Ms. McCOLLUM and Ms. PINGREE of Maine changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 184, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

AMENDMENT NO. 4 OFFERED BY MR. ROGERS OF MICHIGAN

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 412, noes 0, not voting 19, as follows:

[Roll No. 185]

AYES—412

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

NOT VOTING—19

Blumenauer
Bucshon
Canseco
Clarke (NY)
Davis (KY)
Filner
Hirono
Holden
Johnson (GA)
Landry
Maloney
Marino
McHenry
Paul
Pence
Rangel
Schrader
Sires
Slaughter

□ 1727

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

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall No. 185, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

AMENDMENT NO. 6 OFFERED BY MR. QUAYLE

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 410, noes 3, not voting 18, as follows:

[Roll No. 186]

AYES—410

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bonamici
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hochul
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta

Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pelosi
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stark
Stearns
Stivers
Stutzman
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—3

Gohmert
Lofgren, Zoe
McClintock

NOT VOTING—18

Blumenauer
Bucshon
Canseco
Davis (KY)
Filner
Hirono
Holden
Johnson (GA)
Maloney
Marino
McHenry
Paul
Pence
Rangel
Schrader
Sires
Slaughter
Sullivan

□ 1731

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 186, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

AMENDMENT NO. 7 OFFERED BY AMASH

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 415, noes 0, not voting 16, as follows:

[Roll No. 187]

AYES—415

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

NOT VOTING—16

Blumenauer
Bucshon
Canseco
Davis (KY)
Filner
Hirono
Holden
Johnson (GA)
Maloney
Marino
McHenry
Paul
Pence
Rangel
Sires
Slaughter

□ 1736

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 187, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

AMENDMENT NO. 8 OFFERED BY MR. MULVANEY

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 416, noes 0, not voting 15, as follows:

[Roll No. 188]

AYES—416

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

NOT VOTING—15

Blumenauer
Bucshon
Canseco
Davis (KY)
Filner
Hirono
Holden
Maloney
Marino
McHenry
Paul
Pence
Rangel
Sires
Slaughter

□ 1740

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 188, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

AMENDMENT NO. 13 OFFERED BY MR. GOODLATTE

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 414, noes 1, not voting 16, as follows:

[Roll No. 189]

AYES—414

Ackerman
Adams
Aderholt
Alexander
Altmire
Amash
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bonamici
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hochul
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano

Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pelosi
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stark
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—1

Lofgren, Zoe

NOT VOTING—16

Akin
Blumenauer
Bucshon
Canseco
Davis (KY)
Filner
Hirono
Holden
Maloney
Marino
McHenry
Paul
Pence
Rangel
Sires
Slaughter

□ 1744

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 189, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

AMENDMENT NO. 15 OFFERED BY MR. MULVANEY

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 413, noes 3, not voting 15, as follows:

[Roll No. 190]

AYES—413

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

NOES—3

Dingell
Schrader
Turner (NY)

NOT VOTING—15

Blumenauer
Bucshon
Canseco
Davis (KY)
Filner
Hirono
Holden
Maloney
Marino
McHenry
Paul
Pence
Rangel
Sires
Slaughter

□ 1747

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 190, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

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

The amendment was agreed to.

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

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOODALL) having assumed the chair, Mr. CHAFFETZ, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3523) to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes, and, pursuant to House Resolution 631, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

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

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

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

The amendment was agreed to.

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

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

MOTION TO RECOMMIT

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

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

Mr. PERLMUTTER. In its current form, I am.

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

The Clerk read as follows:

Mr. Perlmutter moves to recommit the bill, H.R. 3523, to the Permanent Select Committee on Intelligence with instructions to report the same back to the House forthwith with the following amendments:

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

SEC. 3. PROTECTING THE PRIVACY OF INTERNET PASSWORDS AND THE CREATIVITY OF THE INTERNET.

Nothing in this Act or the amendments made by this Act shall be construed to—

(1) permit an employer, a prospective employer, or the Federal Government to require the disclosure of a confidential password for a social networking website or a personal account of an employee or job applicant without a court order; or

(2) permit the Federal Government to establish a mechanism to control United States citizens' access to and use of the Internet through the creation of a national Internet firewall similar to the ''Great Internet Firewall of China'', as determined by the Director of the National Intelligence.

Page 12, line 22, strike ''and''.

Page 12, line 25, strike the period and insert a semicolon.

Page 12, after line 25, insert the following:

''(G) the number of Americans who have—

''(i) been required by employers, prospective employers, or the Federal Government to release confidential passwords for social networking websites; and

''(ii) had personal information released to the Federal Government under this section or obtained in connection with a cybersecurity breach; and

''(H) the impact of the information that has been released or obtained as referred to in subparagraph (G) on privacy, electronic commerce, Internet usage, and online content.

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

Mr. PERLMUTTER. Mr. Speaker, the House has heard this before. It's very simple, sweet and direct, and I will take a moment and just read it so that everybody has a chance to understand it again. What we're doing is avoiding and prohibiting an employer, as a condition of employment, from demanding a confidential Facebook password—Twitter, Tumblr—or any social media of the like. It reads this way:

Nothing in this act or the amendments made by this act shall be construed to permit an employer, a prospective employer, or the Federal Government to require the disclosure of a confidential password for a social networking Web site or a personal account of an employee or job applicant without a court order; or permit the Federal Government to establish a mechanism to control United States citizens' access to and use of the Internet through the creation of a national Internet firewall, similar to the ''Great Internet Firewall of China'', as determined by the Director of National Intelligence.

So what this amendment does is two things. It is the final amendment to this bill. There are no more amendments to this bill. I know some people voted against this amendment when it was brought up a couple of weeks ago; and for those of you who regret voting against it, you're going to get a chance to correct that vote. This is something I've been working on with Mr. HEINRICH and Mr. MCHENRY. It just says we're not going to allow as a condition of employment the requirement of a Facebook password or the like. Now, there is a reason for this.

One, there is all sorts of personal information that I may have or that somebody else may have with respect to Facebook or Twitter or LinkedIn, whatever it might be; and they're entitled to have an expectation of privacy, a sense that their freedom of speech—their freedom to peaceably assemble, in effect—is not violated. So that's the first reason.

The second reason is if an employer or the Federal Government poses as somebody, by having their Facebook passwords, then they can impersonate; they can become imposters. It is a two-way exchange of information so that somebody who is completely unrelated to the employment now is communicating with an impostor. That's another reason for this.

The third reason is for the employers, themselves, to avoid liability by learning information that may then cause them to take actions that would violate a protected group. So there are at least three good reasons to do this.

We have precedent in our law, and it is the Employee Polygraph Protection Act of 1988. We said we're not going to allow as a condition of employment the use of lie detectors. You can use background checks, and you can use references. There are plenty of vehicles by which to check out somebody's employment references; but we're not going to allow lie detectors, and we should not allow that the Facebook passwords be given up as a condition of employment. So we have precedent in the law. We don't allow polygraphs or lie detectors as a condition of employment. Let's use what we already have—background checks, references, et cetera.

The second piece of this is that we will not allow the command and control of the Internet or access to the Internet by the United States Government, saying that which is similar: that we want to avoid what has happened in China, that we want to avoid what has happened in Iran. We don't want the Internet taken down and our access, individuals' access, to the Internet broken.

So there are two pieces to this. One is not allowing the demand of a confidential password and not allowing the government to have the command and control and the ability to take down the Internet, an action similar to what we've seen in other countries.

This is a very simple amendment. It's very straightforward. We've had a lot of amendments that have garnered the support of virtually every Member of this House. This should be one of those. This is the final amendment. I would hope that we would uphold the Constitution by passing this amendment, as well as by making sure that the Internet is available to anyone who wants to use it at any time.

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

Mr. ROGERS of Michigan. I rise in opposition to the motion to recommit.

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

Mr. ROGERS of Michigan. Today, 300,000 times somebody will be trying to get into our credit card companies—300,000 times, one company. In just the last few years, just in defense contractors, foreign nation-states have stolen more intellectual property, which will end up protecting this country, equivalent to 50 times the print collection of our U.S. Library of Congress. Anonymous is attacking businesses, and today attacked Wall Street because they're anti-capitalists. There are people out there today who are literally robbing the future of America for our jobs, our prosperity, and our economic prowess in the world; and they're doing it by design.

A year ago, we set out to try to do something small. If we have some bad software—some bad, malicious virus information—shouldn't we be obligated to share that with the private sector so they can protect themselves? Absolutely.

If we don't do this, a nation-state like China has geared up its military and intelligence services for the very purpose of economically wounding the United States—by draining our intellectual property dry. They have done it by stealing pesticide formulas. They have done it by stealing pharmaceutical formulas. They have done it by stealing intellectual property when it relates to military hardware and then have copied it, and it has cost us a tremendous amount of more money to have had to go back and redesign it.

□ 1800

So we can play games. We can do silly things. This amendment actually does nothing to protect a person's private password at home. Nothing. Not one thing. But it is serving to try to obfuscate and maybe send it back to committee and come back.

This has been a bipartisan bill, and I can't tell you how disappointing this amendment is to me. I have worked with Mr. RUPPERSBERGER and the members of this committee. I have worked with the privacy groups. We've worked with civil libertarians. They threw everything but the kitchen sink at us. By the way, this does nothing, or this would have been thrown at us, too. You know why? Because it doesn't do anything. I get it. Sounds great. You're going to run out and do some bad things with it.

But this is our Nation's defense. This is the last bastion of things we need to do to protect this country. We've done it since 9/11. We did Homeland Security. We've done the Patriot Act. We've done other things that this body and the other body and the President of the United States signed to protect this country, as our Constitution tells us to do for the common defense of this great Nation.

I will tell you something. We can have this debate. We can talk about a bill that does absolutely nothing to protect someone's private password at home, or we can get about the business of trying to give the private sector just a little bit of information to protect people's private information in the comfort of their homes, so that we can protect this Nation from a catastrophic attack.

The director of the national security didn't say ''maybe,'' didn't say, ''could happen.'' They said it will happen.

This is the one small thing we get to do to prepare for a whole bunch of folks out there that want to bring this Nation down.

We ought to stand together today in a bipartisan way. We ought to reject all of the confusion and obfuscation and all of the things that they're saying about this bill that just are not true. We ought to stand here and say, We respected the fact that you kept the government stuff government, and the private stuff private, and you're not mixing it up, and you're not surveilling. You're doing none of those things. You're just sharing some pretty bad information so that they can apply it to their patches that happen on your computer every single day, thousands of times a day, to try to keep viruses off your computer, and that's it.

We've spent a lot of time today trying to go in a different direction. People are upset that there aren't things in the bill. Okay. I mean, the Buffett rule isn't in the bill. I don't think that ought to get a veto threat either.

This is where we are. This is that first small threat.

I'm going to ask all of you to join us today. Reject this red herring, this obfuscation, and stand with America. They need it. There are 3 million businesses with all of the associations telling us, Please, give us that classified secret malware information that your government has so we can protect the people we have as customers and clients. They're begging for it because they're getting killed every single day. It's happening right this second.

This is our chance to stand up. This was a bipartisan effort. If you really believe in bipartisanship, if you believe that's the future of this Chamber, and that's the dignity of the very Founding Fathers that gave it to us, then today is the day to prove it.

Reject this amendment, stand for America. Support this bill.

I yield back the balance of my time.

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

There was no objection.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clauses 8 and 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of H.R. 3523, if ordered; and suspension of the rules with regard to H.R. 2050, if ordered.

The vote was taken by electronic device, and there were—yeas 183, nays 233, not voting 15, as follows:

[Roll No. 191]

YEAS—183

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

NAYS—233

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

NOT VOTING—15

Blumenauer
Bucshon
Canseco
Davis (KY)
Filner
Hirono
Holden
Maloney
Marino
McHenry
Paul
Pence
Rangel
Sires
Slaughter

□ 1823

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 191, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

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

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

RECORDED VOTE

Mr. ROGERS of Michigan. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 248, noes 168, not voting 15, as follows:

[Roll No. 192]

AYES—248

Adams
Aderholt
Alexander
Altmire
Amodei
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Broun (GA)
Buchanan
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Cantor
Capito
Cardoza
Carney
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Cooper
Costa
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Denham
Dent
DesJarlais
Diaz-Balart
Dicks
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Fincher
Fitzpatrick
Flake
Fleischmann
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gonzalez
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hochul
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Manzullo
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Price (GA)
Quayle
Reed
Reichert
Renacci
Ribble
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ruppersberger
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schrader
Scott (SC)
Scott, Austin
Scott, David
Sessions
Shimkus
Shuler
Shuster
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Tipton
Towns
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—168

Ackerman
Akin
Amash
Andrews
Baca
Baldwin
Barton (TX)
Bass (CA)
Becerra
Berkley
Berman
Bishop (UT)
Bonamici
Brady (PA)
Braley (IA)
Brooks
Brown (FL)
Capps
Capuano
Carnahan
Carson (IN)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Cohen
Conyers
Costello
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dingell
Doggett
Doyle
Edwards
Ellison
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fleming
Frank (MA)
Fudge
Gibson
Gohmert
Gosar
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hall
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Holt
Honda
Hoyer
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kucinich
Landry
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Mack
Marchant
Markey
Matsui
McClintock
McCollum
McCotter
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Pearce
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Posey
Price (NC)
Quigley
Rahall
Rehberg
Reyes
Richardson
Richmond
Rigell
Rohrabacher
Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Schweikert
Scott (VA)
Sensenbrenner
Serrano
Sewell
Sherman
Simpson
Speier
Stark
Sutton
Thompson (MS)
Tierney
Tonko
Tsongas
Van Hollen
Velázquez
Visclosky
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—15

Blumenauer
Bucshon
Canseco
Davis (KY)
Filner
Hirono
Holden
Maloney
Marino
McHenry
Paul
Pence
Rangel
Sires
Slaughter

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1831

Mr. HOYER changed his vote from "aye" to "no."

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

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 192, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

PERSONAL EXPLANATION

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed rollcall vote Nos. 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, and 192. Had I been present, I would have voted "aye" on rollcall vote Nos. 184, 185, 186, 187, 188, 189, 190, and 191. I would have voted "no" on rollcall vote Nos. 182, 183, and 192.

IDAHO WILDERNESS WATER RESOURCES PROTECTION ACT

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 2050) to authorize the continued use of certain water diversions located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in the State of Idaho, and for other purposes.

The Clerk read the title of the bill.

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

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 3523, CYBER INTELLIGENCE SHARING AND PROTECTION ACT

Mr. ROGERS of Michigan. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 3523, the Clerk be authorized to make such technical and conforming changes as necessary to reflect the actions of the House.

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

There was no objection.

Mr. ROGERS of Michigan. Madam Speaker, I ask unanimous consent that in the engrossment of H.R. 3523, the Clerk be authorized to make the change that I have placed at the desk.

The SPEAKER pro tempore (Mrs. NOEM). The Clerk will report.

The Clerk read as follows:

Insert "deny access to or" before "degrade" in each place it appears.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Any record vote on the postponed question will be taken later.

FEDERAL INFORMATION SECURITY AMENDMENTS ACT OF 2012

Mr. ISSA. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4257) to amend chapter 35 of title 44, United States Code, to revise requirements relating to Federal information security, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4257

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Federal Information Security Amendments Act of 2012''.

SEC. 2. COORDINATION OF FEDERAL INFORMATION POLICY.

Chapter 35 of title 44, United States Code, is amended by striking subchapters II and III and inserting the following:

''SUBCHAPTER II—INFORMATION SECURITY

''§ 3551. Purposes

''The purposes of this subchapter are to—

''(1) provide a comprehensive framework for ensuring the effectiveness of information security controls over information resources that support Federal operations and assets;

''(2) recognize the highly networked nature of the current Federal computing environment and provide effective Governmentwide management and oversight of the related information security risks, including coordination of information security efforts throughout the civilian, national security, and law enforcement communities assets;

''(3) provide for development and maintenance of minimum controls required to protect Federal information and information systems;

''(4) provide a mechanism for improved oversight of Federal agency information security programs and systems through a focus on automated and continuous monitoring of agency information systems and regular threat assessments;

''(5) acknowledge that commercially developed information security products offer advanced, dynamic, robust, and effective information security solutions, reflecting market solutions for the protection of critical information systems important to the national defense and economic security of the Nation that are designed, built, and operated by the private sector; and

''(6) recognize that the selection of specific technical hardware and software information security solutions should be left to individual agencies from among commercially developed products.

''§ 3552. Definitions

''(a) SECTION 3502 DEFINITIONS.—Except as provided under subsection (b), the definitions under section 3502 shall apply to this subchapter.

''(b) ADDITIONAL DEFINITIONS.—In this subchapter:

''(1) ADEQUATE SECURITY.—The term 'adequate security' means security commensurate with the risk and magnitude of the harm resulting from the unauthorized access to or loss, misuse, destruction, or modification of information.

''(2) AUTOMATED AND CONTINUOUS MONITORING.—The term 'automated and continuous monitoring' means monitoring, with minimal human involvement, through an uninterrupted, ongoing real time, or near real-time process used to determine if the complete set of planned, required, and deployed security controls within an information system continue to be effective over time with rapidly changing information technology and threat development.

''(3) INCIDENT.—The term 'incident' means an occurrence that actually or potentially jeopardizes the confidentiality, integrity, or availability of an information system, or the information the system processes, stores, or transmits or that constitutes a violation or imminent threat of violation of security policies, security procedures, or acceptable use policies.

''(4) INFORMATION SECURITY.—The term 'information security' means protecting information and information systems from unauthorized access, use, disclosure, disruption, modification, or destruction in order to provide—

''(A) integrity, which means guarding against improper information modification or destruction, and includes ensuring information nonrepudiation and authenticity;

''(B) confidentiality, which means preserving authorized restrictions on access and disclosure, including means for protecting personal privacy and proprietary information; and

''(C) availability, which means ensuring timely and reliable access to and use of information.

''(5) INFORMATION SYSTEM.—The term 'information system' means a discrete set of information resources organized for the collection, processing, maintenance, use, sharing, dissemination, or disposition of information and includes—

''(A) computers and computer networks;

''(B) ancillary equipment;

''(C) software, firmware, and related procedures;

''(D) services, including support services; and

''(E) related resources.

''(6) INFORMATION TECHNOLOGY.—The term 'information technology' has the meaning given that term in section 11101 of title 40.

''(7) NATIONAL SECURITY SYSTEM.—

''(A) DEFINITION.—The term 'national security system' means any information system (including any telecommunications system) used or operated by an agency or by a contractor of an agency, or other organization on behalf of an agency—

''(i) the function, operation, or use of which—

''(I) involves intelligence activities;

''(II) involves cryptologic activities related to national security;

''(III) involves command and control of military forces;

''(IV) involves equipment that is an integral part of a weapon or weapons system; or

''(V) subject to subparagraph (B), is critical to the direct fulfillment of military or intelligence missions; or

''(ii) is protected at all times by procedures established for information that have been specifically authorized under criteria established by an Executive order or an Act of Congress to be kept classified in the interest of national defense or foreign policy.

''(B) EXCEPTION.—Subparagraph (A)(i)(V) does not include a system that is to be used for routine administrative and business applications (including payroll, finance, logistics, and personnel management applications).

''(8) THREAT ASSESSMENT.—The term 'threat assessment' means the formal description and evaluation of threat to an information system.

''§ 3553. Authority and functions of the Director

''(a) IN GENERAL.—The Director shall oversee agency information security policies and practices, including—

''(1) developing and overseeing the implementation of policies, principles, standards, and guidelines on information security, including through ensuring timely agency adoption of and compliance with standards promulgated under section 11331 of title 40;

''(2) requiring agencies, consistent with the standards promulgated under such section 11331 and the requirements of this subchapter, to identify and provide information security protections commensurate with the risk and magnitude of the harm resulting from the unauthorized access, use, disclosure, disruption, modification, or destruction of—

''(A) information collected or maintained by or on behalf of an agency; or

''(B) information systems used or operated by an agency or by a contractor of an agency or other organization on behalf of an agency;

''(3) coordinating the development of standards and guidelines under section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g-3) with agencies and offices operating or exercising control of national security systems (including the National Security Agency) to assure, to the maximum extent feasible, that such standards and guidelines are complementary with standards and guidelines developed for national security systems;

''(4) overseeing agency compliance with the requirements of this subchapter, including through any authorized action under section 11303 of title 40, to enforce accountability for compliance with such requirements;

''(5) reviewing at least annually, and approving or disapproving, agency information security programs required under section 3554(b);

''(6) coordinating information security policies and procedures with related information resources management policies and procedures;

''(7) overseeing the operation of the Federal information security incident center required under section 3555; and

''(8) reporting to Congress no later than March 1 of each year on agency compliance with the requirements of this subchapter, including—

''(A) an assessment of the development, promulgation, and adoption of, and compliance with, standards developed under section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g-3) and promulgated under section 11331 of title 40;

''(B) significant deficiencies in agency information security practices;

''(C) planned remedial action to address such deficiencies; and

''(D) a summary of, and the views of the Director on, the report prepared by the National Institute of Standards and Technology under section 20(d)(10) of the National Institute of Standards and Technology Act (15 U.S.C. 278g-3).

''(b) NATIONAL SECURITY SYSTEMS.—Except for the authorities described in paragraphs (4) and (8) of subsection (a), the authorities of the Director under this section shall not apply to national security systems.

''(c) DEPARTMENT OF DEFENSE AND CENTRAL INTELLIGENCE AGENCY SYSTEMS.—(1) The authorities of the Director described in paragraphs (1) and (2) of subsection (a) shall be delegated to the Secretary of Defense in the case of systems described in paragraph (2) and to the Director of Central Intelligence in the case of systems described in paragraph (3).

''(2) The systems described in this paragraph are systems that are operated by the Department of Defense, a contractor of the Department of Defense, or another entity on behalf of the Department of Defense that processes any information the unauthorized access, use, disclosure, disruption, modification, or destruction of which would have a debilitating impact on the mission of the Department of Defense.

''(3) The systems described in this paragraph are systems that are operated by the Central Intelligence Agency, a contractor of the Central Intelligence Agency, or another entity on behalf of the Central Intelligence Agency that processes any information the unauthorized access, use, disclosure, disruption, modification, or destruction of which would have a debilitating impact on the mission of the Central Intelligence Agency.

''§ 3554. Agency responsibilities

''(a) IN GENERAL.—The head of each agency shall—

''(1) be responsible for—

''(A) providing information security protections commensurate with the risk and magnitude of the harm resulting from unauthorized access, use, disclosure, disruption, modification, or destruction of—

''(i) information collected or maintained by or on behalf of the agency; and

''(ii) information systems used or operated by an agency or by a contractor of an agency or other organization on behalf of an agency;

''(B) complying with the requirements of this subchapter and related policies, procedures, standards, and guidelines, including—

''(i) information security standards and guidelines promulgated under section 11331 of title 40 and section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g–3);

''(ii) information security standards and guidelines for national security systems issued in accordance with law and as directed by the President; and

''(iii) ensuring the standards implemented for information systems and national security systems of the agency are complementary and uniform, to the extent practicable;

''(C) ensuring that information security management processes are integrated with agency strategic and operational planning and budget processes, including policies, procedures, and practices described in subsection (c)(2);

''(D) as appropriate, maintaining secure facilities that have the capability of accessing, sending, receiving, and storing classified information;

''(E) maintaining a sufficient number of personnel with security clearances, at the appropriate levels, to access, send, receive and analyze classified information to carry out the responsibilities of this subchapter; and

''(F) ensuring that information security performance indicators and measures are included in the annual performance evaluations of all managers, senior managers, senior executive service personnel, and political appointees;

''(2) ensure that senior agency officials provide information security for the information and information systems that support the operations and assets under their control, including through—

''(A) assessing the risk and magnitude of the harm that could result from the unauthorized access, use, disclosure, disruption, modification, or destruction of such information or information system;

''(B) determining the levels of information security appropriate to protect such information and information systems in accordance with policies, principles, standards, and guidelines promulgated under section 11331 of title 40 and section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g–3) for information security classifications and related requirements;

''(C) implementing policies and procedures to cost effectively reduce risks to an acceptable level;

''(D) with a frequency sufficient to support risk-based security decisions, testing and evaluating information security controls and techniques to ensure that such controls and techniques are effectively implemented and operated; and

''(E) with a frequency sufficient to support risk-based security decisions, conducting threat assessments by monitoring information systems, identifying potential system vulnerabilities, and reporting security incidents in accordance with paragraph (3)(A)(v);

''(3) delegate to the Chief Information Officer or equivalent (or a senior agency official who reports to the Chief Information Officer or equivalent), who is designated as the 'Chief Information Security Officer', the authority and primary responsibility to develop, implement, and oversee an agencywide information security program to ensure and enforce compliance with the requirements imposed on the agency under this subchapter, including—

''(A) overseeing the establishment and maintenance of a security operations capability that through automated and continuous monitoring, when possible, can—

''(i) detect, report, respond to, contain, and mitigate incidents that impair information security and agency information systems, in accordance with policy provided by the Director;

''(ii) commensurate with the risk to information security, monitor and mitigate the vulnerabilities of every information system within the agency;

''(iii) continually evaluate risks posed to information collected or maintained by or on behalf of the agency and information systems and hold senior agency officials accountable for ensuring information security;

''(iv) collaborate with the Director and appropriate public and private sector security operations centers to detect, report, respond to, contain, and mitigate incidents that impact the security of information and information systems that extend beyond the control of the agency; and

''(v) report any incident described under clauses (i) and (ii) to the Federal information security incident center, to other appropriate security operations centers, and to the Inspector General of the agency, to the extent practicable, within 24 hours after discovery of the incident, but no later than 48 hours after such discovery;

''(B) developing, maintaining, and overseeing an agencywide information security program as required by subsection (b);

''(C) developing, maintaining, and overseeing information security policies, procedures, and control techniques to address all applicable requirements, including those issued under section 11331 of title 40;

''(D) training and overseeing personnel with significant responsibilities for information security with respect to such responsibilities; and

''(E) assisting senior agency officials concerning their responsibilities under paragraph (2);

''(4) ensure that the agency has a sufficient number of trained and cleared personnel to assist the agency in complying with the requirements of this subchapter, other applicable laws, and related policies, procedures, standards, and guidelines;

''(5) ensure that the Chief Information Security Officer, in consultation with other senior agency officials, reports periodically, but not less than annually, to the agency head on—

''(A) the effectiveness of the agency information security program;

''(B) information derived from automated and continuous monitoring, when possible, and threat assessments; and

''(C) the progress of remedial actions;

''(6) ensure that the Chief Information Security Officer possesses the necessary qualifications, including education, training, experience, and the security clearance required to administer the functions described under this subchapter; and has information security duties as the primary duty of that official; and

''(7) ensure that components of that agency establish and maintain an automated reporting mechanism that allows the Chief Information Security Officer with responsibility for the entire agency, and all components thereof, to implement, monitor, and hold senior agency officers accountable for the implementation of appropriate security policies, procedures, and controls of agency components.

''(b) AGENCY PROGRAM.—Each agency shall develop, document, and implement an agencywide information security program, approved by the Director and consistent with components across and within agencies, to provide information security for the information and information systems that support the operations and assets of the agency, including those provided or managed by another agency, contractor, or other source, that includes—

''(1) automated and continuous monitoring, when possible, of the risk and magnitude of the harm that could result from the disruption or unauthorized access, use, disclosure, modification, or destruction of information and information systems that support the operations and assets of the agency;

''(2) consistent with guidance developed under section 11331 of title 40, vulnerability assessments and penetration tests commensurate with the risk posed to agency information systems;

''(3) policies and procedures that—

''(A) cost effectively reduce information security risks to an acceptable level;

''(B) ensure compliance with—

''(i) the requirements of this subchapter;

''(ii) policies and procedures as may be prescribed by the Director, and information security standards promulgated pursuant to section 11331 of title 40;

''(iii) minimally acceptable system configuration requirements, as determined by the Director; and

''(iv) any other applicable requirements, including—

''(I) standards and guidelines for national security systems issued in accordance with law and as directed by the President; and

''(II) the National Institute of Standards and Technology standards and guidance;

''(C) develop, maintain, and oversee information security policies, procedures, and control techniques to address all applicable requirements, including those promulgated pursuant section 11331 of title 40; and

''(D) ensure the oversight and training of personnel with significant responsibilities for information security with respect to such responsibilities;

''(4) with a frequency sufficient to support risk-based security decisions, automated and continuous monitoring, when possible, for

testing and evaluation of the effectiveness and compliance of information security policies, procedures, and practices, including—

''(A) controls of every information system identified in the inventory required under section 3505(c); and

''(B) controls relied on for an evaluation under this section;

''(5) a process for planning, implementing, evaluating, and documenting remedial action to address any deficiencies in the information security policies, procedures, and practices of the agency;

''(6) with a frequency sufficient to support risk-based security decisions, automated and continuous monitoring, when possible, for detecting, reporting, and responding to security incidents, consistent with standards and guidelines issued by the National Institute of Standards and Technology, including—

''(A) mitigating risks associated with such incidents before substantial damage is done;

''(B) notifying and consulting with the Federal information security incident center and other appropriate security operations response centers; and

''(C) notifying and consulting with, as appropriate—

''(i) law enforcement agencies and relevant Offices of Inspectors General; and

''(ii) any other agency, office, or entity, in accordance with law or as directed by the President; and

''(7) plans and procedures to ensure continuity of operations for information systems that support the operations and assets of the agency.

''(c) AGENCY REPORTING.—Each agency shall—

''(1) submit an annual report on the adequacy and effectiveness of information security policies, procedures, and practices, and compliance with the requirements of this subchapter, including compliance with each requirement of subsection (b) to—

''(A) the Director;

''(B) the Committee on Homeland Security and Governmental Affairs of the Senate;

''(C) the Committee on Oversight and Government Reform of the House of Representatives;

''(D) other appropriate authorization and appropriations committees of Congress; and

''(E) the Comptroller General;

''(2) address the adequacy and effectiveness of information security policies, procedures, and practices in plans and reports relating to—

''(A) annual agency budgets;

''(B) information resources management of this subchapter;

''(C) information technology management under this chapter;

''(D) program performance under sections 1105 and 1115 through 1119 of title 31, and sections 2801 and 2805 of title 39;

''(E) financial management under chapter 9 of title 31, and the Chief Financial Officers Act of 1990 (31 U.S.C. 501 note; Public Law 101–576);

''(F) financial management systems under the Federal Financial Management Improvement Act of 1996 (31 U.S.C. 3512 note); and

''(G) internal accounting and administrative controls under section 3512 of title 31; and

''(3) report any significant deficiency in a policy, procedure, or practice identified under paragraph (1) or (2)—

''(A) as a material weakness in reporting under section 3512 of title 31; and

''(B) if relating to financial management systems, as an instance of a lack of substantial compliance under the Federal Financial Management Improvement Act of 1996 (31 U.S.C. 3512 note).

''§ 3555. Federal information security incident center

''(a) IN GENERAL.—The Director shall ensure the operation of a central Federal information security incident center to—

''(1) provide timely technical assistance to operators of agency information systems regarding security incidents, including guidance on detecting and handling information security incidents;

''(2) compile and analyze information about incidents that threaten information security;

''(3) inform operators of agency information systems about current and potential information security threats, and vulnerabilities; and

''(4) consult with the National Institute of Standards and Technology, agencies or offices operating or exercising control of national security systems (including the National Security Agency), and such other agencies or offices in accordance with law and as directed by the President regarding information security incidents and related matters.

''(b) NATIONAL SECURITY SYSTEMS.—Each agency operating or exercising control of a national security system shall share information about information security incidents, threats, and vulnerabilities with the Federal information security incident center to the extent consistent with standards and guidelines for national security systems, issued in accordance with law and as directed by the President.

''(c) REVIEW AND APPROVAL.—The Director shall review and approve the policies, procedures, and guidance established in this subchapter to ensure that the incident center has the capability to effectively and efficiently detect, correlate, respond to, contain, mitigate, and remediate incidents that impair the adequate security of the information systems of more than one agency. To the extent practicable, the capability shall be continuous and technically automated.

''§ 3556. National security systems

''The head of each agency operating or exercising control of a national security system shall be responsible for ensuring that the agency—

''(1) provides information security protections commensurate with the risk and magnitude of the harm resulting from the unauthorized access, use, disclosure, disruption, modification, or destruction of the information contained in such system;

''(2) implements information security policies and practices as required by standards and guidelines for national security systems, issued in accordance with law and as directed by the President; and

''(3) complies with the requirements of this subchapter.''.

SEC. 3. TECHNICAL AND CONFORMING AMENDMENTS.

(a) TABLE OF SECTIONS IN TITLE 44.—The table of sections for chapter 35 of title 44, United States Code, is amended by striking the matter relating to subchapters II and III and inserting the following:

''SUBCHAPTER II—INFORMATION SECURITY

''Sec.
''3551. Purposes.
''3552. Definitions.
''3553. Authority and functions of the Director.
''3554. Agency responsibilities.
''3555. Federal information security incident center.
''3556. National security systems.''.

(b) OTHER REFERENCES.—

(1) Section 1001(c)(1)(A) of the Homeland Security Act of 2002 (6 U.S.C. 511(c)(1)(A)) is amended by striking ''section 3532(3)'' and inserting ''section 3552(b)''.

(2) Section 2222(j)(5) of title 10, United States Code, is amended by striking ''section 3542(b)(2)'' and inserting ''section 3552(b)''.

(3) Section 2223(c)(3) of title 10, United States Code, is amended, by striking ''section 3542(b)(2)'' and inserting ''section 3552(b)''.

(4) Section 2315 of title 10, United States Code, is amended by striking ''section 3542(b)(2)'' and inserting ''section 3552(b)''.

(5) Section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g–3) is amended—

(A) in subsections (a)(2) and (e)(5), by striking ''section 3532(b)(2)'' and inserting ''section 3552(b)''; and

(B) in subsection (e)(2), by striking ''section 3532(1)'' and inserting ''section 3552(b)''.

(6) Section 8(d)(1) of the Cyber Security Research and Development Act (15 U.S.C. 7406(d)(1)) is amended by striking ''section 3534(b)'' and inserting ''section 3554(b)''.

SEC. 4. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to carry out the requirements of section 3554 of title 44, United States Code, as amended by section 2 of this Act. Such requirements shall be carried out using amounts otherwise authorized or appropriated.

SEC. 5. EFFECTIVE DATE.

This Act (including the amendments made by this Act) shall take effect 30 days after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ISSA) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ISSA. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Madam Speaker, cybersecurity threats represent one of the most serious national security and economic challenges we face as a Nation. Whether it's criminal hackers, organized crime, terrorist networks or national states, our Nation is under siege from dangerous cybersecurity threats that grow daily in frequency and sophistication.

□ 1840

It is critical that the Federal Government address cybersecurity threats in a manner that keeps pace with the Nation's growing dependence on technology. The President himself recently stated: ''Cybersecurity is a challenge that we as a government or as a country are not adequately prepared to counter.''

Madam Speaker, it is essential that we, in fact, change that here today.

Current law does not adequately address the nature of today's cybersecurity threats. Since the enactment in 2002 of the Federal Information Security Management Act, or FISMA, it

has become a check-the-box compliance activity that all too often has little to do with minimizing security threats, and yet the Government Accountability Office recently found that security incidents among 24 key agencies increased more than 650 percent during the last 5 years.

To address the rising challenge posed by cyberthreats, Ranking Member CUMMINGS and I introduced H.R. 4257, the Federal Information Security Amendments Act of 2012. The bill aims to harness the last decade of technological innovation in securing the Federal information systems. It amends FISMA to move beyond the check-the-box compliance mentality. It enhances the current framework for securing Federal information technology systems.

Our bill calls for automated and continuous monitoring of government information systems. And it ensures that control monitoring finally incorporates regular threat assessment and—Madam Speaker, this is the most important part of what we do—continuous monitoring and constant threat assessments so that never again will we find that the incidents are going up double digits every month in some cases.

The bill also reaffirms the role of the Office of Management and Budget, or OMB, with respect to FISMA, recognizing that the budgetary leverage of the Executive Office of the President is necessary to ensure agencies are focused on effective security of its IT systems.

While our bill does not include new requirements, restrictions, or mandates on private or non-Federal computer systems, H.R. 4257 does highlight the need for stronger public-private partnerships. Through our Web site, keepthewebopen.com, our bill has been vetted by the American people. It has also received strong support from cybersecurity experts and industry, including the Information Technology Industry Council and the Business Software Alliance.

I'd like to thank my ranking member, Mr. CUMMINGS, for a one-on-one equal partnership with me in the efforts to address the growing threat for cybersecurity. He has led the way on his side of the aisle, and I have been honored to serve on my side. We have encouraged all Members to support this timely legislation. We recognize that some things are too important to be partisan. This certainly is one of them.

I reserve the balance of my time.

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

Madam Speaker, first of all, I'd like to express my appreciation to the chairman of our committee for his kind words and for his cooperation. I start by thanking him for working with me and my staff to make this a bipartisan effort, and it is truly a bipartisan effort. From the beginning, we agreed that we did not want to make securing our Federal information systems a partisan issue and that securing our Nation against a cyberattack is an issue that transcends any party lines. This bill is evidence of the good work that we can do when we work together to address an important issue like cybersecurity.

Not only does this bill enjoy bipartisan support, but it is noncontroversial. Last week, the bill was marked up in committee and passed on a voice vote. The only amendments considered made constructive changes to the bill that were recommended by the National Institute of Standards and Technology and the Government Accountability Office. These changes enjoyed universal support in committee.

This legislation will ensure that Federal agencies use a risk-based approach to defend against cyberattacks and protect government information from being compromised by our adversaries. The bill would make key changes to help protect our Federal information systems from cyberattacks. It would shift the Federal Government to a system of continuous monitoring of information systems, streamline reporting requirements, and ensure that agencies take a smart, risk-based approach to securing networks.

This bill will continue to authorize the Office of Management and Budget to set Federal policy for information security. This is important because we need to hold all agencies accountable for developing appropriate standards and living up to them. However, nothing in this bill would prevent the Department of Homeland Security from continuing the great work it is doing to protect our Nation against potential cyberattacks.

The Department has dramatically expanded its cybersecurity workforce, and it has built the National Cybersecurity and Communications Integration Center to serve as Federal Government's cybersecurity command center. This command center is a vital part of our efforts to protect Federal information systems.

Earlier this month, the head of U.S. Cyber Command, General Keith Alexander, testified that securing our Nation against cyberthreats is one of our biggest national security challenges. Securing our Federal information systems is a critical component of addressing this challenge, and I urge my colleagues to join me and our chairman in supporting this legislation.

With that, Madam Speaker, I reserve the balance of my time.

Mr. ISSA. Madam Speaker, we have a speaker on the other side for a colloquy, so I'd reserve at this time to allow him to go next.

Mr. CUMMINGS. I want to thank the gentleman.

Madam Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY of Virginia. I thank my friend from Maryland, the distinguished ranking member.

I want to thank Chairman ISSA and appreciate the work of him and the ranking member, Mr. CUMMINGS, and their staff on this legislation, which I think is a thoughtful, bipartisan update to an information security bill actually written by my predecessor and the chairman's, Tom Davis of Virginia.

The FISMA Amendments Act transitions from compliance to performance metrics to address major shortcomings in Federal agency cybersecurity implementation. Of course, when considering the performance of Federal agencies, it's a natural extension to question the relationship between the executive branch and those agencies and the relationship among technology and cybersecurity-related positions within the executive branch.

I appreciate President Obama's focus on technology, particularly the chief information officer's 25-point plan, but I'm concerned that the current ad hoc nature of the CIO, CTO, and Cybersecurity coordinator could create certain risk and continuity of operations challenges when we look out to further administrations. I would ask Chairman ISSA if he shares those concerns.

I yield to the gentleman from California.

Mr. ISSA. I thank the gentleman. I do share those concerns and appreciate the gentleman's work on this.

Proper organization of the executive branch is essential to the successful long-term management of technology, and particularly cybersecurity.

This policy is going to require additional work. FISMA is not the end but, in fact, a starting point; and I look forward to working with the gentleman to make sure that as we work with the executive branch, including OMB, that we get it right and we keep the focus where it needs to be on all the agencies and bringing them together.

Mr. CONNOLLY of Virginia. Madam Speaker, I thank the chairman and look forward to working with him and the ranking member, as well as Mr. LANGEVIN of Rhode Island, who has been a leader on this subject, to advance legislation that will address executive branch organization in the context of cybersecurity. With the right framework, I believe the current and future administrations will be able to more efficiently implement these FISMA reforms and other related legislation. Given its jurisdiction, the Oversight and Government Reform Committee is the appropriate venue to develop such legislation, and I look forward to working with the committee chair and ranking member to advance it.

□ 1850

Mr. CUMMINGS. Madam Speaker, I yield 3 minutes to the gentleman from Rhode Island (Mr. LANGEVIN).

Mr. LANGEVIN. I thank the gentleman for yielding.

Madam Speaker, I rise to engage in a colloquy with my colleague and friend, the chairman of the Committee on

Oversight and Government Reform, Mr. ISSA.

I'd first like to thank the chairman for his hard work. His efforts to update the Federal Information Security Management Act have been commendably inclusive and bipartisan, and I want to thank him and his staff, as well as Mr. CUMMINGS and Mr. CONNOLLY and their staff, for all the outreach and good faith negotiation that's occurred during the crafting of this legislation.

There can be no question that the FISMA reform language before the House today is both sorely needed and long overdue. To this end, together with my good friend and our former colleague, Ms. Watson, I introduced an amendment that passed the House overwhelmingly last Congress during consideration of the FY 2011 National Defense Authorization Act.

That amendment, which was, unfortunately, stripped out during conference with the Senate, would have made important updates to FISMA, in addition to establishing a National Office for Cyberspace in the Executive Office of the President.

Such an office has been recommended by the Obama administration's 60–Day Cyberspace Policy Review, public-private sector working groups such as the CSIS Commission on Cybersecurity for the 44th Presidency, which I cochaired with my good friend, Mr. MCCAUL, and the GAO, as a response to security deficiencies throughout the Federal Government.

While I applaud my friend for delivering on the need for FISMA reform, I'd like to ask the chairman if he gave thought to such organizational changes within the executive branch and, in particular, an organization like a National Office for Cyberspace during the drafting of this legislation.

I yield to my friend.

Mr. ISSA. I thank the gentleman. And yes, we did. Your leadership on cybersecurity matters, including FISMA reform, have been essential.

When you and I served on the Select Intelligence Committee, I recognized that you put more time and effort into the behind-the-door work than any of us. And, in fact, you and I share some of the challenges that we faced with the DNI and other earlier organizations.

But I share with you that your suggestions on how we can, in fact, find single-point accountability in future legislation, in concert with this administration, is essential. I look forward to working with you on exactly that. I know of no other partner I could have on the other side of the aisle that is more prepared to do it, and I thank the gentleman.

Mr. LANGEVIN. I thank the gentleman for that. In that spirit, I'd like to encourage the gentleman to continue in this open and bipartisan fashion. I'd like to ask if you would be interested in working together on such subsequent legislation, along with Mr. CUMMINGS and Mr. CONNOLLY, who have been so involved and thoughtful on this issue.

I believe that such legislation should include strong, centralized oversight to protect our Nation's critical infrastructure, including budgetary oversight powers, while remaining accountable to Congress.

Mr. ISSA. I couldn't agree with the gentleman more. Your work with our staff has been essential. I look forward to doing exactly that, and I think we have to have that ongoing effort to get to there.

I saw the ranking member's head also shaking. I know that we will both look forward to working with you on a bipartisan basis.

Mr. LANGEVIN. I thank the gentleman for that, and I look forward to working with my good friend to ensure that our Federal Government is properly addressing this critically important issue.

Mr. ISSA. Madam Speaker, I yield 3 minutes to my colleague and the gentleman from Utah (Mr. CHAFFETZ), the chairman of the subcommittee that has done so much on, in fact, cybersecurity.

Mr. CHAFFETZ. Madam Speaker, I appreciate Chairman ISSA and his foresight and leadership on this issue in driving this forward. This is so, so important to our country and our nation, and for the Federal Government to operate properly.

Madam Speaker, I also want to thank and recognize the ranking member, Mr. CUMMINGS, his unparalleled support and need and just patriotism for what's good for this Nation, working together in a bipartisan way. This is what I think the American people want, and this is what they get in this bill.

I also want to share the fact that cybersecurity is a real threat. It's a threat to the mom who's got the computer sitting in there in the kitchen, and the kids are going in every direction, to the most secure infrastructure we have in our Federal Government. It is imperative that we get this right, because everything from a guy in a van down by the river to nation-states, our country is under a constant bombardment and attack, for our intellectual property, to trade secrets, to what's going on in this government.

And while this is focused on what our government is doing and how it's organized, it updates the law so that we have the right provisions at the right place, and we're doing the right things. We have to be vigilant as a people. So this is focused, not—it doesn't give a new mandate. There's no new mandate upon the American people. There's no mandate upon businesses.

What this does is get the structure for what should happen in the Federal Government right, and updating and doing things like continuous monitoring, vulnerability assessments and penetration tests that are done within the Federal Government. It requires a chief information security officer within these different agencies, and it focuses these efforts upon the Director of OMB.

By really putting the focal point on the executive branch within the White House, you will get a much better response, because everything, from the Bureau of Indian Affairs to the Department of Defense and everywhere in between, we have to make sure that our systems are updated because the threat is constant, it is real, it is 24/7. And without these updates, without the constant monitoring, without these types of things, we will be doing a disservice to the American people, and we will not be living up to the commitment that we have to make sure that these networks are as secure as they possibly can be.

This is something that will be with us, not just for the next 6 months, not just for the next year, but for the foreseeable future. And Madam Speaker, that's why I'm so enthusiastic about this bill. I appreciate the bipartisan nature in which it was done. And I certainly appreciate Chairman ISSA and his leadership on this. I'm glad to be part of it.

I would encourage my colleagues to vote in favor of this bill.

Mr. CUMMINGS. We don't have any additional speakers. I reserve the balance of my time.

Mr. ISSA. Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. THORNBERRY) who coordinated so much of the work that we're doing today from multiple committees.

Mr. THORNBERRY. I thank Chairman ISSA for yielding. Madam Speaker, I want to commend the chairman and the ranking member for working together and bringing this important bill to the floor.

I also want to commend the gentleman from Utah (Mr. CHAFFETZ), who was a member of our task force and, as the chairman noted, has done so much work on this.

Madam Speaker, this is an important bill on cybersecurity. The FISMA law passed in 2002 needs to be updated. The growth in the number and sophistication of the threats has not been matched by our response, and so laws and policies are increasingly outdated and not able to keep up with the threats faced by Federal networks as well as private sector networks.

And this bill requires continuous monitoring, as you have heard. The threat is dynamic. It changes. It doesn't work anymore to just check a box and say, I've done this. You have to have that continuous monitoring of what's happening within your networks. That's important for defense of the Federal Government, but it's also important to be an example for the rest of the country. And in cybersecurity, it seems to me, it's particularly important for the Federal Government to lead by example.

I also want to just say that this is an example of an issue, a part of cybersecurity, on which everybody agrees needs to happen, and this committee

has brought a bipartisan answer. We cannot allow differences that may exist between this body and the other body on other cybersecurity issues prevent us from taking action, getting something accomplished on something that everybody agrees on.

This is one of the things everybody agrees needs to happen. Information-sharing, everybody agrees on. Research and development that we'll have tomorrow on the floor, everybody agrees needs to happen.

I appreciate the work of this committee. It's an important bill. It will help make the Nation more secure, as well as this government, and I hope all Members will support it.

Mr. ISSA. Madam Speaker, at this time I have no other speakers, and I'm prepared to close.

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

Madam Speaker, I want to associate myself with all the words that have been said by both sides this evening, because we understand that cybersecurity is so very, very important to our Nation. We often look back to 9/11 and we think about what happened in that very short time, and how it disrupted our entire Nation, taking planes out of the air, causing our world to at least pause.

□ 1900

We saw the damage that was done in a matter of a few minutes.

Cybersecurity and the cyberthreat is just as great, if not far greater, and can happen very, very quickly. A cyberattack can take place very, very quickly, and it is something that we must do everything in our power to protect ourselves against. This bill does not solve all the problems, but it certainly leads us in the right direction.

Again, I want to thank the chairman. I want to thank everybody involved for the bipartisan effort and for making the security of our Nation our number one priority.

With that, I urge all of the Members to vote for this bill, and I yield back the balance of my time.

Mr. ISSA. Madam Speaker, in closing, I urge all Members to support the passage of this bill, H.R. 4257, as amended. I want to make one closing statement.

Often we talk about cybersecurity, and people think just about the Internet. We sit here in a room that is essentially windowless. I've been in this room when the lights are out. It is very, very dark. We would have a hard time finding our way out. Yet the very essence of keeping the grid up requires computers to talk to each other. Our phone systems, our lights, our power, our sewage, our water all depend today on interoperable computer systems that span the entire country and, in many cases, the entire world.

So, as people realize the government-to-government relationship and, particularly, the public-private partnerships that this bill encourages and asks the Office of Management and Budget to assure occur, we are doing so, of course, in order to maintain a reliable Internet; but much more importantly, the fundamentals of the very electricity that powers the Internet must be maintained and protected. I believe we've gone a long way today in the passage of this bill. I urge its passage.

I thank the gentleman from Maryland for his leadership on this important matter.

I yield back the balance of my time.

Mr. HALL. Madam Speaker, I would like to thank Chairman ISSA for the hard work that he and the Committee on Oversight and Government Reform has undertaken in the development of H.R. 4257, the Federal Information Security Amendments Act of 2012.

This bill updates and improves the decade old Federal Information Security and Management Act (FISMA). FISMA currently requires each Federal agency to develop, document, and implement an agency-wide program to provide information security for their systems.

The Science, Space, and Technology Committee receives annual FISMA reports from each Federal agency. These reports detail the management and security of each agency's information technology resources, and the actions necessary to ensure the effectiveness of the government's information security policies.

The Science, Space, and Technology Committee monitors these reports to review the cybersecurity standards and guidelines that the National Institute of Standards and Technology sets for Federal information systems. These standards and guidelines are particularly important because along with agency use, the same standards and guidelines are frequently adopted on a voluntary basis by many organizations in the private sector. The Committee will continue to receive and review these annual FISMA reports from Federal agencies, and will provide continued oversight of NIST's role in FISMA process.

H.R. 4257 takes an important step forward in the protection of the government's information technology resources by establishing a mechanism for stronger oversight. The bill ensures implementation of new developments in technological innovation, including automated and continuous monitoring of cybersecurity threats as well as regular threat assessments.

Our Federal agencies depend on FISMA to guide them to protect federal networks. Officials are already working to integrate some of the concepts proposed by H.R. 4257, such as continuous monitoring, into the management of information systems. I am encouraged that this bill will help agencies more easily comply with the latest cybersecurity standards and guidelines set forth by NIST.

H.R. 4257 is a good bill that represents another critical piece in Congress's overall efforts to address the Nation's cybersecurity needs. There are additional tweaks that could make the bill even better, and I look forward to working with Mr. ISSA as the bill moves through the process to address remaining issues to our mutual satisfaction.

I support the passage of H.R. 4257 and encourage my colleagues to do the same.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ISSA) that the House suspend the rules and pass the bill, H.R. 4257, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

HATERS OF RELIGION

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

Mr. POE of Texas. Madam Speaker, in the quiet town of Woonsocket, Rhode Island, a 91-year-old memorial honoring hometown soldiers stands tall outside a local fire station. A stone bottom statue with a cross on top immortalizes the fallen heroes who sacrificed so much for our country. For decades, the memorial has stood in the shadows of the fire station with no complaints from local residents.

But a group of out-of-towners, not from Woonsocket, not even from Rhode Island, but from 1,000 miles away in Wisconsin, have self-righteously objected to the cross on top of the 91-year-old memorial. The antireligious hate group demands that the cross be removed. They also demand that the firefighters' prayer and angel from the Woonsocket Fire Department Web site be removed.

Madam Speaker, the firefighter prayer asks God to give them ''strength to save lives'' and to protect the families of the firefighters.

County officials will not succumb to the intimidation tactics of the bigoted group. The mayor has said he will not remove the cross under any circumstances because the Constitution protects the free exercise of religion whether this hate group likes it or not.

And that's just the way it is.

PAYCHECK FAIRNESS

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

Ms. BERKLEY. Madam Speaker, it's hard to believe that in the 21st century women in Nevada are still making only 83 cents for every dollar that a man makes.

What does that mean in real terms? It means a difference of $7,326 a year. It is not fair. In most cases, working women in Nevada are either the primary or the sole breadwinners of their families.

That's why I'm calling on the Speaker to follow the Senate's lead and to schedule a vote on the Paycheck Fairness Act, which is legislation that will help close the unacceptable wage gap between men and women in this country. Unfortunately, far too many in the House and the Senate are still living in the Dark Ages when it comes to basic fairness for women.

Women in Nevada are still shaking their heads in disbelief that in the year

2012 one of the major debates in this Congress has been whether to restrict access to birth control, and now there are those in the House and Senate who have voted time and time again against enforcing equal pay for equal work.

It is time for this Congress to join the rest of us in the 21st century. Let's get the paycheck fairness bill on the floor, and let's vote ''yes.''

IN HONOR OF LANCE CORPORAL CODY EVANS

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

Mr. FLEISCHMANN. Madam Speaker, I rise today to honor an outstanding young man from my district who I've recently had the pleasure of getting to know. Lance Corporal Cody Evans of Speedwell, Tennessee, serves in the United States Marine Corps as a combat engineer, one of the most dangerous jobs in the military.

While serving in Afghanistan, Lance Corporal Evans stepped on a pressure plate while sweeping for IEDs, nearly losing his life. He lost both legs and suffered numerous other injuries. I met Lance Corporal Evans in January of this year in a visit to Walter Reed. To say that I was impressed by this young man's spirit and resilience would be an understatement. Cody has the spirit of a fighter, a spirit that has led to his continued recovery.

No mention of Cody would be complete without mentioning his mother, Regina, who has been with him constantly. Her dedication to her son is incredible.

As a Nation, we must recognize those who serve, who have the character and commitment to risk their lives so that we may sleep peacefully at home. Cody Evans deserves this recognition, which is why it is my honor to ask that this poem penned by Albert Caswell be placed into the CONGRESSIONAL RECORD.

I. . .
I Volunteered. . .
But, to do my very best. . .
As I so raised my hand like all of the rest!
Patriots, who over the years our nation have so blessed!
As I so went off to war, but for the greater good like all of the rest!
Men of steel, whose hearts so chose to crest!
As Cody, you so watched your brothers die!
While, holding them in your arms as you began to cry. . .
And oh yes you Cody, you have so proudly worn. . .
Those most magnificent shades of green, that uniform!
Because, to be A United States Marine. . . you were born!
For you'd much rather die for something, than live for nothing at all!
As why Cody you so answered that most noble of all calls!
That Call To Arms, That Call To War. . . while standing tall!
As you almost died, oh yes a couple of times. . .
While, there on the very edge of death you so lie!
As you could have given up, but instead you chose to rise. . .
As your newest mountain you were about to climb!
Because, Cody you Volunteered for that fight!
Yea Cody, because you're from Tennessee where men with brave hearts ever burn bright!
Who, In Strength In Honor do so believe!
Where them and their families are as strong as Hickory trees!
And all in our Country Tis of Thee, they do so believe!
This Volunteer from Tennessee!
As yes you have lost your two strong fine legs, but you won't moan and you won't beg!
Because, that's just The Volunteer all in you!
In fact Andrew Jackson Cody, would be so proud of you!
All because of what upon the battlefield of honor, into what you so grew. . .
For surely Cody you had one of the toughest jobs of that war. . .
As a Combat Engineer, where every new step meant but death for sure!
Something that so demanded such faith and nerves of steel!
As you and your brothers so fought and died for was right and what was real!
And still somehow on this very day, your strength and will to so come back from the dead so impresses me!
To So Teach Us All!
To So Beseech Us All!
To So Reach Us All!
To This Our Nation To So Bless!
For you are but The Toast of Tennessee!
But, in Heaven you need not arms or even legs!
And that is where you are going Cody one fine day!
And if ever I had a son!
I wish he could but shine just half as bright, as this great one!
This United States Marine!
Who embodies the very heart of Tennessee!
Who so Volunteered, all for this our Country Tis of Thee!
As you so Volunteered to make America Safe and Free!
I could do a million great things, but such light to this our world I could never bring!
As you are a most magnificent United States Marine!
All in what your fine life has said, and so means!
Moments are all we have to so make a difference in all we have!
To bring our light, to fight the bad!
Cody, to be an American. . . you make me so proud to be!
For you are one of her greatest of all sons, Ooh. . . Rah, a Shining Son of Tennessee. . .
If it were not for Heroes like you and Volunteers, where would this nation be?

—*By Albert Carey Caswell.*

ENERGY ISSUES

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

Mr. POE of Texas. Thank you, Madam Speaker.

Tonight, I and other Members of the House are going to talk about energy issues in the United States.

Probably a timely thing to start with are the recent comments by one of the individuals who works for the Environmental Protection Agency, the EPA. The more we learn about the EPA, the more we learn that they are hostile to real American energy for various reasons. Let me give you some historical perspective that makes this continuous assault on the oil and gas industry make sense to us now in 2012.

It seems that back in 2010, 2 years ago, EPA Region 6 Administrator Al Armendariz stood up on his bureaucratic pedestal of power and spelled out the true intentions that he had and the goals of the EPA. He declared that the EPA—and he declared this from his marble palace here in Washington, D.C.—that the EPA would target the oil and gas industry, calling it an ''enforcement priority'' as if, Madam Speaker, the oil and gas industry were made up of criminals.

He went on:

> I was in a meeting once, and I gave an analogy to my staff about my philosophy of enforcement, and I think it was probably a little crude and maybe not appropriate for the meeting, but I'll go ahead and tell you what I said.

And here is what he said, Madam Speaker:

> It was kind of like how the Romans used to do—you know, conquer villages in the Mediterranean. They'd go into a little Turkish town somewhere. They'd find the first five guys they saw, and they'd crucify them.

That's right—they would crucify them—as if he is advocating crucifying the oil and gas industry. What a thing to say from somebody who works for the Federal Government.

He said he would make examples out of the people in the oil and gas industry. Probably unknown to him, his speech was all caught on videotape that recently surfaced. In fact, it was on the Internet YouTube last night; but today, mysteriously, it seems to have disappeared and is no longer on YouTube. That was in 2010.

These comments help us to understand the EPA's belligerent attitude against energy—American energy—against the oil and gas industry. What came after was one of the most aggressive assaults on the oil and gas industry we've ever seen. As a Wall Street Journal editorial once said, the EPA is at war with Texas. I think the EPA probably should change their name to the War Department because they are at war with America's energy. They certainly aren't concerned as much about the environment as they are about putting American energy out of business.

The oil and gas industry supports 9.2 million jobs in the United States. I wonder how many of those workers Mr. Armendariz wants to crucify all in the name of his political agenda.

Madam Speaker, we need a fair EPA, one that brings a balanced approach to the environment and to our energy industry. An attack on the energy industry is an attack, really, on the American people and American jobs. Mr. Armendariz seems to be at war with America. He does not want to really

help the oil and gas industry become environmentally safe. It seems to me he wants to kill it, and the effort will kill American jobs, kill our energy, and kill our national security.

The video also shows he is not concerned about real science, not about true environmental science or, really, the facts. He just hates the oil and gas industry. So, Madam Speaker, he needs to go. He needs to be replaced with someone who cares more about the environment than personal crusades against industry.

□ 1910

Madam Speaker, I would like to place in the RECORD the Forbes article that was published today regarding the EPA official that I just mentioned.

[From Forbes, Apr. 26, 2012]

EPA OFFICIAL NOT ONLY TOUTED 'CRUCIFYING' OIL COMPANIES, HE TRIED IT

Confirming what many in the industry long suspected, a video surfaced Wednesday in which Al Armendariz, an official at the Environmental Protection Agency, promotes the idea of crucifying oil companies. Armendariz heads up the EPA's region 6 office, which is based in Dallas and responsible for oversight of Texas and surrounding states. The former professor at Southern Methodist University was appointed by President Obama in November 2009.

In a talk to colleagues about methods of EPA enforcement, Armendariz can be seen saying, ''The Romans used to conquer little villages in the Mediterranean. They'd go into a little Turkish town somewhere, they'd find the first five guys they saw and they would crucify them. And then you know that town was really easy to manage for the next few years.''

Range was among the first to discover the potential of the Marcellus Shale gas field of Pennsylvania—the biggest gas field in America and one of the biggest in the world. Armendariz's office declared in an emergency order that Range's drilling activity had contaminated groundwater in Parker County, Texas. Armendariz's office insisted that Range's hydraulic fracking activity had caused the pollution and ordered Range to remediate the water. The EPA's case against Range was catnip for the environmental fracktivists who insist with religious zealotry that fracking is evil. Range insisted from the beginning that there was no substance to the allegations.

The Armendariz video (which appears to have been taken off YouTube late last night) was shot around the same time he was preparing the action against Range. Here's the highlights of what he said.

The Romans used to conquer little villages in the Mediterranean. They'd go into a little Turkish town somewhere, they'd find the first five guys they saw and they would crucify them. And then you know that town was really easy to manage for the next few years.

And so you make examples out of people who are in this case not compliant with the law. Find people who are not compliant with the law, and you hit them as hard as you can and you make examples out of them, and there is a deterrent effect there. And, companies that are smart see that, they don't want to play that game, and they decide at that point that it's time to clean up.

And, that won't happen unless you have somebody out there making examples of people. So you go out, you look at an industry, you find people violating the law, you go aggressively after them. And we do have some pretty effective enforcement tools. Compliance can get very high, very, very quickly.

That's what these companies respond to is both their public image but also financial pressure. So you put some financial pressure on a company, you get other people in that industry to clean up very quickly.

The former professor at Southern Methodist University is a diehard environmentalist, having grown up in El Paso near a copper smelter that reportedly belched arsenic-laced clouds into the air. (Here's a profile of him in the Dallas Observer.) Texas Monthly called him one of the 25 most powerful Texans, while the Houston Chronicle said he's ''the most feared environmentalist in the state.''

Never mind that he couldn't prove jack against Range. For a year and a half EPA bickered over the issue, both with Range and with the Texas Railroad Commission, which regulates oil and gas drilling and did its own scientific study of Range's wells and found no evidence that they polluted anything. In recent months a federal judge slapped the EPA, decreeing that the agency was required to actually do some scientific investigation of wells before penalizing the companies that drilled them. Finally in March the EPA withdrew its emergency order and a federal court dismissed the EPA's case.

David Porter, a commissioner on the Texas Railroad Commission, wasn't impressed. ''Today the EPA finally made a decision based on science and fact versus playing politics with the Texas economy. The EPA's withdrawal of the emergency order against Range Resources upholds the Railroad Commission Final Order that I signed concluding that Range is not responsible for any water contamination in Parker County. Al Armendariz and the EPA's Region Six office are guilty of fear mongering, gross negligence and severe mishandling of this case. I hope to see drastic changes made in the way the regional office conducts business in the future—starting with the termination of Al Armendariz.''

After an outcry emerged over the video on Wednesday, Armendariz apologized for his statements Wednesday night, reportedly saying: ''I apologize to those I have offended and regret my poor choice of words. It was an offensive and inaccurate way to portray our efforts to address potential violations of our nation's environmental laws. I am and have always been committed to fair and vigorous enforcement of those laws.''

He ought to resign as well. His comments in the video are proof that facts and science don't matter to him, that he's already made up his mind that the industry he has regulatory power over is evil. When you lose faith in the impartiality of regulators every action they take is tainted. He's the boy who cried wolf.

I want to continue my comments about America's energy by talking a little bit about gasoline and gasoline prices.

I ask Members, people back in Texas, in southeast Texas where I live, how rising gasoline prices have affected them personally, and I want to give the House the benefit of some of those statements made by American people about the high cost of gasoline and maybe some things that we can do about the high cost of gasoline.

Here's what they've said, and I'll take them one at a time.

One individual from southeast Texas says:

I spend more money on gasoline than I do on groceries.

Another:

Living in Texas requires driving greater distances to get anything. We have no choice but to purchase gas, and it definitely cuts into our food budget.

You see, Madam Speaker, west of the Mississippi there are vast places, as the Speaker knows, where people roam and live in the rural areas, and it takes them a long time to get from point A to point B, especially when they're going to work sometimes, whether they work on the ranch or whether they work in small towns in America.

So, because of that greater distance, a lot of Americans don't realize that the only mode of transportation for some Americans is to drive a vehicle. That's how they get to work. They don't drive subways. They don't ride bicycles. They don't have the opportunity to walk to work because they live in the vastness of the West.

I'll continue:

Seventy percent of all business requires people to have discretionary income that's being siphoned off by higher gas, taxes, fees, and it's only getting worse because of high gasoline prices.

Another says:

As a retiree, high gasoline prices affects everything I do. Travel, possible vacation plans are no longer being discussed in our family. Anything I do is planned well so as to cut down on how much I drive. What I buy, because it is priced so high in the stores. The price in stores has tripled because stores are having to pay higher fuel prices to get their products to market.

Another one says:

I drive for a living, and it hurts.

Another Texan has written me and said:

I drive 175 miles round trip to work every day. I work for the Corps of Engineers, and the government doesn't give me one red cent for gasoline. It costs me $900 a month for gasoline that I used to could use somewhere else.

Amazing number: $900. In some cases, that's how much people pay on the rent on their house or an apartment. Yet we have one American doing his job working for the people of this country spending that much money just on gasoline.

Another individual wrote me and he said:

I can't afford to commute. But by my long hours as a businessowner, it makes it impossible to take mass transit or a carpool. So I have no alternative since I have no carpool, no mass transit, but I have to drive to get to work because I'm a businessowner, and the gasoline is driving me out of business.

Another one has said:

I drive 75 miles a day round trip for work, plus I pay $7 in tolls. Yeah, it's hurting. I love my job, but it's getting to the point that what money I make is going straight back into the gas tank.

Another citizen has said:

I drive a 2000 Ford F–150 as my work vehicle. It's draining my wallet, but I need a full-size truck for my job.

Once again, in the West, a lot of folks drive pickup trucks. They don't only just drive them to work. That is their work vehicle. They use that in their job. It is their office. They don't have the luxury as some do to work in tall

skyscrapers and an office, as we consider an office. Their truck is their vehicle, and the F–150 is the standard-operating vehicle, at least in Texas and other parts of the country. By the way, it's the number one selling vehicle in the United States.

But Americans need to understand, and the government needs to understand, that's what Americans drive. That is their work vehicle in many cases. High gasoline prices affect their quality of life, and maybe we, as a body, ought to do something about gasoline that is now $4 a gallon.

Another citizen told me:

Last month I spent $600 on gas for my truck versus just $300 a few years ago. Customers don't understand that the materials are going up due to the rising costs and the suppliers are raising the price to recoup the loss due to fuel prices skyrocketing.

What we pay at the grocery store or at any store where we do business, for a product, part of the cost of that product is getting it to market so Americans can buy it. It's costing more to get goods and services to market because of gasoline prices, and, of course, gasoline prices affect the price of goods, and therefore that is passed on to the consumer, to people in America who live here.

Another one says:

Where do I begin? I hated it, but I had to go from a 4Runner to a Corolla to handle my commute to work every day.

Another one said:

Since 2010, my food bill has gone from $95 a week for a full cart to $130 per week for half a cart of groceries. We are making more but keeping less. High gasoline prices affect my quality of life.

Another one says:

I have spent less on food so I could fill up three times a week at approximately $75 to $80 a tank.

Another citizen wrote me his concerns:

I had to find another job closer to home because it's getting ridiculous, the cost of gasoline.

An individual who uses his truck in his business said this:

I drive a hot-shot delivery truck, and I have to pay my own fuel. We do get a fuel surcharge, but it does not even come close to paying for the fuel. I spend $200 to $250 a week on fuel over what the surcharge pays me, and it's killing me.

That's what Americans are saying about gasoline prices. These are people who work every day, support their families. Yet gasoline affects them in personal ways.

Another individual wrote me about his religion is being affected, his religious commitment is being affected by the cost of gasoline. Here's what he says:

Because the church my family and I attend is 30 minutes away, we've chosen to attend Wednesday night church services closer to home. Also, we've had to give up two church service meetings during the week. It's upsetting for my fellow members to ask me on Sundays if I've left the church. It's also harder to maintain those close ties not seeing fellow members but once a week, and it's all due to high gasoline prices.

Another southeast Texan writes this comment to me:

We certainly have less ''disposable income,'' as the phrase goes, and that means less money to spend in various businesses in our city because of the high cost it costs my family to buy gasoline.

Another one says this:

I've cut out everything extra, dine out less, fewer trips, stay at home for entertainment, prices of food have tripled, and I stretch leftovers as far as possible because of gas prices.

Another citizen and neighbor says:

I only drive where I have to. I shop at Kroger to get extra cents off of gas.

The Kroger grocery store gives people the deduction if they buy gasoline from Kroger, and they have the little Kroger card:

We just stay at home more than ever.

And a fisherman says this:

I am a commercial fisherman. Gas prices hurt at the pump and it has in turn driven up the prices for supplies. It's even driven up the price and cost of bait.

Another one lastly makes this comment:

It's just hard to make it these days.

So gasoline prices, which we're not talking a whole lot about now, some Americans have just accepted it as the new normal. I refuse to do that. I refuse to accept high gasoline prices.

□ 1920

I'm old enough to remember when gasoline cost—I don't want to shock the Speaker, because you're a whole lot younger than I am. I remember when I could fill up my Chevy II Super Sport in the early seventies for 26 cents a gallon. I know that shocks you, but gasoline prices have gone up. Of course in my generation, as Mr. BURTON from Indiana knows, when gasoline hit 30 cents a gallon, we all were shocked about it. Now we're paying $4 a gallon.

We don't have to accept that. The reason we don't have to accept it is because sitting over here are America's natural resources, our God-given natural resources, just waiting to be developed. But as I mentioned earlier, we've got these bureaucrats down the street in their marble palaces called the EPA, and they regulate more than just light bulbs. They're regulating the oil and gas industry out of business, and I think it's a personal vendetta that they have for some reason.

There are things we should do, things we can do, and it's important that we discuss those. And we'll continue to discuss those tonight with my colleagues.

I do want to yield to my friend and colleague, Mr. BURTON from Indiana, for as much time as he wishes to consume.

Mr. BURTON of Indiana. First of all, I want to thank my good friend Congressman POE of Texas for putting a face on the problem of high energy prices and high gasoline prices.

I listened to all of the things that you were reading there from your constituents about not being able to go to work or buying huge amounts of gas two or three times a week, and it just breaks your heart. You know, I went to the store the other night and I bought two oranges. They were on sale at a dollar a piece. Two oranges for a dollar a piece. The reason for that is not just because they're growing them and it's costing more; it's because the transportation by diesel trucks and gasoline-powered trucks has gone up so much that they have to pass that onto the consumers with higher prices. If you talk to any man or woman who goes to the store, they'll tell you that they're feeling it when they buy their groceries, as well as at the gas pump.

I'd like to tell you a little story real quickly. You'll find this humorous because you talked about gasoline being 20-some cents when you were a little bit younger. I presume it was a little bit younger.

We were on a trip with some friends of ours, and we went to an island down off the coast of Florida in the Caribbean. This friend of mine and I, we rented two little motor scooters to go out to the corner of the island. Gasoline on the island was very high; it was 50 cents a gallon. He says, I'm not paying 50 cents a gallon for gasoline. So we took what we had in the cycles and we rode out there, and he ran out the gasoline. We had to get a coffee can and turn one cycle upside down to get enough gas in his cycle to get back. Well, we couldn't get my cycle turned back on. So he tried to pull me and my motorcycle, with my wife on the back, with a string back to the hotel room where we were staying, and we couldn't do it. It about broke my finger off.

So they left me at a Portuguese gasoline station where nobody spoke English, and they didn't understand a thing I was saying. My face was burned to a pulp from the sun, and I ended up not getting back until late that night with an almost third-degree burn because he wouldn't pay 50 cents for a gallon of gas. Imagine what he would think today at having to pay $4 for a gallon of gas. The poor guy would just die.

Let me just look at this chart. My colleague was talking just a moment ago—and I wish all of the people in America, if I could talk to them, could see this chart. It shows that back in the early part of the Obama administration, gasoline was about $2.68 a gallon, and now in some parts of the country it is over $4 a gallon. It's killing the economy, it's killing people who have to go to work, as Congressman POE said, and we have the resources to deal with it.

The thing I wanted to talk about real quickly was—and I talked to Congressman POE about this—Interior Secretary Salazar, as well as the head of the EPA and the Energy Department, are having an all-out assault on Members of Congress who are pointing out that we have energy in this country that can be tapped to lower the price of

energy. They're attacking us, saying that we're just raising red herrings and not dealing with the problems as we should. I want to read this to you. Mr. Salazar, the head of the Interior Department says:

> It's in this imagined energy world where we see this growing and continued divide in the energy debate in America. But the divide is not among ordinary Americans; it is between some people here in Washington, D.C.

I guess they mean you and me, Congressman POE.

He said:

> It's a divide between the real energy world that we work on every day and the imagined, fairytale world.

And the President of the United States has said on a number of occasions that we're doing more drilling right now than we ever have and that the American people are being misled.

In addition to the chart I have on gasoline prices, I brought this chart down. This chart, Congressman POE, shows the number of applications for permits to drill and how they've been affected since the Obama administration has taken place. So I just want to go through these facts. If the President were paying attention, and if I were talking to him—but I know I can't—if I were talking to him, I would say, Mr. President, these are the facts. And I don't know who's giving you these facts down there at the White House, but, Mr. President, you ought to take a look at these facts because they're accurate.

First of all, according to the American Petroleum Institute, the number of new permits to drill issued by the Bureau of Land Management is down by 40 percent, from an average of over 6,400 permits in 2007 and 2008 to an average of 3,962 in 2009 to 2010. That's down by almost 40 percent. We're not drilling where we can. They're not issuing the permits.

During this same period, the number of new wells drilled on Federal land have declined. The number of oil wells have gone down by 40 percent, and the number of new Federal oil and gas leases issued by the Bureau of Land Management is down by almost 50 percent. Is it any wonder we're not going after our resources, we're depending on the Saudis, the people in South America and Venezuela, many of whom don't like us very much? As a result, we're paying more and more and more at the pump.

President Obama says that oil production is at an all-time high during his administration. However, the fact is oil production on Federal land fell by 11 percent last year, and oil production on private and State-owned land—where they couldn't touch it—did go up a little bit. That's what he's talking about. Where the government has control over permits, they're not letting us drill.

Federal lands hold an estimated 116 billion barrels of recoverable oil, enough to produce gasoline for 65 billion cars and fuel oil for 3.2 million households for 60 years. Western oil shale deposits alone are estimated to contain up to five times the amount of Saudi oil reserves. Seventy percent of this oil shale is on Federal land, and we can't get to it because the President and his administration will not let us.

According to a recent CRS report, there are over 21.6 million acres of land leased by the Federal Government that are not currently producing oil or that have not been approved for exploration. Returning to the levels of 2007 and 2008, when the administration started, Federal leasing and permitting levels would have projected an increase of 7 million to 13 million barrels per year of domestic oil production, but they cut it back.

According to the American Petroleum Institute, an estimated 12,000 to 30,000 American jobs would be created in energy producing Western States over the next 4 years if we just went back to where we were drilling in 2007 and 2008. Furthermore, the Keystone XL pipeline, which the President has stopped dead, would bring to our economy thousands of new jobs and transport 830,000 barrels of oil to American refineries, which would be converted into oil and gasoline that would help this economy and lower gas prices.

With gas prices, as my colleague said, very, very high at over $4 a gallon—and in some places here in Washington, it was up to $5 a gallon not too long ago. With gas prices that high and affecting every American, it's clear that the United States needs to become more energy independent and signal to the world that the U.S. is open to production. If we started drilling where we can and exploring where we can, make no mistake, the people who sell oil to us will lower the price because they want to be competitive and they don't want to lose market share.

Whether it's the administration dragging its heels on approving permits for offshore drilling or drilling on Federal land, not opening up land for exploration, or not approving the Keystone pipeline, the Obama administration's policies are failing everyday Americans and costing millions in potential government revenue and thousands of new jobs.

□ 1930

So no matter what the administration people are saying, like Mr. Salazar or the EPA or the Energy Department, the fact is we have enough energy in this country to move toward energy independence over the next 5 to 10 years. But this administration wants to go to new sources of energy like windmills and solar panels and geothermal and nuclear. And all those things are important, but while we're starting to transition to new sources of energy, we need to use the energy that we have, which would lower the cost of energy to the average citizen and lower the price of gasoline so people, as Mr. POE has said, could get to work and live a competent, fair, friendly life.

With that, Mr. POE, thank you so much for giving me this time. I'm a big admirer of yours.

Mr. POE of Texas. Thank you, Mr. BURTON, for your comments. I appreciate the gentleman from Indiana.

Several comments about what you said are important. The administration, the government, says drilling is up in the United States. That is true. But drilling on Federal lands is not up.

Mr. BURTON of Indiana. Down 11 percent.

Mr. POE of Texas. The drilling is taking place on State-owned property or private property, but other lands other than Federal lands. If it wasn't for that, drilling would be down in the United States. If we go back to the Gulf of Mexico, the same situation we have in the Gulf of Mexico has been ever since the BP incident.

Permitting is taking too long. It takes a record amount of days, sometimes months, to issue a permit in the deep water and in the shallow water. The shallow water guys operate with a very small amount of capital. They can't stay and wait around for the government to make a decision on a permit or not, so they aren't able to drill. In the deep water, those deepwater wells, those rigs, they cost $100,000 a day whether they're operating or they're sitting there, and that's why some of them have left the Gulf of Mexico to never return. They've gone down to South America; they've gone to off the coast of Africa, to drill where countries are friendlier to the drilling safely off of their coast.

Mr. BURTON of Indiana. If I might, we sent $3 billion of American taxpayers' money to Brazil at a time when we have almost a $16 trillion national debt, and they're drilling in deepwater areas like we would be drilling in off the coast of Mexico. But we can't drill there because of the oil spill and because we can't get permits, so we're sending our taxpayers' dollars down to Brazil so they can do what we can't.

Mr. POE of Texas. If the gentleman will yield, we're not only sending money down there to develop their oil industry, when they develop it, we're going to buy their oil back. So we're paying them twice.

Mr. BURTON of Indiana. That's right.

Mr. POE of Texas. Which doesn't make a whole lot of sense to me.

Now, I don't know and I don't really suspect that drilling would be the only answer for raising or lowering the gasoline prices, but it's one factor because of supply and demand. It's not the only factor, but it's one of those. It just seems to me that the United States is the only major power in the world that has an energy policy that is: We're not going to drill in the United States for all these reasons, but we want you to drill in your country your natural resources and we'll buy them from you. It seems a little bit arrogant on our part as a Nation.

Mr. BURTON of Indiana. Let me just say that Sarah Palin, whom everybody

in this country knows, she will tell you, and she's told people all across the country when she speaks, that they have a huge amount of oil in the ANWR and other parts of Alaska, and because of the radical environmentalist groups in this country, they can't drill up there.

Now, I've been up there. I was up there with DON YOUNG. We saw the oil pipeline. If you look at the ANWR, there's nothing up there. You're not going to hurt any of the animals. There's a lot of bugs. There's a lot of vermin up there. But you're not going to hurt the animals by drilling up there, and it's certainly not going to hurt the environment. But it would help if we could bring that oil—millions of barrels of oil—down to the lower 48 States. It would have a tremendous impact, in my opinion, as well as you've said, off the Gulf of Mexico and off the Continental Shelf. We could really move toward energy independence over a period of the next 5 to 10 years. Like you said, it wouldn't happen immediately, but it would be a giant step in the right direction.

Mr. POE of Texas. If the gentleman will yield, as you mentioned about ANWR in Alaska, years ago we came up with this idea of a pipeline from Alaska bringing crude oil into the United States, and the same people that opposed that pipeline still exist today and are opposing the Keystone Pipeline. It took years for the vetting of the environmental lobby to finally be put to rest. They were concerned about the caribou. Of course, I think the caribou are doing quite well now. Finally, Congress decided not to wait on that administration and go ahead and make an approval. But Congress went ahead and approved the Alaska pipeline on its own, which became law in spite of the administration. It didn't wait for its approval. And now we know the rest of the story—it's a success 25 years later. And that's what Congress needs to do with the Keystone Pipeline.

No one has ever accused Canada of being environmentally insensitive. Their regulations are as tough as the EPA's—or even stronger. But yet they've developed a way that they can bring crude oil through a pipeline down to southeast Texas—Port Arthur, my district—in a safe, environmental way, and also one of the newest and finest pipelines. But the administration says, Not so fast. And it's unfortunate because the jobs will stay in America. Create that pipeline. Canada is not a Middle Eastern dictatorship. They're kind of a normal country.

We should approve that as soon as possible. I understand the concern in Nebraska. I'm glad to see the folks in Nebraska are working with TransCanada to reroute that 60 miles so there are no environmental issues and get this pipeline approved and start shipping that crude oil down to southeast Texas so we can use it in the United States.

It would seem to me that the United States should maybe think about this type of energy policy: we should drill safely in the United States for oil and natural gas. And I say ''safely'' because that is important. But we should also partner with the countries next to us—the Canadians to the north, who have natural resources, and the Mexicans to the south, who have an abundance of natural resources—and the three of us work together on a North American OPEC-type philosophy and be energy independent. Not just energy independent, but it will help out our national security.

And if we do that, if we work with Canada, Mexico, drill in the United States, where it's safe, we can make the Middle East irrelevant. We can make that little fellow from the desert, Ahmadinejad, and his threats about closing the Strait of Hormuz, we can make him irrelevant. We don't care what he does. We don't need to continue to send our money to other nations over there that don't like us. So maybe that's something we need to do in the United States.

Lastly, and then I'll yield to the gentleman, because of American technology, because of those folks that know how to drill safely for oil and natural gas, the United States now suddenly is becoming an abundant Nation with natural gas. And we could, if we developed it the way that we can, the United States—primarily Texas, but other States—we could become the Saudi Arabia of natural gas. We could export natural gas, we have so much of it, and bring that money into the United States, rather than constantly sending money throughout the world, all because we don't take care of what we have and use what we have.

Mr. BURTON of Indiana. Well, T. Boone Pickens said—and everybody knows he's one of the big advocates of natural gas, which is a very clean-burning fuel. He said, if we would convert the tractor-trailer units that bring commerce to all of us, we could lower the cost for all those tractor-trailer units, as far as energy consumption is concerned, by 50 percent—cut it in two—and that would have a dramatic impact on things that are transported by tractor-trailer units.

I would just like to say that the President, when he took office—and I'll conclude with this, because you've done such a good job tonight. You've covered it very well. When the President took office, he said that his energy policies would, of necessity, cause energy costs to skyrocket. Well, as Ronald Reagan would say, ''Well, he did, and energy prices have skyrocketed,'' and we've got to do something about it.

The American people don't want to pay $4 or $5 a gallon for gasoline. They can't live that way. It's causing a deterioration in their standard of living.

So if I were talking to the President—and I know I can't, Madam Speaker. But if I were talking to him, I would say, Mr. President, why don't you get with the program. The American people really need your help. And if you don't pay attention to them regarding the energy policies, it's my humble opinion that there may be a big change in administrations next year. So for political survivability alone, you ought to take another look at what you're doing.

And with that, I thank the gentleman very much for yielding to me.

□ 1940

Mr. POE of Texas. I thank the gentleman for his participation.

Madam Speaker, it seems to me that the United States can make some decisions and solve some of our own problems. We can start with finding people in the EPA that do not have their own personal vendetta against the oil and gas industry, replace those individuals like Armendariz and get some fair and balanced bureaucrats to make sure we have a clean environment to work with our energy companies rather than against them, and stop the war against the energy companies in the U.S.

We can work and bring down the price of energy in the United States. One way, not the only way, is to make sure that we have a supply. A greater supply, as we all know, of anything, does help reduce the cost of energy, so that people in southeast Texas who have a hard time getting to work and who are paying more for products that they have to buy, just like Americans throughout our Nation are having tough times because of high gasoline prices, we owe it to them to do that, to take care of ourselves and to work with Canada and to work with Mexico so that the three countries can be a strong ally, not just politically, but that we can be strong allies with our energy economy.

With that, I'll yield back to the Chair.

And that's just the way it is.

MADE IN CHINA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Nebraska (Mr. FORTENBERRY) is recognized for 25 minutes as the designee of the majority leader.

Mr. FORTENBERRY. Madam Speaker, as I was shopping for some family items recently, I noted how difficult it is to find items that are made in America. While American manufacturing is, encouragingly enough, on the rebound, products ranging from hairbrushes to iPods still carry that ''Made in China'' label. All the while, many questions about China and its economic policies, foreign policies, and human rights records are left largely unexamined.

For the good of our economy, it is essential that we thoroughly understand China's record and their intentions as a country. Our nations have a complicated and lopsided economic relationship. Americans buy great quantities of Chinese-made products. China finances a great portion of America's

debt. Currently, nearly one-third of our debt is foreign owned with China easily being the largest debt holder at nearly $1.2 trillion. Other estimates peg the figure at closer to $2 trillion. The effect of such indebtedness is the shift of our wealth assets into the hands of a foreign nation, losing the market for American-made products to a country with lax labor and environmental standards, which manipulates its currency and creates unbalanced and unfair trading conditions.

China's involvement on the world stage is also of significant concern. While it aggressively pursues its own mercantilistic agenda, China lends little constructive hand to creating conditions for international stability. China is seen as an enabler of North Korea, who is actively pursuing nuclear weapons capabilities; and they continue on their march toward more aggressive missile testing, as well, despite the protest of the international community.

Over recent months, as the U.S. and the European Union have accelerated important efforts to curb Iran's nuclear ambitions, China has been conspicuously absent from the leadership table in this discussion. China continues to be a top buyer of Iranian oil—one of the key leverage points of economic sanctions against Iran. At a discussion I attended, a Chinese official in so many words said the U.S. is to blame for Iran's pursuit of nuclear weapons capability. And he went on to say, while China does not desire this outcome, we're going to do business as usual.

Africa is becoming a lost continent, diplomatically and economically, in favor of international players who do not have the same regard for human rights as we do. China's influence in resource-rich Africa is growing rapidly—with disturbing consequences. Direct Chinese investment in Africa has grown exponentially over the last 2 years. One million Chinese nationals now do business in Africa, and Chinese energy and mineral resource companies are quickly acquiring oil fields and mines.

In the process, China has forged strategic alliances with war criminals. According to China's Foreign Ministry spokesman, China shares a ''deep and profound friendship'' with Sudanese war criminal Omar al-Bashir. I should note there was a bright spot this week. When approached by South Sudanese President Salva Kiir for assistance as Sudan and South Sudan march toward war, China's President Hu Jintao echoed the United States in calling for peace and negotiation between the two countries, rather than continuing to back Omar al-Bashir. The international community will look upon China's new role as a diplomatic figure in this conflict with great interest.

Beyond this, an honest discussion is necessary about Chinese industrial virtues. A Chinese official has said that in dealing with ''differences in corporate culture and the degree of openness to the outside world, Chinese companies always take the domestic business practices with them.'' Chinese companies always take ''domestic business practices'' with them. Those practices, according to witnesses who have given congressional testimony, include fertility monitors on factory floors, invasively examining female employees for pregnancy and reporting pregnant women to the Chinese family planning police. China has practiced the violence of forced abortions. China also has tragically high suicide rates for workers, who use suicide as their only means of collective bargaining against dire and oppressive labor conditions.

As China continues to advance as a world economic power, it has a choice. It can join the responsible community of nations in respecting the dignity and rights of all persons while conducting affairs with other nations in an ethical fashion, or it can stand by current practices that exploit relationships in order to fuel its own brand of corporate collectivism, undermining international stability in the process.

Madam Speaker, it is my belief that it is important to seek reasonable and good relationships with China, a country with a rich cultural history, a country which is rapidly ascending onto the world stage. We must do so ideally and practically for the sake of our own national security. But we must do so with open eyes, fully understanding the implications when all of us buy products with that ''made in China'' label.

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

FISCAL RESPONSIBILITY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Georgia (Mr. WOODALL) is recognized for 18 minutes as the designee of the majority leader.

Mr. WOODALL. Madam Speaker, I thank you for the time and being down here with me. I will set up my charts tonight because I can't commit it all to memory. I'm glad to be here at the end of the leadership hour. We've talked about China, we've talked about U.S. energy, and we've talked about the big issues that are on the floor of this House and that are here in Washington, D.C.

I want to say to folks, I come from a conservative part of the world. I come from the Deep South. I come from the suburbs of Atlanta, Gwinnett County, Forsyth County, Walton County and Barrow County. But I brought with me tonight quotes from President Barrack Obama because, as I have said in town hall meeting after town hall meeting, I disagree with about 80 percent of what the President does, but I believe in about 80 percent of what he says. I think if we can come together on some of those principles that he is enunciating, we might be able to make some real progress.

This is from the President's 2011 inaugural address. He says this:

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

That is absolutely true. Folks come down to the floor of this House every day. They say what they're doing, they're doing for job creation. They say what they're doing, they're doing for economic growth. But we have a substantial disagreement about what that means.

□ 1950

I happen to believe that one of the things that encourages job creation and economic growth is fiscal responsibility. We need fiscal responsibility in our families, we need it in our businesses, and we need it in our government.

The President said this, Madam Speaker, his State of the Union address in 2010. He said:

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

State of the Union address, 2010, ''the Federal Government should do the same.''

It wasn't just in 2010. I'm not cherry-picking comments. Here we are in the President's State of the Union address in 2011, Madam Speaker:

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

He said it in 2010. He said it in 2011. In fact, go back to the beginning of his Presidency. Here we are in 2009, the same State of the Union address:

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

Madam Speaker, he was right there in front of where you sit tonight. He said:

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

The President of the United States.

But what's the reality, Madam Speaker? We can put the words back up. We can put the words up from 2009, from 2010, from 2011, but what's the reality? The reality, sadly, is this chart, Madam Speaker. You can't see it from where you are, but it's a chart from The Wall Street Journal, entitled, ''The Debt Boom.'' It charts the public debt of the United States from the year 2000 to the year 2012.

What we see, Madam Speaker, is that as a percent of GDP, the debt was entirely too high during the Bush years. Don't get me wrong. There is not a party in this town that is blameless in this debate. For Pete's sake, we were having economic boon times and our debt was running 35 percent of GDP. Thirty-five percent of all the economy of the United States of America was being borrowed in debt. But look what

happens. Look what happens. President Obama is sworn in in January of 2009. You see a debt boom, where we rise from 35 percent of GDP as our debt level up to 80 percent of GDP as our debt level.

Now, again, I can put the words back up: ''Time for sacrifice.'' ''Families are tightening their belts, we must do the same.'' ''Everyone must sacrifice priorities, including me,'' the President of the United States. I can put the words back up. The reality, Madam Speaker, is that the President has continued to promote spending with reckless abandon.

And it's not just in the debt.

Madam Speaker, this chart is a chart produced by the Budget Committee on which I have the privilege of serving. What it charts is the debt of the United States. We see it on the white dotted line here. And it charts the proposed plan of President Barack Obama.

The President, to his credit, introduced a budget in January—the law requires him to do it and he did it. In fact, he has every year that he's been in office. The law requires the Senate to produce a budget every year. They ignore that law and have again this year for the third time in a row. But the President produced his budget.

I can, again, go back to the words where he talks about sacrifice, where he talks about tightening his belt, where he talks about what American families are doing and says America deserves a government that does the same, but look at this chart. The white dotted line represents the current debt path of America. The red line represents the President's proposal from February of this year. If you look closely, Madam Speaker, what you can see is that under the President's proposal of February of this year, enacting the President's proposal raises the deficit of the United States year after year after year after year—2012, '13, '14, '15, '16, '17, '18, '19, and '20—more than doing nothing.

Madam Speaker, you ask: How can that be true? The President's proposal includes $2 trillion in new taxes on American families. That's true. That's true. The President has made no secret of his desire to work our way through our current economic crisis by taxing the American people. I don't believe that's the right way to go, but he has introduced that as a plan. And, yes, his budget raises taxes by $2 trillion, but he spends so much more that even with a $2 trillion tax increase, Madam Speaker, we don't see any improvement in our debt in 2013 or '14 or '15 or '16 or '17 or '18 or '19 or '20 or '21.

Now, I've blown up, Madam Speaker, just so folks can see it, way out there in 2022, you finally begin to see a better debt trajectory from the President's budget than if we had done something. Nine years from now, America would have a slightly lower deficit under the President's plan than if we did nothing and just left all of our systems on autopilot. That doesn't jibe with what we heard.

Can I go back to the beginning, Madam Speaker?

> At stake is not who wins the election; at stake is new jobs, new jobs that come through fiscal responsibility.

Go back to his State of the Union address:

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

Madam Speaker, there's not one tough decision made when you tax the American people by $2 trillion but you spend even more.

I believed the President. I believed the President when he said:

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

He was right when he said that. That was an applause line, Madam Speaker. Folks got to their feet here in the House Chamber. He's right, that sacrifice is necessary. His budget includes none of it.

The good news, though, Madam Speaker, is we're not limited to the President's ideas in this town. We have a freshman class here in Washington, D.C., Madam Speaker, of which you are a critical part, that says we can do better; in fact, we must do better; in fact, we cannot take ''no'' for an answer.

Let me show you what I have here, Madam Speaker. It's a chart of discretionary appropriations. Now, discretionary appropriations, for folks who are in the freshman class who haven't followed that back in their offices, that's the part that we have to affirmatively act on every year.

About two-thirds of the Federal budget is on autopilot. If we closed the doors of Congress tomorrow, that money would continue to flow out the door, but not so with one-third of the Federal budget. We call that discretionary spending. You and I, Madam Speaker, we have responsibility to do oversight on that every year.

Look what we see here. FY 2010—that's the first year I've charted—we spent about $1.3 trillion in this discretionary spending. That was 2010. You and I were not yet here, Madam Speaker. You and I showed up while we were still working on the FY 2011 budget. You will see we spent less in this Congress—and I don't just mean we proposed spending less. I don't just mean we talked about spending less. I don't mean that we got together as Republicans and said this is our idea, but we're not going to be able to get the Democrats to go along with it. I mean, as a body in this House, as a Congress on Capitol Hill, with the cooperation of the President's signature, we actually passed into law a budget for discretionary spending that went down in 2011 from 2010 levels.

And guess what? We didn't stop there, Madam Speaker. As you know, we passed another set of appropriations bills that took spending down even further. From 2011 levels, we went down further in 2012. And guess what? This freshman class, we're not done yet. This House leadership, they're not done yet. For 2013, we are on track to reduce spending—I don't mean reduce rates of growth. I don't mean reduce projected increases. I mean reduce the actual dollars going out the door for a third year in a row. The third year in a row. It's unprecedented. It hadn't happened since World War II. It's happened because the American people said we have to do better. It happened because the American people said we can't just talk about it; we have to do it.

But I've got some bad news, Madam Speaker. We're going to keep working on this discretionary spending side of the ledger. We're going to keep trying to drive those numbers down. But that's not where the real spending is. As I said a few minutes ago, that's only one-third of the budget. Two-thirds of the budget is on autopilot.

I have it up here, Madam Speaker. In yellow, you see what they call mandatory spending. That's the autopilot money. Again, you could close the White House tomorrow, you could close the Congress tomorrow, this money still flows out the door. If we're going to stop it, we have to act affirmatively to stop it.

This little piece of the pie up here is the defense part. You would think that national security is one of the biggest things we spend money on around here. Madam Speaker, it's down to less than 20 percent of the money that goes out the door in Washington, D.C. goes towards national security. This 17 percent here is everything else, everything else that's in that discretionary budget. The 63 percent, 64 percent, so says the Congressional Budget Office, this is the mandatory spending that's on autopilot.

□ 2000

I have it displayed here in a slightly different way. The red bar represents our discretionary spending. And you can see that discretionary spending, as a percentage of the budget, has been in decline each and every year since 1962. Now, those aren't actual dollars going down, that's just a share of what we do in Washington, D.C. It's been this Congress that's brought the actual dollars down, as I said, for the first time since World War II.

But over time we've had a shift in this country. Discretionary spending has declined as a percentage of what we do, and this out-of-control mandatory spending, this autopilot spending is increasing. What are we going to do about that?

There's not enough time tonight, Madam Speaker, to get into the details. But I encourage all of our colleagues, Madam Speaker, and I hope you will help me to encourage them, to keep an eye out on what's coming down the road, because what's coming down the road in this body is a process called reconciliation. And I put to you that we haven't had a real reconciliation process in this House. In 1997, Republicans in the House and Senate, and a

Democrat in the White House, came together to pass the biggest spending reduction bill that we'd had in our lifetime prior to this point.

We can't balance the budget on the discretionary spending side of the ledger alone. As you know, Madam Speaker, if we zeroed out everything—and I mean everything. I don't mean cut by 5 percent, I don't mean cut by 10 percent, I mean zeroed out everything except Social Security, Medicare, Medicaid, interest on the national debt, those mandatory spending programs that I'm talking about, those autopilot programs, if we zeroed out everything else, the budget still wouldn't be balanced. That's how far out of whack we are. And that's how big those categories are.

We're going to do something that hasn't been done since 1997 and that is, go through reconciliation, where we ask the committees of this House, we go back to our communities and ask in town hall meetings, what can we do on that mandatory spending side of the ledger to tighten our belts, to do better to provide more bang for their buck to the American taxpayers.

Those bills are going to start coming to the floor in the month of May, for the first time since 1997, in a serious way. Now, it's going to be a small process at first. We're talking about just the amount of money to cover some of our necessary defense spending needs. But we're going to start to talk about priorities here. And when I say talk about, I mean legislate on.

Madam Speaker, the talking has already been done. ''Every day families sacrifice to live within their means. They deserve a government that does the same.'' President Barack Obama, 2011.

''Families across the country are tightening their belts and making tough decisions. The Federal Government should do the same.'' President Obama 2010.

At stake right now is not who wins the election. At stake is whether new jobs and industry take root in this country or not. Madam Speaker, we are bankrupting this country. We are bankrupting this country. We have doubled, doubled the annual spending deficits that we've seen in this country. We've seen the public debt of this Nation increase by 50 percent in the last 3½ years. And that was with the efforts of the most conservative U.S. House of Representatives we've seen in our lifetime. That was with the efforts of this U.S. House of Representatives that has cut spending, not 1 year in a row, not 2 years in a row, but 3 years in a row.

Madam Speaker, the good ship United States of America is in troubled waters. The President is saying all the right things. I come to the floor here tonight, Madam Speaker, to ask you to encourage him to do the right things. Join this U.S. House of Representatives, join these 100 new Democrat and freshman Members in this body as we try to do something that hasn't been done since 1997, and that's take programs off of autopilot and make sure that every dollar leaving this institution is doing the very best that it can for the hardworking American taxpayers that have entrusted us to spend it.

Madam Speaker, I thank you for being here and yielding me this time this evening.

I yield back the balance of my time.

OUR FRIEND IN THE MIDDLE EAST

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

Mr. GOHMERT. Madam Speaker, there's a lot going on in the world these days. I had an interesting trip to Afghanistan this weekend, a country into which we are pouring billions and billions of dollars and have military there that is keeping President Karzai in office.

And he's a very grateful man. That was demonstrated when he told our government, this Obama administration, that DANA ROHRABACHER, my very dear friend, one of the greatest patriots I know, would not be allowed into Afghanistan, as if he had that power, because he had been very critical of President Karzai.

So we're spending billions and billions of dollars so that a cantankerous President of Afghanistan, who is only there because of the lives and treasure that Americans have sacrificed, can turn around and tell Americans, we don't want Members of Congress that actually control the purse strings to money flowing into this country, we don't want them here. It was rather interesting.

And as might be expected, President Karzai had his facts entirely wrong. He was representing that Representative ROHRABACHER had a bill that was attempting to partition, divide up Afghanistan. Entirely wrong. I knew that because I assisted with the bill and cosponsored it, proudly, because it was a resolution that basically was encouraging Afghanistan to allow elections of their regional governors. It encouraged elections.

Somehow President Karzai found this very offensive, as a threat to him. And I can see it from his standpoint. If one puts one's self in his position, you realize, gee, I'm President Karzai. I get to appoint every regional governor. And gee, that would be a system, like ancient Rome, where you would be appointed to be governor, but you had to kick back to Caesar in order to keep your seat. Interesting.

That is a plan fraught with the potential for corruption. That's one of the reasons that DANA and I, and so many others, think it would be a good idea, help strengthen the country, if the people in the various regions were able to elect their governors.

President Karzai not only appoints the governors, he appoints the mayors. They don't get to elect them. He appoints them. You want to be a mayor of a city, you better go suck up to President Karzai because he's going to make the appointment.

If you would like to be the chief of police, don't worry with some local city council in Afghanistan. Don't worry with the governor. You'll be appointed, that's right, by President Karzai.

We're told by Afghans that actually it goes so much further than that. He even appoints many of the teachers. You want to be a teacher at an upper level? Afghans tell me that he appoints them as well.

President Karzai gets to appoint a slate of potential legislators. He has tremendous control of the purse strings in Afghanistan, not someone to be countered with, you would think, unless perhaps you're from a government that assists the government of Afghanistan in meeting its budget needs.

□ 2010

As I understand it, Afghanistan has a budget of $12.5 billion. As I understand it, Afghanistan provides $1.5 billion of that $12.5 billion budget. That's all the revenue—taxes, fees, all kinds of things. That's the extent of their revenue.

Gee, what would happen to President Karzai if all of a sudden this Congress did what the 1974 Democratic-controlled Congress did when, without any regard for those who had fought with us in Vietnam and in Southeast Asia, every penny was just completely shut off, when every penny being spent in Vietnam back in '74 was cut off? What happened after we left was an absolute horrible bloodbath of those who had assisted the United States in any way.

So I don't think this Congress will be as abrupt as the Democratic Congress was in 1974, but it certainly has the ability to do that. The difference is, I think, there are enough people in this Congress who realize, unless we empower those who fought the Taliban in late 2001, after 9/11, and in early 2002 when they basically routed the Taliban with U.S.-embedded support and air support, unless we empower those allies by allowing them to elect their own regional governors, by allowing them to elect their mayors, taking some of the power away from a central administration where, regardless of whether or not reports may or may not be accurate about corruption at the highest level, then there is certainly corruption in Afghanistan.

It is also interesting that this administration refuses to replace the inspector general, who is supposed to supervise and audit the money that's going into Afghanistan. Surely, that couldn't be because it's an election year. Surely, that couldn't be because, if we had somebody actually monitoring where all of the billions of dollars were pouring into Afghanistan are going, the report would indicate widespread corruption, which would reflect poorly on this

administration, throwing away billions of dollars not only to the Solyndras around the country but to corrupt administrations who are fattening their bank accounts while Americans don't have any.

Many Americans struggle to have any money in their bank accounts, yet we're propping up an administration over there that thinks that, on a whim, they can say, I don't like this Congressman because he has been critical of my administration, so we're going to keep him out.

I realize that Secretary Clinton inherited a very difficult situation that was not of her making, but it is important in dealing with matters of foreign policy and in dealing with matters of State that we not be duped by people who have made careers out of duping Americans and Russians and other nationalities.

So we have a great ally in the nation of Israel. They believe in freedom as we do. They have a truly representative government, one in which the Prime Minister of Israel does not forbid the elections of other officials so that he will be the only one who has the power to appoint. Israel allows elections, and as others have pointed out, they're more likely more free than any of the other neighbors immediately surrounding Israel. Even Muslims in Israel have greater freedom to elect whomever they wish in fair and free elections. We have an ally in Israel.

Now, I realize there are differences in views, whether the Old Testament, the Torah, the Tanakh have valid legitimacy these days. Some of us believe them and are proud to do so just as the Founders did. Heck, of the 56 signers of the Declaration, over a third of them were ordained Christian ministers who believed every word of the Old Testament.

So I've been looking in the Old Testament for wisdom in application to our current situation because we know, back earlier this year, The Washington Post was told by this administration that the window during which Israel was going to likely attack Iran was between two different dates during a certain period. Well, that's not very helpful to an ally when we tell the world about when an ally may choose to defend itself. That's more a heads-up to an enemy of Israel's and the United States, a sworn enemy of the United States, led by people who have sworn to the destruction of the United States and Israel.

So it's a little bit confusing to see how this administration could be going about betraying our friend Israel. It would seem, when this administration leaked to the media that our dear friend and ally Israel was going to utilize the relationship with Azerbaijan to attack, that such a release was not something you would do for a friend but, rather, a betrayal of a friend and ally.

It appears that those were efforts to keep Israel from doing what it needed to do to defend itself when this administration is telling Israel, Hey, just trust us. Trust us. We'll take care of your national security, and yes, there is a window beyond which you could no longer do any good in trying to stop the nuclear proliferation in Iran and beyond which we in the United States could. So, if we can just force Israel past that window, then they would have to rely completely on the United States to do all in its power to protect Israel.

If Israel looks at what has been happening already this year with a couple of betrayals of our friendship, that would not bode well that the top in this administration for this country will protect Israel at whatever cost. That has to be considered by Israel.

Then we have this report. This was dated April 19, 2012, from the Middle East Media Research Institute. The introduction reads:

> An important element in the renewal of nuclear negotiations with Iran in the talks in Istanbul April 13–14, 2012, was an alleged fatwa attributed to Iranian Supreme Leader Ali Khamenei, according to which the production, stockpiling, and use of nuclear weapons are forbidden under Islam and that the Islamic Republic of Iran shall never acquire these weapons. Indeed, U.S. leaders, among them Secretary of State Hillary Clinton and even U.S. President Barack Obama, along with other representatives to the talks, the International Atomic Energy Agency Board of Governors, and even highly respected research institutes considered the fatwa as an actual fact, and examined its significance and implications for the nuclear negotiations with Iran that were renewed in Istanbul.
>
> However, an investigation by the Middle East Media Research Institute reveals that no such fatwa ever existed or was ever published, and that media reports about it are nothing more than a propaganda ruse on the part of the Iranian regime apparatuses in an attempt to deceive the top U.S. administration officials and the others mentioned above.
>
> Iranian regime officials' presentation of facts on nuclear weapons attributed to Supreme Leader Ali Khamenei as a fatwa, or religious edict, when no such fatwa was issued by him, is a propaganda effort to propose to the West a religiously valid substitute for concrete guarantees of inspectors' access to Iran's nuclear facilities. Since the West does not consider mere statements by Khamenei or other regime officials to be credible, the Iranian regime has put forth a fraudulent fatwa the West would be more inclined to trust.

□ 2020

It goes on to talk about, and I'll just read from this:

> U.S. Secretary of State Hillary Clinton clarified that she had discussed the fatwa with ''experts and religious scholars,'' and also with Turkish Prime Minister Recep Tayyip Erdogan. At the NATO conference in Norfolk, Virginia, in early April, she stated: ''The other interesting development which you may have followed was the repetition by the supreme leader, the Ayatollah Khamenei, that he had issued a fatwa against nuclear weapons, against weapons of mass destruction. Prime Minister Erdogan and I discussed this at some length, and I've discussed with a number of experts and religious scholars. And if it is indeed a statement of principles and values, then it is a starting point for being operationalized, which means that it serves as the entryway into a negotiation as to how you demonstrate that it is indeed a sincere, authentic statement of conviction. So we will test that as well.''
>
> During his visit to Tehran in late March, in an interview with Iranian state television, Prime Minister Erdogan said, ''I have shared the Leader's [Khamenei's] statement with U.S. President Barack Obama and told him that in face of this assertion, I do not have a different position, and the Iranians are using nuclear energy peacefully.''
>
> On April 7, 2012, Kayhan International reported, citing Press TV, that Turkish Foreign Minister Ahmet Davutoglu had told the Turkish Kanal D TV that there is no possibility that ''Khamenei's fatwa forbidding the possession and use of nuclear weapons might be disobeyed in Iran.''

So we can all celebrate. There's has been a fraudulent false report of a fatwa by Khamenei. So, gosh, nobody in Iran would violate this fatwa making it against the Islamic religion to develop nuclear weapons. When the truth is, if Israel is not going to defend itself by itself, as President Obama said it absolutely must on more than one occasion, if it is going to rely on the representations of this administration to, Trust us, we'll take care of you, we got your back, then Israel may want to note how easy it is to deceive this administration into believing what it wants—that Iran would not develop nuclear weapons.

It is important to note that this administration has been praised in messages coming from the Islamic Society of North America and other groups actually named coconspirators in funding terrorism in the world. They've been praised by these named coconspirators in funding terrorism for their cleansing of training materials of our FBI, of our intelligence, of our State Department. We have gone through and eliminated words like ''jihad,'' words like ''Islam,'' words like ''radical,'' replacing them with things like ''violent extremism.'' When the trouble is, it is so easy to deceive national officials in any country where they refuse to study the enemy who has sworn to destroy them. If you will not study the enemy who is sworn to destroy you and your country, then you will continue to be easily duped.

So we have these named coconspirators for funding terrorism out there praising this administration and their meetings inside the hearts of the administration at the State Department, in the White House, in the Justice Department. They've been praised for eliminating all of these references to such inappropriate things as ''Islam.''

Well, this weekend, despite efforts by some in this administration to prevent it, a few of us met with our allies, members of the national front, one of which could be elected the next President of Afghanistan. These are people who, while we in America were burying Americans, they were burying family members who had fought with us against the Taliban. These are the enemy of our enemy, the Taliban. They

should be our friends, and they are my friends.

Therefore, when I saw my Muslim friends there at the home of my friend Massoud, there were big hugs all around. This administration calls them war criminals because some of them fight as viciously as the Taliban that they fight against, but they were friends. They fought with us. They did much of our fighting for us before we became occupiers in Afghanistan.

Yet, when this administration throws our allies under a bus, it means for them to stay there. Well, some of us believe that if we ever hope to have other allies, then it is critical that we treat our allies with respect. We don't stab them in the back. We don't throw them under the bus. But that's a lesson hard learned.

There are international reports that say President Karzai may be willing to resign a year early. That's been heard different places around the world. Gee, wow, isn't that wonderful if Karzai would resign a year early. But in meeting with my friends who have talked to some of Karzai's circle, they point out: Do you in America not understand that when this President Karzai says he's looking at retiring a year early, it's not because he is some big-hearted, wonderful, democracy-loving person? If he loved democracy, he'd let us elect our governors. He'd let us elect our mayors. But he wants to appoint them, and he's not ready to give up power. But the Afghan constitution apparently says that if you've served two terms, you cannot run for a third term.

So, this President Karzai is looking at a way, when perhaps if he resigned a year early, then he could argue, I didn't serve two terms. I served 1 year short of two terms, therefore I can run for a third term.

□ 2030

Being as how the President of Afghanistan appoints the governors, the mayors, the chiefs of police, so many of the positions of power in Afghanistan, it's quite conceivable that he could ensure that he got elected again next time if he ran a third time. And if he were to be allowed to run a third time and get elected, that puts him beyond 2014, which means the United States will not be around to enforce the promises that President Karzai made.

Oh, it's a hope and prayer that this administration will quit living on the false promises of people who say they're going to help us, but are sworn publicly and privately to destroy our way of life. And there are those we continue to hear say, Look, Israel is just occupiers. They're occupiers in this land. The Palestinians have more claim. But as Newt Gingrich pointed out, the term ''Palestinian'' is a very recent word that found usage. If you go back, as one reporter did, who ended up being let go, she marveled that these people ought to go back to Poland or wherever they came from, when actually if you look at where they came from 1,600, 1,700 years before Mohammed existed in the city of Hebron, a King named David ruled for 7 years. He then moved the capital up to Jerusalem, and a beautiful capital it was.

Some have said, ''Well, where is the evidence of the Israelis being in Jerusalem?'' Well, we know that Mohammed never went to Jerusalem. He had a dream, as I understand it at one point, that he had gone there; but he never physically went. That's for sure. But here is the current city of Jerusalem. This is the city of David here, south of the Temple Mount, Mount Moriah, where Abraham went. It's interesting, because people have said, gee, where is the archeological evidence? And we see people around the country in Hebron where Jesse was buried, where his tomb is, in what I call Shiloh and they were calling Sheloh. The Ark of the Covenant, they've found the location, it certainly appears, where it was kept for over 300 years, long before there was a Mohammed.

People have said, well, where is the evidence? It is beginning to show up in droves. Quite interesting, as the archeologists have begun to look, they've realized, you know what, the city of David may have been south down the hill from where the current Temple Mount is. They began excavating, and they found all kinds of dramatic evidence of Israel's existence. It's dramatic. There is no question from the things that are being found and the way they're being dated and the dates that are coming to light that Israel existed in the land where it has its country now. Not just in part, but throughout the West Bank. That was Israeli territory many, many centuries before a man named Mohammed lived.

I'm not attempting to push my religious beliefs on anybody else. These are simply the facts of history that we have to look at and understand. Until we have an administration that stops blinding those who are supposed to protect us, we're in big trouble. So it is important that we pay tribute to our dear friend Israel, stop the betrayals, and say thank God for the nation of Israel and the dear friend that they are to the United States.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DAVIS of Kentucky (at the request of Mr. CANTOR) for today and April 27 on account of personal reasons.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 8 o'clock and 35 minutes p.m.), the House adjourned until tomorrow, Friday, April 27, 2012, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

5797. A letter from the Secretary, Commodity Futures Trading Commission, transmitting the Commission's ''Major'' final rule — Swap Dealer and Major Swap Participant Recordkeeping, Reporting, and Duties Rules; Futures Commission Merchant and Introducing Broker Conflicts of Interest Rules; and Chief Compliance Officer Rules for Swap Participants, and Futures Commission Merchants (RIN: 3038-AC96) received April 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5798. A letter from the Deputy Chief Management Officer, Department of Defense, transmitting the annual report for FY 2012 for the Investment Review Board and Investment Management; to the Committee on Armed Services.

5799. A letter from the Acting Under Secretary, Department of Defense, transmitting authorization of 3 officers to wear the authorized insignia of the grade of brigadier general; to the Committee on Armed Services.

5800. A letter from the Vice Admiral, U.S. Navy, Principal Military Deputy, Department of Defense, transmitting notice that the Navy intends to donate the destroyer ex-EDSON (DD946) to the Saginaw Valley Naval Ship Museum; to the Committee on Armed Services.

5801. A letter from the Secretary, Department of Health and Human Services, transmitting Report to Congress: Tobacco Prevention and Control Activities in the United States, 2008-2009; to the Committee on Energy and Commerce.

5802. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Creation of a Low Power Radio Service [MM Docket No.: 99-25] received April 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5803. A letter from the Program Manager, Internal Revenue Service, transmitting the Service's final rule — Summary of Benefits and Coverage and Uniform Glossary [TD 9575] (RIN: 1545-BJ94) received April 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5804. A letter from the Secretary, Department of Transportation, transmitting the Department's annual report prepared in accordance with section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. No. 107-174; to the Committee on Oversight and Government Reform.

5805. A letter from the Assistant Secretary for Management of Chief Financial Officer, Department of the Treasury, transmitting the Department's report for fiscal year 2011 on the Acquisition of Articles, Materials, and Supplies Manufactured Outside the United States, pursuant to Public Law 110-28, section 8306; to the Committee on Oversight and Government Reform.

5806. A letter from the Director, Environmental Protection Agency, transmitting the Agency's annual report for FY 2011 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

5807. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's annual report for Fiscal Year 2011

prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

5808. A letter from the Director, International Broadcasting Bureau, transmitting the Bureau's annual report for fiscal year 2011 on the Notification and Federal Employee Antidiscrimination and Retaliation (No FEAR) Act of 2002; to the Committee on Oversight and Government Reform.

5809. A letter from the Chairman, Merit Systems Protection Board, transmitting the Board's annual report for FY 2011 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Oversight and Government Reform.

5810. A letter from the Associate Commissioner/EEO Director, National Indian Gaming Commission, transmitting the Commission's annual report for FY 2011 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. 107-174; to the Committee on Oversight and Government Reform.

5811. A letter from the Director, Office of EEO and Diversity, Patent and Trademark Office, transmitting the Office's annual report for fiscal year 2011, in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

5812. A letter from the EEO Director, Securities and Exchange Commission, transmitting the Commission's annual report for FY 2011 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. 107-174; to the Committee on Oversight and Government Reform.

5813. A letter from the Deputy Chief, National Forest System, Department of Agriculture, transmitting the Department's report on the exterior boundary of Allegheny Wild and Scenic River Allegheny National Forest, pursuant to 16 U.S.C. 1274; to the Committee on Natural Resources.

5814. A letter from the Acting Assistant Administrator for Fisheries, Department of Commerce, transmitting the 2011 Report to Congress on the Disclosure of Financial Interest and Recusal Requirements for Regional Fishery Management Councils and Scientific and Statistical Committees; to the Committee on Natural Resources.

5815. A letter from the Trial Attorney, Department of Transportation, transmitting the Department's final rule — Railroad Workplace Safety; Adjustment-Track On-Track Safety for Roadway Workers [Docket No.: FRA-2008-0059, Notice No. 5] (RIN: 2130-AB96), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5816. A letter from the Attorney Advisor, Department of Transportation, transmitting the Department's final rule — Value Engineering [FHWA Docket No.: FHWA-2011-0046] (RIN: 2125-AF40) received April 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5817. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30832; Amdt. No. 3469] received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5818. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30831; Amdt. No. 3468] received April 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5819. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company (GE) Turbofan Engines [Docket No.: FAA-2006-2573; Directorate Identifier 2006-NE-27-AD; Amendment 39-16961; AD 2012-04-05] (RIN: 2120-AA64) received April 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5820. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airplanes Originally Manufactured by Lockheed for the Military as P2V Airplanes [Docket No.: FAA-2012-0107; Directorate Identifier 2012-NM-018-AD; Amendment 39-16955; AD 2012-03-51] (RIN: 2120-AA64) received April 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5821. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney Division Turbofan Engines [Docket No.: FAA-2011-0944; Directorate Identifier 2011-NE-11-AD; Amendment 39-16960; AD 2012-04-04] (RIN: 2120-AA64) received April 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5822. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2008-0107; Directorate Identifier 2007-NM-087-AD; Amendment 39-16965; AD 2012-04-09] (RIN: 2120-AA64) received April 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5823. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2011-1230; Directorate Identifier 2011-NM-141-AD; Amendment 39-16964; AD 2012-04-08] (RIN: 2120-AA64) received April 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5824. A letter from the Chairman, Department of Transportation, Surface Transportation Board, transmitting the Department's final rule — Waybill Data Released in Three-Benchmark Rail Rate Proceedings [Docket No. EP 646 (Sub-No. 3)] received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5825. A letter from the Federal Register Liaison Officer, Department of the Treasury, transmitting the Department's final rule — Establishment of the Wisconsin Ledge Viticultural Area [Docket No.: TTB-2011-0007; T.D. TTB-102; Re: Notice No. 121] (RIN: 1513-AB82) received April 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5826. A letter from the Federal Register Liaison Officer, Department of the Treasury, transmitting the Department's final rule — Labeling Imported Wines With Multistate Appellations [Docket No.: TTB-2010-0007; T.D. TTB-101; Re: Notice No.: 110] (RIN: 1513-AB58) received April 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ISSA: Committee on Oversight and Government Reform. H.R. 4257. A bill to amend chapter 35 of title 44, United States Code, to revise requirements relating to Federal information security, and for other purposes; with an amendment (Rept. 112–455). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. STEARNS (for himself and Ms. MATSUI):

H.R. 4817. A bill to require the reallocation and auction for commercial use of the electromagnetic spectrum between the frequencies from 1755 megahertz to 1780 megahertz; to the Committee on Energy and Commerce.

By Mr. GOSAR:

H.R. 4818. A bill to amend the Employee Retirement Income Security Act of 1974 to ensure health care coverage value and transparency for dental benefits under group health plans; to the Committee on Education and the Workforce.

By Ms. SCHAKOWSKY:

H.R. 4819. A bill to suspend temporarily the duty on certain sound-isolating earphones with multiple balanced armature speakers; to the Committee on Ways and Means.

By Ms. SCHAKOWSKY:

H.R. 4820. A bill to suspend temporarily the duty on certain single-driver sound isolating earphones; to the Committee on Ways and Means.

By Ms. SCHAKOWSKY:

H.R. 4821. A bill to suspend temporarily the duty on certain self-contained, single-element unidirectional (cardioid) dynamic microphones; to the Committee on Ways and Means.

By Mr. BERMAN:

H.R. 4822. A bill to extend the temporary suspension of duty on certain shopping bags; to the Committee on Ways and Means.

By Mr. BERMAN:

H.R. 4823. A bill to suspend temporarily the duty on spun-bonded, non-woven, high-density polyethylene materials; to the Committee on Ways and Means.

By Mr. BERMAN:

H.R. 4824. A bill to suspend temporarily the duty on non-woven recycled polyethylene terephthalate; to the Committee on Ways and Means.

By Mr. SULLIVAN (for himself, Mr. TERRY, Mr. ROSS of Florida, and Mr. FLORES):

H.R. 4825. A bill to amend the Congressional Budget Act of 1974 to establish a point of order to prohibit the extension of the statutory debt limit unless a concurrent resolution on the budget has been agreed to and is in effect, Federal spending is cut and capped, and a balanced budget amendment to the constitution has been sent to the States for ratification, and for other purposes; to the Committee on Rules, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DAVIS of Kentucky:

H.R. 4826. A bill to amend the Internal Revenue Code of 1986 to allow additional investment credits for qualifying supercritical advanced coal projects; to the Committee on Ways and Means.

By Mr. NUNNELEE:

H.R. 4827. A bill to suspend temporarily the duty on certain aluminum alloy foil; to the Committee on Ways and Means.

By Mr. NUNNELEE:

H.R. 4828. A bill to suspend temporarily the duty on certain aluminum alloy profiles; to the Committee on Ways and Means.

By Mr. NUNNELEE:

H.R. 4829. A bill to suspend temporarily the duty on used camshafts and crankshafts for diesel engines; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 4830. A bill to suspend temporarily the duty on certain glass fibers and articles thereof; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 4831. A bill to suspend temporarily the rate of duty on Ammonium polyphosphate; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 4832. A bill to suspend temporarily the rate of duty on 1-Propene, polymer with ethene; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 4833. A bill to extend the temporary suspension of duty on Phosphinic acid, diethyl-, aluminum salt with synergists and encapsulating agents; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 4834. A bill to extend the temporary suspension of duty on Phosphinic acid, diethyl-, aluminum salt; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 4835. A bill to extend the temporary suspension of duty on 1,4-Benzenedicarboxylic acid, polymer with N,NNBis(2-aminoethyl)-1,2-ethanediamine, cyclized, methosulfate; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 4836. A bill to extend the temporary suspension of duty on cyanuric chloride; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 4837. A bill to suspend temporarily the rate of duty on Zinc diethylphosphinate; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 4838. A bill to suspend temporarily the rate of duty on Fluoroalkyl acrylic copolymerisates dispersed in water; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 4839. A bill to extend the temporary suspension of duty on Sulfur black 1; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 4840. A bill to extend the temporary suspension of duty on certain manufacturing equipment; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 4841. A bill to extend the temporary suspension of duty on certain manufacturing equipment; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 4842. A bill to extend the temporary suspension of duty on certain manufacturing equipment; to the Committee on Ways and Means.

By Mr. RUNYAN:

H.R. 4843. A bill to extend the suspension of duty on certain ion-exchange resins; to the Committee on Ways and Means.

By Mr. RUNYAN:

H.R. 4844. A bill to extend the temporary suspension of duty on certain ion-exchange resins; to the Committee on Ways and Means.

By Mr. DAVIS of Kentucky:

H.R. 4845. A bill to suspend temporarily the duty on TFM; to the Committee on Ways and Means.

By Ms. BALDWIN:

H.R. 4846. A bill to prevent mail, telemarketing, and Internet fraud targeting seniors in the United States, to promote efforts to increas public awareness of the enormous impact that mail, telemarketing, and Internet fraud have on seniors, to educate the public, seniors, their families, and their caregivers about how to identify and combat fraudulent activity, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FLORES (for himself and Mr. GENE GREEN of Texas):

H.R. 4847. A bill to prevent certain discriminatory taxation of natural gas pipeline property; to the Committee on the Judiciary.

By Mr. CLARKE of Michigan (for himself, Mr. LEWIS of Georgia, Mr. CONYERS, Mr. GEORGE MILLER of California, Mr. CLEAVER, Ms. KAPTUR, Mr. GRIJALVA, Ms. WATERS, Mr. CARSON of Indiana, Mr. JACKSON of Illinois, Ms. CLARKE of New York, and Mr. ELLISON):

H.R. 4848. A bill to save neighborhoods and keep families in their homes by encouraging mortgage loan modifications and suspending foreclosures and evictions; to the Committee on the Judiciary, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NUNES (for himself, Mr. MCCARTHY of California, Mr. DENHAM, and Mr. MCCLINTOCK):

H.R. 4849. A bill to direct the Secretary of the Interior to issue commercial use authorizations to commercial stock operators for operations in designated wilderness within the Sequoia and Kings Canyon National Parks, and for other purposes; to the Committee on Natural Resources.

By Mr. ADERHOLT:

H.R. 4850. A bill to allow for innovations and alternative technologies that meet or exceed desired energy efficiency goals; to the Committee on Energy and Commerce.

By Mr. ANDREWS:

H.R. 4851. A bill to extend the temporary suspension of duty on 1-Propene, 1,1,2,3,3,3-hexafluoro-, oxidized, polymerized, reduced hydrolyzed; to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 4852. A bill to extend the temporary suspension of duty on Ethene, tetrafluoro, oxidized, polymerized reduced, methyl esters, reduced; to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 4853. A bill to extend the temporary suspension of duty on Methoxycarbonyl-terminated perfluorinated polyoxymethylene-polyoxyethylene; to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 4854. A bill to extend the temporary suspension of duty on Propanoic acid, 3-hydroxy-2-(hydroxymethyl)-2-,methyl polymers with 5-isocyanato-1-(isocyanatomethyl)-1,3,3-trimethylcyclohexane and reduced methyl esters of reduced polymerized, oxidized tetrafluoroethylene, compounds with trimethylamine; to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 4855. A bill to extend the temporary suspension of duty on Diaminodecane; to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 4856. A bill to extend the temporary suspension of duty on 1,1,2-2-Tetrafluoroethene, oxidized, polymerized; to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 4857. A bill to extend the temporary suspension of duty on Vinylidene chloride-methyl methacrylate-acrylonitrile copolymer; to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 4858. A bill to extend the temporary reduction of duty on p-Hydroxybenzoic acid; to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 4859. A bill to suspend temporarily the rate of duty on 1,1,2-2-Tetrafluoroethylene,oxidized, polymerized, reduced; to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 4860. A bill to suspend temporarily the rate of duty on Vinyldine fluoride-trifluoroethylene copolymer; to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 4861. A bill to suspend temporarily the rate of duty on Chlorotrifluoroethylene; to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 4862. A bill to suspend temporarily the rate of duty on Diphosphoric acid, polymers with ethoxylated reduced methyl esters of reduced polymerized oxidized tetrafluoroethylene; to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 4863. A bill to suspend temporarily the rate of duty on 4,4'-Dichlorodiphenyl sulfone; to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 4864. A bill to suspend temporarily the rate of duty on 1,2-Propanediol, 3-(diethylamino)-, polymers with 5-isocyanato-1- (isocyanatomethyl)-1,3,3-trimethylcyclohexane, propylene glycol and reduced Me esters of reduced polymd. oxidized tetrafluoroethylene, 2-ethyl-1-hexanol-blocked, acetates (salts); to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 4865. A bill to extend the temporary suspension of duty on Oxiranemethanol, polymers with reduced methyl esters of reduced polymerized oxidized tetrafluoroethylene; to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 4866. A bill to extend the temporary suspension of duty on ethene, tetrafluoro, oxidized, polymerized reduced, methyl esters, reduced, ethoxylated; to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 4867. A bill to suspend temporarily the rate of duty on certain licorice extract derivatives; to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 4868. A bill to suspend temporarily the rate of duty on extract of licorice; to the Committee on Ways and Means.

By Mr. BOSWELL (for himself and Mr. LOEBSACK):

H.R. 4869. A bill to direct the Secretary of Defense and the Secretary of Veterans Affairs to jointly conduct a study on the incidence of breast cancer among members of the Armed Forces and veterans; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of

such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CAMPBELL:

H.R. 4870. A bill to suspend temporarily the duty on certain non-toric shaped polarized materials of more than 80 mm in diameter; to the Committee on Ways and Means.

By Mr. CAMPBELL:

H.R. 4871. A bill to suspend temporarily the duty on certain toric shaped polarized materials; to the Committee on Ways and Means.

By Mr. CAMPBELL:

H.R. 4872. A bill to suspend temporarily the duty on certain non-toric shaped polarized materials of 80 mm or less in diameter; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4873. A bill to suspend temporarily the duty on mixtures containing Imidacloprid and Thiodicarb; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4874. A bill to suspend temporarily the duty on mixtures containing Thiencarbazone-methyl, Isoxaflutole, and Cyprosulfamide; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4875. A bill to modify and extend the temporary reduction of duty on mixtures of imidacloprid with application adjuvants; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4876. A bill to extend the temporary reduction of duty on Imidacloprid; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4877. A bill to reduce temporarily the duty on mixtures containing Imidacloprid and Cyfluthrin or its β-Cyfluthrin isomer; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4878. A bill to suspend temporarily the duty on 1-Naphthyl, N-methylcarbamate; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4879. A bill to reduce temporarily the duty on Penflufen; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4880. A bill to extend the suspension of duty on ion-exchange resin powder, dried to less than 10 percent moisture; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4881. A bill to extend the suspension of duty on an ion exchange resin comprising a copolymer of styrene crosslinked with divinylbenzene, iminodiacetic acid, sodium form; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4882. A bill to extend the suspension of duty on an ion exchange resin comprising a copolymer of styrene crosslinked with ethenylbenzene, aminophosphonic acid, sodium form; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4883. A bill to suspend temporarily the duty on IMIDACLOPRID; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4884. A bill to extend the temporary suspension of duty on 2-Phenylphenol sodium salt; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4885. A bill to extend the temporary suspension of duty on 2-Hydroxypropylmethyl cellulose; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4886. A bill to extend the temporary suspension of duty on 2-Phenylphenol; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4887. A bill to suspend temporarily the duty on 2-amino-5-cyano-N,3-dimethylbenzamide; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4888. A bill to suspend temporarily the duty on Picoxystrobin; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4889. A bill to suspend temporarily the duty on A5546 sulfonamide; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4890. A bill to reduce temporarily the duty on ethylene/tetrafluoroethylene copolymer (ETFE); to the Committee on Ways and Means.

By Mr. CARNAHAN:

H.R. 4891. A bill to suspend temporarily the duty on certain work footwear for men; to the Committee on Ways and Means.

By Mr. CARNAHAN:

H.R. 4892. A bill to suspend temporarily the duty on certain work footwear for women; to the Committee on Ways and Means.

By Mr. CARNAHAN:

H.R. 4893. A bill to suspend temporarily the duty on certain work footwear for women covering the ankle; to the Committee on Ways and Means.

By Mr. CARNAHAN:

H.R. 4894. A bill to suspend temporarily the duty on certain work footwear for men covering the ankle; to the Committee on Ways and Means.

By Mr. CARNAHAN:

H.R. 4895. A bill to suspend temporarily the duty on certain work boots for men; to the Committee on Ways and Means.

By Mr. CARNAHAN:

H.R. 4896. A bill to suspend temporarily the duty on certain work boots for women; to the Committee on Ways and Means.

By Mr. CARNAHAN:

H.R. 4897. A bill to suspend temporarily the duty on certain women's footwear with outer soles and uppers of rubber or plastics and valued over $6.50 but not over $12 per pair; to the Committee on Ways and Means.

By Mr. CARNAHAN:

H.R. 4898. A bill to suspend temporarily the duty on certain women's footwear with outer soles and uppers of rubber or plastics and valued over $12 but not over $20 per pair; to the Committee on Ways and Means.

By Mr. CARNAHAN:

H.R. 4899. A bill to suspend temporarily the duty on certain women's platform footwear; to the Committee on Ways and Means.

By Mr. CARNAHAN:

H.R. 4900. A bill to suspend temporarily the duty on certain women's footwear with outer soles of rubber or plastics and uppers of textile materials and leather; to the Committee on Ways and Means.

By Mr. CARNAHAN:

H.R. 4901. A bill to extend the temporary suspension of duty on certain women's sports footwear; to the Committee on Ways and Means.

By Mr. CARTER:

H.R. 4902. A bill to suspend temporarily the duty on photomask blanks; to the Committee on Ways and Means.

By Mr. CLARKE of Michigan:

H.R. 4903. A bill to suspend temporarily the duty on power electronic boxes and static converter composite units; to the Committee on Ways and Means.

By Mr. CLARKE of Michigan:

H.R. 4904. A bill to suspend temporarily the duty on stator/rotor parts; to the Committee on Ways and Means.

By Mr. CLARKE of Michigan:

H.R. 4905. A bill to suspend temporarily the duty on Tinopal OB CO; to the Committee on Ways and Means.

By Mr. CLARKE of Michigan:

H.R. 4906. A bill to suspend temporarily the duty on Uvinul 3039; to the Committee on Ways and Means.

By Mr. CLARKE of Michigan:

H.R. 4907. A bill to suspend temporarily the duty on Lucirin TPO; to the Committee on Ways and Means.

By Mr. CLARKE of Michigan:

H.R. 4908. A bill to suspend temporarily the duty on certain high pressure fuel pumps; to the Committee on Ways and Means.

By Mr. CLARKE of Michigan:

H.R. 4909. A bill to suspend temporarily the duty on certain hybrid electric vehicle inverters; to the Committee on Ways and Means.

By Mr. CLARKE of Michigan:

H.R. 4910. A bill to suspend temporarily the duty on certain direct injection fuel injectors; to the Committee on Ways and Means.

By Mr. CLARKE of Michigan:

H.R. 4911. A bill to suspend temporarily the duty on lithium ion electrical storage battery; to the Committee on Ways and Means.

By Mr. CLARKE of Michigan:

H.R. 4912. A bill to suspend temporarily the duty on motor generator units; to the Committee on Ways and Means.

By Mr. COFFMAN of Colorado (for himself and Mr. COOPER):

H.R. 4913. A bill to require designated military command responsibility and accountability for the care, handling, and transportation of the remains of a deceased member of the Army, Navy, Air Force, or Marine Corps who died overseas, from the place of death, through the defense mortuary system, until the remains are accepted by the member's next of kin, in order to ensure that the deceased member is treated with dignity, honor, and respect; to the Committee on Armed Services.

By Mr. COSTA:

H.R. 4914. A bill to suspend temporarily the duty on mixtures containing Fluopyram and Tebuconazole; to the Committee on Ways and Means.

By Mr. DOYLE:

H.R. 4915. A bill to suspend temporarily the duty on Agilon 400; to the Committee on Ways and Means.

By Mr. DOYLE:

H.R. 4916. A bill to suspend temporarily the duty on Brine Electrolysis Ion Exchange Apparatus; to the Committee on Ways and Means.

By Mrs. ELLMERS:

H.R. 4917. A bill to extend the temporary suspension of duty on ceiling fans for permanent installation; to the Committee on Ways and Means.

By Ms. FUDGE:

H.R. 4918. A bill to suspend temporarily the duty on sodium thiocyanate; to the Committee on Ways and Means.

By Mr. GENE GREEN of Texas:

H.R. 4919. A bill to suspend temporarily the duty on Para-methoxyphenol; to the Committee on Ways and Means.

By Mr. GENE GREEN of Texas:

H.R. 4920. A bill to extend the temporary suspension of duty on mixtures or coprecipitates of yttrium phosphate and cerium phosphate; to the Committee on Ways and Means.

By Mr. GENE GREEN of Texas:

H.R. 4921. A bill to suspend temporarily the duty on Tertiobutyl catechol flakes; to the Committee on Ways and Means.

By Mr. GENE GREEN of Texas:

H.R. 4922. A bill to extend the temporary suspension of duty on phosphoric acid, lanthanum salt, cerium terbium-doped; to the Committee on Ways and Means.

By Mr. HANNA:

H.R. 4923. A bill to suspend temporarily the duty on germanium unwrought; to the Committee on Ways and Means.

By Mr. HANNA:

H.R. 4924. A bill to suspend temporarily the duty on germanium oxides; to the Committee on Ways and Means.

By Mr. HANNA:

H.R. 4925. A bill to suspend temporarily the duty on gallium unwrought; to the Committee on Ways and Means.

By Mr. HARRIS (for himself and Mr. CARNEY):

H.R. 4926. A bill to extend and modify the temporary suspension of duty on certain women's footwear; to the Committee on Ways and Means.

By Mr. HARRIS (for himself and Mr. CARNEY):

H.R. 4927. A bill to extend and modify the temporary suspension of duty on certain men's footwear; to the Committee on Ways and Means.

By Mr. HARRIS (for himself and Mr. CARNEY):

H.R. 4928. A bill to extend and modify the temporary suspension of duty on certain men's footwear; to the Committee on Ways and Means.

By Mr. HARRIS (for himself and Mr. CARNEY):

H.R. 4929. A bill to extend and modify the temporary suspension of duty on certain women's footwear; to the Committee on Ways and Means.

By Mr. HUIZENGA of Michigan:

H.R. 4930. A bill to extend the temporary suspension of duty on 4-Chloro-2-nitroaniline; to the Committee on Ways and Means.

By Mr. HUIZENGA of Michigan:

H.R. 4931. A bill to extend and modify the temporary reduction of duty on 3,3'-Dichlorobenzidine dihydrochloride ([1,1'-biphenyl]- 4,4'- diamino, 3,3'-dichloro-); to the Committee on Ways and Means.

By Mr. HUIZENGA of Michigan:

H.R. 4932. A bill to suspend temporarily the duty on Polyalkene Yellow (4A100); to the Committee on Ways and Means.

By Mr. KIND (for himself, Mr. SENSENBRENNER, Ms. MOORE, Mr. ENGEL, Mr. ISRAEL, Mr. TONKO, and Mr. RIBBLE):

H.R. 4933. A bill to authorize the award of the Medal of Honor to First Lieutenant Alonzo H. Cushing for acts of valor during the Civil War; to the Committee on Armed Services.

By Mr. LATOURETTE:

H.R. 4934. A bill to extend the temporary suspension of duty on 4,8-Dicyclohexyl -6-2,10-dimethyl -12H-dibenzo[d,g][1,3,2]-dioxaphosphocin; to the Committee on Ways and Means.

By Mr. LATOURETTE:

H.R. 4935. A bill to extend the temporary suspension of duty on mixtures of zinc dicyanato diamine with an elastomer binder of ethylene-propylene-diene monomer and ethyl vinyl acetate, and dispersing agents; to the Committee on Ways and Means.

By Mr. LATOURETTE:

H.R. 4936. A bill to extend the temporary suspension of duty on mixtures of benzenesulfonic acid, dodecyl-, with 2-aminoethanol and Poly (oxy-1,2-ethanediyl), α-[1-oxo-9- octadecenyl]- w-hydroxy-, (9Z); to the Committee on Ways and Means.

By Mr. LATOURETTE:

H.R. 4937. A bill to extend the temporary suspension of duty on mixtures of NN-(3,4-dichloro-phenyl)-N,Ndimethylurea with acrylate rubber; to the Committee on Ways and Means.

By Mr. LATOURETTE:

H.R. 4938. A bill to extend the temporary suspension of duty on mixtures of caprolactam disulfide with an elastomer binder of ethylene-propylene-diene monomer and ethyl vinyl acetate, and dispersing agents; to the Committee on Ways and Means.

By Mr. LATOURETTE:

H.R. 4939. A bill to suspend temporarily the duty on Aflux 37; to the Committee on Ways and Means.

By Mr. LATOURETTE:

H.R. 4940. A bill to extend the temporary suspension of duty on 1-Octadecanaminium, N,N-dimethyl-N-octadecyl-,(Sp-4-2)-[29H,31H-phthalocyanine-2-sulfonato(3-)-κN29,κN30, κN31, κN32]cuprate(1-); to the Committee on Ways and Means.

By Mr. LATOURETTE:

H.R. 4941. A bill to extend the temporary suspension of duty on 2-Oxepanone, polymer with aziridine and tetrahydro- 2H-pyran-2-one, dodecanoate ester; to the Committee on Ways and Means.

By Mr. LATOURETTE:

H.R. 4942. A bill to suspend temporarily the duty on Ethylene-Propylene polymer; to the Committee on Ways and Means.

By Mr. LATOURETTE:

H.R. 4943. A bill to suspend temporarily the duty on mixtures of alkali metal phenate, mineral oil, and p-Dodecylphenol; to the Committee on Ways and Means.

By Mr. LATOURETTE:

H.R. 4944. A bill to suspend temporarily the duty on Sensomer CT-400; to the Committee on Ways and Means.

By Mr. LATOURETTE:

H.R. 4945. A bill to suspend temporarily the duty on D-Galacto-D-mannan; to the Committee on Ways and Means.

By Mr. LATOURETTE:

H.R. 4946. A bill to suspend temporarily the duty on Benzene, polypropene derivatives; to the Committee on Ways and Means.

By Mr. MICHAUD:

H.R. 4947. A bill to extend and modify the temporary reduction of duty on certain rayon staple fibers; to the Committee on Ways and Means.

By Mrs. NOEM:

H.R. 4948. A bill to amend the Federal Crop Insurance Act to extend certain supplemental agricultural disaster assistance programs through fiscal year 2017, and for other purposes; to the Committee on Agriculture.

By Mr. OWENS:

H.R. 4949. A bill to suspend temporarily the duty on certain bulk container bags; to the Committee on Ways and Means.

By Mr. OWENS:

H.R. 4950. A bill to suspend temporarily the duty on certain drive-axles; to the Committee on Ways and Means.

By Mr. OWENS:

H.R. 4951. A bill to suspend temporarily the duty on non-driving axles; to the Committee on Ways and Means.

By Mr. OWENS:

H.R. 4952. A bill to suspend temporarily the duty on gear boxes; to the Committee on Ways and Means.

By Mr. PASCRELL (for himself and Mr. BILBRAY):

H.R. 4953. A bill to amend the Internal Revenue Code of 1986 to provide a credit for the production of renewable chemicals; to the Committee on Ways and Means.

By Mr. PETRI:

H.R. 4954. A bill to suspend temporarily the duty on certain compression-ignition internal combustion piston engines; to the Committee on Ways and Means.

By Mr. PETRI:

H.R. 4955. A bill to suspend temporarily the duty on certain programmable controllers; to the Committee on Ways and Means.

By Mr. RUPPERSBERGER:

H.R. 4956. A bill to suspend temporarily the rate of duty on Oleo Turmeric; to the Committee on Ways and Means.

By Mr. RUPPERSBERGER:

H.R. 4957. A bill to suspend temporarily the rate of duty on Oleo Black Pepper; to the Committee on Ways and Means.

By Mr. RUPPERSBERGER:

H.R. 4958. A bill to suspend temporarily the rate of duty on Oleo White Pepper; to the Committee on Ways and Means.

By Mr. RUPPERSBERGER:

H.R. 4959. A bill to suspend temporarily the rate of duty on Oleo Cassia; to the Committee on Ways and Means.

By Mr. RUPPERSBERGER:

H.R. 4960. A bill to suspend temporarily the rate of duty on Oleo Capsicum; to the Committee on Ways and Means.

By Mr. RUPPERSBERGER:

H.R. 4961. A bill to suspend temporarily the rate of duty on Oleo Ginger; to the Committee on Ways and Means.

By Mr. RUPPERSBERGER:

H.R. 4962. A bill to suspend temporarily the rate of duty on Oleo Celery; to the Committee on Ways and Means.

By Mr. SHERMAN (for himself and Mr. HINCHEY):

H.R. 4963. A bill to address the concept of "Too Big To Fail" with respect to certain financial entities; to the Committee on Financial Services.

By Mr. WATT:

H.R. 4964. A bill to suspend temporarily the duty on benzenesulfonyl chloride; to the Committee on Ways and Means.

By Mr. BOREN:

H. Res. 634. A resolution honoring RSU Public Television on the occasion of its 25th anniversary; to the Committee on Education and the Workforce.

CONSTITUTIONAL AUTHORITY STATEMENT

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

By Mr. STEARNS:

H.R. 4817.

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

Article I, §8, clause 3, the Commerce Clause: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. GOSAR:

H.R. 4818.

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

This legislation is being introduced in order to amend ERISA—which was passed based on a combination of Article 1 Section 8 Clause 3 (commerce clause) and Article 1 Section 8 Clause 18 (the necessary and proper clause).

By Ms. SCHAKOWSKY:

H.R. 4819.

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

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Ms. SCHAKOWSKY:

H.R. 4820.

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

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Ms. SCHAKOWSKY:

H.R. 4821.

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

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. BERMAN:
H.R. 4822.
The United States Constitution, Article I, Section 8.
By Mr. BERMAN:
H.R. 4823.
Congress has the power to enact this legislation pursuant to the following:
The United States Constitution, Article I, Section 8.
By Mr. BERMAN:
H.R. 4824.
Congress has the power to enact this legislation pursuant to the following:
The United States Constitution, Article I, Section 8.
By Mr. SULLIVAN:
H.R. 4825.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1
''The Congress shall have Power . . . To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''
Article V
''The Congress shall have power . . . whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.''
By Mr. DAVIS of Kentucky:
H.R. 4826.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the United States Constitution and Amendment XVI of the United States Constitution.
By Mr. NUNNELEE:
H.R. 4827.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.
By Mr. NUNNELEE:
H.R. 4828.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.
By Mr. NUNNELEE:
H.R. 4829.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.
By Mr. WILSON of South Carolina:
H.R. 4830.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1. ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''
By Mr. WILSON of South Carolina:
H.R. 4831.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1. ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''
By Mr. WILSON of South Carolina:
H.R. 4832.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1. ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''
By Mr. WILSON of South Carolina:
H.R. 4833.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1. ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''
By Mr. WILSON of South Carolina:
H.R. 4834.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1. ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''
By Mr. WILSON of South Carolina:
H.R.4835.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1. ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''
By Mr. WILSON of South Carolina:
H.R.4836.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1. ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''
By Mr. WILSON of South Carolina:
H.R. 4837.
Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 1. ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''
By Mr. WILSON of South Carolina:
H.R. 4838.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1. ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''
By Mr. WILSON of South Carolina:
H.R. 4839.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1. ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''
By Mr. WILSON of South Carolina:
H.R. 4840.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1. ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''
By Mr. WILSON of South Carolina:
H.R. 4841.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1. ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''
By Mr. WILSON of South Carolina:
H.R. 4842.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1. ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''
By Mr. RUNYAN:
H.R. 4843.
Congress has the power to enact this legislation pursuant to the following:
The Commerce clause Article 1, Section 8, clause 3 of the Constitution
By Mr. RUNYAN:
H.R. 4844.
Congress has the power to enact this legislation pursuant to the following:
The Commerce clause Article 1, Section 8, clause 3 of the Constitution

By Mr. DAVIS of Kentucky:
H.R. 4845.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1
The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;
By Ms. BALDWIN:
H.R. 4846.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to Article 1, Section 8 of the Constitution of the United States.
By Mr. FLORES:
H.R. 4847.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 of the Constitution of the United States.
By Mr. CLARKE of Michigan:
H.R. 4848.
Congress has the power to enact this legislation pursuant to the following:
Clause 3 of Section 8 of Article I of the United States Constitution and Clause 18 of Section 8 of Article I of the United States Constitution.
By Mr. NUNES:
H.R. 4849.
Congress has the power to enact this legislation pursuant to the following:
Clause 2 of section 3 of article IV of the Constitution of the United States.
By Mr. ADERHOLT:
H.R. 4850.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3—The Commerce Clause and Article I, Section 8, Clause 18—Necessary and Proper Clause.
By Mr. ANDREWS:
H.R. 4851.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the Constitution to lay and collect taxes, duties, imposts, and excises.
By Mr. ANDREWS:
H.R. 4852.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the Constitution to lay and collect taxes, duties, imposts, and excises.
By Mr. ANDREWS:
H.R. 4853.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the Constitution to lay and collect taxes, duties, imposts, and excises.
By Mr. ANDREWS:
H.R. 4854.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the Constitution to lay and collect taxes, duties, imposts, and excises.
By Mr. ANDREWS:
H.R. 4855.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the Constitution to lay and collect taxes, duties, imposts, and excises.
By Mr. ANDREWS:
H.R. 4856.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the Constitution to lay and collect taxes, duties, imposts, and excises.
By Mr. ANDREWS:
H.R. 4857.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the Constitution to lay and collect taxes, duties, imposts, and excises.
By Mr. ANDREWS:
H.R. 4858.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the Constitution to lay and collect taxes, duties, imposts, and excises.
By Mr. ANDREWS:
H.R. 4859.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the Constitution to lay and collect taxes, duties, imposts, and excises.
By Mr. ANDREWS:
H.R. 4860.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the Constitution to lay and collect taxes, duties, imposts, and excises.
By Mr. ANDREWS:
H.R. 4861.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the Constitution to lay and collect taxes, duties, imposts, and excises.
By Mr. ANDREWS:
H.R. 4862.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the Constitution to lay and collect taxes, duties, imposts, and excises.
By Mr. ANDREWS:
H.R. 4863.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the Constitution to lay and collect taxes, duties, imposts, and excises.
By Mr. ANDREWS:
H.R. 4864.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the Constitution to lay and collect taxes, duties, imposts, and excises.
By Mr. ANDREWS:
H.R. 4865.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the Constitution to lay and collect taxes, duties, imposts, and excises.
By Mr. ANDREWS:
H.R. 4866.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the Constitution to lay and collect taxes, duties, imposts, and excises.
By Mr. ANDREWS:
H.R. 4867.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the Constitution to lay and collect taxes, duties, imposts, and excises.
By Mr. ANDREWS:
H.R. 4868.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the Constitution to lay and collect taxes, duties, imposts, and excises.
By Mr. BOSWELL:
H.R. 4869.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18 of the Constitution of the United States of America.
By Mr. CAMPBELL:
H.R. 4870.
Congress has the power to enact this legislation pursuant to the following: Clause 1 of section 8 of article I of the Constitution of the United States.
By Mr. CAMPBELL:
H.R. 4871.
Congress has the power to enact this legislation pursuant to the following: Clause 1 of section 8 of article I of the Constitution of the United States.
By Mr. CAMPBELL:
H.R. 4872.
Congress has the power to enact this legislation pursuant to the following: Clause 1 of section 8 of article I of the Constitution of the United States.
By Mrs. CAPITO:
H.R. 4873.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 (power to lay and collect taxes, duties, imposts, and excises)
Article I, Section 8, Clause 18 (necessary and proper clause)
By Mrs. CAPITO:
H.R. 4874.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 (power to lay and collect taxes, duties, imposts, and excises)
Article I, Section 8, Clause 18 (necessary and proper clause)
By Mrs. CAPITO:
H.R. 4875.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 (power to lay and collect taxes, duties, imposts, and excises)
Article I, Section 8, Clause 18 (necessary and proper clause)
By Mrs. CAPITO:
H.R. 4876.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 (power to lay and collect taxes, duties, imposts, and excises)
Article I, Section 8, Clause 18 (necessary and proper clause)
By Mrs. CAPITO:
H.R. 4877.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 (power to lay and collect taxes, duties, imposts, and excises)
Article I, Section 8, Clause 18 (necessary and proper clause)
By Mrs. CAPITO:
H.R. 4878.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 (power to lay and collect taxes, duties, imposts, and excises)
Article I, Section 8, Clause 18 (necessary and proper clause)
By Mrs. CAPITO:
H.R. 4879.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 (power to lay and collect taxes, duties, imposts, and excises)
Article I, Section 8, Clause 18 (necessary and proper clause)
By Mrs. CAPITO:
H.R. 4880.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 (power to lay and collect taxes, duties, imposts, and excises)

Article I, Section 8, Clause 18 (necessary and proper clause)

By Mrs. CAPITO:

H.R. 4881.

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

Article I, Section 8, Clause 1 (power to lay and collect taxes, duties, imposts, and excises)

Article I, Section 8, Clause 18 (necessary and proper clause)

By Mrs. CAPITO:

H.R. 4882.

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

Article I, Section 8, Clause 1 (power to lay and collect taxes, duties, imposts, and excises)

Article I, Section 8, Clause 18 (necessary and proper clause)

By Mrs. CAPITO:

H.R. 4883.

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

Article I, Section 8, Clause 1 (power to lay and collect taxes, duties, imposts, and excises)

Article I, Section 8, Clause 18 (necessary and proper clause)

By Mrs. CAPITO:

H.R. 4884.

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

Article I, Section 8, Clause 1 (power to lay and collect taxes, duties, imposts, and excises)

Article I, Section 8, Clause 18 (necessary and proper clause)

By Mrs. CAPITO:

H.R. 4885.

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

Article I, Section 8, Clause 1 (power to lay and collect taxes, duties, imposts, and excises)

Article I, Section 8, Clause 18 (necessary and proper clause)

By Mrs. CAPITO:

H.R. 4886.

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

Article I, Section 8, Clause 1 (power to lay and collect taxes, duties, imposts, and excises)

Article I, Section 8, Clause 18 (necessary and proper clause)

By Mrs. CAPITO:

H.R. 4887.

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

Article I, Section 8, Clause 1 (power to lay and collect taxes, duties, imposts, and excises)

Article I, Section 8, Clause 18 (necessary and proper clause)

By Mrs. CAPITO:

H.R. 4888.

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

Article I, Section 8, Clause 1 (power to lay and collect taxes, duties, imposts, and excises)

Article I, Section 8, Clause 18 (necessary and proper clause)

By Mrs. CAPITO:

H.R. 4889.

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

Article I, Section 8, Clause 1 (power to lay and collect taxes, duties, imposts, and excises)

Article I, Section 8, Clause 18 (necessary and proper clause)

By Mrs. CAPITO:

H.R. 4890.

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

Article I, Section 8, Clause 1 (power to lay and collect taxes, duties, imposts, and excises)

Article I, Section 8, Clause 18 (necessary and proper clause)

By Mr. CARNAHAN:

H.R. 4891.

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

Article I, Section 1. ''All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives.''

By Mr. CARNAHAN:

H.R. 4892.

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

Article I, Section 1. ''All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives.''

By Mr. CARNAHAN:

H.R. 4893.

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

Article I, Section 1. ''All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives.''

By Mr. CARNAHAN:

H.R. 4894.

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

Article I, Section 1. ''All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives.''

By Mr. CARNAHAN:

H.R. 4895.

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

Article I. Section 1. ''All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives.''

By Mr. CARNAHAN:

H.R. 4896.

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

Article I. Section 1. ''All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives.''

By Mr. CARNAHAN:

H.R. 4897.

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

Article I. Section 1. ''All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives.''

By Mr. CARNAHAN:

H.R. 4898.

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

Article I. Section 1. ''All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives.''

By Mr. CARNAHAN:

H.R. 4899.

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

Article I, Section 1. ''All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives.''

By Mr. CARNAHAN:

H.R. 4900.

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

Article I. Section 1. ''All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives.''

By Mr. CARNAHAN:

H.R. 4901.

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

Article I, Section 1. ''All legislative Powers herein wanted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives.''

By Mr. CARTER:

H.R. 4902.

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

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. CLARKE of Michigan:

H.R. 4903.

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

clause 3 of section 8 of article I of the Constitution.

By Mr. CLARKE of Michigan:

H.R. 4904.

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

clause 3 of section 8 of article I of the Constitution.

By Mr. CLARKE of Michigan:

H.R. 4905.

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

clause 3 of section 8 of article I of the Constitution.

By Mr. CLARKE of Michigan:

H.R. 4906.

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

clause 3 of section 8 of article I of the Constitution.

By Mr. CLARKE of Michigan:

H.R. 4907.

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

clause 3 of section 8 of article I of the Constitution.

By Mr. CLARKE of Michigan:

H.R. 4908.

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

clause 3 of section 8 of article I of the Constitution.

By Mr. CLARKE of Michigan:

H.R. 4909.

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

clause 3 of section 8 of article I of the Constitution.

By Mr. CLARKE of Michigan:

H.R. 4910.

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

clause 3 of section 8 of article I of the Constitution.

By Mr. CLARKE of Michigan:

H.R. 4911.

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

clause 3 of section 8 of article I of the Constitution.

By Mr. CLARKE of Michigan:

H.R. 4912.

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

clause 3 of section 8 of article I of the Constitution.

By Mr. COFFMAN of Colorado:

H.R. 4913.

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

The constitutional authorities on which this bill rests are:

The power of Congress ''to make rules for the government and regulation of the land and naval forces'' in Article I, Section 8, Clause 14 of the United States Constitution.

By Mr. COSTA:

H.R. 4914.

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

Article 1, Sec. 8, ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general

Welfare of the United States: but all Duties, Imposts and Excises shall be uniform throughout the United States;''

By Mr. DOYLE:

H.R. 4915.

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

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. DOYLE:

H.R. 4916.

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

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mrs. ELLMERS:

H.R. 4917.

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

Article I, Section 8. Clause I. the Congress shall have Power To lay and collect. Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By extension of this Clause, Congress may also set the level of said duties including lowering them to zero where warranted.

By Ms. FUDGE:

H.R. 4918.

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

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. GENE GREEN of Texas:

H.R. 4919.

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

Article I, Section 8, Clause 1 of the U.S. Constitution—''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. GENE GREEN of Texas:

H.R. 4920.

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

Article I, Section 8, Clause 1 of the U.S. Constitution—''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. GENE GREEN of Texas:

H.R. 4921.

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

Article I, Section 8, Clause 1 of the U.S. Constitution—''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. GENE GREEN of Texas:

H.R. 4922.

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

Article I, Section 8, Clause 1 of the U.S. Constitution—''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. HANNA:

H.R. 4923.

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

This bill is enacted pursuant to Section 8 of Article I of the United States Constitution.

By Mr. HANNA:

H.R. 4924.

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

This bill is enacted pursuant to Section 8 of Article I of the United States Constitution.

By Mr. HANNA:

H.R. 4925.

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

This bill is enacted pursuant to Section 8 of Article I of the United States Constitution.

By Mr. HARRIS:

H.R. 4926.

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

Clause 1 of Section 8 of Article 1 of the Constitution of the United States.

By Mr. HARRIS:

H.R. 4927.

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

Clause 1 of Section 8 of Article 1 of the Constitution of the United States.

By Mr. HARRIS:

H.R. 4928.

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

Clause 1 of Section 8 of Article 1 of the Constitution of the United States.

6 By Mr. HARRIS:

H.R. 4929.

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

Clause 1 of Section 8 of Article 1 of the Constitution of the United States.

By Mr. HUIZENGA of Michigan:

H.R. 4930.

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

Pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution, which states the Congress shall have the power ''To regulate Commerce with foreign Nations.''

By Mr. HUIZENGA of Michigan:

H.R. 4931.

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

Pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution, which states the Congress shall have the power ''To regulate Commerce with foreign Nations.''

By Mr. HUIZENGA of Michigan:

H.R. 4932.

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

Pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution, which states the Congress shall have the power ''To regulate Commerce with foreign Nations.''

By Mr. KIND:

H.R. 4933.

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

The constitutional authority on which this bill rests is the power of Congress ''to provide for the common Defence'', ''to raise and support Armies'', ''to provide and maintain a Navy'' and ''to make Rules for the Government and Regulation of the land and naval Forces'' as enumerated in Article I, section 8 of the United States Constitution.

By Mr. LATOURETTE:

H.R. 4934.

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

Article 1 Section 8 Clause 1 of the US Constitution.

By Mr. LATOURETTE:

H.R. 4935.

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

Article 1 Section 8 Clause 1 of the US Constitution.

By Mr. LATOURETTE:

H.R. 4936.

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

Article 1 Section 8 Clause 1 of the US Constitution.

By Mr. LATOURETTE:

H.R. 4937.

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

Article 1 Section 8 Clause 1 of the US Constitution.

By Mr. LATOURETTE:

H.R. 4938.

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

Article 1 Section 8 Clause 1 of the US Constitution.

By Mr. LATOURETTE:

H.R. 4939.

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

Article 1 Section 8 Clause 1 of the US Constitution.

By Mr. LATOURETTE:

H.R. 4940.

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

Article 1 Section 8 Clause 1 of the US Constitution.

By Mr. LATOURETTE:

H.R. 4941.

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

Article 1 Section 8 Clause 1 of the US Constitution.

By Mr. LATOURETTE:

H.R. 4942.

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

Article 1 Section 8 Clause 1 of the US Constitution.

By Mr. LATOURETTE:

H.R. 4943.

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

Article 1 Section 8 Clause 1 of the US Constitution.

By Mr. LATOURETTE:

H.R. 4944.

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

Article 1 Section 8 Clause 1 of the US Constitution.

By Mr. LATOURETTE:

H.R. 4945.

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

Article 1 Section 8 Clause 1 of the US Constitution.

By Mr. LATOURETTE:

H.R. 4946.

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

Article 1 Section 8 Clause 1 of the US Constitution.

By Mr. MICHAUD:

H.R. 4947.

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

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

By Mrs. NOEM:

H.R. 4948.

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

Article I, Section 8, Clause 3, the Commerce Clause.

By Mr. OWENS:

H.R. 4949.

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

Article 1, Section 8, Clause 3, which gives Congress the power ''to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.''

By Mr. OWENS:

H.R. 4950.

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

Article 1, Section 8, Clause 3, which gives Congress the power ''to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.''

By Mr. OWENS:

H.R. 4951.

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

Article 1, Section 8, Clause 3, which gives Congress the power ''to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.''

By Mr. OWENS:

H.R. 4952.

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

Article 1, Section 8, Clause 3, which gives Congress the power ''to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.''

By Mr. PASCRELL:

H.R. 4953.

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

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. PETRI:

H.R. 4954.

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

Article I, Section 8, Clause 1 of the U.S. Constitution which states: ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;''

AND

Article I, Section 8, Clause 3 of the U.S. Constitution which grants Congress the power ''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;''

By Mr. PETRI:

H.R. 4955.

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

Article I, Section 8, Clause 1 of the U.S. Constitution which states: ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;''

AND

Article I, Section 8, Clause 3 of the U.S. Constitution which grants Congress the power ''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;''

By Mr. RUPPERSBERGER:

H.R. 4956.

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

Article I, Section 8, Clause 18

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. RUPPERSBERGER:

H.R. 4957.

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

Article I, Section 8, Clause 18

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. RUPPERSBERGER:

H.R. 4958.

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

Article I, Section 8, Clause 18

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. RUPPERSBERGER:

H.R. 4959.

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

Article I, Section 8, Clause 18

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. RUPPERSBERGER:

H.R. 4960.

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

Article I, Section 8, Clause 18

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. RUPPERSBERGER:

H.R. 4961.

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

Article I, Section 8, Clause 18

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. RUPPERSBERGER:

H.R. 4962.

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

Article I, Section 8, Clause 18

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. SHERMAN:

H.R. 4963.

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

Article I, Section 8, Clause 3 (the Commerce Clause).

By Mr. WATT:

H.R. 4964.

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

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: ''The Congress shall have the Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .''

ADDITIONAL SPONSORS

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

H.R. 23: Mr. ROSS of Arkansas.

H.R. 85: Ms. WATERS and Mr. OLVER.

H.R. 157: Mr. GOSAR.

H.R. 218: Ms. WATERS.

H.R. 327: Mr. PASCRELL.

H.R. 329: Mr. STEARNS, Mr. PETRI, and Mr. PETERSON.

H.R. 361: Mr. LOBIONDO.

H.R. 365: Mr. GALLEGLY.

H.R. 374: Mr. GRIMM.

H.R. 409: Mr. PETRI.

H.R. 451: Mrs. MILLER of Michigan and Mr. ANDREWS.

H.R. 459: Mr. PETERSON.

H.R. 721: Mr. PRICE of Georgia.

H.R. 743: Mr. MCGOVERN.

H.R. 807: Mr. COOPER.

H.R. 860: Ms. WATERS.

H.R. 885: Mr. MCNERNEY, Mr. DAVIS of Illinois, Mr. OWENS, Mr. LUJÁN, Ms. HANABUSA, Ms. MCCOLLUM, Mr. LARSON of Connecticut, Mr. CLAY, and Mr. PASTOR of Arizona.

H.R. 1006: Mr. RANGEL.

H.R. 1190: Mr. THOMPSON of California, Mr. SCHOCK, and Mr. DOGGETT.

H.R. 1375: Mr. CLARKE of Michigan, Mr. MCDERMOTT, and Mr. SHERMAN.

H.R. 1386: Mr. SHERMAN, Ms. LORETTA SANCHEZ of California, Mr. BRADY of Pennsylvania, Mr. DAVIS of Illinois, Mr. BLUMENAUER, Ms. CHU, Mr. CROWLEY, Mr. ROSKAM, Mr. NEAL, Mr. HIGGINS, Mr. HEINRICH, Mr. BOSWELL, Mr. SMITH of Washington, and Mr. CLARKE of Michigan.

H.R. 1543: Ms. NORTON.

H.R. 1592: Mr. LOBIONDO.

H.R. 1639: Ms. BUERKLE.

H.R. 1684: Mr. HIGGINS.

H.R. 1697: Mr. MEEHAN.

H.R. 1845: Mr. HECK, Mr. MCGOVERN, Mr. PETRI, Mrs. CAPPS, Ms. TSONGAS, and Mr. HARPER.

H.R. 1955: Mr. MEEHAN.

H.R. 1957: Mrs. MALONEY.

H.R. 1960: Ms. BALDWIN.

H.R. 1968: Mr. FORTENBERRY.

H.R. 2051: Mr. YODER.

H.R. 2069: Mr. PALLONE and Mr. ANDREWS.

H.R. 2108: Mr. GOSAR and Mr. JOHNSON of Ohio.

H.R. 2134: Ms. PINGREE of Maine.

H.R. 2161: Mrs. NAPOLITANO.

H.R. 2185: Mr. FILNER.

H.R. 2206: Mrs. ROBY.

H.R. 2230: Mr. SABLAN.

H.R. 2245: Ms. BONAMICI.

H.R. 2269: Mr. HANNA.

H.R. 2299: Mr. WESTMORELAND and Mr. LOBIONDO.

H.R. 2429: Mr. YODER.

H.R. 2569: Mr. HULTGREN.

H.R. 2697: Mr. TIBERI.

H.R. 2810: Mr. CONAWAY and Mr. NUNNELEE.

H.R. 2888: Mr. YODER.

H.R. 2962: Mr. HANNA.

H.R. 3032: Mr. BOSWELL.

H.R. 3125: Ms. ZOE LOFGREN of California.

H.R. 3126: Mr. ROTHMAN of New Jersey.

H.R. 3173: Mr. WITTMAN and Mr. DEFAZIO.

H.R. 3187: Mr. ROSKAM and Mr. GALLEGLY.

H.R. 3238: Mr. BERG and Mr. ROGERS of Kentucky.

H.R. 3368: Ms. PINGREE of Maine.

H.R. 3395: Mr. DENT.

H.R. 3433: Mr. SCOTT of South Carolina.

H.R. 3461: Mr. BARLETTA, Mr. GUTIERREZ, Mr. CONAWAY, and Mr. SCHRADER.

H.R. 3596: Mr. GUTIERREZ and Ms. TSONGAS.

H.R. 3609: Mr. SCOTT of South Carolina.

H.R. 3665: Ms. PINGREE of Maine.

H.R. 3679: Mr. LATOURETTE, Mr. LARSEN of Washington, Ms. FUDGE, Mr. SCHRADER, Mr. FALEOMAVAEGA, and Ms. LINDA T. SÁNCHEZ of California.

H.R. 3704: Ms. MOORE, Mr. NADLER, and Mr. BERMAN.

H.R. 3728: Mr. ROSS of Florida, Mr. SOUTHERLAND, Mr. WESTMORELAND, and Mr. YODER.

H.R. 3737: Mr. MEEHAN.

H.R. 3803: Ms. BUERKLE, Mr. PRICE of Georgia, Mr. LATHAM, Mr. MICA, Mr. CRENSHAW, Mr. AMODEI, Mr. RENACCI, Mr. SESSIONS, Mr. NUGENT, Mr. YOUNG of Florida, and Mr. TURNER of Ohio.

H.R. 3826: Mr. CUELLAR, Mr. MARKEY, and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 3828: Mr. SCOTT of South Carolina.

H.R. 3838: Mr. STARK.

H.R. 3848: Mr. FINCHER, Mr. JOHNSON of Ohio, Mr. WEST, and Mr. ROGERS of Kentucky.

H.R. 3863: Mr. MCGOVERN.

H.R. 3985: Mrs. ELLMERS.

H.R. 3989: Mr. BARLETTA.

H.R. 3990: Mr. BARLETTA.

H.R. 4017: Mr. LATHAM.

H.R. 4066: Mrs. BLACKBURN.

H.R. 4070: Mrs. MCCARTHY of New York and Mr. TOWNS.

H.R. 4077: Ms. RICHARDSON and Mr. SIRES.

H.R. 4083: Mr. CARSON of Indiana.

H.R. 4120: Mr. MEEHAN, Mr. HIGGINS, and Mr. FORTENBERRY.

H.R. 4122: Mr. MARKEY.

H.R. 4132: Mr. PETERSON, Mr. ROSS of Florida, Mr. POLIS, Mr. POSEY, and Mr. GUTHRIE.

H.R. 4137: Mr. DINGELL.

H.R. 4144: Ms. LEE of California.

H.R. 4157: Mr. PEARCE, Mr. PETERSON, Mr. SCHILLING, Mrs. HARTZLER, Mr. DESJARLAIS, Mr. BARTLETT, Mr. TIPTON, Mr. DENHAM, Mr. FLORES, Mr. POE of Texas, Mr. GOODLATTE, Mr. KINZINGER of Illinois, and Mr. ROGERS of Kentucky.

H.R. 4169: Mr. SMITH of New Jersey.

H.R. 4192: Ms. HANABUSA, Mr. POLIS, Mr. LANGEVIN, Ms. EDWARDS, Mr. JACKSON of Illinois, Mr. COOPER, and Ms. CHU.

H.R. 4201: Mr. JONES and Mr. KLINE.

H.R. 4202: Mr. CLARKE of Michigan and Ms. FUDGE.

H.R. 4222: Mr. PASTOR of Arizona.

H.R. 4229: Mr. BRALEY of Iowa, Mrs. HARTZLER, Mr. PAULSEN, and Mr. MCGOVERN.

H.R. 4243: Mr. SHUSTER, Ms. BUERKLE, and Mr. CLAY.

H.R. 4257: Mr. VAN HOLLEN.

H.R. 4269: Mr. COBLE.

H.R. 4271: Mr. CICILLINE, Ms. SUTTON, Mr. DOGGETT, and Mr. PASTOR of Arizona.

H.R. 4275: Mr. ELLISON and Ms. CHU.

H.R. 4286: Ms. CLARKE of New York and Mr. CLARKE of Michigan.

H.R. 4290: Mr. TOWNS, Ms. NORTON, Mr. CLARKE of Michigan, Mr. MCGOVERN, Mr. GUTIERREZ, Mr. DAVID SCOTT of Georgia, Mr. CUMMINGS, Mrs. DAVIS of California, Ms. ZOE LOFGREN of California, Ms. TSONGAS, Mr. MCNERNEY, Mr. DAVIS of Illinois, Mr. ROSS of Arkansas, and Ms. BALDWIN.

H.R. 4330: Mr. OWENS, Mr. JONES, Mr. AUSTIN SCOTT of Georgia, Mr. CRAWFORD, and Mr. FINCHER.

H.R. 4335: Mr. MICHAUD, Mr. CONNOLLY of Virginia, Mr. STARK, and Mr. ENGEL.

H.R. 4336: Mr. TURNER of Ohio.

H.R. 4367: Mr. CLEAVER, Mr. FINCHER, Ms. HAYWORTH, Mr. CLAY, and Mr. STIVERS.

H.R. 4371: Mr. RANGEL.

H.R. 4379: Ms. MCCOLLUM.

H.R. 4502: Mr. HARRIS.

H.R. 4503: Mr. HARRIS.

H.R. 4504: Mr. HARRIS.

H.R. 4505: Mr. HARRIS.

H.R. 4643: Ms. JENKINS, Mr. GERLACH, Mr. HERGER, Mr. SCHOCK, and Mr. RANGEL.

H.R. 4770: Mr. GERLACH.

H.R. 4816: Mrs. CAPPS, Mr. SCHIFF, Mr. BUTTERFIELD, Mr. ELLISON, Ms. BERKLEY, Mr. SHERMAN, Mr. CICILLINE, Mr. COSTELLO, Ms. HIRONO, Mrs. MCCARTHY of New York, Mr. MCGOVERN, Ms. ESHOO, Mr. SIRES, Mr. HIGGINS, Ms. MCCOLLUM, Mr. CARNEY, Mr. DAVID SCOTT of Georgia, Mr. LOEBSACK, Mr. ROTHMAN of New Jersey, Mr. MARKEY, and Ms. SPEIER.

H.J. Res. 106: Mr. DANIEL E. LUNGREN of California.

H.J. Res. 107: Mr. CANSECO.

H. Con. Res. 115: Mr. BUCHANAN, Mr. PAULSEN, Mr. TURNER of Ohio, Mr. AMODEI, Mr. MCKINLEY, Mr. SCHILLING, and Mrs. NOEM.

H. Con. Res. 120: Mr. CICILLINE and Mr. MCGOVERN.

H. Res. 220: Mr. GALLEGLY.

H. Res. 351: Ms. NORTON, Mr. GERLACH, Mr. CARSON of Indiana, Ms. LEE of California, Mr. SIRES, Mr. CARNAHAN, and Mr. FILNER.

H. Res. 568: Mr. HALL, Ms. LINDA T. SÁNCHEZ of California, and Mr. LEVIN.

H. Res. 592: Mr. HIGGINS.

H. Res. 608: Mr. MORAN.

H. Res. 609: Mr. MCGOVERN and Mr. RANGEL.

H. Res. 611: Mr. SHUSTER.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

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

The amendment to be offered by Representative LANGEVIN, or a designee, to H.R. 3523, the Cyber Intelligence Sharing and Protection Act, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, SECOND SESSION

Vol. 158 WASHINGTON, THURSDAY, APRIL 26, 2012 No. 61

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. Joel Osteen, senior pastor of the Lakewood Church in Houston, TX.

The guest Chaplain offered the following prayer:

Let us pray.

Father we receive Your blessings today with grateful hearts, and thank You for the favor that You show us.

As we pray for those who lead our Nation, we ask that You bless this body and those who serve in it. We thank You that these lawmakers serve with honor and integrity, and that You will continue to bless our Nation through them. Give them wisdom that they will make good decisions, courage that they will hold fast to Your truth, and compassion that all should prosper from their laws. We receive Your presence here today, Father, and pray that these lawmakers will remain mindful of You and that they will honor You in everything they do.

In Jesus' Name we pray. 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 26, 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.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. 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.

Mrs. HUTCHISON. 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.

RESERVATION OF LEADER TIME

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

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2011

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

The assistant legislative clerk read as follows.

A bill (S. 1925) to reauthorize the Violence Against Women Act of 1994.

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

GUEST CHAPLAIN JOEL OSTEEN

Mrs. HUTCHISON. It is my pleasure to be able to introduce our guest Chaplain, Joel Osteen, pastor of Lakewood Church in Houston. He is a native Texan and attended Oral Roberts University in Tulsa, OK.

For 17 years, Pastor Osteen worked behind the scenes for his father John, who founded Lakewood Church in 1959.

In 1999, after his father passed away, Pastor Osteen accepted God's call to service in the church and took over the reins as senior pastor, despite having only preached once in his life.

It was soon clear that this new, young preacher had a natural gift for speaking and was able to personally connect with diverse audiences with the inspirational message of God's love. Since that time, he and his wife and copastor Victoria have led Lakewood through extraordinary growth.

In 2005, the Osteens moved Lakewood Church from its original home in northeast Houston to the former home of the Houston Rockets basketball team. With this space, Pastor Osteen now delivers a message of hope and encouragement to 38,000 people a week, with millions more across the country tuning in on their televisions.

Pastor Osteen has reached millions more as a best-selling author. His first book, ''Your Best Life Now,'' was released in 2004 and remained on the New York Times bestseller list for 2 years.

His most recent book, ''Every Day a Friday,'' offers commonsense advice on how to be happy by applying the principles of God's word to your daily life. Pastor Osteen has spoken throughout the world, and that is what brings him to the Capitol today.

On Saturday the Osteens will lead thousands in what is billed as ''a night of hope'' at Nationals Park in Washington. That message of hope and encouragement is what has attracted me and my family to watch Pastor Osteen on Sunday morning. I have been to his church. He welcomed me and my daughter, Bailey—whose 11th birthday is today—at Lakewood Church 2 years ago, and I got to see this awesome

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

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place that he fills every single Sunday—sometimes more than the Houston Rockets ever did, I have to say.

I do want to say that the Chaplain of the Senate, Dr. Barry Black, who works with us every week in the Senate, with all of our staffs, was wonderful to help in assisting to bring Pastor Osteen to the podium to open our Senate this morning. It is a wonderful Senate tradition that we start our day by thanking God for this wonderful world and also remembering the mantle of leadership and responsibility that is on our shoulders and trying to do the very best we can with that message.

Again, I thank Pastor Osteen and his wife Victoria, who are wonderful people whom I have gotten to know through the years. They have inspired so many of us in our travails of life.

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 S. 1925, with the time until 11:30 for debate only. The Republicans will control the first 45 minutes and the majority will control the second 45 minutes.

At 11:30 today the Senate will proceed to executive session to consider the Costa and Guaderrama nominations, both nominated to be U.S. district judges for Texas. At noon there will be two votes on the confirmation of these nominations.

Senator MCCONNELL and I are trying to work through a way to proceed on the Violence Against Women Reauthorization Act. I hope to be able to have some announcement around 2 o'clock.

RECOGNITION OF THE MINORITY LEADER

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

Mr. MCCONNELL. Mr. President, the Senate is now debating the Violence Against Women Act.

We began debate on this legislation by consent, and we would like to complete action on this legislation also by consent. We have been working to enter into an efficient consent agreement with only a couple of relevant amendments and with very short time agreements for processing them.

This approach is in keeping with how Republicans have handled VAWA in the past. This approach would also allow us to complete the bill today. These relevant amendments would give the Senate the opportunity to strengthen the law, especially in terms of the punishment for those who commit violence against women.

As my friend, the majority leader, noted yesterday, a good way to lower the incidence of violent crime is to incarcerate those who commit it. We could not agree more. We would like the chance to improve the law in that respect.

HONORING OUR ARMED FORCES

CAPTAIN DANIEL H. UTLEY

Mr. MCCONNELL. Mr. President, I rise this morning to acknowledge the loss of an American hero and patriot. It is my sad duty today to report to my colleagues that Kentucky has lost one of our finest heroes in uniform. This particular loss is very personal to me, as I knew this outstanding young man very well.

CPT Daniel H. Utley of the U.S. Army was killed in the North African country of Mali just a few days ago, on April 20, 2012, while on a training mission to help the local citizens combat terrorism. Dan was 33 years old.

For his service to our country, Captain Utley received many medals, awards, and decorations, including the Bronze Star Medal, the Defense Meritorious Service Medal, the Army Commendation Medal, the Joint Service Achievement Medal, the Army Achievement Medal, the Joint Meritorious Unit Award, the National Defense Service Medal, the Afghanistan Campaign Medal with Combat Star, the Global War on Terrorism Expeditionary Medal, the Global War on Terrorism Service Medal, the Korean Defense Service Medal, the Army Service Ribbon, the Overseas Service Ribbon, and the NATO Medal. Captain Utley also received the Basic Parachutist Badge and his Thailand Jump Wings.

Charley Utley, Dan's Father said:

> He was a great young man; he was a great son. He always put other people ahead of himself. He did an outstanding job while he was there. He loved being in the Army. He enjoyed what he was doing, and he really thought he was making a difference.

It goes without saying that every man and woman in our Armed Forces is an American of special fortitude and character. But I can personally testify to that truth on behalf of Dan Utley. At my alma mater, the University of Louisville, I was glad to have begun the McConnell Scholars Program, a rigorous and prestigious scholarship program for the finest students in Kentucky that prepares them for a lifetime of leadership and service. Dan was one of the best McConnell Scholars to ever grace the program.

I could not agree more with my good friend, Dr. Gary Gregg, the director of the McConnell Scholars Program, who said of Dan's loss: ''America has lost a rising star.''

Dan was born in Bowling Green, KY, on April 13, 1979. He was raised in Glasgow, KY, and he went to Glasgow High School where he played soccer and was a member of the academic team. He was also a member of Glasgow's First Christian Church.

Dan had a lot of hobbies, but most of them had one thing in common: They did not take place inside four walls or under a roof. ''He loved the outdoors,'' remembers Dan's father, Charlie. ''He loved camping, hiking, biking, jumping out of airplanes, canoeing, kayaking—anything to do with the outdoors.''

Dan graduated from high school in 1997, and he was awarded a McConnell scholarship to attend the University of Louisville.

Dr. Gregg said:

> Dan was a workhorse of a McConnell Scholar. There are people who serve for title and glory; Dan was a young man who served in order to serve. When he was an undergraduate, he would volunteer for any cause that came along. He was always trying to help out the underdog. His heart was always bigger than his ego; his compassion for others always outshone his ambition for self. His life was no different in the U.S. Army—what he loved most was serving others in need.

I got to know Dan very well during his time in college, and I came to appreciate what a remarkable young man he was. He was extremely smart. He was also one of the most popular students in the program.

Dan spent one semester in college working in the Kentucky State Legislature, helping to write bills and assisting State senators and representatives with whatever they needed. Dan graduated from the University of Louisville in 2001 with a bachelor's degree with honors in political science. After college, for a time, he enrolled in law school but soon decided, because of his desire to serve, that his path to fulfillment lay in military service.

When I first met Dan, a military career was certainly not at all what I would have expected him to do. But it just goes to show the growth and maturity this young man achieved in such a very short time.

''He was in law school, but after 9/11, he wanted to do something,'' says Charlie Utley. ''He was miserable in law school because he wanted to do something for his country.''

Dan's friend and fellow McConnell Scholar, Connie Wilkinson-Tobbe, agrees and this is what she said:

> Dan was ready to live life, and he was probably smarter than everybody sitting in [law school]. That was not stimulating enough for him, and he was ready to do great things.

So in 2003, Dan joined the Army and went through OCS. In almost a decade of Army service, Captain Utley served in many posts, all of them challenging and proof of his skill and talent. He was stationed or deployed in South Korea for 24 months, in Kuwait for 12 months, in Afghanistan for 13 months, and his final deployment in Mali lasted 7 months.

He served in capacities such as tactical communications platoon leader, operations officer while in Kuwait, aide-de-camp for a general in the 160th Signal Brigade, and brigade civil affairs officer in the 101st Airborne. After successfully completing a civil affairs qualifications course, Dan was assigned to F Company, 91st Civil Affairs Battalion, (Airborne), as a team leader.

Let me quote again from Dr. Gregg.

> I particularly remember when he called and told me he was being made an aide-de-camp and was going to get a new shoulder holster as part of his job protecting the general he served. It was a position of great honor and he was humbled to have been chosen, but he wanted to talk most about his cool new side arm!

Earlier this year, the news magazine for the U.S. Agency for International Development—Frontlines—published an article about America's efforts to combat instability in Mali, one of the poorest countries in the world. The article stated:

''The presence of the terrorist group al-Qaida in the Islamic Maghreb, which has its roots in the Algerian Civil War, now poses a threat of violent extremism'' in the country.

That is why the U.S. Army, and specifically Captain Utley, was in Mali in the first place. As a team member of the Department of Defense's Civil Military Support Element, Captain Utley was quoted in this article on the valiant work he and his fellow soldiers were doing just a few months before his tragic death.

In September 2004, Dan married Katie, also an Army officer. They had their wedding in Hawaii. Katie was commissioned through the ROTC Program at the University of Georgia, and is now a captain in the Army with the 82nd Airborne, based out of Fort Bragg, NC.

We are thinking of CPT Dan Utley's loved ones today, especially his wife, CPT Katie M. Utley; his father, Charles L. Utley; his mother, Linda H. Utley; his brother and sister-in-law, Charles L. Utley, II, and Maria; his brother and sister-in-law, Matthew R. Utley and Michelle; his nephews, Matthew Ryan Utley and Mason Robert Utley; his niece, Marleigh Rose Utley; his maternal grandmother, Pauline Haynes; his parents-in-law, Chris and Peggy Michael; his brother-in-law, Matthew Michael; and many other beloved family members and friends.

I also know for a fact many faculty members of the University of Louisville, staff members for the McConnell Center, and current and former McConnell scholars will dearly miss Dan. I certainly will.

I had the honor of watching Dan grow from a teenager to a brave and virtuous man who willingly sacrificed everything to defend his friends and his family and his country. Elaine and I extend our deepest sympathies to all who knew and loved him, and I would ask my Senate colleagues to join me in expressing our respect and gratitude to this fine young man, CPT Daniel H. Utley. Let our work here today serve to ensure our country never forgets the duty he fulfilled by putting on the uniform—or the great sacrifice he made in a country many of us could not even find on a map in order to protect our freedoms here at home.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 11:30 a.m. will be for debate only and will be equally divided between the two leaders or their designees, with the Republicans controlling the first 45 minutes and the majority controlling the second 45 minutes.

The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, I want to express my appreciation to the Republican leader for his remarks about Captain Utley. I have had the honor to talk with McConnell scholars on a number of occasions from Louisville. They are such a fine group of people, and I know how deeply our leader feels this loss. I certainly will join him in my expressions to the family.

I recall General Myers, former Chairman of the Joint Chiefs of Staff, when someone suggested soldiers who were injured or lost their lives were victims, saying they are not victims, they are heroes. They committed themselves to serving their country. They believe our country is worthy of defense and they are willing to put their lives on the line for it, and they are heroes. And certainly this captain was.

Mr. MCCONNELL. Mr. President, I wish to thank my friend from Alabama for his kind remarks about this brave young man.

Mr. SESSIONS. I thank the leader.

THE BUDGET

Mr. SESSIONS. Mr. President, this Sunday, April 29, in a few days, will mark the third anniversary of the last time the Democratic-led Senate has passed a budget. Since that date, our Nation has spent $10.4 trillion while adding $4.5 trillion to the national debt. And that is how it is that we say nearly 40 cents of every dollar we are spending now is borrowed.

We have accumulated $10.4 trillion in spending over these years since we have had a budget and we have added $4.5 trillion to the debt. We are in our fourth consecutive year of trillion-dollar-plus deficits and heading into the fifth year. Prior to these 4 years, the largest deficit we ever had was about $480 billion. We have more than doubled that every year since.

It is a systemic problem—and not a little problem. The economy coming back would help, no doubt, but it will not put us on a sound path. We have to make some choices. Every person in America now owes, as their share of the national debt, $45,000—every American. Every man, woman, and child is carrying that amount as their burden as a result of the overspending of this Congress.

For perspective—and we need perspective because the numbers are often hard to grasp—that per-person number is larger than any of the rest of the world, including Greece. Our per-person debt is greater than the per-person debt of Greece. Yet at this time of financial crisis, the majority in the Senate refuses to perform its legally required duty and moral responsibility to produce a budget plan, which is part of the United States Code dating back to 1974 under the Congressional Budget Act. And a budget requires, as under that Act, only 51 votes to pass. It cannot be filibustered. It is given a priority.

In 1974, Congress was obviously disappointed that we were not moving forward effectively with budgets, and a budget is crucial to the financial stability of a nation. That is why they passed the Congressional Budget Act and ensured that a budget cannot be filibustered in the Senate. It is guaranteed a right to have a vote. It is required to be brought up in committee by April 1 and moved forward by April 15. That is what the statute requires. Unfortunately, it doesn't require that Congress go to jail if it doesn't pass a budget. Or perhaps, as Senator HELLER from Nevada has suggested, maybe Congress ought not to be paid if they do not pass a budget. Maybe that reform would be good for us.

The majority has refused to bring up a budget. They have not even attempted to pass a budget this year, and they refused to do so the last 2 years before this. The absence of a budget is not simply a case of inaction; the Senate majority has pursued a systemic, deliberate, and determined policy—I believe a politically driven policy—to keep a budget off the floor. Why? To attempt to shield its conference from public accountability during this period of financial danger.

The worst possible time not to have a budget, not to have a plan, not to stand up and tell the American people what our financial vision for the country is, would be in a time of deep financial crisis, when we are on an unsustainable path. Yet they are not even willing to present a financial plan for the future of America. And when criticized about it, the White House says one thing, Speaker PELOSI another, the Democratic leader here has another explanation, but none of reasons are coherent or make real sense.

Why? I guess there is no explanation. There can be no justifiable reason why this responsibility is not fulfilled. They say, maybe one day. Maybe it wouldn't pass ultimately. Maybe we wouldn't agree. But the Republican House felt its responsibility to comply with the law, and it has for the last 2 years. They laid out a long-term plan for America that changes our debt course and puts us on a financial path to stability. That is our responsibility. Oh, yes, the Senate called it up here. For what reason? So they could attack it and bring it down, but not to lay out any plan of their own.

When Senator MCCONNELL called up President Obama's budget last year, he said, let's see if you want to vote for that. You voted down the House budget and attacked PAUL RYAN and his colleagues for the historic work they put into drafting their budget. Let's see what you think about your President's budget. It went down 95 to 0. Not a single Member voted for it.

So while government workers have been throwing lavish parties in Las Vegas, President Obama has not been roused to impose managerial discipline on this government. He has yet to call on his party, which is running the Senate, to produce a financial plan. His own budget this year was brought up in the House and didn't receive a single vote. Yet both he and the Senate Democrats continue to call for higher

taxes. They say we must have higher taxes. How can they ask Americans to send more money to Washington when the Senate's majority won't even write a budget; won't even tell them where they are going to spend the money? They just say, send us more. We need more. We are not going to cut spending. Oh, we can't cut spending—that would be terrible—but you need to send us more money, and maybe one day we will pass a budget; maybe not.

The American people shouldn't send one more dime in new taxes to this dysfunctional government. They should say to Washington, you lay out a plan that puts us on a sound financial path, you bring wasteful spending to a conclusion, you quit spending money on Solyndras and hot tubs in Las Vegas, then you talk to me about sending more money. That is what the American people need to say. That is what they are saying. That is what they said in 2010, I thought pretty clearly, but the message has not been received.

National Review's Rich Lowry recently wrote an article in which he refers to Senator CONRAD, our fine Democratic chairman of the Budget Committee. This is what he wrote:

> Senator Conrad said it was too hard to pass a budget in an election year.
>
> So that was one of the arguments—well, we don't need to bring up a budget because it is an election year and we don't want to be having a vote before we have to be voted on by the American people. They might not like the way we voted. They might vote us out of office. They might be disappointed in us if they see us actually take tough votes on what we are going to have to do about the future of the Republic.

Mr. Lowry goes on:

> But Senate Democrats hadn't passed one in 2011 or 2010, either. This year is a presidential election, 2011 was an off-year, and 2010 was a midterm election. That covers every kind of year there is in Washington. By this standard, the Senate will have an annual excuse not to pass a budget resolution for the rest of time.

I think there is a lot of truth to that. So they can't pass a budget this year because it is an election year. Well, last year wasn't.

So this Sunday, April 29, we will have gone 3 full years since the last time the Senate Democrats have brought a budget to the floor of the Senate—3 years. They won't produce a plan because they are unable to produce a plan. And it is hard, I have to admit. The House has done it, but the Senate seems to be unable to do it. They are unable to unite behind a financial vision for this country that they are willing to go to the American people and advocate for and publicly defend. Now, that is my view of it. Maybe it is unfair, but I don't think so. So they can't put on paper how much they want the government to grow, how much they want to raise taxes, and how much deficit each year they are willing to accept and whether that deficit is going to be brought under control permanently or whether it will continue at the unsustainable rate it is.

There have been a lot of secret meetings and discussions about what might be involved in an agreement that could or could not occur. There has been a lot of talk about that. But what has been carefully avoided is actually letting the American people see the numbers so they can be totaled and we can precisely measure the impact.

Last year our colleagues indicated that we would have a Budget Committee markup on a budget, that they had a plan, and it was going to be Monday, and then it was going to be Tuesday. Then the Democratic conference met, and they laid out some broad outline for it. Then apparently they told Senator CONRAD not to have a budget markup. So we didn't even have anything brought up in the Budget Committee last year as required by the law.

But you could take a look at that budget. It would have increased spending, not reduced spending. It would have increased taxes significantly but would have managed to cut the Defense Department $900 billion. That is what the outlines of it appear to be. That is a pretty tough budget to go to the American people with—increase spending, increase taxes, and savage the Defense Department. Well, I don't think that was very popular. Maybe politically it was foolish, as Senator REID had said, to bring up such a budget to the American people. Maybe they ought to look at the Ryan budget in the House. It is much more responsible. It reduces spending, even simplifies and lowers taxes, creating a growth environment, and it puts us on a financial path for the next 30 years that anybody who looks at America would say: Wow. They have changed. They have a plan that will get them out of this fix they are in. They have gotten off the path to the waterfall, and they are on a sound course now.

So I would encourage my colleagues who think there is a legitimate reason not to lay out a plan, not to fight for the future of America, a reason not to advocate for the kinds of changes we all know have to occur—if you think those are not important, then I invite you to come to the floor and dispute what I have said and explain why we don't need to move forward as the law requires us to do.

I don't know how things will happen, but as ranking member of the Budget Committee and seeing the numbers, I know reality is not going to be easily confronted. It is not going to be easy. We are going to have to look at the almost 60 percent of the budget now that is entitlements and interest on the debt. I believe interest on the debt last year was calculated by the Congressional Budget Office to go from $240 billion to over $900 billion under the President's budget. These are annual interest payments on the trillions of dollars we now owe in debt—that is unsustainable.

I know it is not going to be easy. I would just say that if we on the Republican side are honored with a majority in the Senate, we will pass a budget. It will be an absolute duty, as far as I can see, for us to do so. It will be an honest budget. It won't be easy, and the American people may be surprised at what would be required to change the debt and deficit course we are on. But our budget would put us on a path to a financially prosperous America, get us off the road to debt and decline, and put us on a path to growth and prosperity. That is what we have to have.

Until the world's financial community and the American people understand that we are on a good path and not a bad path, we are not going to see the economic growth we should be seeing. And it is through growth and prosperity and more jobs that we will pay more taxes. It will be those actions that will put America on the way to meet the great challenge of our time.

I yield the floor.

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

Mr. JOHNSON of Wisconsin. Mr. President, I ask unanimous consent to speak not to exceed 15 minutes.

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

Mr. JOHNSON of Wisconsin. Mr. President, I come to the floor today to mark an amazing anniversary. And by amazing, I don't mean good. I mean unbelievable. I mean sad. On Sunday we will mark the anniversary—April 29—of the date where it has been 3 years since the Senate has passed a budget. I know a lot of Americans have heard that date, they have heard the talking point that it has been 1,000-and-umpteen days since we passed a budget. But it is not a talking point. It is simply unbelievable. It is jaw-dropping. The U.S. Government is the largest financial entity in the world, and it has been operating now for 3 years without a budget. It is a $3.8 trillion-a-year entity.

I come from the private sector. I am an accountant. When I tell the voters, the citizens of Wisconsin, that the Federal Government hasn't passed a budget, they really are amazed. That is why I call it an amazing anniversary date.

The Senate has not fulfilled a basic responsibility. It is required by law to pass a budget by April 15 of every year. It is a reasonable requirement. It is a reasonable responsibility. The House Republicans have fulfilled their responsibility and have put forward a plan. They have shown the American people what they would do to solve our looming debt and deficit problem. The Senate hasn't.

Why hasn't the majority in the Senate passed a budget? They have all the votes. They have them in the Budget Committee to refer a budget to the floor. They have the votes and they have the number of Members on the floor of the Senate to pass a budget. Why do they refuse? Is it because they have no solutions to our problem or is it that they have a solution, and they simply don't want the American people

to know what it is? ''Trust us. We will take care of us.'' Is it also because they don't want their fingerprints on that solution? They don't want to be held accountable? I think more likely that is the reason we haven't passed a budget here the Senate for 3 years now.

I guess they could claim President Obama's budget is their plan. But the problem with that is President Obama's last two budgets have been so unserious—last year his budget lost in this body of the Senate by a vote of 0 to 97. Not one member of the President's own party gave it a vote. As a matter of fact, not one member of the President's own party was willing to bring that budget to the floor for a vote. Republicans had to do that.

Now this year's budget—3 weeks ago, in the House of Representatives again, the President's budget was brought forward to the House—by a Republican, not a Democrat. It lost 0 to 414. Again, I ask the American people to think about that. Think about what a stunning repudiation that is of leadership. What it really represents is a total abdication of leadership.

The American people deserve better. They deserve far better. They deserve to have a plan. They deserve to have a choice.

The President now has put forward four budgets. He has yet to propose any solution to save Social Security or to save Medicare. Again, the House has provided that plan. They have passed a budget. They have been responsible. Republicans have been willing to be held accountable. That is our job.

It is well past time for the Senate to fulfill its responsibility to bring a budget to the floor—not just vote on one but to work on it and pass one so that we can go to conference and we can reconcile that with the House budget so the United States finally, after 3 years, will start operating under a budget in the next fiscal year.

I know the Budget Control Act sets spending caps. I get that. I get that. Washington is going to make sure it can continue to spend money. But spending money is only half the equation. What is this body going to do in terms of showing the American people what our plan is to live within our means, to get our debt and deficit under control? The American people are waiting.

The result of this embarrassing abdication of responsibility and leadership can be clearly described by a few charts. Let me start going through a couple.

I think most people have seen all kinds of different debt charts. I like this one because it starts in 1987, when our total Federal debt was $2.3 trillion. If we were to pass President Obama's budget and live by it, in 10 years our total Federal debt would be $25.9 trillion.

In the Budget Control Act, this body—Congress—gave President Obama the authority to increase our debt limit by $2.1 trillion. It took us 200 years to incur $2.3 trillion. We will have blown through that $2.1 trillion debt ceiling increase in less than 2 years.

Just in case anybody is still confused, we have a spending problem in this Nation. It is not that we take too little from the American people, it is because we spend too much.

I know the American people are frequently subjected to phrases such as ''Draconian cuts.'' I think this proves we are not cutting anything. In 2002 the Federal Government spent $2 trillion. Last year, or the current fiscal year, it is projected that we will spend $3.8 trillion. We have virtually doubled spending in just 10 years. And the argument moving forward is, according to President Obama, he would like to spend $5.8 trillion in the year 2022. The House budget would spend $4.9 trillion.

Another way of looking at that is 10-year spending. In the 10-year period from 1992 to 2001, the Federal Government spent a total of $16 trillion. From 2002 to 2011, the Federal Government spent $28 trillion. Again, the argument moving forward is that President Obama's budget in 10 years would spend $47 trillion. The House budget proposes spending $40 trillion. You don't have to be a math major or an engineer to do that math. Both $40 trillion and $47 trillion are greater than $28 trillion. We are not cutting spending, we are just trying to reduce the rate of growth. That is an incredibly important distinction. Don't be misled. We are trying to get our debt and deficit under control.

A couple months ago, President Obama said he had the solution. His Buffett rule was going to stabilize the debt and deficit. Here is a little history. I hope the American people look at this.

President Bush, in his first 4 years in office, ran a total deficit of $0.8 trillion—$800 billion. Now, back in Oshkosh, WI, I wasn't happy with that result. I didn't like seeing that deficit spending. His second 4 years didn't improve. He had a total deficit of $1.2 trillion between the years of 2005 and 2008. Again, I don't think there are very many fiscal conservatives who were happy with that result.

Now President Obama has increased that dramatically. During the 4 years of his administration, the total deficit will be $5.3 trillion. That is on total spending of about $14.4 trillion. We are borrowing 37 cents of every $1 we spend and our debt now exceeds the size of our economy. Again, President Obama's solution? I realize this is hard to see, but he has proposed the Buffett tax. If we were to actually enact that tax over 4 years, it would raise some $20 billion. I know you cannot see it, but there is a line there. It does not even fill in the marker lines here. It is $20 billion to solve a $5,300 billion problem. I am sorry, that is not a serious proposal. It is just class warfare.

Let me show one of the problems President Obama refuses to address: the looming bankruptcy of our Social Security Program, the program millions of seniors rely on, that Americans plan their retirement around. We hear all too frequently that Social Security is solvent to the year 2035. No, it is not. It is solvent because of an accounting fiction called the trust fund, which is simply government bonds held by the Government. The analogy I use, it is akin to you had $20 and you spend the $20 and you write yourself a note and put it in your pocket and say I have $20. No, you do not, nor does the Federal Government. It has bonds which, by the way, it can print any day of the week, but it has to sell those bonds.

Social Security went cash negative, which means it paid out more in cash benefits than it took in, in cash receipts by 2010—by about $51 billion. Last year, it was $46 billion in deficit. Through the year 2035, all this red ink represents $6 trillion in additional deficit spending in the Social Security fund. It is insolvent. It is bankrupt. It needs to be addressed. This President refuses to address it.

When we project out and we see another $10 trillion to $11 trillion in increased spending and debt according to President Obama's budget, I am concerned we are not even fully realizing the other risks involved.

Before I get to this chart, let me mention the first one. If we fail to meet the growth targets President Obama is projecting in his budget by just 1 percent, we add $3.1 trillion to that 10-year deficit figure. That is a 30-percent increase. I know when they passed the health care law the American people were told—they were hoodwinked into believing it would actually reduce our deficit. It will not. The way they were going to pay for 6 years' worth of spending is with 10 years' worth of receipts and reductions in Medicare. The receipts come in taxes, fees and penalties on, by the way, drug manufacturers, medical device manufacturers, health care plans. I don't know what economics course members of this administration took, but we do not bend down the cost curve by increasing the costs to providers. That is what they were doing for about $590 billion of that revenue stream to pay for ObamaCare.

The other $665 billion was going to come out of cuts to Medicare, Medicare Advantage, and Medicaid.

We have not imposed the provider reductions under the SGR fix, the doc fix—about $208 billion. What makes anybody believe we will actually impose the $665 billion in savings in Medicare? If we move the 10-year window forward to when ObamaCare kicks in, when the full spending occurs starting about 2016, the total cost of the health care law will not be $1.1 trillion, it will be $2.4 trillion, and that is a conservative estimate, not even taking into account millions of employees who will lose their employer-sponsored care and get put into the exchanges at highly subsidized rates. But using a conservative cost figure of $2.4 trillion and

growth in taxes, fees, and penalties by a reasonable amount, $816 billion, that leaves a $1.6 trillion what I am calling deficit risk. How is that going to be filled? Are we going to borrow it or are we going to take it out of Medicare? Somehow I do not think we will be taking it out of Medicare. Somehow I think we will have to borrow it, if we can.

That brings me to our last chart, interest rate risk. I was never concerned, not even for a moment last year during the debt ceiling debate, that the Federal Government was going to default on any of its obligations. We were going to pay Social Security recipients. We were going to pay our soldiers. We were going to meet every obligation of the Federal Government. The day I fear is the true day of reckoning, the day when creditors around the world take a look at the United States and say: You know what, I am not going to loan you any more money or what is more likely to occur is they will say: I will loan you some money but not at these rates.

If we take a look at the history of the borrowing costs of the United States, from 1970 to the year 2000, our average borrowing cost for the Federal Government was 5.3 percent. Over the last 3 years, from 2010 to 2012, our average borrowing costs were about 1.5 percent. That is a difference of 3.8 percent between these two figures. If we just revert to that average—and by the way, back then the United States was a far more creditworthy borrower—our debt-to-GDP ratio ranged somewhere between 45 percent and 67 percent. Currently, our debt-to-GDP ratio exceeds 100 percent. If we revert to that average borrowing cost, that would cost the Federal Government $600 billion in added interest expense per year. That is 60 percent of the discretionary spending level of $1.47 trillion this year.

The ACTING PRESIDENT pro tempore. The Senator has consumed 15 minutes.

Mr. JOHNSON. I ask unanimous consent for 2 more minutes.

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

Mr. JOHNSON. This is the problem. This is a huge problem. It is one that is being ignored because we simply refuse to address it. This body refuses to pass a budget to lay out a plan to fix it; to stabilize one of our primary metrics, a key one—that debt-to-GDP ratio, stabilize that and start bringing it down. The other is the percentage of government in relation to the size of our economy. One hundred years ago that was 2 percent. Last year, it was about 24 percent, which means 24 cents of every $1 filters through some form of government. I do not find the Federal Government particularly effective or efficient. That is what the private sector does. It is the private sector that creates long-term self-sustaining jobs. It is the private sector we need to rely on to grow our economy and create jobs.

As to the vision for America, we are going to have a very clear choice on the vision for America, between what this administration wants to do with a government-centered society and what Republicans want to do in terms of an opportunity society led by free people, free enterprise, led by freedom. That is our choice. But until the majority party in the Senate lays out their plan, the American people will not have a plan. They will not understand what the plan is for the other side.

Again, let me close by saying it is well past time for the Senate to fulfill its responsibility and pass a budget.

I yield the floor. I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

Mr. McCAIN. How much time do I have remaining?

The ACTING PRESIDENT pro tempore. Close to 14 minutes, approximately 14 minutes.

Mr. McCAIN. Mr. President, I rise to discuss the Violence Against Women Act and the policies that impact the lives of women. Since its original enactment in 1994, the Violence Against Women Act has been reauthorized twice by unanimous consent, under both Democratic and Republican leadership. The legislation originated out of a necessity for us to respond to the prevalence of domestic violence, sexual violence, and the impact those crimes have on the lives of women.

By and large, the legislation has worked, even though there are outstanding issues, such as spending inefficiencies and needed improvements to oversight. As with most large pieces of legislation, including the Violence Against Women Act Reauthorization, there are debates and philosophical differences about elements of various provisions in the bill. While the Senate should be allowed to debate and ideally resolve these differences, I don't think any of the points of controversy we will discuss are important enough to prevent passage of the legislation. The Violence Against Women Act represents a national commitment to reversing the legacy of laws and social norms that once served to shamefully excuse violence toward women, a commitment that should be maintained.

Whatever differences we might have over particular provisions in the bill, surely we are united in our concern for the victims of violence and our determination to do all we can to prevent violence against the innocent, regardless of gender. I recognize women suffer disproportionately from particular forms of violence and other abuse, which this legislation is intended to address. I believe it does address it, and that is why I support it. But our motivation to act on their behalf resides in our respect for the rights all human beings possess, male and female, all races, creeds, and ages: to be secure in their persons and property; to be protected by their government from violent harm at the hands of another; to live without threat or fear in the exercise of their God-given rights.

Similarly, whatever our political differences in this body, I trust we all believe we are doing what we think best serves the interests and values of the American people—all the American people. I don't think either party is entitled to speak or act exclusively for one demographic of our population, one class, one race or one gender. The security and prosperity of all Americans is a shared responsibility and each of us discharges it to the best of our ability. We do not have male and female political parties and we do not need to accuse each other of caring less for the concerns of one-half the population than we do for the other half. The truth is, both parties have presided over achievements and increases in opportunity for women. Both parties have nominated women to the Supreme Court. Both parties have had excellent female Secretaries of State. Both parties have had female Presidential and Vice Presidential candidates. Both parties have reauthorized the Violence Against Women Act. Both parties have made progress toward ensuring Americans, male and female, have an equal opportunity to succeed as far as their talents and industry can take them.

That progress has come in the form of many policies, from changes to our Tax Code to changes in education policy, to improvements in workplace environment as well as from changes in cultural attitudes in both the public and the private sector. Do we always agree? Do we always get it right? No, we do not. But I do think there is much for all of us to be proud.

Regrettably—and there is always something to regret in politics—we have seen too many attempts to resolve inequities in our society and ensure all Americans are afforded the same respect for their rights and aspirations misappropriated for the purpose of partisan advantage, which has the perverse effect, of course, of dividing the country in the name of greater fairness and unity.

My friends, this supposed war on women or the use of similarly outlandish rhetoric by partisan operatives has two purposes, and both are purely political in their purpose and effect. The first is to distract citizens from real issues that matter, and the second is to give talking heads something to sputter about when they appear on cable television. Neither purpose does anything to advance the well-being of any American.

I have been fortunate to be influenced throughout my life by the example of strong, independent, aspiring,

and caring women. As a son, brother, husband, father, and grandfather, I think I can claim some familiarity with the contributions women make to the health and progress of our society. I can certainly speak to their beneficial impact on my life and character. But I would never claim to speak for all the women in my family, much less all the women in our country any more than I would venture the same presumption for all men.

To suggest that one group of us or one party speaks for all women or that one group has an agenda to harm women and another to help them is ridiculous, if for no other reason than it assumes a unity of interest, beliefs, concerns, experiences, and ambition among all women that doesn't exist among men or among any race or class. It would be absurd for me to speak for all veterans and wrong of me to suggest that if a colleague who is not a veteran disagrees with my opinion on some issue, he or she must be against all our veterans.

In America, all we can fairly claim to have in common with each other at all times—no matter what gender we are or what demographic we fit—are our rights. As a son, brother, husband, father, and grandfather, I have the same dreams and concerns for all the people in my life. As a public servant, I have the same respect for their rights and the same responsibility to protect them, and I try to do so to the best of my ability.

Thankfully, I believe women and men in our country are smart enough to recognize when a politician or political party resorts to dividing us in the name of bringing us together, it usually means they are either out of ideas or short on resolve to address the challenges of our time. At this time in our Nation's history we face an abundance of hard choices. Divisive slogans and the declaring of phony wars are intended to avoid those hard choices and to escape paying a political price for doing so.

For 38 straight months our unemployment rate has been over 8 percent. Millions of Americans—men and women—cannot find a job. Many have quit looking. Americans don't need another hollow slogan or another call to division and partisanship. They need real solutions to their problems. They are desperate for them.

Americans of both genders are concerned about finding and keeping a good job. Americans of both genders are concerned about the direction of our economy. Women and men are concerned about mounting debt—their own and the Nation's. Women and men are hurt by high gas prices, by the housing crisis, shrinking wages, and the cost of health care. Women and men are concerned about their children's security, their education, their prospects for inheriting an America that offers every mother and father's child a decent chance at reaching their full potential. Leaving these problems unaddressed indefinitely and resorting to provoking greater divisions among us at a time when we most need unity might not be a war against this or that group of Americans, but it is surely a surrender, a surrender of our responsibilities to the country and a surrender of decency.

Within the tired suggestions that women are singularly focused on one or two issues are the echoes of stale arguments from the past. Women are as variable in their opinions and concerns as men. Those false assertions are rooted in the past stereotypes that prevented women from becoming whatever they wanted to become, slowed our progress, and hurt our country in many ways. The argument is as wrong now as it was then and we ought not to repeat it.

We have only these in common: our equal right to the pursuit of happiness and our shared responsibility to making America an even greater place than we found it. Women and men are no different in their rights and responsibilities. I believe this legislation recognizes that. I don't believe the ludicrous partisan posturing that has conjured up this imaginary war.

I yield the floor.

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

Ms. KLOBUCHAR. Mr. President, a group of women Senators is here to talk about the Violence Against Women bill, and as my colleague from Arizona was referencing, this is a bill where there has been unity for well over a decade. We have a number of Republican sponsors. We are up to 61 sponsors, men and women, who have come together to say that violence against women is not okay.

The first speaker is the Senator from Maryland, Senator MIKULSKI.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I thank the gentlelady from Minnesota for her well-known advocacy on this issue. Her advocacy was well known in Minnesota. Her work as a prosecutor brought her in contact with many of these women and making sure they got a fair shake in the system was well known and well appreciated.

I am here to be a strong supporter for the Violence Against Women Act, and I hope this bill passes and that this bill passes today. It is because Senator LEAHY has worked on a bipartisan basis in his committee that we were able to bring out this bill.

This bill was first passed in 1994 under the leadership of our Vice President, then-Senator JOE BIDEN, who is well known for his strong, muscular, robust approach to law enforcement. What he saw was that so many of the victims of crime were women and that they were victims both in streets and neighborhoods. They were also terrible victims in their own home where they were battered and abused. They found that when they came to the judicial system, they were battered again because they were ignored and had no one to stick up for them and were always told: Oh, it is your fault. What are you doing? JOE BIDEN changed the law, and we worked on a bipartisan basis.

Ever since 1994 we have continually reauthorized this legislation, looking at new needs and new technology and new creative ways of responding to these needs for prevention, intervention, and even prosecution. What we want to do today is pass this legislation that has been refreshed, reformed, and also brings some new approaches.

The chairman of the committee has done an outstanding job and is to be commended. The Violence Against Women Act authorizes two Federal programs for domestic and sexual violence in our communities, the Department of Justice and the Department of Human Resources. The STOP grant is the largest national grant program in the Justice Department. Roughly half of all violence-against-women funds goes to these STOP grants, and they go to every community.

What is it they do? They coordinate community approaches to end violence and sexual assault. They fund victim services such as shelters and the toll-free crisis hotline and fund legal assistance to victims to get court orders to be able to protect themselves from the abuser or from the stalker. They also have training for police officers, prosecutors, and judges so they know how to do a good job. It also helps with grants for victims of child abuse, something I am very familiar with, having been a child abuse social worker, and also important services in terms of rape prevention programs. This is a great bill and it meets a compelling human need.

Since the original Biden legislation, over 1 million women who have called that hotline were desperate, who were fearful for their lives. And when they called that number, they didn't get a busy signal, nobody hung up on them; they got help, and I know that it saved lives. One in four women will be a victim of domestic violence during her lifetime. Sixteen million children are exposed to domestic violence, and also one in six women has experienced attempted or completed rape, and now even men are the subject of rape.

Twenty-five percent of rape crisis centers have waiting lists for advocacy groups. I want to talk about that in more detail. There are 2 million victims of physical and sexual violence each year; 20,000 in Maryland. On average, 1,000 female victims are killed by their abusers and one-third of all female homicides are domestic violence. These are numbers and statistics, but they also represent real people.

We help over 70,000 victims every day through hotlines and services and shelters, but regrettably there is a waiting list. So we need to pass this legislation because it gives us the authorization to be able to help those in need. It meets

these compelling human needs to protect people, and in my own State it has had enormous, positive consequences.

There is something that was developed through the Department of Justice called the lethal index. It means when a police officer goes into a home, he or she has to assess how dangerous it is. Should they yank the kids out? Should they take the abuser and put them in jail or do they call in a social worker to try and intervene? Should they give the family more time, give them family counseling so they can get people off the ledge and out of a violent situation so they are able to work on the long path toward family stability?

Well, my local law enforcement police officers tell me this lethal checklist has been a tremendous tool to being able to assess the level of violence when they are in that home and to know when people are in danger and they have to get them out right that minute. Again, they also know when there is the opportunity for other interventions to be able to help the family. This helps families, it helps police officers, and it helps our community. We need to empower victims to be able to help themselves by providing help in these abusive relationships.

Studies show that victims who use community-based domestic violence services—when they are available—are almost never victims of murder or attempted murder. That is a powerful line that if we had this intervention and prevention we can not only reduce violence but we can reduce homicides as well.

We need to pass this bill because it is crucial to our families, to our communities, and it also shows the country that we are serious about governing and keeping this legislation going.

I want to also comment on some of the other important programs. As I said, I want to talk a little bit about my role. I am an appropriator—and in fact, I will leave shortly to go to a markup. But I have moved the Commerce, Justice, Science spending bill. I worked so closely with the gentlelady from Texas, Senator KAY BAILEY HUTCHISON, also a very strong advocate in the interest of women and protecting women here and around the world. We worked on a bipartisan basis in this year's bill and put money in the Federal checkbook for those STOP grants, for those sexual assault services, for transitional housing grants, and also for other help in our communities. We also took a serious look at the whole issue of forensics.

Forensics is a subject of much debate and unfortunately much backlog. In my bill, in the Commerce, Justice, Science bill, we funded overall in the Department of Justice money to deal with forensic backlogs, but we also paid particular attention to something called the Debbie Smith Act. Let me say this: There are two different bills. There is the Violence Against Women Act and there is the Debbie Smith Act. The Debbie Smith Act was passed because of a woman named Debbie Smith who was subjected to the most violent, repugnant, despicable acts of violence against her. Working together, what we have done is actually put money in the Federal checkbook to reduce the backlog of DNA evidence. We have ensured that a high percentage of funds also go to labs to be able to deal with samples from crime scenes, databases, and other areas.

Assuming we will debate this rape kit issue at a later time, I wish to thank Senator LEAHY for his advocacy and Senator CORNYN for his sensitivity in wanting to solve the problem. I believe if we can take a minute and keep in our minds as our legislative goal to work together—not who gets credit but who gets help—it is not about who gets credit, it is about who gets help. We want to be able to help those rape victims have the solace and the consolation that their government is on their side, using the best of scientific evidence to make sure we have the right person to ensure the right prosecution to get the right conviction.

Right now, there is a backlog. When Justice gives out their money for forensics, it doesn't always go toward these issues. We can direct it. We can do a good job. Let's come together. Let's iron out our parliamentary differences so we can pass this very important Violence Against Women Act.

I can take what I have done to put money in the Federal checkbook. Let's refresh the Federal law book and, most of all, let's keep our eyes on what we want to do. We want to be able to prevent domestic violence and violence against women, whether it is the stranger who perpetrates danger and commits despicable acts or against women in their own homes. We aim for prevention, intervention, the training of police officers, judges, and courts, and the right prosecutions.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I wish to thank so much the Senator from Maryland for showing such a succinct way of describing such an incredibly complex but important bill.

We have also been joined by the Senator from California who has been a long-time leader on this issue. She was here in Congress, as was the Senator from Maryland, when the initial Violence Against Women Act passed in 1994.

I yield to the Senator from California, Mrs. BOXER.

Mrs. BOXER. Mr. President, I thank the Senator. If the Chair would tell me when I have used 5 minutes and then I will conclude.

The ACTING PRESIDENT pro tempore. The Senator will be notified.

Mrs. BOXER. Mr. President, I wish to thank Senator KLOBUCHAR for her leadership and Senator FEINSTEIN as well. These are the two Democratic women on the Judiciary Committee who have been such leaders on this issue, as well as Senator MURRAY.

I am proud to stand here today to call for the passage of the Violence Against Women Act. This is not a new bill, as has been painstakingly described to all of my colleagues. I can remember so well when then-Senator JOE BIDEN wrote the Violence Against Women Act, and he came to me when I was in the House and asked me to carry it in the House. I was as honored as I am right now.

Yes, it took us a while to pass it, but ever since it has been noncontroversial. For some reason our Republican friends, although we have 61 people as cosponsors, are slowing it down, and it seems to me very clear if they didn't have objections we could pass this by voice vote.

Three women are killed by their abusive partners every single day. I will repeat that: Three women today will be killed by their abusive husbands. For every woman who is killed, there are nine more who are beaten or injured every single day. In the name of those people—in the name of the three women who will be killed today—we should pass this unanimously.

Has the Violence Against Women Act worked? Yes. Incidents of domestic violence have decreased by 53 percent since we passed this law. Why on Earth, when three women are killed every day and nine women are injured, sometimes to the point of almost losing their lives—why on Earth, when a bill has brought down domestic violence by 53 percent, would there be objection? There is no reason whatsoever for objection.

When we go back to the votes on the bill, there are overwhelming votes in favor every time. This year 47 attorneys general signed a bipartisan letter supporting the reauthorization.

I have story after story from home, and I am going to read a couple to my colleagues. A mother in Alameda County with two children had been in a long-term abusive relationship. She separated from her abuser only to be stalked and brutally assaulted by him. She called 9–1-1. She hid the phone during the last beating so the police could hear what was going on. Because of the Violence Against Women Act, she was able to access a Family Justice Center where she received counseling, relocation assistance, and she worked with a deputy DA trained by program grants. She was pressured not to cooperate with the prosecution, but because of the Violence Against Women Act—the investigators had been trained by that act—she overcame her fear. She was protected as she cooperated and gained a strong conviction of her abuser.

That is a case that shows the training works, and the training took place because of the Violence Against Women Act.

This is a story of an immigrant woman in Los Angeles. This happened 2 years ago. She was stabbed 19 times by her boyfriend while she was 3 months pregnant. During her ordeal, her boyfriend drove her from one part of town

to the other, refusing to take her to an emergency room even though she was bleeding profusely. She jumped out of the car, screamed for help, and the abuser fled. Thankfully, she received medical attention. The baby was not lost, she recovered, and because of the Violence Against Women Act she cooperated with the prosecutors. She got a U-visa, and she and her child could move on.

The last case deals with Indian tribes. I know what a fierce advocate the Presiding Officer is in every way for Indian tribes. So I talked to my people back home. According to a 2008 report by the Centers for Disease Control, 39 percent of Native American women will face domestic violence—39 percent. Yesterday, Senator KLOBUCHAR, Senator MURRAY, and I stood next to a woman who is the vice-chair of a tribe in Washington. She, for the first time, spoke out about the abuse she received as a toddler. I don't think Senator KLOBUCHAR and I and Senator MURRAY will ever forget it.

She said: I know how old I was because I remember I was the size of a couch cushion. This woman spoke out about how later on she saw the gang rape of her aunt. Because of the situation with Indian law, if the abuser is not from the tribe——

The ACTING PRESIDENT pro tempore. The Senator has consumed 5 minutes.

Mrs. BOXER. I will complete my statement in a moment. If an abuser is not from the tribe, there is no recourse—no recourse—in a place where 39 percent of the women will face domestic violence, and we have colleagues on the other side of the aisle who want to exclude people.

I wish to ask a rhetorical question: If a person is walking down the street and sees three people bleeding on the street—one just has to know a little bit about being a Good Samaritan—a person doesn't ask them for their papers, they don't ask them who they are, they don't ask them where they live, they help them.

Anyone on this floor who attempts to take out various groups from this bill is changing the Violence Against Women Act, which has never excluded any group. So let's be clear. Let's pass the bill. Let's get it done.

I will say in closing, tribal chairman Stacy Dixon of the Susanville Indian Rancheria said the improvements in this bill will ''bring justice back to Indian country and will equip tribal governments with the needed authority and resources to protect our residents and restore faith in the justice system.''

Let's restore faith in the justice system not just for those on tribal lands but for those who live in any part of our lands.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I thank very much the Senator from California for those moving remarks and for the very important point that the Violence Against Women Act has never discriminated against people, regardless of who they are, where they live, or how much money they have. I appreciate those remarks, and I think it is at the core of what some of this debate is about.

Overall, I still believe when we are ready to have a number of colleagues from across the aisle on this bill, we will get this done. That is why it is so important that with the work of Senator REID and Senator LEAHY, the chairman of our Judiciary Committee, and Senator CRAPO, who is the leading Republican on this bill, and Senator MIKULSKI, who came and spoke earlier, as well as Senator MURKOWSKI, who joined us the last time we had the group of women Senators—and we have been working diligently on it late into the evening—I am very positive we are going to get this done and get this vote done.

I see we have been joined by the Senator from Washington, Ms. CANTWELL, who has long been a leader on women's issues and has fought for this bill and has been a Member of Congress in the past when it has been reauthorized. So she knows very well that in the past this has not been a partisan bill; that people have come together and worked out whatever differences they have had, and they have been able to pass this important Violence Against Women Act.

So I thank her for being here, and I yield to Senator CANTWELL.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Ms. CANTWELL. Mr. President, I thank the Senator from Minnesota for her leadership on this issue and for her great service on the Senate Judiciary Committee. I know she, as a former prosecutor, has provided a great deal of leadership on many issues, but having her voice on this Senate Judiciary Committee has been very important for our country.

I come to the floor to stand with my colleagues who are here, the women of the Senate, to say we are standing up for women across America. We want the reauthorization of the Violence Against Women Act. Today we wish to tell victims of domestic violence that they are not alone. We have to make sure we are giving to local governments and to law enforcement the tools they need to protect victims of domestic violence.

Today we are here with a clear message to victims of domestic violence which is that we will stand with them. We haven't forgotten, and we are not going to let this bill be bogged down in political fighting. We are going to make sure we continue to move ahead. We already have the support of 61 Senators, 47 State attorneys general, and countless law enforcement individuals who are working across the Nation to make sure these victims have an advocate. However, we know there is still opposition that remains, so I want to make sure we address those concerns today.

For those who oppose the bill, I ask them to look at my State of Washington and the threat of domestic violence. In Washington State, law enforcement receives 30,000 domestic violence calls a year, on average, and on any given day in 2011, domestic violence programs served 1,884 people in Washington State. That is why the Violence Against Women Act is so important. In Washington, it really does save lives.

People such as Carissa, one of my constituents, who was in an abusive relationship, was allowed to flee with her then 3-year-old daughter in 1998. She joined me in Seattle recently to highlight the fact that the programs, shelter, and the assistance in starting a new life helped her escape that life of abuse.

I wish to quote Carissa: ''I am standing here alive today because VAWA works.'' Looking into Carissa's eyes, we know this is not about statistics, and it is not about politics. It is about providing a lifeline to women who want to have a different life.

VAWA also helps crack down on violence against mail order brides. It is a story that we all know too well in the Pacific Northwest. Anastasia King and Susana Blackwell were mail order brides who came to Washington State to start a new life with men they believed loved them. Their lives were brutally cut short when their husbands murdered them. This happened after they had been subject to repeated domestic abuse. That is why, in 2005, I sponsored the International American Broker Regulation Act which became part of the Violence Against Women Act. It empowered more and more fiances to learn if their spouses had a history of violent crime, and it now has become part of the reauthorization that is this bill. It includes enhancements that require marriage broker agencies to provide foreign-born fiances with a record of any domestic violence their potential spouses might have engaged in. That way we can stop the abuse before it begins.

Opponents who say the Violence Against Women Act would create immigration fraud and give funds to those who don't need it should consider the story of Anastasia King and Susana Blackwell. Anastasia's and Susana's lives could have been saved had these provisions and protections been in place. We should not deny immigrant women or trafficking victims resources they need to prevent abuse nor should we create barriers for them to get the safety they need. That is why we need to pass the Violence Against Woman Act.

We also need to make it clear that Native American women will receive protection. Deborah Parker of the Tulalip Tribes came to the Capitol this week to explain why this is so important. Deborah is a tireless champion

for the victims of domestic abuse, and she was here to tell her brave story. She spoke eloquently as to why women need to make sure their perpetrators will be charged.

Consider that 39 percent of American Indian women will endure domestic violence in their lifetimes. Compare that with figures that estimate that 24 percent of all women in the United States will experience domestic violence in their lifetimes. So we need a Violence Against Women Act that will crack down on the domestic violence in tribal communities. This bill gives the tools so we can make sure we go after those offenders.

Some have warned this will trample on the rights of individuals to have due process and full protection. That is not the case. What we are doing is making sure there will be an investigation on reservations of the suspected abuse. I think it is time we address this epidemic that is happening in Indian Country before it escalates more. That is why we need to make sure every woman in America has the rights under the Violence Against Women Act to be protected.

We have a long way to go to root out domestic abuse and violence. But without these tools, such as VAWA, we are not going to achieve our goals. It is time we pass this legislation for people such as Deborah, for people such as Carissa, and to remember the lives of people such as Susana Blackwell and Anastasia King.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. BEGICH). The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I thank the Senator from Washington very much. Deborah Parker, whom she referenced, did a beautiful job yesterday of explaining exactly what it meant to be a Native American woman and a victim of domestic violence.

As a member of the Judiciary Committee, I can tell you, we have looked hard at all the issues in reauthorizing this bill. We have had a series of hearings and looked at the fact that domestic violence and sexual assault still remain in America, and many of us have worked to build upon the many important improvements the past two VAWA reauthorizations have made in reducing violence.

I would note many things were added—including one of the issues mentioned here today: the U visas—on a bipartisan basis in the 2000 reauthorization. Many of the issues regarding American Indian women were considered in the past. But we are simply building on the past bills. We have worked with our Republican cosponsors to make sure there was a general agreement on any additions that were made to the bill, and they were all made for very good reasons—as we have heard today—to help women who need the help.

But despite these improvements we have seen in the numbers, make no mistake about it, violence against women is still a problem. A recent survey by the National Network to End Domestic Violence helps to illustrate both the progress we have made as well as the work that is still left to be done.

On just 1 day last year—look at this as a benchmark; 1 day last year: September 15—in the State of Minnesota, 44 Minnesota domestic violence programs reported serving 735 victims in emergency shelters or transitional housing and 670 adults and children through individual counseling, legal advocacy or children's support groups. That is a total of 1,405 victims in 1 day in one State.

On that same day, there were 807 calls to domestic violence hotlines, which provide emergency support, information, safety planning, and resources for victims in danger. That works out to 33 calls per hour in a 24-hour period, and that is in 1 State of the 50 States.

Because of the Violence Against Women Act, on just 1 day last year, all these victims were able to get access to services they may not have been able to get before VAWA. But one other number from that survey caught my eye. In just 1 day, 315 requests for services were unmet. Mr. President, 83 percent of those unmet requests were for housing.

What is the reason for those unmet requests? The Minnesota organizations reported they did not have enough things such as staff, beds, translators or other specialized services. Think about that: In just 1 day, in 1 State, 315 people were unable to get the help they needed. That means we still have work to do.

As I have worked on the reauthorization of VAWA, I have been reminded of how many of my experiences as Hennepin County attorney—that is Minnesota's largest county—are relevant still today. While I was county attorney, I made it a priority of my office to focus on prevention and prosecution of domestic violence cases.

As a prosecutor, I saw upfront how devastating these cases can be.

One case, a woman in Maple Grove, a suburb of the Twin Cities, told her mother and a friend she planned to end her relationship with her abusive boyfriend. She was finally going to break it off, and if something were to happen to her—she said this; she actually said these words to her mom and to her friend—she said: If something happens to me, ''he did it.'' That was the last day anyone saw her alive.

A fisherman discovered the woman's body months later in the Minnesota River. It was a tragic end to a story of escalating abuse that this young woman had to live through, as she tried to break it off, to a tragic end.

The woman had earlier filed assault charges against her boyfriend, claiming he had put her in a chokehold and pushed her into a coffee table. Her 3-year-old son told his grandmother he found his mother on the floor and that she was sleeping and he could not wake her.

The boyfriend had actually been convicted years earlier for attempted murder in another case with a pattern of domestic abuse. After he got out, he met his new girlfriend—the one who ended up dead in the Minnesota River. In the end, he pleaded guilty to the murder and received a maximum sentence.

I remember another case with a woman who was shot to death by her boyfriend who then killed himself. The man's 12-year-old daughter tried to get into the bedroom, and when she could not get in, she went to a neighbor's house for help. His 19-year-old son was also in the house. The police were called to that residence at least five times in the 2 years before the tragedy.

These stories are horrifying, and as a prosecutor one never forgets them. For survivors, they stay with them for the rest of their lives. It is stories such as these that make it so obvious that we have more work to do. We need to pass this reauthorization bill and we need to continue to build on the improvements we have made in past reauthorizations. One of the important improvements this reauthorization bill has made comes in the area of stalking. The bill includes a provision I added, along with my cosponsor, Senator KAY BAILEY HUTCHISON of Texas, that will help law enforcement more effectively target high-tech predators because stalking, similar to any of the other crimes recognized in the Violence Against Women Act, is crime that affects victims of every race, age, culture, gender, sexual orientation, and economic status.

The numbers are truly alarming. In just 1 year, 3.4 million people in the United States reported they had been victims of stalking, and 75 percent of those victims reported they had been stalked by someone they knew.

Overall, around 19 million women in the United States have at some point during their lifetime been stalked. The National Center for Victims of Crime estimates that one out of every four stalking victims is stalked through some form of technology.

As the Presiding Officer knows, this is a change. That is why Senator HUTCHISON and I drafted this amendment that basically says the laws have to be updated because law enforcement has to be as sophisticated as the people who are breaking the laws—as the people who were spying on ESPN reporters, as a recent case showed, through little peepholes in their hotel rooms, while they were undressing. That happened, and that case would have been a lot easier if this bill had been changed and updated with the provisions Senator HUTCHISON and I are adding. That victim, that reporter, came forward and asked that this be included in the law, and it is. It is another reason why we have to pass the Violence Against Women Act.

The bill also includes a number of improvements, as was noted by Senator CANTWELL, with respect to a particularly underserved community—

women living in tribal areas. It is a heartbreaking reality that Native American women experience rates of domestic violence and sexual assault that are much higher than the national average. All the bill does in this area—as the Chair knows, representing a State with a high population of Native Americans—is that it simply allows a tribal court to have jurisdiction concurrent with the other courts, with the Federal and State courts. I know changes have been made in the managers' amendment to address the particular concerns of Alaska. This is an incredibly important part of the bill, and I am glad we were able to work with the Republican cosponsors to get this part of the bill updated.

The Violence Against Women Act is an important tool for ending violence against women, but this is not just about women.

I often mention the case of a very sad situation where a man murdered his wife. They were Russian immigrants. They knew no one in town. He murders his wife, takes her body parts in a bag, dumps them off in a river in Missouri, with his 4-year-old kid in the car the entire time.

When they got back to the Twin Cities, he actually confessed to the crime. When they had the funeral for this woman, there were only five people in that Russian church. There was the family who had come over from Russia—the parents and the sister—and there was myself and our domestic violence advocate. That little girl was there too.

The story the family told me was this: The sister of the victim—the sister of the woman who was killed—was her identical twin. The little girl had never met her aunt because she lived in Russia. When they got off that plane from Russia, the little girl ran up to her aunt—who was the identical twin of her dead mother—she ran up to her and hugged her and said, ''Mommy, mommy, mommy,'' because she thought it was her mother.

It reminds all of us that domestic violence is not just about one victim, it is about a family and it is about a community and it is about a country. That is why we have the opportunity to get this bill done, to put it up for a vote, and reauthorize the Violence Against Women Act—something we have done time and time again on a bipartisan basis. So let's do it again.

Mr. President, I see we have been joined by the Senator from New York, a member of the Judiciary Committee, who has worked so hard on this bill, Senator SCHUMER.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I congratulate my colleague from Minnesota who has the dual experience of being both a prosecutor and a woman who understands how important these issues are. We men try to join in, but women know this so well and so strongly, whether from their own personal experiences, friends they know or—as in the case of the Senator from Minnesota who has done a great job on this—from their professional experience as well.

I care a lot about this issue. I carried the Violence Against Women Act, the first bill, in 1994. Then-Senator BIDEN put it together in 1992. Senator BOXER carried it when she was elected to the Senate. They asked me to carry it, and we got it passed.

It has changed the world. VAWA has changed the world. It used to be, before VAWA, a woman would show up bloodied and bruised at a police station, and the police officer—who had no training and no knowledge of what to do, not his or her fault—would say: Go home. It is a family matter.

Now, of course, we have laws, we have training, we have shelters, and women are far more protected.

We were much too close, in 1994, to the old rule of thumb that a husband could beat his wife with a stick, provided it was no thicker than his thumb. We are much further away from that because of this law, and it makes a great deal of sense.

But similar to any good and important law that has changed the world, we have to keep updating it. We have to keep learning from what has happened and make it better and stronger and tougher and covering more ground. We need it.

Still, despite VAWA's good acts, in my home State, on Long Island alone, during 2009 and 2010, there were 19,417 cases in which local, county or State police officers were called to the scene of a domestic violence complaint. That is just in two counties in one State in this country.

That is why I am so glad to see Members on both sides of the aisle have finally seen that saving the lives of women is, once again, above politics.

It has been a pleasure, over the years, to work with my colleagues, and I wish to thank Chairman LEAHY and Senator CRAPO for their great leadership. It is truly a bipartisan effort, with 61 cosponsors, and that is how it has been in the past. It has always been bipartisan. It is a tribute not only to Chairman LEAHY but to my female colleagues, many of whom have spoken out this morning and have been constant champions of the Violence Against Women Act.

So this bill should be an easy one. The Violence Against Women Act should be low-hanging fruit. Even in a disputatious Congress, this should pass easily. It passed unanimously—Democrats and Republicans—in 2000 and 2005. Recognizing today's tougher times, as well as the successes with which our past efforts have already been met, Chairman LEAHY and Senator CRAPO cut spending by 20 percent and reduced duplicative programs. So you would not think there would be opposition, but, unfortunately, there has been.

So this fact is clear: It would be unacceptable to show less support now in 2012 for our national commitment to stop violence and abuse and to protect women against this plague than we have over the last 20 years. We should not step backward. We should not halt progress. ''Replace'' is the operative word. What has been offered is not a substitute or an improvement for the Violence Against Women Act. The so-called alternative would take violence against women and replace it with a different program.

This program has worked. It needs improvements. That is why we are here. But it is has worked. You do not start over for ideological or political reasons. Most notably in the act from my colleagues across the aisle, the word ''women'' has been taken out of the program that forms the cornerstone of the Violence Against Women Act and the word has been replaced with ''victim.'' No one here would argue against the principle that all violent crimes, all domestic crimes are tragic and serious. But this so-called substitute negates centuries of women's experience that proves that violence against women, especially violence caused by spouses and partners and family members, is a uniquely pernicious and entrenched practice, one that has not even always been illegal. There was never a rule of thumb that governed the size of a stick that wives would use to beat their husbands. That sums it up in a nutshell. Men were never banned from juries. Men were never banned from police forces and prosecutors' offices. It is this horrific and shameful history to which we responded in 1994 when we first crafted the Violence Against Women Act.

There is another point to be made. Anyone who respects the proper role of the Federal Government in fighting crime should recognize that it is entirely rational for us to limit our police powers and funding in this area to a particular type of crime, one that has civil rights implications, one that has been hard for States and localities to prosecute without special support and training. That is why there is no substitute for the Violence Against Women Act.

There are a number of priorities that have been included in the bill that I have cared a lot about.

First is making sure that sexual assault victims do not have to pay for their own forensic exams. While the last reauthorization took some steps to fix this problem, we go further.

Second, VAWA, having contributed immensely to our understanding and prevention of domestic violence, has been reinvigorated and retargeted at sexual assault crimes. Many aspects of the new bill will improve the reporting, law enforcement training, and victim support.

Third, it expands programs that are available to victims and law enforcement in rural and underserved areas. This is extremely important to upstate New York, which has one of the largest rural populations in the country.

Fourth, as I mentioned, Senator LEAHY and Senator CRAPO should be applauded for including more oversight and accountability for programs in this bill and finding a way to trim the authorization by 20 percent by consolidating programs where it makes sense.

To make the continued need for this bill concrete personal, I would like to point out one massive success story in New York that has been made possible by VAWA. There are many others, but I want to point out one.

On Long Island, thousands of women each year seek help from the Nassau County Coalition Against Domestic Violence. The coalition offers confidential, specialized services for victims of domestic and dating violence, elder abuse, children who witness domestic violence, and sexual assault survivors. They have a 24-hour hotline, group and individual counseling, legal advocacy, Safe Home emergency housing, and various other outreach programs. Without VAWA, these services would be drastically cut back.

Specifically, the coalition receives $650,000 over 2½ years through a VAWA legal assistance to victims grant, $38,000 through a VAWA crisis intervention grant, and $12,000 through a rape advocacy grant. These last two may not sound like large sums of money, but they go a long way toward helping prevent domestic violence and dealing with it when it, unfortunately, happens.

The reauthorization of VAWA is more important than ever. In today's economy, local municipalities, as we know, in New York and throughout the country are slashing their social service budgets and contracts right and left. Without VAWA, many groups such as the Nassau County coalition would be left bereft and all of the good work they have done over the years would no longer be there. Without agencies such as this one, where will a sexually assaulted Levittown woman turn for help? Well, I do not want to find out. I, for one, will do everything in my power to ensure that day never comes by supporting this VAWA, not some new law that has not been tested.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, we are going to be joined here shortly by the Senator from New Hampshire, Mrs. SHAHEEN, but I do want to mention one other aspect.

Many of my colleagues have mentioned the incredibly important role that then-Senator BIDEN, now-Vice President BIDEN played in drafting this first bill in 1994. Well, there was another Senator who played an important role, and he is someone from Minnesota; that is, the late Senator Paul Wellstone, always with his wife Sheila with him at his side working on this important issue. When we lost Paul and Sheila in 2002, Minnesotans lost a tireless champion in Congress; Americans lost what was always called—Paul was called ''the conscience of the Senate''; and women everywhere lost two powerful voices on domestic violence issues.

I went back through the transcripts and looked at some of the speeches Senator Wellstone gave, before his tragic plane crash, about domestic violence and some of the things he said. Here are some. Of course, I would never do justice to him as he stood on the floor, but he said things like this. He said:

> We can no longer stand by and say that it is someone else's problem. What are we waiting for? Too many have spoken with their voices and with their lives, and this violence must end.

He also said this:

> Once upon a time we used to say it is nobody's business. We do not believe that any longer.

Paul and Sheila passionately believed that domestic violence was not just a law enforcement issue, it was an issue about civil rights, justice, and human dignity. Paul often talked about his brother Stephen, who struggled with mental illness his entire life, and he took up that cause because he knew no one was there for Stephen, no one else would speak for him. And he felt the same way about domestic violence.

We honor their memory—Paul and Sheila—by carrying on their work today.

I wish to highlight some of the more remarkable efforts to bring this issue out of the shadows which the Wellstones made.

Senator Wellstone began work on issues of domestic violence when he was elected to the Senate in 1990. As one can tell from the whole course of his political career, violence against women was always an issue close to his heart. In fact, Senator Wellstone dedicated his own salary increases each year to battered women's shelters in Minnesota and introduced a number of bills strengthening protections for women.

To Senator Wellstone, family violence could no longer be dismissed as a ''family issue.'' That is why he made a commitment to read into the CONGRESSIONAL RECORD the names and stories of all Minnesota women and children killed at the hands of spouses, boyfriends, and fathers. In one 1995 floor speech, he had six stories to tell, some so horrifying that he refused to share the full details in the Chamber.

In 1993 Paul and Sheila found an especially impactful way to bring their message to Washington. In collaboration with the Silent Witness Initiative, Paul and Sheila brought 27 life-size silhouettes to the rotunda of the Russell Office Building. Each one of the silhouettes represented one Minnesota woman murdered in an act of domestic violence. You think about this now, and you might be used to seeing these things. You might be used to seeing quilts that have been made with each square to a victim of domestic violence or silhouettes or other things that go around the country. But at that time, back in 1993, that was unique. It was something people were not talking about. The Wellstones felt it was their duty to bring that forward, as did then-Senator BIDEN and Senator LEAHY and other people who were involved in this issue.

So many of the women Senators who spoke today—Senator MIKULSKI, Senator HUTCHISON, who I see has joined us on the floor—on a bipartisan basis, they all came together and said that we must get this done.

Again, Senator Wellstone understood as well as anybody that this was an issue that had too long been ignored and found a way to bring the story to his colleagues in the Senate. Paul and Sheila may no longer be with us, but their legacy lives on. The Sheila Wellstone Institute continues its work by promoting awareness of violence against women and ensuring that ending this problem remains a national priority.

The Wellstones' sons Mark and David have also continued the work their parents began through their nonprofit Wellstone Alliance. Among many other things, Wellstone Action and Mark Wellstone in particular worked hard to ensure that the Violence Against Women Act was reauthorized in 2006.

As we look today for a potential vote on the Violence Against Women Act, I would like my fellow Senators to remember these words Senator Wellstone spoke many years ago.

He said:

> We can no longer stand by and say it is someone else's problem. What are we waiting for? Too many have spoken with their voices and their lives, and this violence must end.

We all know we can no longer stand by and say it is someone else's problem. We cannot let our own differences, minor though they be, on various provisions get in the way of the fact that this has always been a bipartisan bill, that this bill has 60 cosponsors, that this bill was led by Senator LEAHY and Senator CRAPO from the very beginning, a Democrat and a Republican working together.

This is the time to pass this bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I came to the floor yesterday to talk about the important work on this bill that has been done by Senators on both sides. Republicans and Democrats agree that we should reauthorize the Violence Against Women Act and that we should have the very best legislative product possible. This should be done with input from both parties. That is what our Chamber does. We deliberate and then we produce legislation.

Yesterday I was talking to the chairman of the Judiciary Committee, talking about what his bill does, and I want to say clearly today that the amendment I am producing with Senator

GRASSLEY and many other cosponsors builds on the sentiments the chairman expressed yesterday.

It seems very simple to me that what the Republicans are asking is that our substitute, which has many cosponsors—we believe it improves on the underlying bill. And one amendment by Senator CORNYN adds much to the bill, helping to get the backlog of these rape kits put forward so that we can stop people who are perpetrating these crimes from being out loose doing it again, when we have the proof that has not yet been tested because of the backlog.

There are some things that can be done to improve this bill. Senator MIKULSKI and I worked together on funding the Justice Department. In our bill, we do add to the capability for the Justice department to give the grants that would make that backlog smaller. Senator CORNYN's amendment even improves upon that. So what is not to like about two other approaches that would add to this bill so that we can get this bill passed—or one version of it—go to conference with the House, and really address the issues?

No one is arguing that we should not pass a Violence Against Women Act. The question is, Can we make it even better? And if so, why not? Why not have the kind of debate that we have on this floor that does that? So I think it is important that we produce the best possible product.

Yesterday the chairman spoke repeatedly about a victim is a victim is a victim. He spoke about how the police never ask if the victim is a Republican or a Democrat, is the victim gay or straight, but that a victim is a victim. And I have—

The PRESIDING OFFICER. The Senator will suspend. We have a previous order we need to read.

EXECUTIVE SESSION

NOMINATION OF GREGG JEFFREY COSTA TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF TEXAS

NOMINATION OF DAVID CAMPOS GUADERRAMA TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF TEXAS

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

The assistant legislative clerk read the nominations of Gregg Jeffrey Costa, of Texas, to be United States District Judge for the Southern District of Texas; David Campos Guaderrama, of Texas, to be United States District Judge for the Western District of Texas.

The PRESIDING OFFICER. Under the previous order, there will be 30 minutes of debate equally divided in the usual form.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I believe under the regular order I would be recognized now, and then Senator GRASSLEY would be recognized. But I understand the Senator from Texas needs more time; is that right?

Mrs. HUTCHISON. Yes.

Mr. LEAHY. We are not on VAWA now; we are on the nominations. Under the regular order, I am to speak for 15 minutes and then Senator GRASSLEY for 15 minutes. How much more time does the Senator from Texas need?

Mrs. HUTCHISON. Mr. President, I believe perhaps the—

The PRESIDING OFFICER. The Senator from Vermont is correct on the order.

Mrs. HUTCHISON. Mr. President, did the other side go over the allotted time on VAWA?

The PRESIDING OFFICER. They did not. The Senator from Texas was actually speaking on their time.

The Senator from Vermont is recognized under the order.

Mr. LEAHY. How much time does the Senator need?

Mrs. HUTCHISON. I would like to have up to 5 minutes to finish the debate on the VAWA bill, and then I do have remarks in support of the two judgeships that will be voted on at noon.

Mr. LEAHY. Mr. President, I ask unanimous consent that the Senator from Texas be given 5 minutes out of the Republicans' time now to finish the VAWA statement, and that we then go back to my time on the judges. I assume that the Republican side would be glad to have the rest of the time on the judges.

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

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT

Mrs. HUTCHISON. Mr. President, I want to make sure everyone knows that the Republicans have an addition to the Violence Against Women Act that we think will strengthen it.

For instance, there are a couple of additions from what we talked about yesterday. We got a letter today from the National Center for Missing and Exploited Children. 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:

NATIONAL CENTER FOR MISSING & EXPLOITED CHILDREN,
Alexandria, VA, April 26, 2012.

Hon. KAY BAILEY HUTCHISON,
Senate,
Washington, DC.

DEAR SENATOR HUTCHISON: As you know, the National Center for Missing & Exploited Children (NCMEC) addressed the issue of sentencing for federal child pornography crimes in our testimony before the Senate Judiciary Committee in March 2011. The 1.4 million reports to NCMEC's CyberTipline, the Congressionally-authorized reporting mechanism for online crimes against children, indicate the scope of the problem. These child sex abuse images are crime scene photos that memorialize the sexual abuse of a child. Those who possess them create a demand for new images, which drives their production and, hence, the sexual abuse of more child victims to create the images.

Despite the heinous nature of this crime, the federal statute criminalizing the possession of child pornography has no mandatory minimum sentence. This, combined with the advisory nature of the federal sentencing guidelines, allows judges to impose light sentences for possession. Congress passed mandatory minimum sentences for the crimes of receipt, distribution, and production of child pornography. We don't believe that Congress intended to imply that possession of child pornography is less serious than these other offenses. NCMEC feels strongly that possession of child pornography is a serious crime that deserves a serious sentence. Therefore, we support a reasonable mandatory minimum sentence for this offense.

As we have previously testified, child protection measures must also include the ability to locate non-compliant registered sex offenders—offenders who have been convicted of crimes against children yet fail to comply with their registration duties. The U.S. Marshals Service is the lead federal law enforcement agency for tracking these fugitives. Their efforts would be greatly enhanced if they had the authority to serve administrative subpoenas in order to obtain Internet subscriber information to help determine the fugitives' physical location and apprehend them.

Thank you for your efforts to protect our nation's children.

Sincerely,

ERNIE ALLEN,
President and CEO.

Mrs. HUTCHISON. Mr. President, this letter says that they strongly support two provisions in our substitute bill. It says we have a mandatory minimum for protection of child pornography, and they feel strongly that possession of child pornography is a serious crime that deserves a serious sentence. Therefore, a reasonable mandatory minimum for this offense would be in order.

I stated yesterday, about a situation where a judge gave a 1-day sentence to an individual who was in possession of hundreds of images and videos of 8- to 10-year-old girls being raped. Really, 1 day? Mr. President, this is America. I can't even imagine that would be the case.

Our amendment strengthens the underlying bill by saying we would have a mandatory minimum of 1 year. My goodness, I think that is a minimum this body would want to adopt.

We also want to make sure we can locate registered sex offenders who abscond. The letter we have put into the RECORD says law enforcement's efforts would be greatly enhanced if they had the authority to determine the fugitives' physical location and apprehend them. Here are two stories, and our bill would strengthen the ability to help these situations.

Johnny Burgos was convicted in New York for rape and assault of a minor. Following his release from prison, he registered as a sex offender in New

York, but he left. Although he seemed to be constantly on the move, the U.S. Marshals in the New York/New Jersey Regional Fugitive Task Force believed he was living in Pennsylvania. They attempted to obtain the records from cell phone companies, insurance companies, and the New York and Pennsylvania Departments of Motor Vehicles. But because it was necessary to get grand jury subpoenas for these records, the process took too long and the investigation suffered. In the interim, he is believed to have committed another sexual assault in Maryland. Our bill would strengthen the capabilities for the U.S. Marshals Service to get that information on a timely basis.

This story is even worse, Mr. President. Joseph Duncan, shortly after his release from custody in 2005, absconded from Minnesota and traveled across country to Idaho, where he kidnapped Dylan and Shasta Groene from their home in the middle of the night. In the course of the kidnapping, he murdered the children's mother, brother, and the mother's boyfriend by beating them to death with a hammer. He then took the children to remote campgrounds across State lines into Montana, where he brutally abused them and later killed Dylan—a child. He was essentially lost by three States, and no one even knew where he was to look for him.

Our bill strengthens the U.S. Marshals Service's capabilities to attach to wherever these thugs might be who are doing these heinous crimes. I also add that our bill has a strengthening of the rape kit issue that Senator CORNYN is trying to get to be able to offer as an amendment to Senator LEAHY's bill, the majority's bill. Senator CORNYN has been trying for a long time to strengthen the ability to stop this backlog and get the rape kit issue addressed so we can have the evidence to get the perpetrators so they will not commit these crimes against other innocent people such as Dylan and Shasta Groene.

I hope we will be able to have a modest one amendment, and my substitute, so we will be able to go to conference with a strong strengthening of the underlying bill, which I intend to support. I am going to support the Violence Against Women Act, even if it falls short in these areas. But why not strengthen it in these areas so that all of us know we have done the best we can to send a bill to the House for its consideration, and then a conference committee where we can pass this bill without further delay.

When the regular order comes back, I want to speak in favor of the two Texas judges on whom we are going to vote.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I will speak further about the Violence Against Women Act because I believe the Leahy-Crapo, et al, bill has the best balance possible to protect the most people possible.

Mrs. HUTCHISON. I thank the Senator.

Mr. LEAHY. Mr. President, today we are finally going to vote on the nominations of Gregg Costa and David Guaderrama to fill judicial emergency vacancies on the U.S. District Courts for the Southern and Western Districts of Texas. Both of these nominees to fill judicial emergency vacancies have the support of their home state Republican Senators. Their nominations were reported unanimously by the Judiciary Committee over four and a half months ago. Senator CORNYN, who is on the Senate Judiciary Committee, strongly supports both of these nominees. The senior Senator from Texas, Senator HUTCHISON, supports these nominees. There was a unanimous vote in the Judiciary Committee. Still it has taken another four and one-half months to get them before the Senate for final consideration.

These are judicial emergency vacancies. I mention that because these are more examples of what I have been concerned about for the last few years. Senate Republicans have refused to move promptly to confirm consensus nominees. These are not ideologically driven nominees. These are nominees, like so many of President Obama's nominees, who are highly qualified. They enjoy bipartisan support, but they are made to wait and wait before finally being able to be confirmed.

This is a destructive development. It is a new practice in the Senate. I can say this as one who has served here during the Presidencies of Presidents Ford, Carter, Reagan, George H.W. Bush, Clinton, George W. Bush, and now President Obama. This new practice has kept the Senate behind the curve. It has kept Federal judicial vacancies unfilled. It has overburdened the Federal courts and has kept Americans from getting prompt justice.

It should not have taken this long for these two nominees to receive a vote. They could and should have been confirmed last year. It is nearly May, and the Senate is still only considering judicial nominations that should have been confirmed last year. There are 24 judicial nominees ready for final Senate consideration. Several are still pending from last year. That means 150 million Americans affected by more than 80 judicial vacancies would see a vacancy in their district or circuit court filled if the Senate would only be allowed to vote on those 24 nominees.

The lack of real progress during the last three and one-third years is in stark contrast to the way in which we moved to reduce judicial vacancies during the last Republican presidency. During President Bush's first term we reduced the number of judicial vacancies by almost 75 percent. When I became Chairman in the summer of 2001, there were 110 vacancies. As Chairman, I worked with Senate Republicans to confirm 100 judicial nominees of a conservative Republican President in 17 months. We expedited consideration of consensus nominees and ended the vacancies crisis. In contrast, despite his selecting qualified nominees and working with Senators from both sides of the aisle, President Obama has seen judicial vacancies remain above 80 for nearly three years.

At this same point in the Bush administration, we had reduced judicial vacancies around the country to 45. Today they stand at 81. And by August 2004, we reduced judicial vacancies to just 28 vacancies. Despite 2004 being an election year, we were able to reduce vacancies to the lowest level in the last 20 years. At a time of great turmoil and political confrontation, despite the attack on 9/11, the anthrax letters shutting down Senate offices, and the ideologically driven judicial selections of President Bush, we worked together to promptly confirm consensus nominees and significantly reduce judicial vacancies.

In October 2008, another presidential election year, we again worked to reduce judicial vacancies and were able to get back down to 34 vacancies. I accommodated Senate Republicans and continued holding expedited hearings and votes on judicial nominations into September 2008.

We lowered vacancy rates more than twice as quickly as Senate Republicans have allowed during President Obama's first term. The vacancy rate remains nearly twice what it was at this point in the first term of President Bush.

The Senate is 32 behind the number of circuit and district court confirmations at this point in President Bush's fourth year in office. We are 65 confirmations from the total of 205 that we reached by the end of President Bush's fourth year.

I wish to share with the Senate and the American people a chart. This compares vacancies during the terms of President Bush and President Obama. I mention this because, look at where the vacancies were when President Bush came in. For a short time, I was chairman of the Senate Judiciary Committee when President Bush was President. Even though 60 nominees had been pocket-filibustered of President Clinton's, I said we were going to change this routine. Look how quickly I brought the vacancies way down under President Bush. I then worked with Republicans to bring them down further, even though they didn't move as fast on President Bush's nominees as I had. When I was chairman, I continued to bring it down.

Then what happened when President Obama came in? All of a sudden they said: This was great that you brought down the vacancies under President Bush. We are glad to have the vacancies under President Bush come down, but now the vacancies are going to come back with President Obama.

This is another way to demonstrate what I have been saying. See how sharply the line slopes as we reduced vacancies in 2001 and 2002, when I was Chairman of the Judiciary Committee. See where we were in April 2004 having reduced judicial vacancies to 45 on the

way to 28 in August. By comparison, see how long vacancies have remained above 80 and how little comparative progress we have made. Again, if we would just be allowed to vote on the 24 judicial nominees ready for final action we could reduce vacancies to under 60 and make instant progress.

The American people deserve better. Our courts need qualified Federal judges, not vacancies, if they are to reduce the excessive wait times that burden litigants seeking their day in court. It is unacceptable for hardworking Americans who turn to their courts for justice to suffer unnecessary delays. When an injured plaintiff sues to help cover the cost of his or her medical expenses, that plaintiff should not have to wait three years before a judge hears the case. When two small business owners disagree over a contract, they should not have to wait years for a court to resolve their dispute.

Some Senate Republicans seek to divert attention by suggesting that these longstanding vacancies are the President's fault for not sending us nominees. Let me remind my colleagues that of the 81 current vacancies that exist, several of them are without a nomination because this President is trying to work with home state Senators, including 27 vacancies involving a Republican home state Senator who has refused to either recommend a candidate or agree to a judicial nominee. There are seven nominations on which the Senate Judiciary Committee cannot proceed because Republican Senators have not returned blue slips.

More importantly, there are 24 outstanding judicial nominees that can be confirmed right now who are being stalled. Let us act on them. Let us vote them up or down. When my grandchildren say they want more food before they finish what is on their plate, my answer is to urge them to finish the food already on their plate before asking for seconds or dessert. To those Republicans that contend it is the White House's fault for not sending us more nominees, I say let us complete Senate action on these 24 judicial nominees ready for final action. If we could vote on the 24 judicial nominees ready for final action there are more nominees working their way through Committee, and the Senate can act responsibly to help fill more of the vacancies plaguing some of our busiest courts.

Today, we can finally fill two emergency vacancies with superbly qualified nominees. Gregg Costa is nominated to fill a judicial emergency vacancy on the U.S. District Court for the Southern District of Texas, where he is already well-known and well-respected for his service as a Federal prosecutor. Prior to becoming a Federal prosecutor in 2005, Mr. Costa worked in private practice in Houston, Texas, was a Bristow Fellow in the Office of the Solicitor General, and clerked for Chief Justice William Rehnquist on the United States Supreme Court. The ABA Standing Committee on the Federal Judiciary unanimously rated Mr. Costa ''well qualified'' to serve, its highest possible rating.

Judge David Guaderrama is nominated to fill a judicial emergency vacancy on the U.S. District Court for the Western District of Texas, where he has served as a Magistrate Judge since 2010. He previously served four terms as a state court judge in El Paso, Texas, and for seven years as the Chief Public Defender in El Paso County. While on the state bench, Judge Guaderrama implemented the first adult criminal Drug Court and the first Access to Recovery program in El Paso County. Judge Guaderrama began his legal career in 1979 as a solo practitioner and from 1980 to 1986 was a partner with the firm of Guaderrama and Guaderrama.

These are two qualified nominees from Texas. They were passed out of our committee last year. They should have been confirmed before we recessed last year. Even typical consensus, noncontroversial nominees like these two have been delayed for no good reason. In fact, we have 24 judicial nominations currently before the Senate.

I have heard them say the President has to send up more nominees. Why don't we confirm the 24 who are on the calendar? Then we have others working through the committee process. In fact, 10 of those nominations that have been pending the longest are all to fill judicial emergency vacancies. Every single Democrat in this body has signed off on them.

Again, I show this chart to show how quickly Democrats moved, while Republicans did not move as quickly as they did for President Bush's nominees. We did that with President Ford. We did that with President Carter. We did that with President Reagan. We did that with the first President Bush and also with President Clinton—except for the 60 who were pocket-filibustered by the Republicans. And we did that, as I have shown here, with President Bush. Why does it have to be a different situation for President Obama? Why can't we treat President Obama the way we did all these other Presidents I have mentioned, since I have been here—the way we did President Ford's nominations and all the others?

I cannot understand what it is or why President Obama has to be treated differently. It is not fair to him. More important, Mr. President, it is not fair to the Federal judiciary. These vacancies mean there are millions of Americans—150 million Americans who are in districts or States with judicial vacancies. That means justice delayed. If justice is delayed, justice is denied.

We can and should do better. Maybe some believe there is an advantage to taking partisan shots at President Obama. I disagree. They should do as we have done in the past and help the Federal judiciary. That should be kept out of partisan politics. It is to all of our advantage. When people go before a court in this country, they are not asked whether they are a Republican or Democrat. They are coming to seek justice. They should be allowed to have that. Let's speed up.

I will vote for these two judges. The Senator from Texas will vote for these two judges. But they were ready to be voted on way last year. It is time to get moving.

Mr. President, I yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, I rise to speak in favor of Gregg Costa and David Guaderrama for their nominations to the Federal district bench.

I want to say that Mr. COSTA—and I will mention this again—asked not to be confirmed until after the case that he was working on was finished. His case was the prosecution of Robert Allen Stanford, who swindled so many Texans and other Americans out of money they had invested. Frankly, he was all over the country in his representation.

Mr. Costa asked not to be confirmed until he could finish that case because it was complicated and he was the lead on it.

So there has been no delay on our part at all on his nomination. As I understand it, we have confirmed the same—roughly the same—number of district judges as President George Bush and President Clinton did in their first terms. To my knowledge, we are not holding up nominations at all.

In fact, of course, Senator CORNYN and I both highly recommended Mr. Costa and Mr. Guaderrama to the President for his nomination because we have a process that assures we nominate to the President the most qualified people to fill these spots. We have a bipartisan legal committee that vets them comprised of people who know the legal community in Texas, and so, therefore, they know the reputations of these lawyers, and our committee system has worked very well. I have served on it with Senator Gramm, as I have with Senator CORNYN, and we agree on the quality of these nominees. So I don't think there is a delay, and I am very pleased to be able to have nominated these two fine lawyers to the President.

I would like to talk first about Mr. Costa, who did ask to wait for his confirmation, but now he is ready because the case he was working on was decided. Mr. Costa will be serving in the Southern District in Galveston, TX, where I was born. Mr. Costa was born in Baltimore, MD, and grew up in Richardson, TX. He attended Dartmouth College, where he graduated with a bachelor of arts degree in government and then continued his studies at the University of Texas School of Law where he served as editor-in-chief of the Texas Law Review and received his juris doctorate with highest honors in 1996.

Mr. Costa's professional career includes being a law clerk for Supreme

Court Chief Justice William Rehnquist in 2001, as well as his current position serving as an assistant U.S. attorney in Houston. As the co-lead counsel for the United States in the prosecution of Robert Allen Stanford, Mr. Costa secured a conviction of 13 charges of conspiracy, wire, and mail fraud. Mr. Costa has been credited by his colleagues as the glue that held the case together. His dedication to this case and these victims shows the core of his character. The fact he asked for a delay in his confirmation because he wanted to finish this case and assure that convictions would be obtained makes me proud and pleased to support his nomination to the Federal bench.

I am also pleased to support the nomination of Judge David Campos Guaderrama to the Western District of Texas in El Paso. Judge Guaderrama is originally from New Mexico and moved to El Paso, TX, at a young age. He attained two bachelor degrees from New Mexico State University in political science and psychology, then earned his juris doctorate degree from the University of Notre Dame Law School in 1979.

In 1987, Judge Guaderrama was appointed as the first chief public defender of El Paso County and continued in that service until he was elected to the 243rd Judicial District Court in 1995. As a testament to his service to the El Paso community, Judge Guaderrama has served as a U.S. magistrate judge for the U.S. District Court for the Western District for the last 2 years.

During his three decades serving in the Texas legal system, Judge Guaderrama has earned many accolades for his help and leadership in initiating and enacting several successful judicial programs in west Texas. He has demonstrated a strong commitment to the El Paso community, and I am confident he will serve on the Federal bench well and I support his nomination.

I would also say Senator CORNYN also supports these two judges. Of course, Senator CORNYN sits on the Judiciary Committee. Our judicial evaluation committee, which is bipartisan, has served so well to give us the highest quality nominees on the bench, and our committee did select both these nominees as their first choices after their interviews and input from the legal community in both El Paso and Houston, which includes the Galveston part of the district.

These nominations have been well vetted. They have been supported by both sides of the aisle, and we are very pleased to put forward these two quality nominees. Senator CORNYN as well is very strongly in support of them.

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

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

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2011

Mr. LEAHY. Mr. President, I know we are about to vote on these judges, but I wish to make a few remarks about the VAWA reauthorization before we do so.

There are few tools more important in the fight to end domestic and sexual violence than the Violence Against Women Act. This landmark legislation has fundamentally changed the way society views these horrible crimes, and it has resulted in a more than 60 percent decrease in domestic violence offenses. We have been successful because we have learned from experience and adapted our efforts to better meet the needs of victims.

Each reauthorization of VAWA has played a critical role in this process. As we learn more about the needs of victims, VAWA has been carefully modified to meet those needs. The bipartisan bill that Senator CRAPO and I introduced last year continues that important process. The Republican substitute amendment does not.

The Leahy-Crapo bill is based on months of work with survivors, advocates, and law enforcement officers from all across the country. We listened when they told us what was working and what could be improved. We took their input seriously, and we carefully drafted our legislation to respond to those needs. We made additional modifications and reached carefully crafted compromises through what was an open process. We also shared our draft with Senators from both sides of the aisle and proceeded openly to introduce the bill so that it could be reviewed and improved as the Judiciary Committee considered and voted on it.

Senator CRAPO and I purposely avoided proposals that were extreme or divisive and selected only those proposals that law enforcement and survivors and the professionals who work with crime victims every day told us were essential. Our reauthorization bill is supported by more than 1,000 Federal, State, and local organizations. They include service providers, law enforcement, religious organizations, and many, many more. There is one purpose and one purpose only for the bill that Senator CRAPO and I introduced, and that is to help and protect victims of domestic and sexual violence. Our legislation represents the voices of millions of survivors and their advocates all over the country.

The same cannot be said for the Republican proposal brought forward in these last couple of days. That is why the Republican proposal is opposed by so many and such a wide spectrum of people and organizations.

The National Task Force to End Sexual and Domestic Violence Against Women, which represents dozens of organizations from across the country says:

> The Grassley-Hutchison substitute was drafted without input or consultation from the thousands of professionals engaged in this work every day. The substitute includes damaging and unworkable provisions that will harm victims, increase costs, and create unnecessary inefficiencies.

Although well-intentioned by its lead sponsors, the Republican proposal is no substitute for the months of work we have done in a bipartisan way with victims and advocates from all over the country.

I regret to say the Republican proposal undermines core principles of the Violence Against Women Act. It would result in abandoning some of the most vulnerable victims and strips out key provisions that are critically necessary to protect all victims—including battered immigrants, Native women, and victims in same sex relationships. The improvements in the bipartisan Leahy-Crapo Violence Against Women Reauthorization Act are gone from the Republican proposal. It is no substitute and does nothing to meet the unmet needs of victims.

Mr. GRASSLEY. Mr. President, this afternoon we are considering two nominations for U.S. district judge positions in Texas. Gregg Jeffrey Costa is nominated to serve in the Southern District of Texas, while David Campos Guaderrama is nominated to serve in the Western District of Texas. Again, we are moving forward under the regular order and procedures of the Senate. With today's nomination, we will have confirmed 80 judicial nominees during this Congress. With the confirmations today, the Senate will have confirmed more than 75 percent of President Obama's judicial nominations.

While we are making progress in the Senate, we continue to hear complaints about the vacancy rate. I will again remind my colleagues that of the 81 vacancies, more than 58 percent of these vacancies have no nominee.

These nominations came to the committee with the support of home State Senators. They were reported out of committee by voice vote. These nominees have exceptional records and demonstrate the type of consensus nominations that can be confirmed, even in a Presidential election year.

Mr. Costa received his B.A. degree in 1994 from Dartmouth College. He graduated from the University of Texas School of Law in 1999. After law school, Mr. Costa clerked for the Honorable A. Raymond Randolph on the DC Court of Appeals from August 1999 to July of 2000 and then for Chief Justice Rehnquist from July 2001 to July 2002. Between his two clerkships, he worked as a Bristol Fellow in the United States Department of Justice, Office of the Solicitor General.

In 2002, Mr. Costa joined the law firm Weil Gotshal & Manges as an associate. During his time at the firm, Mr. Costa

handled civil litigation matters including intellectual property, class actions, international arbitration, bankruptcy, and general commercial disputes. Mr. Costa also worked on appellate matters and a few pro bono cases as well.

In 2005, he joined the U.S. Attorney's Office for the Southern District of Texas, Houston office, as an assistant U.S. attorney. Mr. Costa has worked in the criminal division of the office in the major offenders and major fraud sections, investigating and prosecuting matters in the areas of mortgage fraud, investment fraud, securities fraud, public corruption, Internet fraud, human trafficking, child pornography, and narcotics and firearms violations. As an AUSA, Mr. Costa also has handled numerous appellate matters before the U.S. Court of Appeals for the Fifth Circuit.

In addition to prosecuting cases for the office, Mr. Costa serves as the deputy international affairs coordinator for the U.S. Attorney's Office. In this capacity, he helps coordinate incoming and outgoing requests on behalf of the Governments of Malaysia, Turkey, Columbia, Greece, France, and the United Kingdom. Mr. Costa also helps and provides guidance to other AUSAs on extradition matters. And in 2005, after Hurricanes Katrina and Rita, Mr. Costa served as the hurricane fraud coordinator for his office that investigated fraud cases relating to the Hurricanes. Mr. Costa's office prosecuted more than 100 individuals for crimes such as government-benefit fraud, identify theft offenses, charitable fraud, and investment fraud.

The ABA Standing Committee on the Federal Judiciary gave him a unanimous rating of ''well qualified.''

We are also considering the nomination of David Campos Guaderrama, nominated to be U.S. district judge for the Western District of Texas. After graduation from Notre Dame Law School, Judge Guaderrama worked as a solo practitioner from December 1979 to August 1980. He then formed a partnership practice with his then wife. His practice focused on defending individuals in criminal cases, but he also handled some general civil, probate, and workers' compensation cases during this time. In 1987, he was appointed to serve as El Paso County's first public defender and was charged with starting up and developing an office that would be capable of handling at least 50 percent of all indigent felony cases.

In November 1994, Judge Guaderrama was elected judge of the 243rd Judicial District Court of Texas. He was elected for a 4-year term and subsequently reelected on four occasions. During his term as a Texas District Court judge, he was instrumental in establishing the 243rd Drug Court Program and Access to Recovery Program. Both programs are aimed at helping rehabilitate defendants guilty of minor drug offenses through counseling and supervision, rather than incarceration. Also while on the 243rd Judicial District he served as chairman of a subcommittee that oversaw reform of the jury selection process that implemented mailing jury qualification questionnaires to potential jurors. He also piloted a program to use video conference technology to conduct arraignments.

In 2008, Judge Guaderrama was an unsuccessful candidate for justice, Eighth Court of Appeals of Texas. In 2010, he was appointed by the U.S. District Court of the Western District of Texas to serve an 8-year term as a U.S. magistrate judge. He has an ABA rating of majority ''well qualified'', minority ''qualified.''

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Gregg Jeffrey Costa, of Texas, to be United States District Judge for the Southern District of Texas.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

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

The result was announced—yeas 97, nays 2, as follows:

[Rollcall Vote No. 83 Ex.]

YEAS—97

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

NAYS—2

DeMint	Lee

NOT VOTING—1

Kirk

The nomination was confirmed.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, I ask unanimous consent that when the Senate resumes legislative session, the period for debate only on S. 1925 be extended until 2:30 p.m. today, with the time equally divided between the two leaders or their designees and that I be recognized at 2:30 p.m. today.

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

Under the previous order, the question is, will the Senate advise and consent to the nomination of David Campos Guaderrama, of Texas, to be United States District Judge for the Western District of Texas?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table. The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2011—Continued

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. I rise today to speak on an issue that is profoundly important and meaningful to this body at this moment in history. We face a critical juncture in our Nation's history, and we absolutely must renew and strengthen the Violence Against Women Act, not only for the sake of women but also our families around Connecticut and this country.

I thank my colleagues for voting to proceed to consideration of S. 1925, the Violence Against Women Reauthorization Act. VAWA is critically important. It is bipartisan legislation that gives victims of domestic violence and sexual assault access to the services they so desperately need. This crucial law supports both the organizations that provide these services and the law enforcement agencies that assist the victims as they pursue justice.

As a law enforcement official, I saw firsthand in my duties as State attorney general for Connecticut how important and practical and meaningful this law is. We have a responsibility to not only authorize but also to strengthen VAWA right away.

Some 17 years have passed since the original Violence Against Women Act. We have made great strides, but we cannot be complacent in our efforts to protect our Nation's children and women. At a time when the women of our great Nation face relentless attacks on their rights, we cannot afford to lose the ground we have gained over the last 17 years. We must address the grave concerns of domestic violence and sexual assault which are in no way partisan. As Chairman LEAHY so eloquently and powerfully stated, there is nothing Republican or Democratic about a victim who suffers from this grave ill.

S. 1925 is a bipartisan bill written over months of negotiations and consultations with critical law enforcement and victims advocacy groups, and it supports a number of organizations in my home State of Connecticut with a mission to protect women who experience violence in all forms. This bill provides resources to help a number of organizations in Connecticut fulfill their vital mission to protect more than 54,000—I am going to repeat that because that is a staggering number—54,000 domestic violence victims in Connecticut alone.

Organizations in Connecticut received nearly $5 million in fiscal year 2011 from the Violence Against Women Act. But many domestic programs in Connecticut and around the country are reporting huge staff and resource shortages that are necessary to respond to the hundreds of thousands of women in need. It is truly an epidemic in this country that we must counter and fight just as we would an epidemic of infectious bacteria or other kinds of insidious sources. VAWA would give these service providers the resources they need to protect women, men, and children who are victims of domestic and sexual violence. We have the opportunity to renew and commit to end domestic violence with updates and stronger measures in this act.

I am pleased that S. 1925 builds on the accountability provisions in the current law so we can make sure VAWA grant money is used effectively and efficiently to support victims. There is a new frontier in the fight against domestic violence and sexual assault. We must strengthen provisions dealing with Internet abuse to protect women and others from those kinds of threats, intimidation, harassment, even physical assaults facilitated by the Internet. Domestic violence, sexual assault, and stalking can be even more dangerous and threatening in the Internet age, requiring broader and stronger protection. We must protect the thousands of women who fall victim every year to violent crimes facilitated by cyber stalking and impersonation with consequences that are truly horrific and reprehensible.

I am proud to introduce a companion bill to the Violence Against Women Act that enhances current law for the Internet age. This legislation, the Internet Abuse Act, expands the ability of law enforcement to prosecute criminals who use the Internet to intimidate, threaten, harass, and facilitate acts of sexual violence against women, children, and others.

The VAWA proposal before us includes key concepts from the Internet Abuse Act. One of the key provisions strengthens existing criminal provisions against cyber stalking. We must take this act to the new frontier of Internet abuse and make it real against the very pernicious and reprehensible cyber stalking, cyber harassment, and cyber assault that is as much a fact of life as the older forms of domestic abuse. This provision gives law enforcement the ability to go after more real instances of criminal harassment and abuse online, and I want to stress at the same time the provision dramatically strengthens free speech protections.

Currently, the government can prosecute individuals for merely annoying online communications as well as communications that may be generally offensive but not directed at a specific person. This provision removes those authorities from the law so that prosecutors will spend their limited resources focusing on real causes of harassing and abusive conduct online.

The law also focuses on vulnerable populations. As we strengthen VAWA, we must ensure that all victims of domestic violence are protected and have access to the services they need.

Although VAWA has been strengthened and updated in every past reauthorization, the needs of some of our most vulnerable communities still have not been fully addressed. One example is elder abuse. Although the VAWA reauthorization in 2000 included provisions to deal with domestic abuse in later life, our Nation's elders continue to be victims of domestic violence. I am pleased that the provisions I drafted with my distinguished colleague, Senator KOHL, which improve the protections for elder victims of domestic abuse, have been included in this reauthorization of VAWA.

There are LGBT protections. It would simply be unconscionable to deny any victim of domestic violence the support he or she needs. For that reason, I strongly support the provisions that ensure all victims of domestic violence, regardless of gender or sexual orientation, have access to lifesaving services, and we are talking about lifesaving services.

In my experience nobody ever asked what the sexual orientation of a victim was when that person was, in fact, battered and brutalized. There is no such question that gay, lesbian, bisexual, and transgender individuals experience domestic violence at the same rate as the general population. Yet these individuals face discrimination as they attempt to access victims services. That should not be acceptable in this country.

In fact, the survey found 45 percent of LGBT victims were turned away when they sought help from a domestic violence shelter. Clearly, there is a real need to improve the access and availability of services for this vulnerable population, and I support measures in the act that ensure victims of domestic and sexual violence, regardless of their sexual orientation or gender identification, can access the services they need.

In addition, there are broader protections for Native American communities. S. 1925 makes great improvements to the law enforcement tools available to Native American populations. Members of the Tribal Council of the Mashantucket Pequot Tribal Nation, a great tribal nation in Connecticut, have appealed to me to protect the tribal provisions in S. 1925 and to make sure any amendments are barred if they weaken those protections.

In short, all victims of domestic violence deserve access to the services they need and many of my colleagues I know agree. In fact, 61 from both sides of the aisle have signed on to the Violence Against Women Reauthorization Act, and I thank every single one of them for stepping forward and speaking out on this profoundly meaningful and important issue. We have the opportunity to work to eliminate domestic and sexual violence, which is a scourge in our society, costly in suffering as well as dollars, and I encourage my colleagues to keep faith with the hundreds of thousands of victims who look to us for the support they need. We must vote as soon as possible—hopefully today—to reauthorize the Violence Against Women Act.

I thank the Presiding Officer, and I yield the floor.

The PRESIDING OFFICER (Mrs. SHAHEEN). The Senator from Iowa.

Mr. GRASSLEY. Madam President, I have seen the good the law called the Violence Against Women Act has done in providing victim services in my State of Iowa. We all recognize the harm that flows from domestic violence. It is harmful to the victims as well as the families of victims.

I have supported reauthorization of the Violence Against Women Act each time it has come up. The Violence Against Women Reauthorization on each of these occasions has been highly bipartisan. We have passed consensus bills and we have not played politics with reauthorizing the law; that is, until now. This time it seems to be different. I don't know why it should be. The majority turned this issue into a partisan issue.

In the Judiciary Committee, the majority gave no notice it would inject new matters into the Violence Against Women Act. When the committee held a hearing on this issue, these ideas were not discussed. Their need has not been demonstrated. We do not know exactly how they will work. It was clear committee Republicans would not be able to agree to this new added material. Of course, the majority refused during negotiations when we asked they be removed.

Republicans will be offering a substitute amendment to the Leahy bill. Probably 80 to 85 percent of the substitute we are offering is the same as the Leahy bill. This includes whole titles of the bill. We could have again reached a near consensus bill to reauthorize the Violence Against Women Act, but the majority intentionally decided not to change the bill. They didn't want it to pass with an overwhelming bipartisan majority.

Now the media has reported this was a deliberate strategy of the majority. A recent Politico article quoted a prominent Democratic Senator. The article

said he ''wants to fast track the bill to the floor, let the GOP block it, then allow Democrats to accuse Republicans of waging a war against women.'' This is the cynical, partisan game-playing Americans are sick of. At every town meeting people say to me: When are you going to get together and stop the partisanship? This is especially the case on this bill.

Republicans aren't even blocking the bill. We have called for the bill to be brought up. Instead, the majority has taken 6 months to reauthorize this program that expired last October. That says something about the priorities of the other party.

For instance, last week, we wasted time on political votes. That seems to be the case in the Senate most of this year. The Senate can pass a bill to reauthorize the Violence Against Women Act by an overwhelming margin, but it seems as though the other party doesn't want that to happen. When they say unfavorable things about Republicans and women, they aren't being forthright. A few weeks ago, the Democratic Congressional Campaign Committee sent out a fundraising e-mail. The e-mail stated, in part:

> Now, there are news reports that Republicans in Congress will oppose re-authorizing the Violence Against Women Act. Enough is enough! The Republican War on Women must stop NOW . . . Will you chip in $3 by midnight tonight to hold Republicans accountable for their War on Women?

The majority had a decision between raising money for campaigns or trying to get the Violence Against Women Act reauthorization bill that would actually help these victims. I say to my colleagues, there is no war on women except the political one. It is a figment of the imagination of Democratic strategists who don't want to remember health care reform, unemployment or high gas prices. Instead of talking about those issues—particularly high gas prices—they would rather make up a war against women. All evidence points to the other side being more interested in raising money.

The media has also reported the bill is coming out now because the Democrats' desire to gin up a Republican so-called war on women was derailed last week, I suppose by other issues. It should be clear at the outset Republicans are not blocking, have not blocked, and never threatened to block the Senate's consideration of this bill. The Judiciary Committee only reported the bill to the Senate 2 months ago. It was March before the committee filed its usual committee report to the entire Senate. Democrats immediately came to the floor and urged the bill to come up right now. It was up to the majority leader to decide when the bill should be debated. He finally decided—not right after the bill was reported out of committee or not right after the committee report was filed—to do it now. Why not back then?

As long as there is a fair process for offering amendments, including our alternative bill and pointing out the flaws in the majority's bill, this should be a relatively short process. As the previous speaker said, I hope we can get it done this very day.

There are several other important points I wish to establish. First, I hope a consensus version of the Violence Against Women Act will be reauthorized. If a consensus bill doesn't pass, no rights of women or anyone else will be affected if the bill does not pass because, contrary to the statements made, there would be no cutbacks of services.

The Violence Against Women Act—the bill before us—is an authorization bill only, not an appropriations bill. This bill does not allow the expenditure of one dime because that result occurs through the appropriations process. Appropriators can and will fund the Violence Against Women Act programs regardless of whether this bill is reauthorized. This is exactly what happened over the past year. We think new issues have arisen since the last Violence Against Women Act reauthorization. These issues should be addressed in a consensus reauthorization. That can happen. We should give guidance to the appropriators. That is what authorization committees, such as in this case, the Judiciary Committee, is all about.

I support the appropriators continuing to fund the Violence Against Women Act while we are trying to put together a consensus bill. The Violence Against Women Act is being funded despite the expiration of its previous authorization. No existing rights of anyone are affected if the Violence Against Women Act is not reauthorized. No existing rights of anyone are affected if we pass a consensus bill rather than this partisan bill—I should say the majority's bill, not the partisan bill.

Second, the majority controls how bills move in the Senate. As I said, the current Violence Against Women Act reauthorization expired 6 months ago. If reauthorization was so important, I think the majority party could have moved to reauthorize this bill months ago. They didn't move a bill because no one's substantive rights or funding are at stake. This is true, even though the prior reauthorization has expired and a new reauthorization bill has not yet passed.

Third, nothing like the majority's bill, where it does not reflect consensus, will become law. It is a political exercise. The other body, meaning the House of Representatives, doesn't seem as though it is going to pass it the way the majority party here wants it to pass. If we want to pass a consensus violence against women reauthorization bill, we ought to start with the alternative Senator HUTCHISON and I are going to present to the Senate.

Fourth, the majority's bill, as reported out of committee, was and is fiscally irresponsible. According to the Congressional Budget Office, the majority's bill would have added more than $100 million in new direct spending. That will increase the deficit by that same amount. The reason is the immigration provisions that we said previously were nonstarters. These were some of the provisions the majority refused to take out. Those provisions are bad immigration policy. Nonetheless, I am glad the majority has now found an offset for this spending.

The Republican alternative does more to protect the rights of victims of domestic violence and sex crimes than does, in fact, the majority bill. There are many ways in which this substitute does that. Under the substitute amendment, more money goes to victims and less to bureaucrats. It requires that 10 percent of the grantees be audited every year. This is to ensure taxpayer funds are actually being used for the purpose of the legislation—to combat domestic violence.

This is a very important point. The Justice Department inspector general conducted a review of 22 grantees under this law between 1998 and 2010. Of these 22 audits, 21 were found to have some form of violation of grant requirements. The violations range from unauthorized and unallowable expenditures to sloppy recordkeeping and failure to report in a timely manner. When this happens, the money is not getting to the victims and the taxpayers' money is being wasted.

Let me give some examples. In 2010, one grantee was found by the inspector general to have questionable costs for 93 percent of the nearly $900,000 they received from the Justice Department. A 2009 audit found that nearly $500,000 of a $680,000 grant was questionable.

The fiscal irregularities continue. An inspector general audit from just this year found that this law's grant recipients in the Virgin Islands engaged in almost $850,000 in questionable spending. Also, a grant to an Indian tribe in Idaho found about $250,000 in improperly spent funds. This included—can my colleagues believe it—$171,000 in salary for an unapproved position.

In Michigan this year, a woman, at a VAWA grant recipient facility, used grant funds to purchase goods and services for personal use.

We should make sure then that Violence Against Women Act money goes to victims and not to waste such as this. That hasn't been the case, obviously, under the current situation. So our Republican substitute deals with this spending problem.

The substitute also prevents grantees from using taxpayer funds to lobby for more taxpayer funds. That will ensure that more money is available for victims' services. Money that goes to grantees and is squandered helps no woman or other victims.

In addition, the Republican alternative limits the amount of Violence Against Women Act funds that can go to administrative fees and salaries to 7.5 percent. That means money that now is over the 7.5-percent suggested

limit is going to bureaucrats and not to victims. Of course, the underlying bill, the Leahy bill, contains no such limit. If you want the money to go to victims and not bureaucrats, those overhead expenses should be capped at this 7.5-percent level.

The Republican substitute amendment requires that 30 percent of the STOP grants and grants for arrest policies and protective orders are targeted to sexual assault. The Leahy-Crapo bill sets aside only 20 percent instead of that 30 percent to fight sexual assault.

The substitute Senator HUTCHISON and I offer—hopefully this afternoon—requires that training materials be approved by an outside accredited organization. This ensures that those who address domestic violence help victims based on knowledge and not ideology. This will result in more effective assistance to victims. The Leahy-Crapo bill contains no such requirement.

The Hutchison-Grassley substitute protects due process rights that the majority bill threatens. I will give you an instance. The majority bill said that college campuses must provide for ''prompt and equitable investigation and resolution'' of charges of violence or stalking. This would have codified a proposed rule of the Department of Education that would have required imposition of a civil standard or preponderance of the evidence for what is essentially a criminal charge, one that, if proved, rightly should harm reputation. But if established on a barely ''more probable than not'' standard, reputations can be ruined unfairly and very quickly. The substitute eliminates this provision.

The majority has changed their own bill's language. I thank them for that. I take that as an implicit recognition of the injustice of the original language.

The substitute also eliminates a provision that allowed the victim who could not prove such a charge to appeal if she lost, creating double jeopardy.

The majority bill also would give Indian tribal courts the ability to issue protection orders and full civil jurisdiction over non-Indians based on actions allegedly taking place in Indian country.

Noting that the due process clause requires that courts exercise jurisdiction over only those persons who have ''minimum contacts'' with the forum, the Congressional Research Service has raised constitutional questions about this provision. The administration and its supporters in this body pursue their policy agendas headlong without bothering to consider the Constitution. The substitute contains provisions that would benefit tribal women and would not run afoul of the Constitution.

We have heard a lot of talk about how important the rape kit provisions in the Judiciary Committee bill are. I strongly support funds to reduce the backlog of testing rape kits. But that bill provides that only 40 percent of the rape kit money actually be used to reduce the backlog. The substitute requires that 70 percent of the funding would go for that purpose and get rid of the backlog sooner.

It requires that 1 percent of the Debbie Smith Act funds be used to create a national database to track the rape kit backlog. It also mandates that 7 percent of the existing Debbie Smith Act funds be used to pay for State and local audits of the backlog.

Debbie Smith herself has endorsed these provisions. The majority bill has no such provisions. Making sure that money that is claimed to reduce the rape kit backlog actually does so is provictim. True reform in the Violence Against Women Act reauthorization should further that goal.

Combating violence against women also means tougher penalties for those who commit these terrible crimes. The Hutchison-Grassley substitute creates a 10-year mandatory minimum sentence for Federal convictions for forcible rape. The majority bill establishes a 5-year mandatory minimum sentence. That provision is only in there because Republicans offered it and we won that point in our committee.

Child pornography is an actual record of a crime scene of violence against women. Our alternative establishes a 1-year mandatory minimum sentence for possession of child pornography where the victim depicted is under 12 years of age.

I believe the mandatory minimum for this crime should be higher. In light of the lenient sentences many Federal judges hand out, there should be a mandatory minimum sentence for all child pornography possession convictions. But the substitute is at least a start. This is especially true because the majority bill takes no action against child pornography.

The alternative also imposes a 5-year mandatory minimum sentence for the crime of aggravated sexual assault. This crime involves sexual assault through the use of drugs or by otherwise rendering the victim unconscious. The Leahy bill does nothing about aggravated sexual assault. The status quo appears to be fine for the people who are going to vote for the underlying bill if the Hutchison-Grassley amendment is not adopted.

Instead, the Hutchison-Grassley amendment establishes a 10-year mandatory minimum sentence for the crime of interstate domestic violence that results in the death of the victim.

It increases from 20 to 25 years the statutory maximum sentence for a crime where it results in life-threatening bodily injury to, or the permanent disfigurement of, the victim.

It increases from 10 to 15 years the statutory maximum sentence for this crime when serious bodily injury to the victim results.

The Leahy bill contains none of these important protections for domestic violence victims.

The substitute grants administrative subpoena power to the U.S. Marshals Service to help them discharge their duty of tracking and apprehending unregistered sex offenders. The Leahy bill does nothing to help locate and apprehend unregistered sex offenders.

And the substitute cracks down on abuse in the award of U visas for illegal aliens and the fraud in the Violence Against Women Act self-petitioning process. The majority bill does not include any reforms of these benefits, despite actual evidence of fraud in the program.

One of the Senators who recently came to the floor complained that there had never been controversy in reauthorizing the Violence Against Women Act. But in the past there were no deliberate efforts to create partisan divisions. We always proceeded in the past in a consensus fashion.

Domestic violence is an important issue, serious problem. We all recognize that. In the past, we put victims ahead of politics in addressing it. When the other side says this should not be about politics and partisanship, why, heavens, we obviously agree. It is the majority that has now decided they want to score political points above assisting victims. They want to portray a phony war on women because this is an election year. They are raising campaign money by trying to exploit this issue, and I demonstrated that in one of the e-mails that came to our attention.

There could have been a consensus bill before us today, as in the past. There is controversy now because that is what the majority seems to want. We look forward to a fair debate on this bill and the chance to offer and vote on our substitute amendment. That amendment contains much that is in agreement with the Leahy bill. The substitute also is much closer to what can actually be enacted into law to protect victims of domestic violence.

I yield the floor.

The PRESIDING OFFICER (Mrs. MCCASKILL). The Senator from Hawaii.

Mr. AKAKA. Madam President, I rise today in support of S. 1925, the Violence Against Women Act reauthorization of 2011.

Since its enactment in 1994, VAWA has enhanced the investigation and prosecution of incidents of domestic and sexual violence and provided critical services to victims and their advocates in court. It has truly been a lifeline for women across the country, regardless of location, race, or socioeconomic status.

For these reasons, VAWA's two prior reauthorizations were overwhelmingly bipartisan. This year, however, a number of my colleagues are opposing the Violence Against Women Act reauthorization because they object to, among other things, the authority that it restores to Native American tribes to prosecute those who commit violent crimes against Native women.

This bill's tribal provisions address the epidemic rates of violence against Native women by enabling VAWA programs to more directly and promptly

respond to their concerns and needs. These tribal provisions are critical to the lives of Native women and doubly important to me as chairman of the Senate Committee on Indian Affairs and a Native Hawaiian.

Native women are 2½ times more likely than other U.S. women to be battered or raped. These are extremely disturbing statistics: 34 percent of Native women will be raped in their lifetimes and 39 percent will suffer domestic violence. That is more than one out of every three Native women. We must come together to put a stop to this.

Last summer I chaired an oversight hearing entitled ''Native Women—Protecting, Shielding, and Safeguarding Our Sisters, Mothers, and Daughters.'' I heard the heartbreaking stories that lie behind the grim and troubling statistics on violence against American Indian, Alaska Native, and Native Hawaiian women.

My committee heard from the chief of the Catawba Nation, who gave a moving account of his experience growing up with domestic violence and the impact it had on the women and children in his community. He also spoke of the importance of reauthorizing VAWA.

We heard from officials who described how existing laws are failing Native women. We heard, for example, that women in tribal communities live in a confusing and dangerous jurisdictional maze, in which the absence of clear lines of authority often leads to offenders, many of whom are non-Native men, escaping investigation and prosecution, to say nothing of punishment. This outrageous and unacceptable situation has led to repeated offenses against Native women that too often spiral into violence with tragic consequences for the women, their children, and their communities.

My committee also heard that Native women are being increasingly targeted by the sex-trafficking industry and that many have, according to police reports in tribal communities across the country, simply vanished into this terrible underworld. The draft bill to address violence against Native women was circulated to a wide range of stakeholders for feedback. This led to strengthened provisions in the draft bill which I introduced as S. 1763, the Stand Against Violence and Empower Native Women Act.

The Senate Committee on Indian Affairs held a legislative hearing on my bill the following month and then reported it out of the committee in December.

Since then, I have worked closely with my good friend and colleague Senator LEAHY, chairman of the Judiciary Committee, as we developed S. 1925, which now includes the SAVE Native American Women Act. S. 1925's tribal provisions empower tribal courts to prosecute crimes of domestic violence, dating violence, or violations of protection orders regardless of the race of the alleged abuser. This bill also strengthens research and programs to address sex trafficking. Since VAWA was enacted 18 years ago and reauthorized twice since then, a hallmark of the law is that it has expanded its protections to classes of once neglected victims. Accordingly, S. 1925's tribal provisions are consistent with VAWA's history as well as its intent and purpose, which past Congresses have embraced.

Last week 50 law professors from leading institutions across the country sent a letter to Congress expressing their ''full confidence in the constitutionality of the legislation and in its necessity to protect the safety of Native women.'' Just this week the White House released a Statement of Administration Policy stating that it strongly supports these provisions, which will ''bring justice to Native American victims.''

I commend Chairman LEAHY for his dedicated leadership in developing this bill. He has truly worked in the spirit of aloha by partnering with the Indian Affairs Committee and other offices to craft a VAWA reauthorization bill that reasserts VAWA's intent, purpose, and history.

I would also like to say mahalo—thank you—to each of this bill's other bipartisan cosponsors. As we all know, domestic and sexual violence continues to occur, and far too many women across the country are victims of these horrible acts. We have heard from victims, from service providers, and from law enforcement that these crimes can leave victims with lasting emotional and physical scars, while endangering their security, their families, and their lives.

This bill will strengthen the Violence Against Women Act and extend its protections to include Native women who are underserved in the current system.

This is not an issue that should divide us along partisan lines. On the contrary, it should unite us to take a stand against these awful crimes. So I urge you to join me and the rest of S. 1925's cosponsors to protect our sisters, mothers, and daughters and pass this bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Madam President, I rise to speak about our Constitution's Federalist structure and the real danger of the Federal Government unduly interfering with the ability of States and localities to address activities and concerns in their communities.

Everyone agrees that violence against women is reprehensible. The Violence Against Women Act reauthorization had the honorable goal of assisting victims of domestic violence, but it oversteps the Constitution's rightful limits on Federal power. It interferes with the flexibility of States and localities that they should have in tailoring programs to meet particular needs of individual communities, and it fails to address problems of duplication and inefficiency.

First, violent crimes are regulated and enforced almost exclusively by State governments. In fact, domestic violence is one of the few activities that the Supreme Court of the United States has specifically said Congress may not regulate under the commerce clause. As a matter of constitutional policy, Congress should not seek to impose rules and standards as conditions for Federal funding in areas where the Federal Government lacks constitutional authority to regulate directly.

Second, the strings Congress attaches to Federal funding in the VAWA reauthorization restrict each State's ability to govern itself. Rather than interfering with State and local programs under the guise of spending Federal tax dollars, Congress should allow States and localities to exercise their rightful responsibility over domestic violence. State and local leaders should have flexibility in enforcing State law and tailoring victim services to the individualized needs of their communities, rather than having to comply with one-size-fits-all Federal requirements.

Third, even if the Federal Government had a legitimate role in administering VAWA grant programs, the current reauthorization fails to address many instances of duplication and overlap among VAWA and other programs operated by the Department of Justice and by the Department of Health and Human Services, nor does it address the grant management failings by the Government Accountability Office.

My opposition to the current VAWA reauthorization is a vote against big government and inefficient spending and a vote in favor of State autonomy and local control. We must not allow a desire by some to score political points and an appetite for Federal spending to prevent States and localities from efficiently and effectively serving women and other victims of domestic violence.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Madam President, when my wife Frannie and I decided that I should run for the Senate, we were greatly influenced by the example set by Senator Paul Wellstone and his wife Sheila. The Wellstone example serves as a constant reminder of what public service is all be about. It is about helping others. It is about giving a voice to those who otherwise might go unheard. It is about making the law more just and more fair, especially for those who need its protections the most.

Frannie and I have a personal responsibility to carry on the Wellstones' legacy. We all do. And you know what, I think Paul and Sheila would be proud of what we are doing here today. We are on the verge of reauthorizing the Violence Against Women Act.

Paul and Sheila were extraordinary people. An unlikely couple, Sheila was born in Kentucky to Southern Baptist

parents. Paul was born here in Washington, the son of Russian-Jewish immigrants. But love and fate—they work in mysterious ways—brought Paul and Sheila together.

Sheila's family moved to Washington, where she and Paul became high school sweethearts. Paul went to North Carolina for college, and Sheila went back to Kentucky. But a freshman year apart was more than they could bear. Sheila moved to North Carolina to be with Paul. They got married. A year later they were proud parents. They eventually would have two more children. The Wellstones were a big happy family.

After Paul earned his Ph.D. in political science, the Wellstones moved to Minnesota, where Paul had a successful teaching career at Carleton College. Sheila, meanwhile, worked two jobs: She was a full-time mother and a part-time library aide.

A happy family life in Minnesota would have been enough for most people but not for Paul and Sheila. Their compassion knew no limits. They wanted to make the world a better place for others, and they set out to do just that. Paul ran for public office. He and Sheila worked as a team during Paul's Senate campaign, as they did in all aspects of their lives. Paul's opponent outspent him by a large margin, but what Paul and Sheila lacked in resources they made up for in grassroots support, a tireless work ethic, and an unparalleled commitment to the people of Minnesota, and also quite a bit of charm. Improbable as it must have seemed at the outset, Paul won. He was elected to the Senate in 1990. So the Wellstones went to Washington, the city where they first fell in love.

At the time, Sheila was not really a public figure—at least she did not view herself as such. In fact, Sheila was a bit shy, and she avoided public speaking when she could. But Sheila started spending time at women's shelters in Minnesota and elsewhere, listening to painful stories about domestic violence and assault. She realized there were a lot of women across the country who needed a voice, who needed someone to speak up for them. Sheila set out to become that person.

Here is what she said:

> I have chosen to focus on domestic violence because I find it appalling that a woman's home can be the most dangerous, the most violent, and, in fact, the most deadly place for her. And if she is a mother, it is dangerous for her children. It is time that we tell the secret. It is time that we all come together to work toward ending the violence.

Sheila matched her words with action. She became a champion for survivors of domestic violence in Minnesota and throughout the country. Each year, she hosted an event in the Capitol to raise awareness about that issue. That annual event continues to this day. And as I said, Sheila and Paul were a team, so Sheila worked very closely with Paul to champion the Violence Against Women Act, a landmark Federal law that affirmed our Nation's commitment to women's safety.

Signed into law in 1994, VAWA increased the number of beds and shelters that were available to women who needed refuge. It provided critical support to law enforcement officers and prosecutors so they could respond more effectively to incidents of domestic violence. It funded support services and crisis centers for victims. And perhaps most importantly, VAWA sent a message: Domestic violence no longer will be tolerated in America. Since VAWA was enacted, incidents of domestic violence have been reduced significantly. VAWA has improved lives. It has saved lives. It is part of the Wellstones' proud legacy.

VAWA is part of this institution's legacy too. When it comes to violence against women, Members of the Senate always have been able to come together. VAWA has been reauthorized twice. Both times it had unanimous support in the Senate—unanimous support. The VAWA reauthorization bill we are considering today is in keeping with VAWA's bipartisan tradition. Its 61 cosponsors come from across the country and across the aisle.

I am grateful to Senators LEAHY and CRAPO for their leadership on this bill.

The VAWA Reauthorization Act renews our national commitment to prevent responsive incidents of sexual assault, a heinous crime that remains all too common in America, even while domestic violence is becoming less common.

The VAWA Reauthorization Act addresses the alarming rates of violence against women in Indian Country by giving tribes jurisdiction to prosecute acts of domestic violence in their communities. The VAWA Reauthorization Act cuts redtape and spending by consolidating grant programs and improving accountability measures.

This is a good bill, and I am proud to support it. I am also proud to have written two of its provisions. I thank Chairman LEAHY for inviting me to do so and for including those provisions in the final bill.

First, the VAWA reauthorization bill includes the provision from the Justice for Survivors of Sexual Assault Act, one of the first bills I wrote after being sworn into the Senate. When this bill becomes law, survivors of sexual assault never again will suffer the indignity of paying for forensic medical exams. VAWA provides State and local governments with funding to administer these exams, which also are known as rape kits, and are used to collect evidence in sexual assault cases. The problem is that under current law, grant recipients can charge the survivor for the upfront cost of administering the exam, leaving the survivor to seek reimbursement later. Too often survivors are not reimbursed. They get lost in the maze of paperwork or are left high and dry when funds run out.

Can you imagine if we required crime victims to pay for the police to gather evidence such as fingerprints from a crime scene? Of course not. We should not require victims of sexual assault to pay for rape kits. This isn't a partisan issue; it is common sense.

I am grateful to Senator CHARLES GRASSLEY, the Judiciary Committee's ranking member, for his ongoing support for this bill. He was an original cosponsor when I introduced it in 2009 and when I reintroduced it last year.

Survivors of sexual violence have endured enough already. They should not have to pay for rape kits. They will not have to once this bill becomes law.

The VAWA reauthorization bill also includes the Housing Rights for Victims of Domestic and Sexual Violence Act, legislation that I introduced with Senators COLLINS and MIKULSKI last fall. This bill will help women stay in their homes when they are most vulnerable, when they need a roof over their heads the most.

The link between violence and homelessness is undeniable. By one account, nearly 40 percent of women who experience domestic violence will become homeless at some point in their lives—nearly 40 percent. Once a woman becomes homeless, she becomes even more vulnerable to physical or sexual abuse.

In my State nearly one in three homeless women is fleeing domestic violence, and half of those women have children with them. That is not the world that Sheila Wellstone envisioned. Nobody should have to choose between safety and shelter. While the link between violence and homelessness is undeniable, it is not unbreakable. We need shelters and transitional housing programs for women who are fleeing danger. The VAWA reauthorization bill provides continued support for those programs.

There is also much we can do to prevent women from becoming homeless in the first place, such as housing rights legislation, which will make it unlawful to evict from federally subsidized housing a woman just because she is a victim of domestic violence, dating violence, sexual assault, or stalking. This bill is for every woman who has hesitated to call the police to enforce a protective order because she was afraid she would be evicted from her home if she did so.

I am grateful to the many wonderful organizations that have worked with me on this bill. They include women's victims advocacy groups such as the Minnesota Coalition Against Sexual Assault, the MNCASA, and the Minnesota Domestic Abuse Project. They include tenant advocacy groups such as the National Low-Income Housing Coalition. They include the Legal Aid Society, Minnesota Legal Assistance, and they include leaders of the housing industry too. In fact, I recently received a letter from the National Association of Realtors, the Institute for Real Estate Management, and other housing industry representatives expressing their support for this bill.

They wrote that they ''believe that preserving housing for victims of domestic violence, dating violence, sexual assault, and stalking is critically important.''

I could not agree more. That is exactly what this bill does.

Sheila Wellstone isn't with us today. Sheila and Paul and their daughter Marcia were tragically taken from us too soon. But Sheila's example is with us, her legacy is with us, and her words are with us. I would like to close with those. Here is what Sheila said:

We really have to look at the values that guide us. We have to work toward the ethic that expects every individual to be physically and emotionally safe. No one, regardless of age, color, gender, background, any other factor, deserves to be physically or emotionally unsafe. In a just society, we pledge to act together to ensure that each individual is safe from harm. In a just society, I think we have to say this over and over and over: We are not going to tolerate the violence.

Madam President, the VAWA reauthorization bill is another step toward a more just society, as Sheila was describing. I look forward to it becoming law.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Madam President, I rise today with the surest conviction that this body—united as a group of Democrats and Republicans—can and will vote to ensure the women and children of this country are free from domestic abuse. I believe that opposing the bill before us would defy every ounce of common sense I have in my body.

I am a proud sponsor of the Violence Against Women Act, as are most of my colleagues in this body, because it is unfathomable that any individual could oppose efforts to ensure women and children are free from violence.

The bill we are currently considering would reauthorize several essential grant programs that have made a tremendous difference in my State of West Virginia and across this Nation. Here is what I have heard from the West Virginia Coalition Against Domestic Violence Team Coordinators Sue Julian and Tonia Thomas:

The Violence Against Women Act is the most critical piece of federal legislation affecting the safety of survivors of domestic violence and their children in every county of West Virginia. [The law] supports cost-effective responses to the pervasive and insidious crimes of domestic violence. VAWA funds innovative, successful programs that are at the core of our nation's response to domestic violence, sexual assault, dating violence and stalking. Action taken at the congressional level to end violence against women, children, and men echoes through the hills and hollows of the most remote communities in this state. Without VAWA, the collaborative efforts of law enforcement, prosecution, victim advocates, and judicial personnel would be fragmented, compartmentalized, and at worse counterproductive to each other. VAWA saves lives, changes communities, offers safety and creates channels of hope.

We know since it first passed in 1994, the Violence Against Women Act has reduced domestic violence by more than 50 percent through the critical programs it funds. Still, violence against women and children is a terrifying reality in this country.

Let me share with you some startling statistics that illustrate the scope of the problem.

According to the West Virginia Foundation for Rape Information and Services—our State's sexual assault coalition—one in six women in West Virginia will be a victim of attempted or completed rape.

According to the West Virginia Coalition Against Domestic Violence, on any given day, licensed domestic violence programs in West Virginia provide services to nearly 600 women, children, and men.

Every 7 minutes a call is made to a domestic violence hotline in West Virginia. One-third of homicides in West Virginia are related to domestic violence. More than two-thirds of women murdered in West Virginia are killed by a member of their family or their household.

In 2010, there were 11,174 investigations into domestic violence allegations in West Virginia, which required 272,450 hours of law enforcement involvement. This legislation is a fight on behalf of the women whose stories are contained in those numbers but whose lives are invaluable and more important than any statistic could ever hope to portray. No one can better speak to the importance of the Violence Against Women Act than the groups whose work each and every day is improved because of the programs supported by the law.

Growing up in a small community, as I did in Farmington, WV, in a loving family, violence against women and children was unfathomable. I would not even have thought it. The most beautiful people in my life were my mother, my grandmother, my sister, my aunts, and my cousins. They were the most beautiful people I could have hoped to grow up with. My grandmother—we call her Mama Kay—had been the glue to our family and kept it together, and she really kept the community together. She was a symbol of strength to whom others would turn for a place to stay or a hot meal in times of trouble.

We celebrated and admired the women who raised us and those around us. We thanked them and loved them and showed them appreciation and respect. So it is incomprehensible to me how anybody could make a decision to inflict physical pain on a woman or a child or even a man. Truly, life is tough enough without involving violence.

Once again, for each and every Member of the Senate who will cast a vote on this bill, the question comes down to this: What is it that we truly value? What are our priorities?

Ensuring that women and children have adequate protection against violence just makes common sense. To the people of West Virginia, I know this is the highest of priorities. Of course, these atrocities are not unique to my State. Nationally, domestic violence accounts for 22 percent of the violent crimes experienced by women and 3 percent of the violent crimes against men.

Approximately 37 percent of the women seeking injury-related treatment in hospital emergency rooms were there because of injuries inflicted by a current or former spouse or partner. In tough economic times—like those we are experiencing now—women are more likely to become a victim of domestic violence.

According to the National Network to End Domestic Violence, domestic violence is more than three times as likely to occur when couples are experiencing high levels of financial strain as when they are experiencing low levels of financial strain. Women whose male partners experienced two or more periods of unemployment over a 5-year study were almost three times as likely to be victims of intimate violence as were women whose partners had stable jobs.

Seventy-three percent of shelters attributed the rise in abuse to ''financial issues.'' ''Stress'' and ''job loss'' were also frequently cited as causing the increase of victims seeking shelter. It goes on and on.

All we are asking for is to make this a nonpartisan issue—come together as Americans, as Senators, not worrying about political differences. This is one bill that brings us all together for a common cause—a most decent cause—and something that is needed in America.

I urge the support of all of my colleagues. Please support this. Let's come back together as Americans.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mrs. HAGAN. Madam President, I rise to join my colleagues in calling for passage of the Violence Against Women Reauthorization Act. I am disheartened that in the last several months petty, partisan gamesmanship has held up this legislation.

Since VAWA originally passed on a bipartisan basis in 1994, the annual incidence of domestic violence has decreased by 53 percent. Many victims are now reporting incidents of abuse rather than hiding in fear. Reports of abuse have increased by 51 percent. This law has transformed our criminal justice system and victim support services. The law has worked well because it encourages collaboration among law enforcement, health and housing professionals, and community organizations to help prevent and respond to intimate partner violence.

In one recent instance in my State, a man was on pretrial release after being charged with stalking his wife. Thanks to the STOP grants funding—which provide services and training for our officers and prosecutors—he was being

monitored. This individual was being electronically monitored and was caught violating the conditions of his release when he went to his estranged wife's home. The supervising officer was immediately notified of this violation and police officers found the man with the help of the GPS and arrested him in his estranged wife's driveway.

Thank goodness this woman was protected and this incident did not add another victim to the 73 deaths caused by domestic violence each year in North Carolina.

Unfortunately, though, the well-being of women in North Carolina and around the country hangs in the balance until we in Congress take action on this act.

Domestic violence also hurts our economy. It costs our health care system $8.3 billion each year. The reauthorization of this act streamlines crucial existing programs that protect women while recognizing the difficult fiscal decisions facing the Federal Government today. Thirteen existing programs would be consolidated to four, which will reduce administrative costs and avoid duplication. New accountability provisions will also require strict audits and enforcement mechanisms aimed at ensuring these funds are used wisely and efficiently.

In fact, title V of this bill includes one of my bills—the Violence Against Women Health Initiative. My bill provides vital training and education to help health care providers better identify the signs of domestic violence and sexual assault. It helps medical professionals assess violence and then refer patients to the appropriate victim services.

This training would have helped Yolanda Haywood, a woman who, as a young mother of three, found herself in an abusive marriage. Her husband abused her regularly and one night punched her in the face and split her lip, which sent her to the emergency room. She obviously needed stitches. As she sat on the examination table, the physician who was sewing her lip back asked: Who did this to you? Yolanda quietly said: My husband. The physician responded by telling her she needs to learn how to duck better.

Yolanda spent the next several years learning how to duck before finally leaving that abusive relationship. Empowered by her experience, she went to medical school and now teaches students at a prestigious university the importance of identifying and treating domestic violence and sexual assault, as well as working in an ER.

In a recent visit to a woman's domestic shelter in Charlotte, I met a counselor who shared this story with me. A young boy had just spent his first night at the shelter. The next morning the counselor was talking to him and he said he slept with both eyes shut last night. The counselor asked the young boy: Well, how do you usually sleep? He said: I usually sleep with one eye open and one eye closed because the last time I slept with both eyes closed my mommy and I both got hurt.

This is the kind of experience this bill will help with. It will protect women and children. For all the progress we have made combating violence against women, this must continue to be a priority. I urge each of my colleagues to support the reauthorization of the Violence Against Women Act because it literally saves lives in North Carolina and around the country, while ensuring a better future for our children.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

NATIONAL FLOOD INSURANCE PROGRAM

Mr. VITTER. Madam President, I rise to talk about another vital program we must reauthorize and continue before it expires; that is, the National Flood Insurance Program. Right now, that is due to completely expire at the end of May. So I wanted to bring this to everyone's attention, particularly that of the majority leader, so we take this up in time—as soon as possible—and put it in line absolutely as soon as possible so this can be extended and there will be no interruption.

This is an important program for the country. It provides vital flood insurance for millions of Americans. Many properties cannot have a real estate closing on them. They cannot be transferred without that important flood insurance. It is particularly important in my home State of Louisiana, where the risks of flooding—coastal and otherwise—are even greater than the national average.

Unfortunately, we have been on a path the last few years of just barely hobbling along, using a bandaid approach to extend this necessary program just a little bit at a time. This got to its worst state in 2010, when we not only extended it just a little bit at a time, but we actually allowed it to lapse, to expire, for several days at a time on four different occasions, for a total of 53 days. What happened? Each of those times the program expired, many real estate closings—tens of thousands of real estate closings around the country—came to a screeching halt. They were cancelled. They were put off.

So here we are, in a very soft economy and trying to eke out of a real estate-led recession. Yet for no good reason—because of our inability to, frankly, get our act together and organize ourselves and extend this noncontroversial program—we had lapses in the program so that thousands of real estate closings were put off. That lapse occurred, as I said, in 2010, four different times, for a total of 53 days.

Since then, we have improved a little bit. We have extended the program for 6 months at a time under legislation I have introduced. But now we need to take the next step and not just continue to hobble along but have a full reauthorization, with important bipartisan reforms, of this National Flood Insurance Program.

There has been a lot of work done in that regard. The House of Representatives has done a complete reauthorization bill, and they adopted that bill by an overwhelming vote of 406 to 22 last July 2. So they have acted. They have done their part going back going almost 1 year ago—about 9 months ago. On the Senate side, we have made important bipartisan progress in the Banking Committee, which is the committee of jurisdiction. We have worked hard to put together a full 5-year reauthorization bill with reforms on a bipartisan process.

As ranking member of the relevant subcommittee, I have put a lot of work into this with many others, including my subcommittee chairman JON TESTER. We reported that bill through the entire committee. It got a strong report out of committee and is ready for action on the Senate floor. So now we need to take that next step. We need to get it on the Senate floor, pass it through, and reconcile it with the House bill.

There are no major substantive obstacles. This is a true bipartisan effort. We have worked well together and through a number of issues. The only issue is getting time on the Senate floor and moving this forward so we can do this full-scale, 5-year reauthorization before the program expires this May 31.

Again, I just come to the floor to urge all of us, and in particular the majority leader who sets the schedule, to schedule this, to find that time, to put it in line as soon as possible. We are now on the Violence Against Women Act, which we support being on. I believe next we are moving to student loans. I have no problem with that. But let's put this important measure in line right after that, as soon as possible, so we can take it up and accomplish this task well before the May 31 deadline.

We can get this done. As I said, there are few, if any, substantive hurdles. We can get this done. We can produce a long-term reauthorization, we can produce good reforms in that bill, as we have in the Senate committee bill and as the House has. We just need to move it through the process. I certainly commit to everyone, starting with the majority leader, that if we get that minimal amount of time on the Senate floor, we will certainly work to have that process run as smoothly and as quickly as possible. I have worked with Senator TESTER in that regard, toward that end, and we will continue to work through the remaining Senate proceedings.

Finally, in support of this plea, I have a letter, dated February 13 of this year, addressed to the majority and minority leaders from a long list of Senators, both parties, urging that we take this action, urging that we schedule this for the Senate floor absolutely as soon as possible so we can get this job

done. As I said, this letter was dated February 13. Obviously, a few months have passed since then and the clock is ticking and that clock runs out on May 31.

Again, I urge us, particularly the majority leader, to please put this necessary and important and bipartisan legislation in line for floor consideration as soon as possible. We can get this done. We can get this done by the current deadline. We can get this done for the good of the American people and on a bipartisan basis and I urge us all to work toward that end, as JON TESTER and I have been doing and as the committee chair and ranking member have been doing. I certainly know the ranking member of the committee, Senator SHELBY, strongly supports this plea.

At this time, I ask unanimous consent to have printed in the RECORD the letter to which I have just referred.

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

U.S. SENATE,
Washington, DC, February 13, 2012.

Hon. HARRY REID,
Majority Leader, U.S. Senate, Washington, DC.
Hon. MITCH MCCONNELL,
Minority Leader, U.S. Senate, Washington, DC.

DEAR LEADERS REID AND MCCONNELL: As we begin the Second Session of the 112th Congress, we the undersigned urge you to bring legislation to the floor to provide for a long-term reauthorization and meaningful reform of the National Flood Insurance Program (NFIP) as expeditiously as possible in February or very soon thereafter.

The National Flood Insurance Program was first established in 1968, and has since that time been instrumental in protecting America's families, homes and businesses from financial ruin when flooding occurs. The program was last reauthorized in 2004. That reauthorization expired in 2008, and since then the program has been extended through a series of short-term measures. In fact, the program expired four times in 2010 resulting in lapses totaling 53 days. It has been estimated that those program lapses resulted in the delay or cancellation of more than 1,400 home closings per day, further damaging an already fragile housing market.

As you know, the House of Representatives passed its version of a long-term reauthorization on July 12, by an overwhelming vote of 406–22. The Senate Banking Committee has reported a committee print with overwhelming bipartisan support which is currently awaiting floor action. This bill makes essential changes to the program in an attempt to protect taxpayers and restore its solvency. We sincerely believe that, with a concerted effort on the part of Senate and Banking Committee leadership, as well as interested Senators, the bill can be brought to the floor of the Senate, debated and passed as soon as possible in order to ensure this process is completed before the NFIP expires at the end of May.

The Senate should take this opportunity to capitalize on the bipartisan efforts by both the Senate Banking Committee and the House of Representatives thus far to make major improvements to this important program. We believe that passage of a comprehensive, bipartisan flood reauthorization bill is within reach, and we respectfully urge you to schedule such a debate.

Sincerely,

Senator Jon Tester, Senator David Vitter, Senator Ben Nelson, Senator Kay Hagan, Senator Daniel Akaka, Senator Michael Bennet, Senator Thomas Carper, Senator Amy Klobuchar, Senator Jeff Merkley, Senator Mark Warner, Senator Herb Kohl, Senator Mike Crapo, Senator Scott Brown, Senator Johnny Isakson, Senator Mike Johanns, Senator John Boozman, Senator Bob Corker, Senator Saxby Chambliss, Senator Pat Roberts, Senator Susan Collins.

Senator Joseph Lieberman, Senator Robert Menendez, Senator Richard Blumenthal, Senator John Kerry, Senator Daniel Inouye, Senator Bernard Sanders, Senator Jeanne Shaheen, Senator Sherrod Brown, Senator Al Franken, Senator Christopher Coons, Senator Daniel Coats, Senator Jerry Moran, Senator Lamar Alexander, Senator Olympia Snowe, Senator James Inhofe, Senator Jack Reed, Senator Claire McCaskill, Senator Patrick Leahy, Senator Sheldon Whitehouse, Senator Mark Begich, Senator Richard Burr.

Mr. VITTER. Again, I hope we all come together in plenty of time to take care of this important business. I bring it up now, well before the deadline, because the clock is ticking. A Senate bill would have to be reconciled with the House. We need to get floor time absolutely as soon as possible and I look forward to that happening and I look forward to working with Senator TESTER and others on the Senate floor.

I yield the floor.

The PRESIDING OFFICER (Mr. SANDERS). The Senator from Colorado.

Mr. UDALL of Colorado. Mr. President, I rise, as do my Democratic colleagues and quite a few of my Republican colleagues, in support of the Violence Against Women Act.

My remarks will extend beyond the time we have left, so I will ask the Chair to advise me when 2 minutes have passed, and I will try to conclude over a 3-minute timeframe so other colleagues can speak on this very important piece of legislation.

The PRESIDING OFFICER. The Chair will so advise.

Mr. UDALL of Colorado. Mr. President, the Violence Against Women Act—known as VAWA—has been in effect for 18 years and it has saved lives and strengthened families all over the country. I speak as a Coloradoan, and I will cite statistics that will point to the concrete effects the Violence Against Women Act has had in my State.

This was a landmark piece of legislation and it changed the way we think about and respond to domestic violence. It has made a difference in the lives of literally millions of women all over the country by bringing the perpetrators of domestic violence, sexual assault, and child abuse to justice. It has made a difference by providing safe and secure support services to victims of crimes. It has established a National Domestic Violence Hotline and so much more. It is little wonder such a commonsense and far-reaching concept in legislation has found support from Members of both sides of the aisle.

I mentioned Colorado. Let me cite some numbers. In 2010 alone, 60,000 victims of domestic violence contacted State crisis hotlines seeking help. The funding that VAWA provides not only gives our law enforcement beefed up resources and tools for catching and then prosecuting perpetrators, but it also supports critical services for victims and survivors.

The PRESIDING OFFICER. The Senator has used 2 minutes.

Mr. UDALL of Colorado. I thank the Chair.

These resources have literally saved the lives of women from Durango to Craig and from Pueblo to Denver, and I wish to commend all the important organizations in my State that make it all possible.

The great news is that today—right now—we have the opportunity to make this an even better piece of legislation.

This reauthorization builds upon and strengthens the current act, expanding access to the resources so many victims desperately need. It also contains important reforms that will increase accountability in the use of VAWA resources, ensuring these federal dollars are going to serve the victims who need them most. Taxpayers demand that we spend their monies wisely especially during tough economic times and this VAWA bill meets that high standard they expect of us.

Moreover, it is worth noting this bill makes college campuses safer by requiring that schools develop comprehensive plans to combat and prevent crimes against women.

It also takes the imperative step of strengthening the Federal Government's response to domestic and dating violence on tribal lands, which has climbed to near epidemic levels across the country.

Furthermore, it increases protections and outreach for LGBT victims, because the right to live free from domestic violence should not depend on gender identity or sexual orientation.

The most recent reauthorization of the Violence Against Women Act expired in September of last year. The bottom line is that it is past time to get this done. The legislation before us today has 61 cosponsors, is broadly bipartisan, and has the support of countless women and men around the country.

I believe there is an alternative version of this bill that may come before us for a vote as well. I know this is an election year, and the increasingly partisan climate in Congress has made it tempting to take truly bipartisan legislation such as this and inject division into the debate. But the issues addressed by VAWA are not partisan to the people back in Colorado and around the country. So let is resist that path.

The bipartisan legislation drafted by Senator LEAHY and Senator CRAPO is the only bill that truly provides the resources necessary in the most effective way to help end violence against women.

I know my colleagues in the Senate share my commitment to reaching this goal, so I am glad this bipartisan bill is finally receiving a vote.

When I served in the House of Representatives, I worked with a bipartisan group of colleagues to reauthorize VAWA both in 2000 and 2006, so I know we can come together and pass this reauthorization as well.

We all agree that violence against women is unacceptable. This is a necessary and carefully constructed bill that will protect the lives of women in Colorado and throughout the country.

In concluding, we all agree violence against women is flatout unacceptable, and this is a necessary and carefully constructed bill that will protect the lives of women in Colorado and throughout the country. So let's come together in the Senate, put aside our differences, and pass what is a strong and important bipartisan bill. The families and the communities of my State and our country are counting on us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAPO. Mr. President, I too rise today to discuss the incredible importance of the Violence Against Women Act.

For nearly 18 years, the Violence Against Women Act has been the centerpiece of our Nation's commitment to end domestic violence, dating violence, and sexual violence. Congress authorized the Violence Against Women Act in 2000 and again in 2005 with overwhelming bipartisan support.

I am a longtime champion of the prevention of domestic violence because I have seen the impact of this abuse firsthand in Idaho. The act provides critical services to victims of violent crime as well as agencies and organizations that provide important aid to those victims.

The Violence Against Women Act has been called by the American Bar Association ''the single most effective federal effort to respond to the epidemic of domestic violence, dating violence, sexual assault and stalking in our country.''

This legislation provides access to legal and social services for survivors. It provides training to law enforcement, prosecutors, judges, attorneys, and advocates to address these crimes in our Nation's communities. It provides intervention for those who have witnessed abuse and are more likely to be involved in this type of violence. It provides shelter and resources for victims who have nowhere else to turn, who are literally victims in their own homes.

There is significant evidence that these programs are working. In Idaho, the number of high school students reporting that they have experienced violence by a dating partner has dropped since the Center for Healthy Teen Relationships began its work in 2006. The U.S. Department of Justice reported that the number of women killed by an intimate partner decreased by 35 percent between 1993 and 2008.

The legislation is working and our collective efforts across this country to respond to this epidemic are working, but our fight against domestic violence is far from over. Last year in my State 22 people were killed by a domestic partner. Approximately one in three adolescent girls in the United States is a victim of physical, emotional, or verbal abuse from a dating partner. Nearly 1 in 10 high school students Nationwide was hit, slapped, or physically hurt on purpose by their boyfriend or girlfriend.

Future tragedies of the kinds we have seen in Idaho and across this country have to be prevented. And while we may not all agree on the specifics of this reauthorization, all of us agree on one very important aspect; that is, we must end domestic violence, dating violence, sexual assault, and stalking in the United States.

No bill is ever perfect. As we go through the process of working through this bill on the floor, we will see amendments brought seeking to perfect and improve it. I will support some of those amendments, others will support some of those amendments, and the bill will be addressed, as all bills should be, on the floor of the Senate. But when we are done and the debate is over and the voting on the amendments is concluded, I urge all my colleagues to join me in supporting the reauthorization of this critical program. We must continue the life-changing work this legislation helps us accomplish.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, as we speak, the Alaska Network on Domestic Violence and Sexual Assault's 24-hour hotline that allows folks to seek assistance—their numbers are ringing. This evening, 363 Alaskans will spend the night in an emergency domestic violence shelter or in transitional housing provided by an Alaskan domestic violence program, programs such as the Lee Shore Center in Kenai, the Safe Shelter in Dillingham, the WISH shelter in Ketchikan, and the AWAIC shelter in Anchorage. The number of Alaskans seeking shelter is rising on the order of over 5 percent per year. These programs and the Alaskans who benefit from them are all supported by the Violence Against Women Act.

As we debate and deliberate on the reauthorization of VAWA, the Violence Against Women Act, we express our respect for the volunteers and the professionals who support and who constantly advocate on behalf of these victims. These are Alaskans such as Peggy Brown and Katie TePas, who lead the effort across my State, and others like them throughout Alaskan communities. It is important that as we again reauthorize the Violence Against Women Act, we do so as a tangible display of our support for their very important work.

Let me share some statistics with you, as others have shared from their respective States. In Alaska, somewhere between 25 and 40 percent of all domestic violence assaults are witnessed by children. On a national scale, more than 90 percent of abusers are people whom children know, love, and trust.

I come to the floor today to express my support for the Leahy bill, S. 1925. I have proudly cosponsored this effort and came on very early in the effort. It is the product of literally thousands of hours of work by domestic violence advocates and dedicated Senate staff members. I do believe it represents a real improvement in the services that are offered to victims even in a difficult budget environment. I would like to give a few illustrations.

Back in 2010, there were more than 800 Alaskans who sought pro bono legal assistance from the Alaska Legal Services Corporation and the Alaska Network on Domestic Violence and Sexual Assault. A little over 500 of these victims could be served. Another 300 had to be turned away due to the lack of resources—turning people away who are victims because we don't have the resources to provide the help. This bill establishes a new pro bono legal program within VAWA to ensure that victims of domestic violence have access to lawyers.

Back in 2011, 12 percent of Alaska high school students reported they were hit, slapped, or physically hurt on purpose by their boyfriend or their girlfriend, and 9 percent reported they had been physically forced to have sexual intercourse when they did not want it. This bill focuses resources on the protection of our young people—and rightfully so—because 70 percent of all reported sexual crimes in the United States involve children. This legislation devotes needed resources to protect our children, and it also devotes increasing resources to protect our elders, who are increasingly victims of sexual assault and domestic violence—again, a side that most people don't want to acknowledge or talk about, but our statistics cannot be denied.

In addition, S. 1925 sends a strong message to offenders that they will be held accountable. In the remote Native villages of Alaska, where the victims of domestic violence literally have no place to hide, reauthorization of VAWA will mean there will be more funds to hire village public safety officers who are first responders in the last frontier.

I would like to express my appreciation to the Judiciary Committee for including a provision I have requested concerning the Alaska Rural Justice and Law Enforcement Commission. The Rural Justice Commission is a joint Federal, State, and tribal planning body that was created by the late Senator Ted Stevens back in 2004 to coordinate the public safety efforts in our remote rural villages. It is in danger of shutting its doors at this point in time, and the legislation before us establishes the framework for the Rural Justice Commission to continue its very important work.

Last weekend there was a great deal of concern that arose particularly amongst Alaska tribes that the version of S. 1925 that came out of the Judiciary Committee diminished the ability of the Alaska tribes to issue domestic violence protection orders that would enjoy full faith and credit from the State of Alaska. The concern we had was the result of an inadvertent technical drafting error that expanded certain tribal powers within Indian Country, but it appeared to repeal other existing tribal powers that are currently held by Alaska tribes. Our State has very little Indian Country. We do not have reservations, with the small exception of one reservation down in southeastern Alaska. So for the past couple days, I have been working, along with Senator BEGICH, to address this issue and have worked on a technical correction to address the concern in a way that ensures that Alaska tribes lose none of the jurisdiction or the authority they presently have to issue and to enforce their domestic violence protection orders.

It was just this morning that I received a copy of a letter from Ed Thomas, who is president of the Central Council Tlingit and Haida Tribes of the State, and he has come out clearly endorsing the amendment.

I would note that Senator LEAHY has included these technical corrections in the substitute amendment he intends to bring forward, and I would certainly urge that it be adopted.

As my colleague from Idaho just mentioned, there is a divergence of views within this Chamber on what the reauthorization of VAWA should say. It is important to point out that we are in agreement on the vast majority—well over 80 percent—of the provisions in S. 1925. The disagreement is in a few smaller areas. There are Senators whose ideas were not incorporated in the Leahy bill and who wish to be heard, and I think it is appropriate that they be heard.

Again, I would concur with my colleague, the Senator from Idaho, in stating that when the Violence Against Women Act was first initiated back in 1994, it was a bipartisan effort. It was a collaborative effort. The effort this year with the reauthorization should be no less. I have every confidence that this body will once again act in a bipartisan fashion to reauthorize this very critical piece of legislation.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mrs. MCCASKILL. Mr. President, 35 years ago I was a very young assistant prosecutor. There weren't any other women who were assistant prosecutors in Kansas City, and I got assigned a lot of cases that the men in the office used to jokingly call women's work, which meant that I got a lot of cases on welfare fraud and food stamp fraud. And then, as I spent more time in the office, I got sexual assaults and I got domestic violence.

I remember as if it were yesterday the feeling of helplessness as I sat across the desk from a woman who had been beaten to within an inch of her life, and I remember calling the police department and asking for help and them saying: You know, hon, let it go. Tell her to go home.

I remember her asking me: What do I do about my children? I have no money. I don't really want to prosecute him—I don't think he will leave me alone.

I remember not being able to sleep at night because I was so worried about the women who had really no place to go, no one to guide them through the terrifying journey the criminal justice system can be, much less the terrifying journey their lives were. That was 35 years ago.

When I ran for prosecutor in 1992, I said: I am going to start a domestic violence unit, because since then I had spent time working on the laws in Jefferson City, and I had also spent time on the board of a domestic violence shelter—one of the first in Kansas City—and then I became prosecutor, and we started a domestic violence unit.

The police department still pushed back and said: These aren't real crimes. If the victim doesn't want to testify, we have no evidence to go forward.

And I said to them: Wait a minute. We go forward on homicides when the victims can't testify. We should build these cases around the facts and circumstances regardless of the mental state of the victim.

I remember feeling so helpless that we had no resources. And then I remember, as the Jackson County prosecutor in Kansas City, when the Violence Against Women Act passed. I remember reviewing our grant application for the victim advocate in our office, and I remember all of a sudden thinking, you know, we are going to turn the corner.

Is it still a huge problem? Yes. But if you were there 35 years ago on the front lines and you knew the progress we have made to date, you wouldn't be voting no in the Judiciary Committee on the reauthorization of the Violence Against Women Act. You wouldn't be doing that.

So let's move forward. Let's make sure the victim advocates who arrive on the scene as a result of this important piece of legislation—let's make sure they stay on the job. Let's make sure there are not any young prosecutors today who are going home sleepless, much less victims who look at someone who claims they love them, claims they are their protector, but at the same time knowing that person is capable of taking their life. Let's make sure those women have someplace to turn to, their children have someplace to turn to. Let's reauthorize this act today and make sure all the women out there have that help and assistance they need in their time of need.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, it is a shame it has taken so long to get to this point, but I am very glad to see we are close to having this body move forward on this legislation.

The Violence Against Women Act has helped provide lifesaving assistance to hundreds and thousands of women and families, and it was certainly a no-brainer to make sure that all women had access to that assistance. I was proud to have been here serving in the Senate in 1994 when we first passed VAWA. Along with its bipartisan support, it received praise from law enforcement officers, prosecutors, judges, victims, service providers, faith leaders, health professionals, advocates, and survivors. It obtained that broad support because it has worked.

Since it became law 18 years ago, domestic violence has decreased by 53 percent. We have made a lot of progress since 1994, and I am glad we are continuing on that path today on behalf of all women. In fact, Deborah, is here with us today.

Deborah is the Vice Chairwoman of the Tulalip Tribe in my home State of Washington.

Yesterday she joined Senators BOXER, KLOBUCHAR and me to tell her emotional story about the devastating effects violence can have on women—especially Native women.

Deborah was repeatedly abused, starting at a very young age, by a non-tribal man who lived on her reservation. Not until after the abuse stopped around the 4th grade did Deborah realize she wasn't the only child suffering at the hands of her assailant—at least a dozen other young girls had fallen victim to this man.

This is a man who was never arrested for these crimes; never brought to justice; and still walks free today. All because he committed these heinous acts on the reservation—and as someone who is not a member of a tribe, it is an unfortunate reality that he is unlikely to be held liable for his crimes.

The debate we had over the provisions in this legislation was a matter of fairness.

Deborah's experience—and the experience of the other victims of this man—does not represent an isolated incident.

In fact 34 percent of Native Women will be raped; 39 percent of Native Women will be subjected to domestic violence; and 56 percent of Native Women will marry a non-Indian who most likely would not be held liable for any violent crimes committed if these protections hadn't been included in this legislation.

Where people live and who they marry should not determine whether or not perpetrators of domestic violence are brought to justice.

With this bill today, we are taking a major step to uphold our government's promise to protect its citizens.

This bill builds on what works in the current law, improves what doesn't, and it continues on the path of reducing violence toward women.

It certainly should not have been controversial.

It is time for us to come together and support this bill so women and families across America can get the resources and support they need.

I particularly want to thank the courageous work of this wonderful tribal woman to help explain to all of us why the bill we have put before the Senate is so critical today.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. I ask unanimous consent the committee-reported substitute be withdrawn, that a Leahy substitute amendment which is at the desk be made pending, and the only amendments in order to the Leahy substitute or the underlying bill be the following: Klobuchar No. 2094, Cornyn No. 2086, and Hutchison No. 2095; that there be 60 minutes of debate equally divided between the two leaders or their designees for consideration of the amendments and the bill; that there be no amendment in order to any of these amendments; that there be no motions or points of order to the amendments or the bill other than budget points of order or the applicable motions to waive; that the amendments be subject to a 60-affirmative vote threshold; that upon disposition of the three amendments, the Leahy substitute amendment, as amended, if amended, be agreed to and the Senate proceed to vote on passage of the bill, as amended; that all after the first vote be 10-minute votes and there be 2 minutes equally divided between the two votes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, I will briefly say—I know everyone is anxious to get to work—we have had some pretty good work in recent days. The postal bill was extremely difficult to get done. We had the highway bill; that was difficult to get done. Those are bipartisan in nature. It took a while to get through this matter that is before us, but now we are there. It is an effort on everyone's behalf. On my side, I am grateful for the work done by Senators PATTY MURRAY and PAT LEAHY and many others, but I am glad we are at the point where we are today.

Mr. MCCONNELL. Mr. President, I add I agree entirely with the remarks of the majority leader. This is the way the Senate ought to operate—on both these bills, both the postal bill, which was challenging for everyone to get through, and the Violence Against Women Act, on which there is broad, probably unanimous agreement. In fact, the last time it passed the Senate it did pass on a voice vote. We are proceeding to handle it in a way entirely consistent with the Senate's past and procedures, with some amendments but limited debate time on each of them. We will be able to finish this bill today.

I commend Senator HUTCHISON and others on our side who have been deeply involved in this—Senator CORNYN—in bringing us to the place we are now.

AMENDMENT NO. 2093

The PRESIDING OFFICER. The clerk will report the substitute.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. LEAHY, proposes an amendment numbered 2093.

(The text of the amendment is printed in today's RECORD under ''Text of amendments.'')

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, I note my colleague from New Jersey was also standing. I have about 5 minutes of remarks. Did the Senator from New Jersey wish also to speak?

Mr. LAUTENBERG. I plan to, but I will defer, if the Senator is in a rush.

Mr. KYL. I appreciate that very much and I perhaps will ask unanimous consent the Senator from New Jersey follow my remarks?

Mr. LEAHY. Mr. President, reserving the right to object—I will not object—and I know we will be getting back onto this matter and I will be seeking time, I certainly do not object to my two friends taking time now.

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

Mr. KYL. Mr. President, I support reauthorization of the Violence Against Women Act. Throughout my career, I have worked on a number of crime victims' rights measures that, taken together, provide the mosaic of protections for all crime victims.

As a member of the House of Representatives, I cosponsored the Sexual Assault Prevention Act—SAPA—which was incorporated into the Omnibus Crime Control Act signed into law by President Clinton in 1994. Among a number of reforms, SAPA increased penalties for stalking and sexual assault, and it changed the Federal Rules of Evidence to allow admission of prior sexual offenses in sexual assault cases. In 1997, I successfully petitioned the Arizona Supreme Court to adopt this change to Arizona's rules of evidence.

In 2004, I co-authored the Crime Victims' Rights Act with Senator FEINSTEIN. This legislation included a bill of rights for victims of Federal crimes, including the right to be informed, present, and heard at critical stages of the proceedings. That bill was signed into law by President Bush.

I also supported the 2005 reauthorization of the Violence Against Women Act, which included a section Senator CORNYN and I wrote that expanded the Federal DNA collection program.

Today, I am pleased to support the Hutchison/Grassley bill reauthorizing the Violence Against Women Act. I regret that there are competing versions of reauthorization, especially since I believe that virtually all of us support the current law.

I cannot, however, vote for the Leahy version for a number of reasons. First, a new section, 904, is blatantly unconstitutional. This new section would give Indian tribes criminal jurisdiction to arrest, prosecute, and imprison non-Indians under tribal law for certain domestic-violence offenses.

Adding this language to the existing law violates basic principles of equal protection and due process. All tribes require either Indian ancestry or a specific quantum of Indian blood in order to be a tribal member. Even a person who has lived his entire life on the reservation cannot be a tribal member if he does not have Indian blood. Such a person, no matter how long he has lived in the area, cannot vote in tribal elections and would have no say in crafting the laws that would be applied against him by section 904.

Section 904 breaks with 200 years of American legal tradition that tribes cannot exercise criminal jurisdiction over non-Indians. By doing so, it creates a clear violation of the Constitution's equal protection and due process guarantees.

I also take issue with the new Section 905 of the Leahy bill, which would allow Indian tribes to issue ''exclusion orders'' barring non-Indians from lands within the tribes' ''Indian country.'' ''Indian country'' is a term of art in Federal Indian law. It is meant to include lands that were allotted and sold to non-Indians, or allotted to Indians who later sold the land to non-Indians, but that are within the exterior boundaries of a historic Indian reservation. Many non-Indian families have lived on such lands for generations. Other such residents include people with Indian blood, but who have been expelled from membership in the tribe for various reasons. Section 905 would literally allow the tribes to issue orders that bar these individuals from entering their own land, land which they own in fee simple absolute.

The primary rationale for these proposed additions to VAWA was to provide protection for tribal members. The Hutchison/Grassley alternative does that by replacing the unconstitutional provisions of the Leahy bill with an authorization for tribes to seek protection orders to prevent domestic violence, issued directly by a Federal court, upon a showing that the target of the order has assaulted an Indian spouse or girlfriend, or a child in the custody or care of such person, and that a protection order is reasonably necessary to protect the well-being of the victim. Violations of the order would be subject to criminal prosecution in Federal court.

While punishing an offender for any underlying crime is important, preventing harm is critical; and it is often easier to prosecute violations of the terms of a protection order. For example, parties who are not in a romantic relationship with the defendant typically will be available to testify that the defendant entered areas from which

he is excluded under the order. Protection orders, thus, tend to provide an effective means for preventing acts of domestic violence. And because orders would be issued by a Federal court, we can be reasonably certain that such orders will comply with basic principles of due process and will be enforced.

The Hutchison/Grassley reauthorization of the Violence Against Women Act contains other improvements on the Leahy version, and I urge its adoption.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, on this floor we talk a lot about the critical importance of family. I frequently speak about my family, my 10 grandchildren and 4 children, who are the foundation and inspiration for everything I do. But for some Americans, the family is instead a source of fear.

Domestic violence wreaks havoc in our homes and our communities across the country. The statistics are shocking. Every year 12 million women and men in our country are victims of rape, physical violence, and stalking. The numbers are shocking. They represent a national tragedy. But these are not just numbers, they are lives. In 2010, 38 of New Jersey's domestic violence incidents ended in death. I have visited women's shelters in New Jersey, and I have seen fear in the faces of women holding their children. It takes a lot of courage for a woman to stand up and leave her abuser. As a society, we have to be able to tell these women they will have a safe place to go, they will have resources to help them, and they will see justice for their abuser.

Today we are debating legislation to reauthorize the Violence Against Women Act, which for almost 18 years has provided women with support programs they need to escape abusive situations. Make no mistake, VAWA is working for women. Since its passage, occurrences of domestic violence have decreased by more than 50 percent. But despite this incredible progress, these horrible acts continue.

In fact, our progress should inspire us to work harder. Domestic violence programs in our communities are on the front line, and they are starved for resources. More than one-third of New Jersey's domestic violence programs report not having enough funding to provide needed services, and approximately one-quarter report not having enough beds available for women and children trying to escape violent situations. Since 2006, more than 40 programs in New Jersey alone have received almost $30 million in funding through the Violence Against Women Act.

Let me be clear. It would be tragic to turn our backs on victims and the people who dedicate their lives to supporting them. While we cannot stop all malicious acts, we can do more to keep women and their families safe.

In 1996, I wrote the domestic violence gun ban, which forbids anyone convicted of domestic violence from getting a gun. Since the law's inception, we have kept guns from falling into violent hands on over 200,000 occasions. For instance, our gun laws allow domestic abusers to sidestep the ban on getting a gun. The loophole allows a convicted abuser to walk into a gun show and walk out with a gun, no questions asked. That is because background checks are not required for private sellers at gun shows.

Since 1999, I have introduced legislation to close the gun show loophole and keep guns from falling into the wrong hands, and it passed in the Senate with the vote of the Vice President to break the tie. Thirteen years later, this gap in our law remains in place, and people can go to the gun show, walk up to an unlicensed dealer, put the money down, and walk out with a gun. It is an outrage. If we want to protect victims from domestic abuse, we ought to commit ourselves to closing the gun show loophole for the safety of women, their families, and other victims of abuse. Saving the lives of women should be above politics.

The Violence Against Women Reauthorization Act passed the Senate unanimously in 2000 and 2005, and it is incomprehensible that we would turn our back on those who are so abused. I ask those who would vote against passing this bill to think about their own families, think about their spouses, think about their daughters, think about their children.

Every Republican in the committee voted against reauthorizing the VAWA in committee. Every one of them voted against the bill that primarily protects women. They walked away.

Today they have taken a different approach. They presented an amendment, and it is a sham. It actually removes the word ''women'' from a key part of the bill. It also fails to protect some of our most vulnerable victims. Apparently, some of our colleagues would vote against protecting women if it means they also have to protect immigrants and people in the gay and lesbian community.

I call on our colleagues on the other side of the aisle to join us and our families. We know they care. Show it. Show it in this vote we are about to take. Send a clear message that this country does not tolerate brutality against anyone, and show it with a little bit of courage. Stand and say: No, I want to protect my family, I want to protect those who are abused routinely in our society. That is the plea. I just hope each one of them will look at a picture of their kids and their families and say: I owe you that protection.

We worked hard here with the premise that we are protecting people, so let's show it.

Mr. NELSON of Florida. Mr. President, I am here today to speak in support of S. 1925, the Reauthorization of the Violence Against Women Act, and I want to thank Senator LEAHY and Senator CRAPO for their leadership on this important issue.

Originally passed in 1994, the Violence Against Women Act has improved the criminal justice system's ability to hold perpetrators accountable and protect victims of domestic violence. The Violence Against Women Act also provides important services to women who have been victims of domestic violence to help them get their lives back on track.

Now, the data tells us that the Violence Against Women's Act has been effective and is needed: In my State of Florida in 2010, according to the Florida Department of Law Enforcement, there were 113,378 reported domestic violence offenses. This includes domestic violence crimes of stalking, threats and intimidations, assaults, rapes, and murders. (SOURCE: Florida Department of Law Enforcement. (2011). Crime in Florida, 2010 Florida Uniform Crime Report. Tallahassee, FL: DLE.) Those reports resulted in 67,810 arrests. That's about 60%. Unfortunately, we may not ever fully know the full extent of domestic violence. Many victims do not report the abuse that they experience to the police or request domestic violence services out of fear and embarrassment.

Since 1994, studies estimate that reporting of domestic violence has increased as much as 51%. Across the Nation we are seeing more victims of domestic violence step out of the shadows, and come forward to ask for help. And we are seeing more prosecution of domestic violence perpetrators. And, this is a trend that we want to see continue.

So, Mr. President, I urge my colleagues to swiftly pass this important legislation.

I yield the floor.

Mr. WARNER. Mr. President, I rise to add my voice in support of the reauthorization of the Violence Against Women Act, of which I am proud to say I am a cosponsor.

In Virginia, this act has doubled the resources available for prevention and intervention of sexual violence in communities and on campus. The funding provides crisis services in nearly every locality in Virginia. Funds have helped develop State databases like the protective order registry in the Virginia Criminal Information Network, VCIN, and the I-CAN system housed with the Virginia Supreme Court. These databases have helped improve responses across the Commonwealth to sexual and domestic violence.

Some startling Virginia domestic and sexual violence incidence statistics highlight just how critical this legislation is to anyone in my State and across the country who may find themselves in need of help.

Virginia has seen a 12 percent increase over the past 2 years in the number of men, women and children staying in domestic violence emergency shelters on an average night.

Nearly 1 million women and more than 600,000 men in Virginia have experienced rape, physical violence, and/or stalking by an intimate partner.

According to the State's medical examiner, one in three homicides in Virginia is due to family or intimate partner violence.

As these statistics show, the services authorized through VAWA continue to be a necessity. It is important that we continue to support access to these vital services that will provide significant benefits to those most in need of assistance.

For the Violence Against Women Act to truly work as intended, we must have effective accountability. Particularly in times of tight budgets, it is important to ensure that taxpayer dollars are spent wisely. It is critically important that we continue to advance effective, comprehensive policies that will provide appropriate preventive and supportive services that many in my State, as well as across the country, will benefit from.

The accountability measures included in this bill are patterned after proposals offered by my Republican colleagues for other grant programs, and these accountability measures have been tailored to VAWA to make sure that funds are efficiently spent and effectively monitored.

The bill authorizes the Department of Justice's inspector general to audit grantees to prevent waste, fraud and abuse. It gives grantees a reasonable amount of time to correct any problems that were not solved during the audit process, but imposes severe penalties on grantees that refuse to address the problems identified by the inspector general.

Rather than Congress mandating a set number of audits, the Office of Inspector General will have the ability to set the appropriate number. This will give the experts in the inspector general's office the ability to more effectively perform important oversight. The Department of Justice has also taken significant steps to improve monitoring of VAWA grant awards by updating grant monitoring policies and incorporating accounting training for all grantees.

The bill has taken the important step of holding the Department of Justice accountable when using Federal funds to host or support conferences. These new accountability provisions are an integral piece in this process and a meaningful additional check to ensure the appropriate use of taxpayer dollars for these important programs.

I encourage my colleagues to join me in support of the reauthorization of the Violence Against Women Act.

Mr. KOHL. Mr. President, I am proud to rise today in support of the bipartisan Violence Against Women Reauthorization Act. I cosponsored the Violence Against Women Act (VAWA) when it was originally enacted in 1994, and have cosponsored every reauthorization since then. The Violence Against Women Act continues to be as important today as it was in 1994. The programs VAWA supports have gone a long way to help stop batterers in their tracks and provide victims with the support they need to recover and rebuild their lives. This reauthorizing legislation builds upon proven prevention and support strategies and includes new provisions to address the changing and still unmet needs of victims.

VAWA has been a success story over the past 18 years because it encourages communities to more effectively and efficiently respond to domestic violence. Working together, law enforcement, judges, domestic violence shelters, victim advocates, healthcare providers, and faith-based advocates are able to better prosecute abusers and protect and aid the women, men and children who find themselves in dangerous and potentially life threatening domestic relationships. Programs authorized by VAWA also provide victims with critical services, including transitional housing and legal assistance, and address the unique issues faced by elderly, rural, and disabled victims. No one should have to choose between staying in a harmful relationship and losing their home or job.

Yet, the Violence Against Women Reauthorization Act of 2011 makes needed reforms and changes that will strengthen and streamline existing programs, while also consolidating programs and reducing authorizations to recognize the difficult fiscal situation we face. The bill also incorporates new accountability provisions, to ensure that VAWA funds are used effectively and efficiently. Our bill implements cuts that will save $135 million each year.

As Chairman of the Subcommittee on Retirement and Aging, we have seen far too many instances of physical, mental, and financial abuse of our nation's seniors. So I thank Senator LEAHY for including provisions from my End Abuse in Later Life Act. Those provisions ensure that appropriate enforcement tools are available to combat sexual assault and domestic violence against the elderly, and that older victims receive victim services.

We commend Senator LEAHY for his work on this important, bipartisan bill. VAWA reauthorizations passed the Senate unanimously in 2000 and 2005, and I look forward to the long overdue passage of S. 1925 today.

Mr. WHITEHOUSE. Mr. President, I wish to speak in favor of the Violence Against Women Reauthorization Act, which I am proud to cosponsor. As attorney general of Rhode Island, I saw firsthand the good work that the Violence Against Women Act has done to protect victims of domestic violence, to provide crucial services to those who have been harmed, and to hold batterers accountable for their crimes. It is vital that we reauthorize this important law.

In Rhode Island and across the country, the Violence Against Women Act continues to support essential tools for preventing and responding to domestic violence. The Rhode Island Coalition Against Domestic Violence reports, for example, that we now have 23 transitional housing units in our State, helping victims of violence become safe and self-sufficient as they escape a batterer. VAWA's law enforcement and legal assistance programs have also proven essential, especially in light of difficult State and local budgets. VAWA supports seven law enforcement advocates in Rhode Island, who work in local police departments to provide immediate assistance to victims of domestic violence, sexual assault, and stalking. These and other VAWA programs have improved the criminal justice response to violence against women and ensured victims and their families the services they need.

The Violence Against Women Reauthorization Act builds on that record of success. It makes important updates to strengthen the law, while remaining cognizant of the challenging budget circumstances we face. The bill includes an increased focus on sexual assault prevention, enforcement, and services. It provides new measures to prevent homicides through programs to manage high-risk offenders. It also consolidates programs to reduce administrative costs and add efficiency. And it incorporates new accountability provisions to ensure that VAWA funds are used effectively and efficiently.

Senators LEAHY and CRAPO led a fair and open process in crafting this bill. They have carefully studied these issues, consulted with a great number of experts and stakeholders, and as a result have achieved a bill with 60 cosponsors in this body.

I would particularly like to thank Senators LEAHY and CRAPO for including in this bill a measure I authored to help prevent teen dating violence. Far too many teens suffer abuse at the hands of a dating partner. The Centers for Disease Control report that one in ten teenagers was hit or physically hurt on purpose by a boyfriend or girlfriend in the past year. The Saving Money and Reducing Tragedies through Prevention, or SMART Prevention Act, which I introduced last year and is included in this bill, will support innovative and effective programs to prevent this dangerous abuse.

At a subcommittee field hearing I chaired last year on strategies for protecting teens from dating violence, each of the expert witnesses testified that prevention programs can help address this serious problem. Ann Burke, a leading national advocate, explained that school-based teen dating violence prevention programs have proven effective in changing behaviors. For example, in 2 years following the passage of Rhode Island's Lindsay Ann Burke Act, named in memory of Ann's daughter, a victim of dating violence, the number of teenagers physically abused by a dating partner in our State decreased from 14 percent to 10.8 percent.

Prevention programs are most effective when part of a community approach. Kate Reilly, the executive director of the Start Strong Rhode Island

Project, testified that effective prevention programming should ''meet kids where they live and play.'' That requires involving parents, coaches, mentors, and community leaders—men and women—as well as innovative uses of technology and social media.

One group of children needs particular attention: those who have witnessed abuse in their home. Deborah DeBare, executive director of the Rhode Island Coalition Against Domestic Violence, explained at our hearing that ''growing up in a violent home may lead to higher risks of repeating the cycle of abuse as teens and young adults.'' By supporting robust services for children exposed to domestic violence, we can help to lift the emotional burden on children who witness their parents' violence and break the intergenerational cycle of violence.

The VAWA Reauthorization Act's SMART Prevention provisions build on Ann and Kate and Deb's insights. The bill supports educational programs warning young people about dating violence, as well as programs to train those with influence on youth. To save costs, the new program is consolidated with existing grant programs, including a program directed at children who have witnessed violence and abuse. Coordinating and focusing prevention resources will save money, and abuse that is prevented reduces the strain on our overburdened health, education, and criminal justice systems.

I again congratulate Senators LEAHY and CRAPO for their strong bipartisan leadership in helping us extend our longstanding bipartisan commitment to preventing domestic violence. I urge all of my colleagues to support reauthorizing the Violence Against Women Act, so that we can keep working toward a country that is free of this scourge.

Ms. SNOWE. Mr. President, I rise today in strong support of The Violence Against Women Act. This consequential measure reauthorizes a landmark federal law and, once the Senate has finished a free and open debate including a full range of amendments, we should pass this bill with a strong, bipartisan majority. Approving this measure offers the Senate an opportunity to demonstrate to the American people that we still have the capacity to meet the challenge of forging effective solutions to monumental matters affecting Americans in their daily lives.

For far too long, domestic violence has been an extremely serious and common crime that devastated families and silently took a great toll on our society. Decades ago, domestic violence went largely unreported, in part because the victim viewed the violence as personal, or because of they were afraid of retribution, or they were embarrassed and did not want family members, friends, or neighbors to know.

I well recall in 1990, when I was serving as the co-chair of the House Congressional Caucus on Women's Issues with Pat Schroeder, and Congress started to focus greater attention on these kinds of heinous transgressions and those who perpetrate them. Just as we fought vigorously for women's health equity, as well as economic security for women, the Caucus was a driving force for change in combating domestic violence, with then-Congresswoman Boxer taking a leadership role in authoring legislation, along with Connie Morella. As we were building legislative momentum in the House, then-Senator Joe Biden was shepherding this initiative through the Senate.

This culminated in the original Violence Against Women Act, enacted in 1994, a truly landmark piece of legislation. For the first time, Congress enacted legislation that sought to comprehensively address the problem of violence against women. We provided assistance to States to improve law enforcement and prosecution efforts, and funded shelters and services to help women and their families extricate themselves out of these violent and abusive situations and into safety.

Here we are, 18 years later, and yes, we can feel fortunate for the progress we have made on this critical issue. The evidence clearly bears this out.

According to the National Network to End Domestic Violence, reporting of domestic violence has increased as much as 51 percent. Reporting is an instrumental first step to ensuring that women receive the support they want, need, and deserve. As a result, hundreds of thousands of women have been helped through VAWA-supported programs such as hotlines, individual and court advocacy, emergency shelters, transitional housing and housing assistance. Furthermore, the annual incidence of domestic violence has fallen by more than 50 percent.

While women are the most frequent targets of domestic violence, children are also too often victims in these tragedies as well. For this reason, the best approach must be comprehensive in scope and the urgent necessity for action, such as early intervention, is paramount.

Earlier this month, researchers at Boston Children's Hospital and the Institute of Child Development at the University of Minnesota released a study—the first of its kind—that prospectively examined the effects of interpersonal trauma on children—particularly young children. On average, children exposed to such trauma had cognitive scores that were the equivalent of 7 IQ points fewer, with the most significant and enduring cognitive deficits appearing in children exposed to trauma between birth and 2 years of age. As study leader Dr. Michelle Bosquet Enlow observed, ''If we wait until children are identified by the school . . . a lot of the damage will have already been done.''

Well, I could not agree more, and that is why along with early intervention, we must also increase access to quality early childhood health and education programs. The challenge in 2012 is to understand and act upon the systemic, reverberative consequences of this violence.

Consider the reality that domestic violence does not merely occur at home. In fact, the one place where an abuser can be confident to find his victim is at work. In a survey conducted by the Maine Department of Labor, 74 percent of abusers had easy access to their partner's workplace, with 21 percent of offenders reporting that they contacted the victim at the workplace in violation of a no contact order.

At the same time, among female employees who experienced domestic violence, 87 percent received harassing phone calls at work; 78 percent reported being late to work because of abuse; and, incredibly, 60 percent lost their jobs due to domestic abuse. As Ranking Member of the Senate Committee on Small Business and Entrepreneurship, I find these facts chilling, because not only do these alarming invasions of privacy threaten women's financial independence, they can also erode elements of a woman's critical support system that can often be found in the workplace as well.

Turning now to my own State of Maine where approximately half of all homicides each year stem from domestic violence, I want to begin with the tragic case of Amy Lake. A kindergarten teacher from Dexter, ME, Amy, and her two children, Coty and Monica, were killed last year by her abusive husband before he killed himself.

Domestic violence experts and law enforcement authorities contend that Amy did everything possible to protect herself and her two children. Amy and her children lived in seven different places the year before their deaths. Amy sought and received a protective order, which her husband proceeded to violate five times. This wrenching incident has galvanized the local community and the entire state of Maine at large to redouble our efforts to end domestic violence. And frankly it is cases like Amy's that tell us in no uncertain terms our work is far from finished. Our job is NOT completed. And our task remains for us all to strive to solve.

In fighting domestic violence, engaging men is a fundamental part of the answer. I salute the efforts of Maine's Governor, Paul LePage, who himself has overcome tragedy as a child and has courageously and aggressively pursued changes aimed at protecting victims, such as reforming bail rules, and strengthening notification requirements. Additionally, Black Bears Against Domestic Violence—an initiative involving male athletes from all of the sports teams from the University of Maine—has done an outstanding job in speaking out against dating violence both on campus and at local high schools.

This bill before us today, which I am pleased to cosponsor, successfully

builds upon past strides at both the State and Federal levels. We include a number of judicial improvements, such as encouraging the use of best practices among law enforcement and court personnel to better assess the risk of domestic violence homicide and to provide immediate, crisis intervention services for those at risk of escalating violence. Maine is already moving in that direction in light of the tragedy that befell Amy Lake, which is vividly emblematic of the imperative to get the right information to the right people at the right time.

Our legislation also reauthorizes grants to encourage arrest policies and enforce protection orders. At the same time, it explicitly calls on law enforcement to identify and inventory backlogs of sexual assault evidence collection kits and to develop protocols for responding to and addressing such backlogs in the purpose area of Services -Training—Officers—Prosecutors, STOP, grants and Grants to Encourage Arrest Policies and Enforce Protection Orders, GTEAP. Human Rights Watch points out two astounding facts—first, that the arrest rate for rape, which stands at 24 percent, has not changed since the late 1970s. Second, it estimates that the number of untested rape kits reaches the hundreds of thousands. Indeed, a recent Newsweek article profiled Detroit prosecutor Kym Worthy, who was attacked at law school while on a run but never reported it, is spearheading an effort to ensure that more than 11,000 police rape kits are tested in Detroit. As she rightfully surmises, ''when victims go through a 3-hour plus rape kit exam, they expect the police to use the evidence to catch the rapist.''

Now, I am cognizant that some of my colleagues—especially those who have enthusiastically supported the original law and past reauthorizations—are fully committed to fighting violence against women but have concerns about the version before us. I hope we can cooperatively work through these issues in an effort to ensure that at the end of the day the overall passage of a significant reauthorization is NOT jeopardized.

Let me be clear, quelling domestic violence is too vital, too urgent, and too necessary a challenge to countenance division along party lines. Our answer must be to counter the impulse to create a political wedge with a desire to legislate in good faith. What is effective fodder for campaign vitriol has no place in a measure like this endeavor to reauthorize The Violence Against Women Act.

Time is of the essence when it comes to legislation with life and death ramifications. Politically, this law has a strong bipartisan pedigree, which has been crucial to its success and enduring legacy. In deference to that tradition, rather than focusing on how to parlay our differences into political advantage, I urge my colleagues try to bridge the divide first.

As someone who has dedicated her life in public service to empowering women, I know this much to be true we can adopt measures that promote and enhance women's health, but if we achieve those noble goals, yet fail to ensure women's security, the victory is pyrrhic at best. If we make strides in education and economic opportunity, but jettison efforts to protect women from abuse, the gains we make will have come at a steep price.

The opportunities to rally around a common cause have been regrettably rare in this chamber so far this Congress. Let us seize this moment and send the strongest signal possible to the nation that on our watch women will receive the protections they require and deserve.

Mr. COONS. Mr. President, every single American should be able to count on the law to protect them from domestic violence and sexual assault, regardless of who they are, where they live, or whom they love. That means giving law enforcement the tools they need to investigate and prosecute these crimes while investing in a community-based approach, like we have in Delaware. In reauthorizing the Violence Against Women Act today, the Senate is taking an important step in the ongoing effort to rid domestic abuse from our communities and our Nation.

The Violence Against Women Act has been an unqualified success at reducing domestic violence and bringing this once-hidden crime into the light. Yet there is no question that the need for this legislation persists.

Just last month, a 26-year-old male was placed under arrest in New Castle County, DE, after assaulting his ex-girlfriend in front of her five children. The assault involved dragging the victim by her hair into the kitchen, where the violence continued. The victim's teenage son was forced to make the call to 9–1-1—another stark and horrifying example of how not all victims of domestic violence have bruises.

Like many aspects of modern law enforcement, the best strategies for fighting domestic violence and sexual assault change over time. What Congress and experts understood to be effective in 1994 may not be the best or most comprehensive approach today. That is why the original authors of this act provided for reauthorization every 5 years. Twice each decade, we must take a hard look at where we are failing and where we are succeeding in this important fight.

In this year's reauthorization, we made changes that generally fall into two categories: reducing bureaucracy and strengthening accountability to ensure taxpayer dollars are spent wisely; and ensuring that every victim of abuse in this country is able to count on the law to protect them, regardless of who they are, where they live or whom they love.

Sometimes it takes an extra step on our part to make sure underserved communities, like those in the LGBTQ community, receive the same protection under the law as everyone else. I believe it is a step worth taking.

The reauthorization we are considering today takes that step, moving us forward by adding protections for victims of domestic violence regardless of their sexual orientation. Lesbian, gay, bisexual and transgendered Americans experience domestic violence in the same percentage of relationships as the general population—a shocking 25–35 percent—yet these victims often don't have access to the same services as their straight friends and neighbors.

Nearly half of LGBTQ victims are turned away from domestic violence shelters, and a quarter are often unjustly arrested as if they were the perpetrators.

In Delaware and across this country, our law enforcement officers are doing an incredible job responding to domestic violence cases, due in part to the training they receive from VAWA programs. Providing the resources necessary to help ensure officers treat all victims equally is essential to keeping our communities safe.

Today's reauthorization makes plain that discrimination is not the policy of the United States of America. It says no program funded by Federal VAWA dollars can turn away a domestic violence victim because of their sexual orientation or gender identity.

That is it. That is all this part of the bill does, and I can't believe any of my distinguished colleagues would want to let discrimination persist in the laws of this country.

Every single American should be able to count on the law to protect them from domestic violence and sexual assault. Whether the victim is gay or straight, American Indian, white, black or Latino, they deserve protection from abuse and justice for their abusers. The amendment offered by Senator HUTCHISON removes these key provisions and would allow the denial of VAWA assistance to victims solely because of their LGBT status.

I opposed the Hutchison amendment for this reason, and because it eliminates improvements that will help law enforcement conduct investigations of the crimes targeted by VAWA.

As cochair of the Senate Law Enforcement Caucus, I convened a roundtable discussion in New Castle, DE, earlier this year to hear from leaders across the spectrum of law enforcement, the nonprofit sector, and the judiciary.

One thing the roundtable made absolutely clear is that law enforcement agencies use VAWA funding to hold training and share information they can't get anywhere else.

Chief Jeffrey Horvath of the Lewes Police Department explained that in a small police unit such as the one he leads, marshaling the funds to provide officer training on domestic violence would be impossible without VAWA assistance.

These local experts also stressed the critical need for ongoing and continued training. MAJ Nathaniel McQueen of the Delaware State Police noted that because the research continues to evolve, trainings must be given every year.

Patricia Dailey Lewis, representing the Family Division of the Delaware Attorney General's Office, explained that VAWA provides the social workers that are critical to ushering victims through the criminal justice system. Without a social worker as a guide, the complications and frustrations of the justice system can be overwhelming—ultimately deterring victims from coming forward and pushing domestic violence back into the shadows.

VAWA funds the Victims Advocate Office in the Delaware State Police Department, which LT Teresa Williams reported has served over 6,000 Delawareans in 2 years. As that number suggests, the prevalence of domestic and sexual violence cases remains a huge concern. Chief James Hosfelt of the Dover Police Department estimated that one-third of his case files relate to incidents of domestic violence.

Once law enforcement and prosecutors have secured a court order, VAWA plays a pivotal role in reducing recidivism. As Leann Summa, director of Legal Affairs of the Family Court in Delaware, explained to me, VAWA funds through STOP grants provide the only method by which the Delaware Family Court can ensure that individuals comply with court orders of treatment and counseling. For victims, VAWA also provides the support groups that reach those who might otherwise fall back into dangerous conditions. Maria Matos, executive director of the Latin American Community Center, explained to me that, while members of the Latino community do not often join in support groups, VAWA has helped create one that has worked successfully in Delaware.

So if we are to tackle a problem this large, this pervasive, and this dangerous, we need well-trained, dedicated law enforcement officers but we also need support from a whole community providing a broad range of services. And in Delaware, that is exactly what we have. VAWA has fostered a community of those dedicated to reducing violence, allowing each group to serve as a force multiplier for others and adding value that individual programs alone would not create.

Another participant in our roundtable, Bridget Poulle, executive director of the Domestic Violence Coordinating Council, told me that even though the council she represented receives no VAWA funds, that, ''VAWA has allowed all systems to work at a higher level.''

Tim Brandau, executive director of CHILD, Inc., agreed that it is the broad community created by VAWA that is most important to sustain. Commissioner Carl Danberg of the Department of Corrections, who also joined us at the roundtable, reminded us how, in the early days of addressing domestic violence, the typical response was to ''lock them both up,'' revictimizing the innocent party. What seemed an appropriate or sufficient response at one time sounds appalling to our ears today—reinforcing the need to reevaluate these programs regularly.

VAWA makes the whole system better by bringing together the necessary pieces of a fully functioning justice system. At the roundtable, Patricia Dailey Lewis, representing the Family Division of the Delaware Attorney General's Office, explained that VAWA provides the social workers that are critical to ushering victims through the criminal justice system. Without a social worker as a guide, the complications and frustrations of the justice system can be overwhelming—ultimately deterring victims from coming forward and pushing domestic violence back into the shadows.

The breadth of the VAWA community is key to its success. This was emphasized at the roundtable by Carol Post, executive director of the Delaware Coalition Against Domestic Violence, and by Deanee Moran, Director of the Sexual Assault Network of Delaware. They reported how VAWA touches everything from transitional housing to the national hotline, from the safe exchange of children to increased awareness on college campuses; from STOP grants in rural neighborhoods to SASP funding in urban communities. Not only for women, but also for men, and for children.

My colleagues who opposed this reauthorization were willing to put all of this progress at risk. Their insistence on excluding some of our friends and neighbors because of their background or sexual orientation is unconscionable.

I am proud to represent a State that has taken a leadership role in the fight against domestic violence, and I thank JOE BIDEN, the former Senator from Delaware, for his leadership in advancing the first VAWA statute.

It is my pleasure, honor, and great responsibility to do all that I can to secure VAWA reauthorization this year—the safety of our communities depends on it.

Mr. COBURN. Mr. President, I write today to explain my vote in opposition to S. 1925, Violence Against Women Reauthorization Act, VAWA. I have several outstanding concerns with this legislation, some of which were reflected in the amendments I circulated during the Senate Judiciary Committee's February 2012 markup of this legislation. In particular, I believe this legislation violates the principles of federalism outlined in the Constitution, fails to completely address duplication and overlap both within VAWA programs and with non-VAWA programs administered by both the Department of Justice, DOJ, and the Department of Health and Human Services, HHS, ignores the continuing problem of grant management and waste, fraud and abuse at the Office of Violence Against Women, OVW, and disregards our country's fragile financial condition, which has worsened significantly since the last VAWA reauthorization in 2005.

First and foremost, I do not think anyone would disagree with the fact that violence of any type against women, domestic, dating or sexual violence, is reprehensible and should not be tolerated. However, regardless of the extent of this or any other problem, we must carefully weigh the proper role of the Federal Government so Congress does not violate its limited authority under the Constitution. Domestic violence laws, like most other criminal laws, are State laws, and nowhere in the Constitution is the Federal Government tasked with providing basic funding to States, localities, and private organizations to operate programs aimed at victims of State crimes such as domestic violence. Far too often, Congress infringes upon the rights of the people and the States by overreaching in its legislative efforts.

Although many VAWA programs are laudable, they are not the Federal Government's responsibility. In fact, the entire purpose of this legislation is to provide funding for State, local, nonprofit, and victim services grantees to serve victims of State crimes, such as domestic violence, stalking, and sexual violence. These crimes and the treatment of its victims are appropriately in the jurisdiction of the States, not the Federal Government. In light of our current economic crisis, Congress must evaluate each and every program to determine if it is constitutional, whether it is a Federal responsibility, and whether it is a priority. Combating violence against women is certainly a priority, but it is not a Federal responsibility.

Second, this legislation fails to completely address the duplication and overlap within VAWA programs and with non-VAWA programs operated by both the DOJ and HHS. At the beginning of every Congress, I send to each Senator my letter outlining the criteria he will use to evaluate legislation. This Congress, it was also signed by seven other Members. The VAWA reauthorization violates several of those criteria, including elimination and consolidation of duplicative programs prior to reauthorization.

While I recognize the legislation does consolidate some programs, it has not eliminated all duplication. There are several VAWA grant programs that are so broad that they duplicate one another, providing multiple opportunities for grantees to double dip into Federal funds. In addition, the Family Violence Prevention and Services Act, FVPSA, which predates the original VAWA legislation, authorized several HHS programs aimed at reducing domestic violence and helping victims. Several of those programs fund the same types of

services as those authorized by the VAWA grants in this legislation.

Furthermore, in the Government Accountability Office, GAO Duplication Report released at the end of February 2012, GAO found the DOJ administers more than 250 grant programs to provide crime prevention, law enforcement, and victims' services, totaling approximately $30 billion since 2005. Specifically, GAO noted more than 20 percent of the 253 grants reviewed by GAO are for victims' assistance.

In addition, according to GAO, this June that office will be releasing yet another duplication report specifically on the OVW, Office of Justice Programs, OJP, and Community Oriented Policing Services, COPS Program. Before moving forward with a VAWA reauthorization, Congress should evaluate this report on OVW to determine how we can streamline the victims' services DOJ already provides. Reauthorizing VAWA programs now, without taking into account the recent and forthcoming work of GAO, is premature.

As a result, I am very disappointed the Democrats refused to allow a vote on the amendment No. 2085 I filed to eliminate unnecessary duplication within DOJ, especially since the savings would have been largely directed to helping bring justice to rape cases. This amendment would have provided at least $600 million in additional funds to support efforts to use DNA to solve crimes.

This amendment would have required the Department of Justice to identify every program its administers, consolidate unnecessary duplication, and apply savings towards resolving rape cases and reducing the deficit.

Specifically, the amendment directed the Attorney General to develop a plan that would result in financial cost savings of at least 20 percent of the nearly $3.9 billion in duplicative grant programs identified by the Government Accountability Office.

According to GAO, since 2005, Congress has spent $30 billion in overlapping Department of Justice grants for crime prevention police and victims services from more than 250 DOJ grant programs, and $3.9 billion in grants just in 2010.

As much as 75 percent of the savings, nearly $600 million, may be directed towards alleviating any backlogs of analysis and placement of DNA samples from rape, sexual assault, homicide, kidnapping and other criminal cases, including casework sample and convicted offender backlogs, into the Combined DNA Index System. The remainder of the savings will be returned to the Treasury for the purpose of deficit reduction.

By requiring the consolidation and elimination of duplication at DOJ, Congress will free Federal funding which can be more appropriately dedicated to bringing justice to rape victims, while also reducing the deficit.

DNA testing provides a powerful criminal justice tool to convicting rapists and exonerating the innocent—DNA, deoxyribonucleic acid, testing has become a powerful criminal justice tool in recent years. ''DNA can be used to identify criminals with incredible accuracy when biological evidence exists. By the same token, DNA can be used to clear suspects and exonerate persons mistakenly accused or convicted of crimes. In all, DNA technology is increasingly vital to ensuring accuracy and fairness in the criminal justice system,'' according to the Department of Justice.

''Each person's DNA is unique (with the exception of identical twins). Therefore, DNA evidence collected from a crime scene can implicate or eliminate a suspect, similar to the use of fingerprints. It also can analyze unidentified remains through comparisons with DNA from relatives. Additionally, when evidence from one crime scene is compared with evidence from another using the Combined DNA Index System, those crime scenes can be linked to the same perpetrator locally, statewide, and nationally.''

''When biological evidence from crime scenes is collected and stored properly, forensically valuable DNA can be found on evidence that may be decades old. Therefore, old cases that were previously thought unsolvable may contain valuable DNA evidence capable of identifying the perpetrator.''

In New York authorities used DNA evidence to link a man to at least 22 sexual assaults and robberies. Authorities in Philadelphia, PA, and Fort Collins, CO, used DNA evidence to link and then solve a series of crimes—rapes and a murder—perpetrated by the same individual.

DNA is generally used to solve crimes in one of two ways. First, in cases where a suspect is identified, a sample of that person's DNA can be compared to evidence from the crime scene. The results of this comparison may help establish whether the suspect committed the crime. Second, in cases where a suspect has not yet been identified, biological evidence from the crime scene can be analyzed and compared to offender profiles in DNA databases to help identify the perpetrator. Crime scene evidence can also be linked to other crime scenes through the use of DNA databases.

DNA evidence is generally linked to DNA offender profiles through DNA databases. In the late 1980s, the Federal Government laid the groundwork for a system of national, State, and local DNA databases for the storage and exchange of DNA profiles. This system, called the Combined DNA Index System, CODIS, maintains DNA profiles obtained under the Federal, State, and local systems in a set of databases that are available to law enforcement agencies across the country for law enforcement purposes. CODIS can compare crime scene evidence to a database of DNA profiles obtained from convicted offenders. CODIS can also link DNA evidence obtained from different crime scenes, thereby identifying serial criminals.

In order to take advantage of the investigative potential of CODIS, in the late 1980s and early 1990s, States began passing laws requiring offenders convicted of certain offenses to provide DNA samples. Currently all 50 states and the Federal Government have laws requiring that DNA samples be collected from some categories of offenders.

When used to its full potential, DNA evidence will help solve and may even prevent some of the Nation's most serious violent crimes. However, the current Federal and State DNA collection and analysis system needs improvement, according to the Department of Justice: In many instances, public crime labs are overwhelmed by backlogs of unanalyzed DNA samples. In addition, these labs may be ill-equipped to handle the increasing influx of DNA samples and evidence. The problems of backlogs and lack of up-to-date technology result in significant delays in the administration of justice. More research is needed to develop faster methods for analyzing DNA evidence. Professionals working in the criminal justice system need additional training and assistance in order to ensure the optimal use of DNA evidence to solve crimes and assist victims.

Thousands of sexual assault DNA kits are still not tested—''The demand for DNA testing continues to outstrip the capacity of crime laboratories to process these cases,'' according to a National Institute of Justice report. ''The bottom line: crime laboratories are processing more cases than ever before, but their expanded capacity has not been able to meet the increased demand.''

The DNA casework backlog, consisting of forensic evidence collected—from crime scenes, victims and suspects in criminal cases—has more than doubled from less than 50,000 in 2005 to more than 100,000 in 2009.

There are thousands of rape kits ''sitting waiting to be tested'' in Houston, TX alone. The Houston Police Department may have up to 7,000 sexual assault kits that have not been tested. Houston recently accepted an $821,000 Federal grant to study the backlog of untested kits, but ''the bulk of the money has to be spent on figuring out the reasons rape kits have gone untested'' and less than half of the money ''will go towards dealing with the actual backlog.''

This amendment provides roughly $600 million to help resolve more than 340,000 rape and other criminal cases with DNA testing—This amendment would have provided at least $600 million in additional funds to support efforts to use DNA to solve crimes.

The amendment would have directed the Attorney General to develop a plan that would result in financial cost savings of at least 20 percent of the nearly $3.9 billion in duplicative grant programs identified by the Government

Accountability Office. As much as 75 percent of the savings, nearly $600 million, may be directed towards alleviating any backlogs of analysis and placement of DNA samples from rape, sexual assault, homicide, kidnapping, and other criminal cases, including casework sample and convicted offender backlogs, into the Combined DNA Index System. The remainder of the savings will be returned to the Treasury for the purpose of deficit reduction.

In 2010, National Institute of Justice's DNA Backlog Reduction Program provided more than $64.8 million which allowed more than 37,000 cases to be tested. The $600 million provided by this amendment could therefore be enough to provide testing for over 342,000 cases.

No list of Justice Department programs exists, yet GAO found more than 250 overlapping DOJ grant programs—As with many other agencies, the Justice Department cannot fully account for each program in its purview. In fact, in its review of DOJ programs for their annual report on duplication, even the GAO could not fully account for every program at the agency.

The number of Justice programs detailed by GAO, 253, may actually be an understatement. The report explains Justice grant programs can continue for up to 5 years, and as such, ''the total number of active justice grant programs can be higher than what is presented,'' which is only a one year snapshot of the Department's programs.

This amendment would require the Department to provide a full listing of every single program administered under their jurisdiction, which will assist in Congress's work to address this extensive overlap when making funding decisions.

In their duplication report, GAO revealed that ''overlap and fragmentation among government programs or activities can be harbingers of unnecessary duplication. Reducing or eliminating duplication, overlap, or fragmentation could potentially save billions of taxpayer dollars annually and help agencies provide more efficient and effective services.''

This amendment would have addressed this overlap and unnecessary duplication at the Department of Justice by also requiring the following: a listing of other programs within the Federal Government with duplicative or overlapping missions and services; the latest performance reviews for the program, including the metrics used to review the program; the latest improper payment rate for the program, including fraudulent payments; and the total amount of unspent and unobligated program funds held by the agency and grant recipients.

This information would be updated annually and posted on-line, along with recommendations from the agency to consolidate duplicative and overlapping programs, eliminate waste and inefficiency, and terminate lower priority, outdated and unnecessary programs.

According to GAO, since 2005 Congress has spent $30 billion in overlapping Department of Justice grants for crime prevention, police, and victims services through more than 250 programs, and $3.9 billion in grants in 2010.—In February, the Government Accountability Office, GAO, released its second annual report addressing duplication and areas for cost savings throughout the Federal Government. The report, ''Opportunities to Reduce Duplication, Overlap and Fragmentation, Achieve Savings, and Enhance Revenue,'' exposed 51 specific examples of government duplication and areas of Federal spending with potential for significant cost savings.

Included in this year's report are some very troubling findings of extensive duplication in a large portion of Department of Justice, DOJ, programs. GAO found the Justice Department administers more than 250 duplicative programs to provide ''crime prevention, law enforcement, and crime victim services,'' costing taxpayers roughly $30 billion in the last 6 years.

Their report details the widespread duplication in the Department, enumerating at least 56 victims' assistance programs, 33 juvenile justice efforts, more than 40 technology and forensics grant solicitations, and 16 community crime prevention strategy programs, to name a handful of the many identified.

In 1 year alone, three primary offices—the Office of Justice Programs, the Office on Violence Against Women, and the Community Oriented Policing Services Office—awarded $3.9 billion through 11,000 grants, many of which the GAO found to be duplicative and in need of review and coordination.

GAO attributes much of the duplication among these 253 grant programs to the fact Justice officials do not conduct a full cross reference check to ensure applicants have not applied for or received overlapping grants from the Department.

In fact, Justice employees contend they simply do not have enough time before providing a grant to ensure recipients have not already received funding. GAO observed, ''Justice officials stated that the timeline for reviewing applications, making recommendations on their merit, and processing awards each year is compressed and that it would be difficult to build in the extra time and level of coordination required to complete an intradepartmental review for potentially unnecessary duplication of funding prior to making awards.''

This amendment would direct DOJ to use their own authority to eliminate and consolidate overlapping programs as identified by GAO and develop a plan that would result in financial cost savings of no less than 20 percent of the nearly $3.9 billion in duplicative grant programs identified by the Government Accountability Office.

Addressing duplication at GAO is one step in addressing our nearly $16 trillion debt—With the release of the GAO report, combined with last year's recommendations, Congress and the administration have been given extensive details in 132 areas of government duplication and opportunities for significant cost savings, with dozens of recommendations for how to address the duplication and find these savings.

The problem in Congress today is not an issue of ignorance—it is one of indifference and incompetence. We know we have a problem. We know we have cancer. Yet we refuse to stop making it worse, we refuse to apply the treatment, and we refuse to take the pain of the medication for the long-term benefit of a cure.

The report provides a clear listing of dozens of areas ripe for reform and in need of collaboration from members on both sides of the aisle, to find solutions to address these issues.

We are looking into a future of trillion dollar deficits and a national debt quickly headed toward $20 trillion. Our Nation is not on the verge of bankruptcy, it is already bankrupt. Over the last 2 years, there have been countless discussions and bipartisan talks about how to address our debt and deficit. Yet there has been little agreement, and at the end of this year we will be faced with another tax extenders package and another increase in the debt limit, all while sequestration will be poised to kick in and achieve the savings Congress has been unable to muster the courage to pass.

But, before us, we have part of the answer. GAO's work presents Washington with literally hundreds of options for areas in which we could make a decision now to start finding savings, potentially hundreds of billions of dollars. If we are unable to agree on eliminating even one small duplicative program or tax credit when clearly we know there are hundreds, we have little hope of ever coming to a comprehensive compromise for fixing our floundering budget.

Congress should require the Department of Justice to provide a full listing of every program in their jurisdiction. Further, the Department can find savings from consolidating the overlap outlined by the GAO, freeing up Federal funding to dedicate toward solving unresolved rape cases, while also reducing the deficit.

As a Nation, we simply cannot afford to reauthorize programs that waste taxpayer dollars by duplicating programs operated by other Federal agencies for the same purposes. To be clear, addressing duplication and overlap is not a matter of refusing to provide services to victims of domestic violence but, rather, it is to ensure they are properly served by programs that are efficient, effective and not bogged down in Federal Government bureaucracy.

Third, both the Government Accountability Office, GAO, and the DOJ

Office of the Inspector General, DOJ OIG, have repeatedly documented the failure of OVW to manage its grants and monitor its grantees effectively. Following this statement, I have included in the RECORD summaries of both GAO and DOJ OIG reports on OVW and VAWA grants. Overall, DOJ has long had problems with its grant management. The DOJ OIG has published for more than a decade a list of the Top 10 Management Challenges at the DOJ. Grant management, unfortunately, has appeared on that list ever since the inception of this evaluation, with OVW being called out as particularly problematic.

Since 2001, GAO has noted various problems at OVW and with particular VAWA grants. With regard to OVW grant management, GAO noted grants awarded by OVW ''often lacked the documentation necessary to ensure that the required monitoring activities occurred.'' As a result OVW ''was not positioned to systematically determine staff compliance with monitoring requirements and assess overall performance.''

Furthermore, since 1998, the DOJ IG has issued audit after audit noting unallowable expenditures, questioned grant costs, weak internal reporting, and poor oversight in numerous VAWA grants across the country. For example, a 2011 DOJ IG audit of a Boston grantee questioned over half $638,298 of its $1.3 million grant. The questioned costs were used for unsupportable conferences, bonus payments, and consultant fees.

Even my constituents have directly experienced OVW mismanagement. For example, the Oklahoma District Attorneys Council, OK DAC, which is the Oklahoma State administrative agency for many Federal grants, has had specific, documented problems with the poor job OVW has been doing in its grant management and oversight. OVW does not answer or return phone calls in a timely manner and has consistently been unavailable to answer grantees' questions in the middle of the work week. Moreover, according to the OK DAC, in the last 4 years that Oklahoma has received one particular VAWA grant, OVW has failed to perform even one site visit to check on the implementation of the grant and the grantee's use of Federal funds.

After more than a decade of significant challenges, it is my hope the DOJ OIG will be able to remove grant management from DOJ's top 10 management challenges. However, until that occurs, it is the job of Congress to ensure we are not turning a blind eye to DOJ's failure to properly administer taxpayer funds through Federal grant programs, including those authorized by VAWA.

Fourth, the fiscal condition of our country has worsened dramatically since the original passage of this bill in 1994 and the last reauthorization in 2005. In fact, at the end of 2005, our national debt was approximately $8.1 trillion. It is now over $15.6 trillion—a growth of over $7.5 trillion, or 92.6 percent, in just over 6 years. The Federal Government is in no position to spend more money on any grant programs without offsets. We simply cannot afford it.

Although Chairman LEAHY recognized the inordinately high authorization levels in the last VAWA reauthorization by reducing some of those amounts, S. 1925 continues to inflate the actual funding we know Congress will provide to VAWA grantees. The bill authorizes approximately $660 million in grants each year for 5 years, totaling $3.3 billion. None of these funds are offset. The 2005 VAWA reauthorization provided approximately $779 million per year for 5 years, totaling $3.89 billion. Thus, while S. 1925 reauthorizes a total of $590 million less than the 2005 VAWA reauthorization, this total is still much higher than actual past appropriations.

In fact, from 2007 to 2011, Congress appropriated a total of $2.71 billion for VAWA grant programs, which is $590 million less than this bill's authorized funding. From 2007 to 2011, although Congress authorized a total of $3.89 billion, it actually appropriated $1.18 billion less than that figure, 2.71 billion. Thus, while S. 1925 may reduce authorizations, it still provides a total authorization that is significantly higher than total VAWA appropriations over the past 5 years. If we know, based on past funding history, it is highly unlikely Congress will ever provide to VAWA grantees the level of funding authorized in this legislation, why would we send a false message to grantees by retaining such inflated estimates in VAWA?

Fifth, I also have concerns about a section of this bill that allows a tribal court to have jurisdiction over non-Indians who commit a domestic violence crime in Indian country or against an Indian. The language explicitly provides that the self-governance of a tribe includes the right ''to exercise special domestic violence criminal jurisdiction over all persons.'' To my knowledge, this is the first time the Federal Government has given Indian courts jurisdiction over ''all persons.'' While I recognize domestic violence is a serious problem in Indian Country, this change could cause particular problems with tribes in Oklahoma. Oklahoma has no reservations, but it does have 39 separate Indian governments. The individual allotment lands and trust lands are small and dispersed within Oklahoma communities and counties. The tribes do not have large continuous land bases, and because of its unique history, many Oklahomans claim Indian enrollment but have no relationship to the tribe or a tribal community.

Further, the Bill of Rights does not apply in Indian courts. Instead, most of the protections are preserved because of the Indian Civil Rights Act, but it does not preserve all rights. For example, the Indian Civil Rights Act only guarantees right to counsel at an individual's own expense. If the ''all persons'' language is as absolute as it appears, it could allow a non-Indian to be tried in tribal court without the full protection of the Constitution. S. 1925 includes language that says: ''In a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the participating tribe shall provide to the defendant . . . all other rights whose protection is necessary under the Constitution of the United States in order for Congress to recognize and affirm the inherent power of the participating tribe to exercise special domestic violence criminal jurisdiction over the defendant.'' Still, I am not certain this is enough and am afraid it will be subject to future court challenges.

Proponents of this provision argue that such allowances to tribal courts are necessary because no one is prosecuting non-Indian offenders, and that may be true in some cases. But, instead of creating a conflict between Indian country and the Federal Government's jurisdiction over American citizens who commit crimes, we believe we should deal with the bigger problem by holding the Department of Justice and local U.S. attorneys accountable for not prosecuting these cases.

Finally, while I applaud and support Senator GRASSLEY's effort to increase accountability at the DOJ and to address problematic definitions, immigration provisions, and criminal statutes in his substitute amendment, for many of the same reasons I outline above, I must also oppose his substitute. Although Senator GRASSLEY's alternative is, in several areas, likely a better alternative than S. 1925, it fails to reduce authorizations or offset those amounts, does not fully address grant management problems at OVW or program duplication, and still runs counter to my basic constitutional concerns with VAWA programs.

As a result, I cannot support S. 1925 or Senator GRASSLEY's substitute.

I ask unanimous consent to have the attached documents supporting my statement on the Violence Against Women Act of 2011 in the RECORD.

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

SUMMARY OF GOVERNMENT ACCOUNTABILITY OFFICE (GAO) REPORTS ADDRESSING VIOLENCE AGAINST WOMEN ACT (VAWA) GRANTS AND/OR THE OFFICE OF VIOLENCE AGAINST WOMEN

''JUSTICE IMPACT EVALUATIONS: ONE BYRNE EVALUATION WAS RIGOROUS; ALL REVIEWED VIOLENCE AGAINST WOMEN OFFICE EVALUATIONS WERE PROBLEMATIC,'' UNITED STATES GOVERNMENT ACCOUNTABILITY OFFICE, GA0–02–309, MARCH 2002

The title of this report summarizes the VAWA program well—''all reviewed Violence Against Women Office evaluations were problematic.''

From 1995–2001, NIJ awarded $6 million for five Byrne grant evaluations and five VAWA grant evaluations. VAWA funds provided all

of the funding for NIJ's evaluation of its grants ($4 million). GAO reviewed in depth three of the VAWA evaluations, ''all of which . . . had methodological problems that raise concerns about whether the evaluations will produce definitive results.''

''With more up-front attention to design and implementation issues, there is a greater likelihood that NIJ evaluations provide meaningful results for policymakers.''

While OVW provides grantees flexibility to develop projects to fit their communities, ''the resulting project variation makes it more difficult to design and implement definitive impact evaluations of the program. Instead of assessing a single, homogeneous program with multiple grantees, the evaluation must assess multiple configurations of a program, thereby making it difficult to generalize about the entire program.''

All three VAWA evaluations were designed ''without comparison groups [which] hinders the evaluator's ability to isolate and minimize external factors that could influence the results of the study.'' As a result, ''lack of comparison groups . . . makes it difficult to conclude that a reduction in violence against women and children . . . can be attributed entirely, or in part, to the . . . program. Other external factors may be operating.''

STATEMENT OF LAURIE EKSTRAND, DIRECTOR OF JUSTICE ISSUES, UNITED STATES GOVERNMENT ACCOUNTABILITY OFFICE, TESTIMONY BEFORE THE SUBCOMMITTEE ON CRIME AND DRUGS, COMMITTEE ON THE JUDICIARY, UNITED STATES SENATE, ''LEADING THE FIGHT: THE VIOLENCE AGAINST WOMEN OFFICE,'' GAO–02–641T, APRIL 16, 2002

The primary conclusion of Ms. Ekstrand's testimony was the following: ''Our recent work has shown a need for improvement in [OVW] grant monitoring and in the evaluations that are intended to assess the impacts of [OVW] programs.''

VAWA programs have grown significantly since its 1995 inception. Between 1995 and 2000, the number of VAWA discretionary grants ''increased about 362%—from 92 in FY 1996 . . . to 425 in FY 2000.'' During the same time period, the dollar amount of all VAWA discretionary grants ''increased about 940%—from just over $12 million in FY 1996 . . . to about $125 million in FY 2000.''

Ms. Ekstrand referenced the March 2002 report by stating ''grant files for discretionary grants awarded by [OVW] often lacked the documentation necessary to ensure that the required monitoring activities occurred.'' As a result OVW ''was not positioned to systematically determine staff compliance with monitoring requirements and assess overall performance.''

REPORT TO THE HONORABLE ELEANOR HOLMES NORTON, HOUSE OF REPRESENTATIVES, ''VIOLENCE AGAINST WOMEN: DATA ON PREGNANT VICTIMS AND EFFECTIVENESS OF PREVENTION STRATEGIES ARE LIMITED,'' UNITED STATES GOVERNMENT ACCOUNTABILITY OFFICE, GA0–02–530, MAY 2002

This report was requested by Eleanor Holmes Norton due to her concern about pregnant women being victims of homicide and other types of violence.

GAO concluded the data was incomplete on the number of pregnant women who are victims of violence and that data ''lacks comparability.''

''Research findings on whether women are at increased risk for violence during pregnancy are inconclusive.'' A report by the CDC noted, ''the risk of physical violence does not seem to increase during pregnancy.''

Little information is available on the effectiveness of strategies to prevent and reduce violence against women . . .''

''PREVALENCE OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING,'' UNITED STATES GOVERNMENT ACCOUNTABILITY OFFICE, IN RESPONSE TO A REPORT MANDATED BY THE VIOLENCE AGAINST WOMEN AND DOJ REAUTHORIZATION ACT OF 2005, GAO–07–148R, NOVEMBER 2006

VAWA advocates attempt to highlight how many (incidence) of these crimes occur and how many people are victimized (prevalence) as evidence of why we need to pay for additional services to victims of domestic violence. However, this GAO report notes there is not an accurate nationwide estimate of the prevalence of domestic violence, sexual assault, dating violence, and stalking.

That is not to say it does not occur. Rather, that is to note, as policymakers, we really do not have adequate information to make decisions on what grants are necessary, if any, to address this problem because we do not know its scope. GAO notes ''no single, comprehensive effort currently exists that provides nationwide statistics on the prevalence of these four categories of crime [domestic violence, sexual assault, dating violence, and stalking].'' In fact, ''since 2001, the amount of national research that has been conducted on the prevalence of domestic violence and sexual assault has been limited, and even less research has been conducted on dating violence and stalking.'' Yet, in the 2000 reauthorization of VAWA, language was added to put greater emphasis on dating violence.

While it could be costly to design a single, nationwide effort, DOJ has not even performed a cost-benefit analysis to determine if such a national effort should move forward.

In addition, while there have been some analysis by individual subdivisions of agencies (approximately 11 collection efforts focusing on various aspects of domestic violence), even their work has not produced results that can be extrapolated nationally. For example, the CDC and OJP have taken some steps at providing consistency in some of their data collection and definitions of terms such as ''dating violence'' or ''domestic violence,'' however, GAO notes even agencies like these ''encourage but do not require grantees to use these definitions as part of their research efforts and cannot always use these definitions in their own work.''

GAO concludes, ''the absence of comprehensive nationwide prevalence information somewhat limits the ability to make informed policy and resource allocation decisions about the statutory requirements and programs create to help address these four categories of crime and victims.''

''SERVICES PROVIDED TO VICTIMS OF DOMESTIC VIOLENCE, SEXUAL ASSAULT, DATING VIOLENCE, AND STALKING,'' UNITED STATES GOVERNMENT ACCOUNTABILITY OFFICE, IN RESPONSE TO A REPORT MANDATED BY THE VIOLENCE AGAINST WOMEN AND DOJ REAUTHORIZATION ACT OF 2005, GAO–07–846R, JULY 2007

This is the second part of the mandate to GAO from the 2005 VAWA Reauthorization. The first part was completed in the November 2006 report mentioned above.

This report focused on eleven federal grant programs and how each collected and reported data to the respective agencies (OVW/OVC/HHS–ACF) on the services they provide. While information is reported, ''data are not available on the extent to which men, women, youth, and children receive each type of service for all services.'' GAO notes this ''occurs primarily because the statutes governing these programs do not require the collection of such data.''

Even if such data were available, GAO notes, among several concerns, the data may not be reliable because ''recipients of grants administered by all three agencies use varying data collection practices.''

While I understand concerns for victims' confidentiality and safety, there are clearly improvements that can be made in improving the uniformity and reliability of data collection.

In addition, due to Congress placing different requirements on different grants and having a complicated maze of grant programs we cannot keep track of, we have not provided the appropriate consistency to grantees to make data collection requirements easy to understand and perform. Better drafting on our part could also improve the data we receive, which, in turn, would greatly improve and inform our policymaking efforts.

STATEMENT OF EILEEN LARENCE, DIRECTOR OF HOMELAND SECURITY AND JUSTICE, UNITED STATES GOVERNMENT ACCOUNTABILITY OFFICE, TESTIMONY BEFORE THE COMMITTEE ON THE JUDICIARY, UNITED STATES SENATE, ''THE VIOLENCE AGAINST WOMEN ACT: BUILDING ON 17 YEARS OF ACCOMPLISHMENTS,'' GAO–11–833T, JULY 13, 2011

This testimony focused on a review of the 2006 and 2007 reports above and updates to those recommendations conducted in July 2011.

Of the eleven national data collection efforts mentioned in the 2006 report, four only focused on incidence (the number of times a crime is committed), not the prevalence (how many individuals are actually victimized).

GAO reports DOJ's OJJDP completed a nationwide survey in 2009 of incidence and prevalence of children's exposure to violence. This should help in the area of teen dating violence. While CDC has begun a teen dating violence prevention initiative, it just began implementing the first phase in four high risk areas in September 2011, and results are not expected until 2016. Thus, GAO says ''it is too early to tell the extent to which this effort will fully address the information gap related to prevalence of stalking victims under the age of 18.''

In 2006, GAO reported different agencies used different definitions related to different types of domestic violence, which led to problems collecting accurate national statistics. This report notes HHS still continues to encourage the use of uniform definitions, but it does not require grantees to do so. In 2010, CDC convened a panel to update and revise its definitions. CDC is reviewing those results and plans another panel in 2012.

DOJ has reported its juvenile justice division created common definitions for use in a national survey of children's exposure to violence. This is encouraging, but clearly significant divisions of DOJ, such as OVW, which are responsible for a large portion of VAWA grants, have not reported advances in developing common definitions.

A CDC/NIJ Report on the prevalence of domestic violence was released mid-December 2011.

As a result of the 2007 report, HHS and DOJ stated ''they modified their grant recipient forms to improve the quality of the recipient data collected and to reflect statutory changes to the programs and reporting requirements.'' Officials stated this resulted in an increase in the quality of data received.

Overall, GAO's testimony concluded ''having better and more complete data on the prevalence of domestic violence, sexual assault, dating violence and stalking as well as related services provided to victims . . . can without doubt better inform and shape the federal programs intended to meet the needs of these victims.''

Mrs. FEINSTEIN. Mr. President, I rise today to express support for the reauthorization of the Violence Against

Women Act—VAWA. VAWA is a critical piece of legislation that protects American women from the plague of domestic violence, stalking, dating violence and sexual assault. The Violence Against Women Act is the centerpiece of the federal government's efforts to combat domestic violence and sexual assault and has transformed the response to these crimes at the local, State and federal levels.

As my colleagues know, VAWA was signed into law in 1994. This body reauthorized it in 2000 and again in 2005 on an overwhelming bipartisan basis. And it is my hope that we can repeat this bipartisan cooperation with the current reauthorization bill. I applaud those on both sides of the aisle for coming together to support this legislation. The measure today has a total of 61 cosponsors, including eight Republicans. VAWA has always been bipartisan, is bipartisan today, and needs to come to a vote.

During my days as the mayor of San Francisco, law enforcement officers most worried about responding to domestic abuse calls. That is where things got really rough. Tragically, I saw it happen over and over again. It was a big problem then, and it remains a big problem today.

To address these problems, the bill reauthorizes a number of grant programs administered by the Departments of Justice and Health and Human Services to provide funding for emergency shelter, counseling, and legal services for victims of domestic violence, sexual assault and stalking. It also provides support for State agencies, rape crisis centers, and organizations that provide services to vulnerable women. And American women are safer because we took action.

Today, more victims report incidents of domestic violence to the police, and the rate of non-fatal partner violence against women has decreased by 53 percent since 1994, according to the Department of Justice. Because of VAWA, States have the funding to implement ''evidence-based'' anti-domestic violence programs, including ''lethality screens,'' which law enforcement uses to predict when a person is at risk of becoming the victim of deadly abuse.

In my home state of California, with the help of VAWA funds, we reduced the number of domestic violence homicides committed annually by 30% between 1994, the year in which VAWA was enacted, and 2010. Simply put, VAWA funding saves lives.

An extremely noteworthy example of VAWA's success came to my office from the Alameda County District Attorney.

In 1997, Alameda County, CA reported 27 deaths as a result of domestic violence. That was about the normal rate at that time. But by last year, 2011, the district attorney reported just three deaths. The district attorney credits VAWA for reducing the number of domestic violence homicides in Alameda County. This is a clear example of why we need to reauthorize VAWA.

Through the use of VAWA funding, Alameda County created the Family Justice Center in 2005 to provide comprehensive services to adults and children who experience domestic violence or sexual assault. Today, the center is a national model of how communities can bring service professionals together to serve crime victims.

During these tough economic times, the demand for the Family Justice Center's services has grown—as has its need for VAWA funding. In the center's first year, they treated approximately 8,000 clients, including an estimated 1,000 children. In 2010, the center treated 12,000 clients. Last year, the center treated more than 18,000 women, men, children and teens who were victims of interpersonal violent crimes.

During a recent visit to my office, the Alameda County District Attorney noted that without VAWA funding it would not be possible for the Family Justice Center to continue to serve this growing population of crime victims.

The vital need for domestic violence prevention services was highlighted in a recent survey by the Centers for Disease Control and Prevention—CDC—which found that on average, 24 people per minute are victims of rape, physical violence, or stalking by an intimate partner in the United States. Over the course of a year, that equals more than 12 million women and men.

In California, about 30,000 people accessed crisis intervention services from one of California's 63 rape crisis centers in 2010 and 2011. These centers primarily rely on federal VAWA funding—not State funding—to provide services to victims in their communities.

In 2009 alone, there were more than 167,000 cases in California in which local county or State police officers were called to the scene of a domestic violence complaint according to the California Department of Justice.

The bill we are are considering today gives increased attention to victims of sexual violence. This form of violence is particularly destructive because, for many years, our society viewed sexual violence as the fault of the victim, not the perpetrator.

Although VAWA has always addressed the crime of sexual assault, a smaller percentage of the bill's grant funding goes to sexual assault victims than is proportional to their rates of victimization. The bill does three things to address this imbalance: No. 1, it provides an increased focus on training for law enforcement and prosecutors to address the ongoing needs of sexual assault victims; No. 2, the bill extends VAWA's housing protections to these victims; No. 3, and the bill ensures that those who are living with, but not married to, an abuser qualify for housing assistance available under VAWA.

The bill also updates the federal criminal code to clarify that cyberstalking is a crime. With increasing frequency, victims are being stalked over the Internet through e-mail, blogs, and Facebook. When stalking is done online, the message sent by the perpetrator is memorialized forever, making it more difficult for victims to put the painful experience in the past and move forward in their lives.

Despite the fact that the underlying bill has 61 cosponsors from both parties, not a single Republican member of the Judiciary Committee—of which I am a longtime member—voted to advance the legislation.

The bill considered in the Judiciary Committee includes several changes that I believe improve the underlying bill.

For example: It creates one very modest new grant program, consolidates 13 existing programs, and reduces authorization levels for all other programs by 17 percent. The new bill would decrease the total authorization level of $795 million in fiscal year 2011 to $659 million in fiscal year 2012. And it places emphasis on preventing domestic homicides and reduces the national backlog of untested rape kits.

Yet, there are some who refuse to support it because it now includes expanded protections for victims. Specifically, VAWA was expanded to include additional protections for gay and lesbian individuals, undocumented immigrants who are victims of domestic abuse, and authority for Native American tribes to prosecute crimes.

In my view, these are improvements. Domestic violence is domestic violence. I ask those who oppose the bill: If the victim is in a same-sex relationship, is the violence and danger any less real? If a family comes to this country and the husband beats his wife to a bloody pulp, do we say, well, you are illegal; I am sorry, you don't deserve any protection?

911 operators and police officers don't refuse to help a victim because of their sexual orientation or the country where they were born. When you call the police in America, they come.

VAWA will help ensure that all victims have access to life-saving services, regardless of sexual orientation or gender identity. Lesbian, gay, bisexual and transgendered victims experience domestic violence in 25 percent to 35 percent of relationships—the same rate as heterosexual couples. Yet, these victims are often turned away when they seek help from shelters and professional service providers and they do not receive the help they need.

VAWA would improve the LGBT community's ability to access services by explicitly prohibiting grant recipients from discriminating based on sexual orientation or gender identity and by clarifying that gay and lesbian victims are included in the definition of underserved populations.

Domestic and sexual violence in Tribal communities is a problem of epidemic proportions. Studies indicate that nearly three out of five Native

American women have been assaulted by their spouses or intimate partners. The VAWA Reauthorization bill provides law enforcement with additional tools to take on the plague of violence affecting Native women. The bill adds new Federal crimes—including a 10-year offense for assaulting a spouse or intimate partner by strangling or suffocation—the two types of assault that are frequently committed against women in Indian Country. And it closes loopholes to ensure that those who commit domestic violence in Indian Country do not escape justice.

The Chairman of the San Manuel Band of Mission Indians in Highland, CA recently wrote to me to emphasize the importance of closing the jurisdictional loophole. According to the chairman, the rampant violence against Native women can in part be attributed to the absence of tribal criminal jurisdiction over non-Indian perpetrators.

Crimes of domestic violence or dating violence that would typically lead to convictions and sentences of anywhere between 6 months and 5 years in U.S. courts are too often falling through the cracks in the legal system when identical crimes occur in Indian Country.

The Violence Against Women Reauthorization Act of 2011 is supported by over 50 national religious organizations including the Presbyterian Church, the Episcopal Church, the Evangelical Lutheran Church, the National Council of Jewish Women, National Council of Catholic Women, the United Church of Christ and the United Methodist Church.

As I mentioned earlier, law enforcement officers are at particular risk when they respond to domestic violence incidents. According to the Law Enforcement Officer Deaths Memorial Fund, in 2009, 23 percent of firearms-related deaths involved domestic disturbance calls. In 2010, eight officers were killed responding to domestic violence calls.

VAWA provides needed training to decrease the risk to law enforcement when responding to domestic violence calls. The legislation includes grants to develop and strengthen policies and training for law enforcement to recognize and effectively respond to instances of domestic abuse.

To me, this bill is a no-brainer. To stand in the way of this bill is almost to say we don't consider violence against women an important issue.

Let me repeat: this bill protects American women. It has support on both sides of the aisle. It saves lives. It is a lifeline for women and children who are in distress.

We need to show our commitment to end domestic violence and sexual violence. I hope that all senators will support this important effort to reauthorize the Violence Against Women Act with strong bipartisan support as we always have. This has always been a bipartisan effort. Let's vote and let's get it done.

I yield the floor.

Mr. LEVIN. Mr. President, in 1994 and again in 2000 and 2005, the Senate took a strong, bipartisan stance against acts of domestic and sexual violence that alter the lives of far too many American families and especially American women. With the passage and later reauthorizations of the Violence Against Women Act, Congress provided invaluable aid—sometimes lifesaving aid—to hundreds of thousands of Americans. There is no reason we cannot reauthorize this legislation again this year with overwhelming bipartisan support, and I urge my colleagues on both sides of the aisle and in both chambers of Congress to support this bill.

Since its passage, the Violence Against Women Act has provided comprehensive support to survivors of domestic and sexual violence and to the Federal, State, and local agencies that confront this scourge every day. The original legislation passed in 1994 laid a strong foundation that helped establish a coordinated response to violence against women. Reauthorizations in 2000 and 2005 strengthened that foundation. Today, through violence prevention grants, services to survivors of sexual assault, legal assistance, transitional housing grants, assistance to law enforcement agencies and prosecutors, and other efforts, VAWA has made an enormous difference.

Deaths due to violent acts by intimate partners have decreased significantly. And according to a cost-benefit analysis, VAWA saved nearly $15 billion in its first 6 years of existence by avoiding the high social costs violence against women exacts on our Nation. William T. Robinson, the president of the American Bar Association, calls VAWA ''the single most effective federal effort to respond to the epidemic of domestic violence, dating violence, sexual assault and stalking in this country.''

For all its successes, VAWA has not ended our responsibility to act against violence. Domestic and sexual violence remain far too common for us to abandon our efforts. And just as we have in past authorizations, the legislation before us would strengthen our ability to confront violence in new ways.

Now, some of these new efforts have become controversial. Some of our Republican colleagues have questioned provisions that extend VAWA's anti-discrimination protections. Some have questioned extending the umbrella of this Nation's protections to immigrants. And some have questioned provisions designed to protect Native American women from sexual and domestic violence. In fact, some of my colleagues have denied that these provisions are necessary, and some have criticized them as ''political.''

I certainly do not consider extending the successful protections of this legislation to all Americans as ''political.'' I consider it common sense. I consider it our duty to help these survivors get the assistance they need. I strongly support these important extensions of the act's protections, and I encourage my colleagues to support them as well.

This is not a partisan issue. I hope the Senate can, as it has in the past, send a strong bipartisan message of support to survivors of domestic or sexual violence. And I hope our colleagues in the House of Representatives will quickly take up and approve legislation that will make an enormous positive difference in the lives of so many.

Ms. KLOBUCHAR. Mr. President, I want to briefly comment on an issue that has been raised by some with respect to the stalking provisions in the bill.

Some outside observers have questioned whether the language in the bill would chill free speech or even criminalize constitutionally protected speech. Obviously, that was not the intent of the language and I do not believe that would be the impact.

In fact, a statute cannot criminalize constitutionally protected speech. If it is protected under the Constitution, then it is protected, plain and simple.

The stalking provision is intended to make our anti-stalking laws more effective. The problem with current law is that we require a victim to actually suffer from substantial emotional distress in order for the perpetrator to be prosecuted.

But sometimes victims are not even aware that they are being stalked, especially if the stalker is using electronic surveillance, video surveillance, or other technology that is specifically designed for spying.

So a stalker who is using technology to stalk his victim can escape prosecution simply because he goes undetected by the victim. That does not make sense to me.

With the provision in the bill, we allow law enforcement and prosecutors to focus on the stalker's actions, and not just the victim's emotions.

This will allow prosecutions if the perpetrator is caught before the victim has suffered the necessary level of emotional distress. Under current law, law enforcement has to wait until that harm has occurred, even though the stalker has already committed terrible invasions of the victim's privacy.

But I understand the concerns of those who are worried about free speech. I am willing to work with them to address their concerns as we move forward.

I have no desire to inhibit free speech. This is not about speech, it is about video surveillance, tracking devices, and other secretive methods of stalking. It is about truly dangerous and despicable behavior.

Mr. DURBIN. According to a recent survey, 24 people every minute become victims of rape, physical violence, or stalking by an intimate partner in the United States. That means that just in the time it takes me to finish this statement, dozens will have been victimized.

Since it was passed by Congress in 1994, the Violence Against Women Act has provided valuable, even life-saving, assistance to these hundreds of thousands of individuals. The impact of this bipartisan legislation has been profound. According to the Bureau of Justice Statistics, the rate of domestic violence against women has dropped by 53 percent since VAWA's passage. This legislation is critical.

There is no question that we are making tremendous progress. But there are so many who urgently need help. Let's look at incidence of physical violence: The Centers for Disease Control tell us that nearly one in four women reports experiencing severe physical violence by an intimate partner. And the consequences can be severe. For example, according to one report, in 2007, 45 percent of the women killed in the United States died at the hands of an intimate partner.

Sexual assault statistics are just as alarming: The CDC tells us that nearly one in five women in the United States has been raped. And more than half of female rape victims report being raped by an intimate partner. One in six women in the United States has experienced stalking. Each one of these statistics, and every person who has suffered domestic and sexual violence, shows us that we need to reauthorize this legislation, and we need to do it now.

This legislation is supported by victims, experts, and advocates. It is supported by service providers, faith leaders, and health care professionals. And it is supported by prosecutors, judges, and law enforcement officials. It should be supported by all of us here in Congress.

The last two VAWA reauthorizations have appropriately—and carefully—expanded the scope of the law and improved it. This reauthorization is no exception. It applies the important lessons we have learned from those working in the field and renews our commitment to reducing domestic and sexual violence. Here is what the reauthorization does:

It ensures that funding will continue to go to the organizations and individuals who need help most. It places increased emphasis on responding to sexual assault, in addition to domestic violence. It does things like encourage jurisdictions to evaluate their rape kit inventories and reduce existing backlogs.

The reauthorization incorporates important accountability mechanisms. It consolidates programs to reduce duplication and unnecessary bureaucracy. And it reduces spending. Total annual authorization has been cut by 17 percent. The reauthorization also helps meet the needs of victims from communities that have had difficulty accessing traditional services, for example, because of their religion, sexual orientation, or gender identity. It helps tribal communities. It helps abused immigrants.

The reauthorization helps ensure that law enforcement officials have access to the tools they need by allowing for the ''recapture'' of a modest number of U visas. U Visas, for victims of crimes, are an important law enforcement tool. They may be granted only after law enforcement certification and only if a non-citizen is the victim of enumerated—and serious—crimes. Law enforcement officials across the country have advocated for increased accessibility to U Visas: In my home State of Illinois, Cook County State's Attorney Anita Alvarez said: ''Increasing the accessibility to U Visas will provide to prosecutors like me an important tool in protecting public safety.'' The Fraternal Order of Police wrote: ''The expansion of the U Visa program will provide incalculable benefits to our citizens and our communities at a negligible cost.''

I want to take a moment to discuss an important provision in this reauthorization that I authored, working with Senator LEAHY, to address an appalling situation taking place in our immigration detention facilities. We have heard about truly horrific instances of sexual assault occurring in immigration detention facilities.

A troubling episode of Frontline, the PBS program, detailed one woman's story in great detail recently. But that was hardly an isolated incident. As the National Prison Rape Elimination Commission has said: ''[A]ccounts of abuse by staff and by detainees have been coming to light for more than 20 years. As a group, immigration detainees are especially vulnerable to sexual abuse and its effects while detained . . . .''

The Prison Rape Elimination Act of 2003—''PREA''—aimed to eliminate the sexual abuse of those in custody. This was legislation, championed by Senator SESSIONS, that I cosponsored. Our goal, together, was to create a ''zero-tolerance'' policy for this intolerable behavior. Nobody behind bars should have to fear abuse from others in detention or from those meant to protect them. Simply put: sexual abuse is not, and cannot be, part of the punishment for those accused of violating our laws.

We are waiting on the Department of Justice's final National Standards to Prevent, Detect, and Respond to Prison Rape. But it is unclear to what extent those standards will be interpreted to apply to immigration detention facilities—as opposed to, say, facilities under the Bureau of Prisons. When we drafted and passed PREA, it was always our intent that it would apply to all those in detention—including immigration detainees.

It was important to me to have a provision that clarifies that standards to prevent prison rape must apply to immigration detainees. This provision requires that, in the absence of other steps, the Department of Homeland Security and the Department of Health and Human Services quickly adopt standards for the prevention and punishment of sexual assault in all facilities with immigration detainees.

Custodial sexual assault is just one of the many issues addressed by the Violence Against Women Act. I urge my colleagues to work with me to reauthorize this legislation. Previous VAWA reauthorizations have always had broad bipartisan support. This legislation is not Democratic or Republican. It is about protecting our communities from abuse and violence. This reauthorization that we are passing is an impressive product that carefully incorporates the expert feedback from those in the field.

The dozens of individuals who have been victimized since I stood up here today need our help now. Let's give it to them.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I appreciate the work the leadership has done, and I know Senator MURRAY has been very involved with that too, and I appreciate her help in getting us to a point where we now have a unanimous consent to get to votes and we can finally pass this bill.

I think sometimes a bill like this is an abstract matter. It is not an abstract matter to the women's organizations that support it. It is not abstract to law enforcement who support it. And if I might speak personally for a moment, it is not an abstract matter to me.

The distinguished Presiding Officer and I come from probably the safest, lowest crime State in the country, but we both know that crimes do happen. We also know that in a rural State, oftentimes domestic violence is not reported. We don't talk about this outside the family. And I know that in some of those instances, when I had the privilege of serving as a prosecutor in Vermont, they didn't talk about it. I first heard about it usually in the morgue or at the great Fletcher Hospital. I learned about it because when the body was picked up, either the undertaker or the police or the ambulance driver realized this was not a natural cause, and then we would sort of roll the clock back. In rolling the clock back, we found that all these warning signals were there. There was nowhere for the victim to go. The things we now have were not there then.

I was able to prosecute a number of these people. In fact, I probably brought some of the first successful domestic violence prosecutions we had. But police and prosecutors will say that those are always after the fact.

So how do we stop this from happening in the first place? That is what the Leahy-Crapo Violence Against Women Reauthorization Act is about. It is there to stop the crime before the crime happens. This bill is based on months of work with survivors, advocates, and law enforcement officers from all across the country, of all political persuasions. I never knew a time

when somebody would come to a crime scene and say: Is this victim a Democrat or Republican, gay or straight, immigrant or not? We would say: How do we catch the person who did this?

We listened to what the survivors, advocates, and law enforcement officers told us. They told us what worked, what did not work, and what could be improved. Then we carefully drafted the legislation to fit these needs, and that is why our bill is supported by more than 1,000 Federal, State, and local organizations, service providers, law enforcement, religious organizations, and many more.

There is one purpose, and one purpose only, for the bill Senator CRAPO and I introduced and others cosponsored: It is to help and protect victims of domestic and sexual violence. Our legislation represents the voice of millions of survivors and advocates across the country. The same cannot be said with the Republican proposal brought forward in the last couple of days. That is why that proposal is opposed by such a wide spectrum of people and organizations.

Domestic and sexual violence knows no race, gender, ethnicity, or religion. Its victims can be your next door neighbor, your colleague, a fellow church member, or your child's teacher at school. The Violence Against Women Reauthorization Act seeks to ensure that services to help victims of domestic violence reach all victims, no matter who they are. That is why civil and human rights organizations like the NAACP, the Leadership Conference on Civil and Human Rights, Human Rights Watch, and End Violence Against Women International have urged Congress to act to reauthorize VAWA. I ask consent that these letters be printed in the RECORD.

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

NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE,
Washington, DC, April 25, 2012.

Re: NAACP Support for S. 1925, the reauthorization of the Violence Against Women Act (VAWA) and our opposition to weakening amendments

MEMBERS,
U.S. Senate,
Washington, DC.

DEAR SENATOR: On behalf of the NAACP, our nation's oldest, largest and most widely-recognized grassroots-based civil rights organization, I strongly urge you to support the speedy reauthorization of the Violence Against Women Act (VAWA), S. 1925. As you consider this legislation on the Senate floor, I further urge you to oppose any weakening amendments. Since it was first enacted in 1994, this important legislation has sought to improve community-based and criminal justice system responses to domestic violence, dating violence, sexual assault and stalking in the United States.

The NAACP strongly supported passage of the original VAWA in 1994, and since that time no other law has done more to stop domestic and sexual violence in our communities. The resources and training provided by VAWA have changed attitudes toward these reprehensible crimes, improved the response of law enforcement and the justice system, and provided essential services for victims struggling to rebuild their lives. It is a law that has saved and improved countless lives, and should clearly be reauthorized and strengthened. Within the United States, domestic violence related homicides have dropped significantly since the passage of VAWA.

On Wednesday, November 30, 2011 Senators Patrick Leahy (VT) and Mike Crapo (ID) introduced S. 1925, a bipartisan bill to reauthorize and improve VAWA. The NAACP has, through its Washington Bureau and in collaboration with the National Task Force to End Sexual and Domestic Violence Against Women, worked closely with these Senators to ensure that under S. 1925 VAWA will continue to fund programs which have proven themselves to be effective and that key changes will be made to streamline VAWA and make sure that even more Americans have access to safety, stability and justice.

In addition to supporting enactment of the VAWA in 1994, the NAACP has joined bipartisan supporters in reauthorizing this important legislation in 2000 and 2005. We have seen the VAWA change the landscape for victims in the United States who once suffered in silence. Victims of domestic violence, dating violence, sexual assault and stalking have now been able to access services, and a new generation of families and justice system professionals have come to understand that domestic violence, dating violence, sexual assault and stalking are crimes that our society will no longer tolerate.

I look forward to working with you to pass a strong reauthorization of the Violence Against Women Act to honor the memory of the women that have lost their lives and endured these atrocities and for the hope that this bill will continue to protect future generations of women. Thank you in advance for your attention to the NAACP position. Should you have any questions or comments, please do not hesitate to contact me at my office at (202) 463–2940.

Sincerely,

HILARY O. SHELTON,
Director, NAACP Washington Bureau & Senior Vice President, Advocacy and Policy.

Mr. LEAHY. These organizations recognize the impact VAWA has in reducing incidences of sexual and domestic violence in our country. Since its initial passage in 1994, no law has done more to combat domestic violence and sexual assault. Because of VAWA, victims have access to life-saving services. It is time that we ensure that all victims have access to these resources.

The National Task Force to End Sexual and Domestic Violence Against Women, which represents dozens of organizations across the country, says the substitute was drafted without input or consultation from the thousands of professionals engaged in this work every day.

The substitute includes damaging, nonworkable provisions that will harm victims, increase costs, and create unnecessary inefficiencies. I know it may be well-intentioned, but it is no substitute for the months of work we have done in a bipartisan way with the people across the country to bring this bill that is before us. Unfortunately, it undermines the core principles of the Violence Against Women Act. It resolves in abandoning some of the most vulnerable victims and strips out key provisions that are critically necessary to protect all victims, including immigrants, Native women, and victims in same-sex relationships. Again, a victim is a victim is a victim. We don't say: We can help you if you fit in this category. But sorry, battered woman, you are on your own because you fit in the wrong category. That is not the America I know and love.

The improvements in the bipartisan Leahy-Crapo Violence Against Women Reauthorization Act are taken out, and the Republican proposal is no substitute. It does nothing to meet the needs of victims. It undermines the focus of protecting women. It literally calls for removing the word ''women'' from the largest VAWA grant program. They are still victimized at far higher rates and with far greater impact on their lives than men. Shifting this focus away from women is unnecessary and harmful, and it could send a terrible message. There is no reason to turn the Violence Against Women Act inside out, to eliminate the focus on the victims the bill has always been intended to protect.

By contrast, our bipartisan bill does not eliminate the focus against women but increases our focus to include all victims of domestic violence and sexual assault.

I see others on the floor. I have far more I am going to say about this, and I am about to yield the floor in case others wish to speak.

Remember, this bill is the Violence Against Women Act. Let's not go away from that. It has been carefully put together with the best input we could get from law enforcement, from victims organizations, and, I must say, from some victims themselves. This is to protect those people. I have seen some crime scenes that I still have nightmares about decades later, and I can guarantee my colleagues that every prosecutor in this country and every police officer in this country who deals with these matters probably have the same kinds of nightmares.

Are we going to stop all violence against women with this act? Of course not. But as a result of having had this legislation in effect for years, the numbers have come down because there is a place to go, there are people to help, and there are people to stop the violence. That is what we want to do—not to be, as I was during those nights in the morgue, saying to the police: Let's find out who did this so we can catch them, but, rather, to stop them before it happens and to protect the people so they live. That is what we are trying to do. That is what this bill does.

I yield the floor.

Mr. GRASSLEY. Mr. President, I wish to commend my colleague from Texas, Senator HUTCHISON, for offering her substitute amendment to the Violence Against Women Act reauthorization bill. I am pleased to cosponsor her amendment. This amendment is vitally needed.

The Violence Against Women Act has always been reauthorized in the past on a bipartisan, consensus basis.

It would have been so easy to do so again.

All of us who support the amendment of the Senator from Texas are in agreement with 80 percent of the bill that is before us.

But the majority has decided to place a higher priority on scoring political points than on passing another consensus reauthorization of the law.

Recently, Vice President Biden asked what kind of message it would send to women if VAWA were allowed to expire.

He implied that a crisis would be at hand that must be avoided at all costs.

But the actual answer to his question is clear.

The majority party has already allowed VAWA to expire.

VAWA's reauthorization expired last October.

There has been no crisis of any kind because the appropriations for VAWA programs have kept flowing.

It is the majority, not us, that is responsible for the lapse in VAWA's authorization.

The way that the Judiciary Committee handled reauthorization this time has been very disappointing.

The majority insisted on including—and retaining—provisions that appear designed to provoke partisan opposition.

For instance, the majority insisted on giving Indian tribal courts criminal jurisdiction over non-Indian Americans for the first time in our country's history.

The committee held one hearing on reauthorizing this bill, and it devoted no attention to exploring how this provision would operate.

As a result, the committee described this provision in only four sentences in its report on the legislation.

We all recognize that domestic violence rates in Indian country are too high.

Both the committee-reported bill and the Hutchison-Grassley substitute contain provisions to address the problem.

But the majority cannot explain why expanding the power of tribal courts would be effective or how this would work.

Do the tribes have the resources and expertise and resources to comply with the Constitution?

How would the Federal courts' caseload be affected by all the new habeas petitions that would necessarily be filed if this became law?

What changes would occur in the existing relationships between Federal, State, and tribal law enforcement?

The majority has no idea whether this provision would help matters or not because it simply did not give this issue any careful attention.

Moreover, the Congressional Research Service has raised several constitutional issues that would be posed by this provision as it was reported from the committee.

These include due process, equal protection, fifth amendment grand jury and double jeopardy issues, as well as sixth amendment rights to counsel and a jury trial by one's peers.

At the eleventh hour before floor consideration, the majority has recognized the serious constitutional issues that were raised by the committee language.

It has changed the language in an effort to respond to the constitutional questions it had denied existed.

If we had had a hearing on these questions, matters could have proceeded differently.

These changes do not address the constitutional questions CRS posed about congressional power to recognize the inherent power of tribes to prosecute non-Indians, nor do they affect the inability of a defendant to appeal his conviction.

And, of course, they do not address the practical concerns that I have raised all along.

CRS also raises constitutional due process concerns regarding another section in the bill that would give tribal courts the authority to enforce protective orders. That section remains unchanged.

Ironically, the constitutional concerns about the criminal provisions are made more severe because the majority refused to eliminate language we asked them to omit.

Constitutional problems are made worse because the bill gives tribes criminal jurisdiction as part of their claimed inherent sovereignty.

Our substitute strikes the provisions.

Mr. President, I ask unanimous consent to have printed in the RECORD the relevant portions of the CRS analysis.

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

[From the Congressional Research Service, Apr. 13, 2012]

MEMORANDUM

To: Senate Judiciary Committee.

From: Jane M. Smith, Legislative Attorney, 7–7202.

Subject: State Jurisdiction over Indian country; Public Law 280; S. 1925's Provision for Tribal Court Jurisdiction to Issue Protection Orders and Due Process.

This memorandum is in response to your request for an explanation of state jurisdiction over Indian country; an explanation of how Public Law 280 affects that jurisdiction; and an analysis of whether the provision in S. 1925, the Violence Against Women Act Reauthorization Act (VAWA Reauthorization), concerning the jurisdiction of tribal courts to issue protection orders against ''all persons'' comports with the requirements of due process under the Constitution.

STATE JURISDICTION OVER INDIAN COUNTRY

In the absence of congressional authorization, state jurisdiction in Indian country depends on whether the conduct at issue involves non-Indians or Indians only.

CIVIL JURISDICTION OVER NON-INDIANS

Generally, states have civil jurisdiction over non-Indians in Indian country, unless that jurisdiction is preempted by federal law or is incompatible with the right of Indian tribes to govern themselves. In order to determine whether federal law preempts state jurisdiction over non-Indians, courts engage in ''a particularized inquiry into the nature of the state, federal, and tribal interests at stake, an inquiry designed to determine whether, in the specific context, the exercise of state authority would violate federal law.''

The courts:

examine[] the language of the relevant federal treaties and statutes in terms of both the broad policies that underlie them and the notions of sovereignty that have developed from historical traditions of tribal independence. This inquiry is not dependent on mechanical or absolute conceptions of state or tribal sovereignty, but has called for a particularized inquiry into the nature of the state, federal, and tribal interests at stake, an inquiry designed to determine whether, in the specific context, the exercise of state authority would violate federal law.

In order to determine whether state law applies to non-Indian conduct in Indian country, therefore, courts engage in a particularized weighing of the federal, tribal, and state interests at stake.

In Bracker, the Court considered whether the state could impose motor vehicle license and fuel taxes on the logging and hauling operations of a non-Indian contractor working for the tribe exclusively within the reservation. Finding that federal control over tribal timber was pervasive (''the Bureau of Indian Affairs exercises literally daily supervision over the harvesting and management of tribal timber''), the Court held that the state taxes were preempted by federal law. Preemption of state law can occur, therefore, not only when the state law violates federal law, but also when federal involvement with the activity is pervasive.

There is very little case law on when state jurisdiction interferes with the right of Indians to govern themselves. In Washington v. Confederated Tribes of the Colville Indian Reservation, the Supreme Court rejected the tribes' argument that because the tribal government generated substantial revenues from selling cigarettes without state taxes that imposing the state cigarette tax would infringe on their right to govern themselves. The Court noted the tribes' interest in governing themselves was strongest when the conduct at issue involved tribal members only and determined that the tribes did not have a legitimate interest in marketing an exception to state taxation. Because there is so little case law, it is not clear under what circumstances application of state law to non-Indians would interfere with a tribe's ability to govern itself.

CRIMINAL JURISDICTION OVER NON-INDIANS

Most states only have criminal jurisdiction over non-Indians committing crimes against other non-Indians in Indian country. The federal government has exclusive jurisdiction over non-Indians who commit crimes against Indians.

THE EFFECT OF PUBLIC LAW 280 ON STATE JURISDICTION OVER INDIAN COUNTRY

Public Law 280 gave to certain states criminal jurisdiction and civil adjudicatory jurisdiction over Indian country. ''[W]hen a State seeks to enforce a law within an Indian reservation under the authority of Pub. L. 280, it must be determined whether the law is criminal in nature, and thus fully applicable to the reservation . . ., or civil in nature and applicable only as it may be relevant to private civil litigation in state court.''

Whether a law is criminal or civil does not depend on whether the law carries criminal penalties. Rather, a law is criminal in nature if it prohibits an activity outright, and it is civil in nature if it allows the activity but regulates it. Thus, in California v. Cabazon

Band of Mission Indians, the Supreme Court held that even though California's gaming laws carried criminal penalties, they were civil in nature because they allowed certain kinds of gaming, but regulated them. Thus, states that have criminal jurisdiction over Indian country under Public Law 280 have criminal jurisdiction over all conduct by Indians and non-Indians which violates a state law that is prohibitory.

TRIBAL COURT JURISDICTION TO ISSUE CIVIL PROTECTION ORDERS UNDER S. 1925 AND DUE PROCESS

Section 905 of S. 1925 provides: ''a court of an Indian tribe shall have full civil jurisdiction to issue and enforce protection orders involving any person . . . in matters arising anywhere in the Indian country of the Indian tribe (as defined in section 1151) or otherwise within the authority of the Indian tribe.'' According to the Senate Report, this section is intended to make clear that tribal court jurisdiction covers all persons within the tribe's jurisdiction, including non-Indians.

THE INTENT BEHIND SECTION 905

Under current law, the general rule is that ''the inherent sovereign powers of an Indian tribe do not extend to the activities of nonmembers of the tribe.'' However, there are two exceptions to this rule. First ''[a] tribe may regulate, through taxation, licensing, or other means, the activities of nonmembers who enter consensual relationships with the tribe or its members through commercial dealing, contracts, leases, other arrangements.'' Second, ''[a] tribe may also retain inherent power to exercise civil authority over the conduct of non-Indians on fee lands within its reservation when that conduct threatens or has some direct effect on the political integrity, the economic security, or the health or welfare of the tribe.''

It appears that section 905 would expand a tribe's civil authority over non-Indians to enter protective orders. According to the Senate Report, section 905 is intended to ensure that the result in Martinez v. Martinez is not repeated. In Martinez, Mrs. Martinez, an Alaska Native who was not a member of the Suquamish Tribe, obtained from the Suquamish tribal court a protection order against her husband, a non-Indian. The Martinez family lived on non-Indian fee land located within the tribe's reservation. Mr. Martinez objected to the court's jurisdiction and sought an injunction against the tribal court in federal district court. The district court granted the injunction, finding the tribal court lacked jurisdiction over Mr. Martinez.

The federal court rejected the tribe's and Mrs. Martinez's argument that Congress had granted the tribal court jurisdiction to issue protection orders against non-Indians in 18 U.S.C. 2265(e). That section, which was in the Violence Against Women Act (VAWA), provides: ''Tribal court jurisdiction.—. . . a tribal court shall have full civil jurisdiction to enforce protection orders . . . in matters arising within the authority of the tribe.'' The court wrote:

The Court does not construe the provisions of the VAWA as a grant of jurisdiction to the Suquamish Tribe to enter domestic violence protection orders as between two non-members of the Tribe that reside on fee land within the reservation. There is nothing in this language that explicitly confers upon the Tribe jurisdiction to regulate non-tribal member domestic relations. The grant of authority simply provides jurisdiction ''in matters arising within the authority of the tribe.''

Tribal jurisdiction over non-members is highly disfavored and there exists a presumption against tribal jurisdiction. There must exist ''express authorization'' by federal statute of tribal jurisdiction over the conduct of non-members. For there to be an express delegation of jurisdiction over non-members there must be a ''clear statement'' of express delegation of jurisdiction.

Section 905, therefore, is apparently intended to provide such a delegation of authority to tribal courts to issue protection orders over non-members within the tribes' reservations or jurisdictions.

DUE PROCESS AND PERSONAL JURISDICTION

The Supreme Court has held that due process requires that a defendant have ''minimum contacts'' with a jurisdiction ''such that the maintenance of the suit [in the jurisdiction] does not offend traditional notions of fair play and substantial justice.'' There may be an issue with section 905 in that it would delegate to tribal courts jurisdiction over ''all persons,'' regardless of their contacts with the Indian tribe.

Taking section 905 literally, it does not appear to require that a person have minimum contacts with the tribe in order for the tribe to exercise jurisdiction over him or her to issue protection orders. Under section 905, the outcome of the Martinez case arguably would have been different: the tribal court would have had jurisdiction over Martinez, a non-Indian, even though he appears to lack contacts with the tribe—he was not married to a member of the tribe, did not work for the tribe, and lived on non-Indian fee land. There is an argument that the tribal court's exercise of jurisdiction over Mr. Martinez would ''offend traditional notions of fair play and substantial justice,'' because he may not have minimum connections to the tribe, and thus violate the due process clause of the Fifth Amendment.

Advocates of tribal jurisdiction would probably argue that because Mr. Martinez lived within the tribe's reservation he had sufficient minimum contacts with the tribe. However, Mr. Martinez lived on non-Indian fee land. Under United States v. Montana, as a matter of federal common law, tribes generally do not have jurisdiction over non-Indians on non-Indian fee land within the reservation, subject to the two exceptions. Therefore, it appears that residence by a non-Indian on non-Indian fee land within a tribe's reservation does not connect the resident to the tribe in a way to support tribal jurisdiction under the federal common law. It is not clear whether it would be sufficient to establish minimum contacts for the purposes of due process.

[From the Congressional Research Service, Apr. 18, 2012]

TRIBAL CRIMINAL JURISDICTION OVER NON-INDIANS IN THE VIOLENCE AGAINST WOMEN ACT (VAWA) REAUTHORIZATION AND THE SAVE NATIVE WOMEN ACT

(By Jane M. Smith, Legislative Attorney; Richard M. Thompson II, Legislative Attorney)

Domestic and dating violence in Indian country are at epidemic proportions. However, there is a practical jurisdictional issue when the violence involves a non-Indian perpetrator and an Indian victim. Indian tribes only have criminal jurisdiction over crimes involving Indian perpetrators within their jurisdictions. Most states only have jurisdiction over crimes involving a non-Indian perpetrator and a non-Indian victim within Indian country located in the state. Although the federal government has jurisdiction over non-Indian-on-Indian crimes in Indian country, offenses such as domestic and dating violence tend to be prosecuted with less frequency than other crimes. This creates a practical jurisdictional problem.

Legislation introduced in the 112th Congress, the Violence Against Women Reauthorization Act (S. 1925 and H.R. 4271) and the SAVE Native Women Act (S. 1763 and H.R. 4154), would recognize and affirm participating tribes' inherent sovereign authority to exercise special domestic violence jurisdiction over domestic violence involving non-Indian perpetrators and Indian victims occurring within the tribe's jurisdiction. It is not clear whether Congress has authority to restore the tribes' inherent sovereignty over non-members, or whether such authority would have to be a delegation of federal authority.

In a series of cases, the Supreme Court outlined the contours of tribal criminal jurisdiction. In United States v. Wheeler, the Court held that tribes have inherent sovereign authority to try their own members. In Oliphant v. Suquamish Indian Tribe, the Court held the tribes had lost inherent sovereignty to try non-Indians. The Court in Duro v. Reina determined that the tribes had also lost the inherent authority to try non-member Indians. In response to Duro, Congress passed an amendment to the Indian Civil Rights Act that recognized the inherent tribal power (not federal delegated power) to try non-member Indians. The Violence Against Women Reauthorization and the SAVE Native Women Act, would apparently abrogate the Oliphant ruling and ''recognize and affirm the inherent power'' of the tribes to try non-Indians for domestic violence offenses.

The Supreme Court stated in United States v. Lara that Congress has authority to relax the restrictions on a tribe's inherent sovereignty to allow it to exercise inherent authority to try non-member Indians. However, because of changes on the Court and, as Justice Thomas stated, the ''schizophrenic'' nature of Indian policy and the confused state of Indian law, it is not clear that today's Supreme Court would hold that Congress has authority to expand the tribes' inherent sovereignty. It may be that Congress can only delegate federal power to the tribes to try non-Indians.

The dichotomy between delegated and inherent power of tribes has important constitutional implications. If Congress is deemed to delegate its own power to the tribes to prosecute crimes, all the protections accorded criminal defendants in the Bill of Rights will apply. If, on the other hand, Congress is permitted to recognize the tribes' inherent sovereignty, the Constitution will not apply. Instead, criminal defendants must rely on statutory protections under the Indian Civil Rights Act. Although the protections found in these statutory and constitutional sources are similar, there are several important distinctions between them. Most importantly, if inherent sovereignty is recognized and only statutory protections are triggered, defendants may be subjected to double jeopardy for the same act; may have no right to counsel in misdemeanor cases if they cannot afford one; may have no right to prosecution by a grand jury indictment; may not have access to a representative jury of their peers; and may have limited federal appellate review of their cases.

Mr. GRASSLEY. Mr. President, to address the real problems of domestic violence among Native Americans, our substitute would permit tribes to petition for protective orders against non-Indians in Federal court.

The committee-reported bill did not respect due process in the area of accusations against college students.

Of course, allegations of sexual assault on campus should be taken as seriously as anywhere else.

But reputations can be ruined by false charges, so it is important that fairness in adjudications occur.

As a practical matter, the committee-reported bill imposed on these campus proceedings the standards of proof issued in a controversial proposed regulation by the Department of Education.

They were very weak and unfair.

Additionally, under the committee-reported bill, if the campus disciplinary authority exonerated the innocent even under the weak standard of proof, the accuser could appeal for another round of proceedings.

That just is not fair.

At the last minute, the majority has changed the first but not the second of these provisions.

Now, the investigation must be fair and impartial.

That is progress.

This change should have been made much earlier.

But the bill still allows a person who has been found innocent after a fair investigation to be pursued again at the victim's request.

Our substitute eliminates that unfairness.

The committee bill also mishandles immigration issues.

The one hearing the Judiciary Committee held presented testimony that fraud exists in the VAWA-self petitioning process.

We heard from victims who fell in love with foreign nationals, sponsored them for residency in the United States, only to be accused of abuse so that the foreign national could get a green card.

The chairman promised at the hearing to include language in the bill that would address this immigration fraud, but his bill fails to include anything of the sort.

Our substitute contains language that will reduce fraud and abuse by requiring an in person interview whenever possible with the applicant who alleges abuse.

We cannot allow people to misuse the VAWA self-petitioning process to obtain a green card.

The committee-reported bill also expands the number of U visas by tens of thousands without changing the rules by which they are issued.

Under current law, an individual may be eligible for a U visa if he or she has been or is likely to be helpful to the investigation or prosecution of a crime.

However, the requirements for a U visa are generous.

There is no requirement that an investigation be commenced as a result of the alien reporting the crime; there is no time period within which an alien has to report the crime; the crime could have occurred years before it is reported and there could be no way to identify the perpetrator; the alien seeking the ''U'' visa could even have a criminal record of their own.

Our substitute includes commonsense, best practices to ensure that U visas are truly used as a tool to fight crime.

The Hutchison-Grassley substitute amendment will better protect victims of domestic violence than does the underlying bill.

Hundreds of millions of dollars in grant money for domestic violence programs are distributed every year.

For that money to be effective, it must actually reach victims.

But too much of the money does not reach victims.

Excess amounts are spent on administrative expenses, conferences, and lobbying, and some is lost to waste, fraud, and abuse.

For example, since 1998, the inspector general has audited 22 individual VAWA grantees.

In those random audits, 21 were found to have unallowable costs, unsupported expenditures, or other serious deficiencies in how they expended taxpayer dollars.

That is millions of dollars that could have helped an untold number of victims but instead were lost.

Although some good accountability measures were included in the committee-reported bill, more are necessary.

The substitute amendment requires audits and includes mandatory exclusions for those who are found to have violated program rules.

It limits conference expenditures at the Justice Department and Health and Human Services Department unless there is proper oversight.

It prohibits lobbying by grantees, and it limits administrative expenses in the government's management of the grants.

Our substitute directs more money to victims of the most serious crimes than the committee bill by requiring 30 percent—not 20 percent—of the funds go toward sexual assault.

It directs that 70 percent of the funds for reducing rape kit backlogs actually be used for that purpose, not the mere 40 percent in the committee-reported bill.

The substitute protects victims in other ways that are not contained in the underlying bill.

It contains a 10-year mandatory minimum sentence for aggravated sexual abuse.

It imposes a mandatory minimum sentence of 1 year for possession of child pornography where the child depicted is under 12.

That does not go far enough, but it is a step in the right direction.

It is a consensus item that has passed the Judiciary Committee in the past with a strong bipartisan vote.

The alternative also creates a mandatory minimum sentence of 15 years for interstate domestic violence that results in death.

There are opponents of mandatory minimum sentences.

The leniency-industrial complex is active in this area as in others.

But we should not take too seriously the claims of opponents of the mandatory minimums that they take away judicial discretion.

They think that judges should be able to give any sentence they want on these crimes, even potentially no jail time at all.

Contrary to victims' groups, they fear that any requirement of jail time for these crimes will be counterproductive and lead to lower sentences.

But those same opponents support the grants for arrest in the committee-reported bill.

Unlike sentences, mandatory arrest policies tie the hands of law enforcement to take action against people who have not been convicted of anything.

They may reduce the likelihood that the police may be called in actual cases of domestic violence.

They may result in calls to the police by one person for leverage against another.

They may cause other negative unintended consequences as well.

Our substitute also gives the Marshals Service administrative subpoena authority to pursue unregistered sex offenders.

These are individuals who are required by law to register as sex offenders but fail to comply.

This is another provision that has enjoyed wide bipartisan support in the Judiciary Committee.

Victims will also be helped by the substitute's requirement of an audit of the Justice Department's use of the Crime Victims Fund.

When criminals are convicted and made to pay fines, these fines are placed in a fund for the sole purpose of assisting victims.

However, there are questions whether the Justice Department is spending these funds only for their one permitted use.

An audit is in order.

And the bill also includes a bipartisan provision to enable victims to receive restitution that is owed to them but has not been paid.

The IRS would be permitted to deduct the money from payments it would otherwise make to the perpetrator.

Mr. President, there is broad bipartisan support for reauthorizing the Violence Against Women Act.

The Hutchison-Grassley substitute would of the underlying bill reauthorize the 80 percent that enjoys that consensus.

It eliminates provisions that are not consensus and would not pass the other body and become law.

And it adds other provisions that are widely supported and would provide real benefits to victims of domestic violence.

I urge my colleagues to support it.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, may I inquire as to how much time remains on this side of the aisle?

The PRESIDING OFFICER. There is 24 minutes remaining.

Mr. CORNYN. I ask unanimous consent to reserve 15 minutes for my remarks out of the 24 available, and if I could get some notice from the chair when we approach that. I may not use that much; I may yield it back.

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

Mr. CORNYN. Thank you, Mr. President. The Violence Against Women Act will be reauthorized, at least in the Senate, by bipartisan consensus today. There are some different versions that will be offered. I am sure each side thinks theirs is an improvement over the alternative, and I will leave to Senator HUTCHISON and Senator GRASSLEY to address the improvements they have made over the bill that came out of the Judiciary Committee and the alternative they have proposed.

AMENDMENT NO. 2086

(Purpose: To amend title 18 of the United States Code and other provisions of law to strengthen provisions of the Violence Against Women Act and improve justice for crime victims)

Mr. CORNYN. Mr. President, I rise to speak on an amendment I have offered, and I ask unanimous consent at this time to call up amendment No. 2086 and ask for its immediate consideration.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, reserving the right to object, and I do not believe I will object, is this based on the unanimous consent agreement that was entered into by the two leaders? I ask, through the Chair, the Senator from Texas, is this amendment No. 2086?

Mr. CORNYN. That is correct.

Mr. LEAHY. I do not object.

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

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas [Mr. CORNYN], for himself, Mr. KIRK, Mr. BENNET, Mr. MCCONNELL, and Mr. VITTER, proposes an amendment numbered 2086.

Mr. CORNYN. I ask unanimous consent that the reading of the amendment be dispensed with.

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

(The amendment is printed in the RECORD of Wednesday, April 25, 2012, under ''Text of Amendments.'')

Mr. CORNYN. This amendment I have offered in conjunction with Senator VITTER, Senator MCCONNELL, Senator MICHAEL BENNET from Colorado, and others is a bipartisan amendment which will make sure that more of the money contained in the funds the Congress appropriates to the Department of Justice will be used to test backlogged rape kit evidence that has not been tested. I know the jargon may be a little confusing, but basically what happens is when the law enforcement officials investigate a sexual assault, they take a rape kit to collect physical evidence and bodily fluids for DNA testing, among other types of tests.

It is a national scandal that we don't know how many untested rape kits there may be. In other words, criminal investigations take place where this critical evidence is acquired, but it never goes to a laboratory to be tested to identify the perpetrator of that sexual assault. It is estimated that there are as many as 400,000 untested rape kits across the country sitting either in laboratories or in police lockers, evidence lockers, that have not yet been forwarded for testing at a laboratory—400,000.

I heard a chilling statistic this morning from a young woman, Camille Cooper, who is the legislative director of an organization called PROTECT out of Knoxville, TN. This is an organization that commits itself to combating child sex crimes and to helping those victims get justice.

She said this morning in my presence that before law enforcement identifies a child sex crime perpetrator, on average they project as many as 27 children have already been sexually assaulted by this same person before law enforcement gets them on their radar. I mention that number—I can't vouch for the number, but I do trust her—I mention that because the reason these 400,000 estimated rape kits—critical evidence in a child or in an adult sexual assault case—if they are untested, that evidence cannot be used to then match up against the DNA data bank to get a hit to identify the perpetrator of the crime. By the nature of the crime, these are not one-time events. These are people who for some unknown reason tend to commit serial assaults against children and women. So it is even more necessary, more compelling, to identify them early because if we wait too long, we may either run into a statute of limitations and not be able to prosecute them for that crime but, even worse, in the interim, they are committing additional sexual assaults against other victims.

So it is absolutely critical that we get these rape kits tested—this physical evidence from sexual assault cases—as soon as we can and match it up against the DNA in these DNA data banks that are maintained by the FBI so we can identify the people who are committing these heinous crimes and get them off the streets sooner, so that future victims will be protected from those assaults. It is also important that a person who is suspected of one of these heinous crimes be exonerated if, in fact, the physical evidence will rule them out from having committed the crime.

My amendment to the underlying bill is included in the Hutchison-Grassley version. But in the event the Hutchison-Grassley version does not prevail today, I offer my amendment that will redirect more of the money—the $100 million that is appropriated by Congress under the Debbie Smith Act—to make sure this critical evidence is tested on a timely basis for the reasons I mentioned.

My amendment requires that at least 75 percent of the funds given out through grant programs by the Department of Justice be used for the core purpose of testing those rape kits. Also, 7 percent of those funds would be used to inventory the backlog.

To me, it is a scandal that we don't even know what the backlog consists of because there are actually two kinds of backlog cases: One is the case where the kit is already at the laboratory and it is a part of the backlog of the laboratory. But the hidden backlog consists of the rape test kits that are maintained in police lockers and have never been forwarded to the laboratory in the first place. Those are not typically part of this estimate of the backlog. The experts—the people who watch this area closely—estimate that if we count all of the untested kits that are evidence waiting for a laboratory to test them to match up with a perpetrator of these crimes, there could be as many as 400,000 of them untested by the labs in the backlog.

I know my colleague, Senator KLOBUCHAR, will be offering an alternative to my amendment. I ask unanimous consent to have printed in the RECORD at the end of my present remarks a letter from the Rape, Abuse and Incest National Network on those two competing amendments.

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

(See exhibit 1.)

Mr. CORNYN. I will not read the whole letter, which is addressed to me, but I will read parts of it:

I am writing to express RAINN's concern with the draft VAWA amendment by Sen. Klobuchar. Unlike the Cornyn amendment, we do not believe this draft amendment will make effective or positive improvements to the Debbie Smith Act.

Indeed, they conclude later in the letter:

Overall, we believe this amendment is largely symbolic and will not have the impact in reducing the backlog that we find in the Cornyn amendment.

Very quickly, there is no requirement in the Klobuchar amendment that audits actually have to be conducted. So, to me, that seems like a case of willful blindness to the size and scope of the backlogs and the problems.

There is no requirement in the Klobuchar alternative for a registry. In other words, there is no way the Department of Justice can make sure the money granted to law enforcement is actually used for the purpose for which the grant was intended, by creating a registry. In fact, the Klobuchar amendment actually diverts some of the funds from the core purpose of the Debbie Smith Act for the purpose of testing this critical evidence. It takes out a provision for administrative subpoenas to track unregistered sex offenders. It cuts some of the sentencing provisions in my amendment for people guilty of interstate child sex trafficking—children under 12 years of age—and it eliminates the sense-of-the-

Senate provision that I worked on with Senator MARK KIRK of Illinois condemning a Web site known as backpage.com, which has been identified in the New York Times and other places as a source of advertising for underage prostitution—something certainly worthy of our condemnation as a Senate.

So I will come back to talk about other aspects of this, but I hope my colleagues will look at the letter from RAINN, the largest antisexual violence organization in the United States, which says they believe the Klobuchar amendment is largely symbolic and does not do as much as the Cornyn amendment would to get at these perpetrators and to identify them for what they are.

EXHIBIT 1

RAPE, ABUSE & INCEST NATIONAL NETWORK,
Washington, DC, April 26, 2012.

Hon. JOHN CORNYN,
U.S. Senate,
Washington, DC.

DEAR SEN. CORNYN: I am writing to express RAINN's concern with the draft VAWA amendment by Sen. Klobuchar. Unlike the Cornyn amendment, we do not believe that this draft amendment will make effective or positive improvements to the Debbie Smith Act.

The Klobuchar amendment adds an additional purpose area to the Debbie Smith Act promoting inter-agency communication, potentially at the expense of reducing the backlog. Funds used for this section have the potential to be used for radios and other communication tools. While we can't speak to the need for such spending, we do know that this would not have a direct impact on the backlog and would not aid in solving cases. Unlike the Cornyn amendment, which nearly doubles the percentage of Debbie Smith funds that are spent on casework, this provision would divert money from labs and go against the congressional intent of the original bill.

In addition, this draft would allow the Justice Department to fund backlog audits, but would not designate funds specifically for that purpose. It would not establish a registry to allow the collection of data; would not establish any process for transparency; and would not provide the kind of comprehensive information that is needed to efficiently target Debbie Smith funds to the areas of greatest need. Finally, it strips out a number of provisions that were included at the request of law enforcement agencies, in order to ensure that their compliance would not be burdensome. The SAFER Act section of the Cornyn amendment has none of these defects, and has safeguards to ensure that funds spent on an audit and registry will not take away from funds spent on testing DNA evidence. Overall, we believe this amendment is largely symbolic and will not have the impact in reducing the backlog that we find in the Cornyn amendment.

RAINN is the nation's largest anti-sexual violence organization. RAINN created and operates the National Sexual Assault Hotlines (800.656.HOPE and rainn.org), which have helped more than 1.7 million people since 1994. RAINN also carries out programs to prevent sexual assault, help victims, and ensure that rapists are brought to justice. For more information about RAINN, please visit www.rainn.org.

I appreciate your work on this issue, and encourage you to continue to push for adoption of the Cornyn amendment, which will make real, positive changes in the lives of victims.

Sincerely,

SCOTT BERKOWITZ,
President and Founder.

Mr. CORNYN. With that, Mr. President, I reserve the remainder of my time and yield the floor.

Mrs. HUTCHISON. Mr. President, what is the time allotment at present?

The PRESIDING OFFICER. The minority has 12½ minutes total.

Mrs. HUTCHISON. I thank the Chair.

The PRESIDING OFFICER. The majority has 12 minutes.

The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I am pleased to be here to join those of my colleagues who are urging that we come together this afternoon, and I am pleased we are going to see votes on the Violence Against Women Act to reauthorize the legislation as it has passed through the Judiciary Committee.

As we all know, domestic violence continues to be a serious problem across our country. In New Hampshire, nearly one in four women has been sexually assaulted. At least one-third of New Hampshire women have been victims of a physical assault by an intimate partner. More than one-half of all women in my State have experienced sexual or physical assault over the course of their lifetimes.

All of us share in an obligation to stop this epidemic, and VAWA is a proven tool in this fight. The real importance of this legislation lies not in the statistics but in hearing about those women who have been helped by the services that are provided by the Violence Against Women Act.

I have had a chance to visit several crisis centers around New Hampshire in the past few weeks, and I have met with the survivors and the advocates who depend on this funding. I went to a crisis center called Bridges in Nashua where I spoke with a survivor of domestic violence. She told me: When you are a victim of domestic violence, you think you are worthless. She said: There are so many times that I would have gone back to my abuser, except that I had the ability to call Bridges crisis line at 2 o'clock in the morning and talk to somebody who could help me so that I knew I was supported.

Because of the Violence Against Women Act, the Bridges program can operate and have a crisis line for 24 hours a day, 7 days a week. Because of the support she got through the Bridges program, this survivor is going back to college, she is free from abuse, and she is going to have a life that is saved because of programs that are supported by the Violence Against Women Act.

The law enforcement community has been very supportive of this legislation. They need this bill too. In New Hampshire, half of all murders are domestic violence related. I spoke to the chief of police in Nashua, our State's second largest city. He gets just $68,000 from the Violence Against Women Act funding, but that allows him to have a dedicated unit within the police department that can respond to domestic violence and sexual assault cases.

I heard from retired Henniker police chief Timothy Russell. He is a 37-year veteran in law enforcement, and he now travels around the State teaching police officers how to respond to domestic violence cases. It is funds from the Violence Against Women Act that allow him to conduct the specialized training so police officers can identify patterns of domestic abuse and prevent those situations from escalating. Officers are taught to maintain good relationships with crisis centers, and Chief Russell tells them: If you see a victim in trouble, get a counselor on the phone to talk to them. Tell them what their options are. Again, thanks to funding from the Violence Against Women Act, he has resources to bring this training throughout New Hampshire to police officers so they can help the victims.

I saw just this kind of cooperation and action when I visited the Family Justice Center in Rochester, NH, this week. They have made a multitude of services accessible in one place so victims do not have to go all over town or all over the county to get the help they need. They can see a counselor, get childcare assistance, and fill out an application for a protective order; women can even get their injuries treated and officially documented. They can get free legal help—all in this Family Justice Center, made possible by a Violence Against Women Act grant.

If we do not support this because it is the right thing to do—and I think it is—we should also support this legislation because it saves money. It is a cost-effective approach because, in addition to reducing crime, victims are less reliant on emergency rooms. They are less likely to need State assistance when they can connect with resources. They can get help with childcare and housing and get back on their feet and become productive citizens. This is the type of help every citizen deserves and ultimately makes us all safer.

I am also pleased to see there is particular language in this legislation that requires service providers to help any victim of domestic violence regardless of their race, religion, sexual orientation, or immigration status.

I think Sergeant Jill Rockey, whom I met when I was in Rochester at the Family Justice Center, put it best when she said:

> When someone calls for help in a domestic or sexual violence case, we don't ask if they are an immigrant or gay. We just go.

Well, hopefully, today we will respond in passing this bill with that same sense of urgency. Let's make sure we do not let victims, first responders, or our communities down. Let's give everyone the help they need and deserve. Let's pass this legislation today.

I yield the floor.

Mr. LEAHY. Mr. President, one of the hallmarks of the Violence Against

Women Act is the success it has had reducing violence against women across the country. Because we have made much progress over the past 18 years on domestic violence but have had less success with combating sexual assault, our bipartisan Leahy-Crapo bill takes important steps to increase the focus on sexual violence. As we were writing this bipartisan legislation, we consulted with the men and women who work with victims every day to develop a consensus bill that will help emphasize the need to further reduce the incidence of sexual assault. The administration and law enforcement groups like the National Association of Attorneys General, the National District Attorneys Association, the National Sheriffs' Association, and the International Association of Chiefs of Police understand and support our goals.

Unfortunately, while I do not doubt that Senator CORNYN shares our goals, the amendment he is offering can have the perverse affect of hindering progress on these issues. That is why there will be an amendment offering a better approach and a better way forward together. The alternative to the Cornyn amendment will allow us to make progress on to reduce the backlog in the testing of rape kits and other DNA samples, as I have always supported in the Debbie Smith Act. Accordingly, I will urge all Senators to reject the Cornyn amendment and support the alternative, which will complement the work we are doing by reauthorizing the Violence Against Women Act.

I point out that the provisions in the Cornyn amendment are duplicative of provisions in the Republican proposal offered by Senators HUTCHISON and GRASSLEY. The Senate is already voting on those provisions.

Further, Senator CORNYN, who is a member of the Judiciary Committee, did not offer his current amendment when the VAWA reauthorization was considered earlier this year. I offered an amendment on his behalf that the committee adopted on another issue.

Moreover, the separate issue of the Debbie Smith Act is part of a larger effort on which the Judiciary Committee is considering as we move to reauthorize the Justice for All Act that we passed with bipartisan support several years ago. Although we have made reduction of rape kit backlogs an additional use for which VAWA STOP grants funding may be used by State and local jurisdictions, this matter is on a separate legislative track.

I am not insisting or formality in this regard and have worked with other Senators on the alternative amendment that should be helpful to our goal of reducing the rape kit testing backlog. To make sure our work is successful, we will also need to pay careful attention to the standards for testing and the controversies surrounding those matters, however. Moreover, there is a risk of making money available that swamps the capacities for accurate testing. This is not as simply as throwing money at the problem. I have worked and remain hard at work on forensic reforms to ensure that our criminal justice system takes advantage of scientific advancements while remaining fair.

A concern with the Cornyn amendment is its mandating the diversion of 7 percent of Debbie Smith Act funding to create an unwieldy national database of rape kits. The amendment would also compel jurisdictions to undergo a burdensome process of entering information into that database without procedural safeguards to ensure its accuracy. These requirements would force state and local law enforcement to invest time and resources to comply with onerous and illogical reporting requirements and divert their focus from their core law enforcement mission of actually responding to calls and investigating sexual assault cases. It is no wonder that the National Association of Police Organizations opposes the Cornyn amendment.

The amendment also contains a number of criminal sentencing mandates that have no place in our VAWA bill. Victims' advocates like the National Task Force to End Sexual and Domestic Violence Against Women say its provisions ''would have a chilling effect on victim reporting and would not help hold perpetrators accountable.'' Victim advocates tell us that, particularly in cases where the perpetrator is known to the victim, these kinds of mandated sentences can deter victims from reporting the crimes and actually contribute to continuing abuse. Mandatory minimum sentences such as these also worsen prison overcrowding and budget crises at the Federal, State, and local level, and undermine our effective Federal sentencing system. The National Network to End Domestic Violence, the National Association to End Sexual Violence, the National Council Against Domestic Violence, and the National Congress of American Indians Task Force oppose these sentencing provisions.

There could be an extended Senate debate about whether mandatory minimums are good policy and the unintended consequence they may have of worsening abuse in domestic violence situations. That would be a long debate with strongly held views. That is not what the Violence Against Women Act is about. We should not complicate passage of this bipartisan measure with such matters beyond the scope and purpose of the bill. Such debates are for another time and other bills.

Our VAWA reauthorization bill should not be seen as a catch-all for all criminal proposals or sentencing mandates. There are other bills and other packages of bills that we are working on and hope to pass this year. Some may come up in the Justice for All Act is we are able to get Senate floor time for that measure. Some have come up on separate bills that are awaiting Republican clearance for Senate passage. Among those are a package of bills including the Strengthening Investigations of Sex Offenders and Missing Children Act, the Investigative Assistance for Violent Crimes Act, the Dale Long Public Safety Officers' Benefits Improvements Act, along with Finding Fugitives Sex Offenders Act from which the Cornyn Amendment takes its administrative subpoena provisions.

Let me turn to the Debbie Smith Act and a woman I admire very much. Debbie Smith is a survivor of a terrible crime who had to wait in terror for far too long before evidence was tested and the perpetrator was caught. She has worked tirelessly to make sure that other victims of sexual assault do not have to endure similar ordeals. I have been a proud supporter of the Debbie Smith DNA Backlog Grant Program since its creation, and I have worked with Senators of both parties, including Senators MIKULSKI and HUTCHISON on the Appropriations Committee, to see that it receives as much funding as possible each year. As I noted, although its authorization does not expire until 2014, I included an extension of its reauthorization in the Justice For All Reauthorization Act I introduced earlier this year. The Debbie Smith DNA Backlog Grant Program has been very successful in reducing evidence backlogs in crime labs, particularly in sexual assault cases. That is why I am glad that the alternative amendment will allow us to ensure that the program is authorized through 2017 at a level of $151 million a year.

Unfortunately, disturbing reports have emerged of continuing backlogs, with some cities finding thousands of untested rape kits on police department shelves. That means that there is more need than ever for the Debbie Smith Act but also that there must be increased emphasis on reducing law enforcement backlogs, where there has been less progress. That is why it is so important that alternative to the Cornyn amendment expands the Debbie Smith Act to allow law enforcement to obtain funding for the collection and processing of DNA evidence. Law enforcement burden is one of the key bottlenecks in the process at present. In contrast to the Cornyn amendment, the alternative calls for new national best practices and protocols for law enforcement handling of rape kits and for Justice Department assistance to law enforcement in addressing this continuing problem. This will help to make real progress in overcoming the last major hurdles in reducing backlogs of rape kits.

The amendment takes steps to ensure that more of the Debbie Smith Act funds are used directly for DNA evidence testing to reduce backlogs. That will make this key program even quicker and more effective in reducing backlogs. The Debbie Smith program is an important tool in the fight against sexual assault, and I hope all Senators will join us in reauthorizing and

strengthening it by rejecting the Cornyn amendment in favor of the alternative.

As I have said during this debate, we must do more to reduce sexual assault, and the bipartisan Leahy-Crapo bill focuses on that goal. I believe that Senator CORNYN's amendment will distract from the progress that is most helpful to victims, despite his good intentions. I urge Senators to vote against the Cornyn amendment and support the alternative to expedite improvements to the Debbie Smith Act to reduce the backlog of untested rape kits and other DNA evidence.

The PRESIDING OFFICER (Mrs. SHAHEEN). The Senator from Texas.

AMENDMENT NO. 2095

(Purpose: In the nature of a substitute)

Mrs. HUTCHISON. Madam President, I rise to speak on behalf of my substitute amendment along with Senator GRASSLEY and other cosponsors, and I call up the amendment, No. 2095.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON], for herself, Mr. GRASSLEY, Mr. MCCONNELL, Mr. CORNYN, Mr. KYL, Mr. ALEXANDER, Mr. MORAN, and Mr. CORKER, proposes an amendment numbered 2095.

Mrs. HUTCHISON. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

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

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mrs. HUTCHISON. Madam President, the substitute amendment is a bill that takes the good parts and the important parts of the reauthorization of the Violence Against Women Act that I think are universal—the parts that have passed unanimously through Congress in recent years, starting 16 years ago—but the substitute also strengthens the bill. I am glad we are going to get a chance to vote on something that will strengthen it because there are some areas where the underlying bill is not as strong as our substitute bill, amendment No. 2095, would be, especially in the area of abuse of children and child pornography and child sex trafficking. This is our most vulnerable victim: the child who is abused.

I want to read from some of the national organizations for victims as they write about this important aspect which is included in our bill but not covered as well in the underlying bill.

The National Center for Missing and Exploited Children, with whom I have worked to try to get the AMBER Alert system to be relevant across State lines—where we have actually saved, we believe, 550 children who have been abducted and taken across State lines—because of the quick action of the AMBER Alert system, they have been able to be safely brought back home. The National Center for Missing and Exploited Children says:

. . . possession of child pornography is a serious crime that deserves a serious sentence. Therefore, we support a reasonable mandatory minimum sentence for this offense.

As we have . . . testified, child protection measures must also include the ability to locate non-compliant registered sex offenders. . . . The U.S. Marshals Service is the lead federal law enforcement agency for tracking these fugitives. Their efforts would be greatly enhanced if they had the authority to serve administrative subpoenas. . . .

Now, that is key because it is covered in our substitute. It is covered in Senator CORNYN's amendment. It is not covered in either the underlying Leahy bill nor in Senator KLOBUCHAR's side-by-side. So this is a major area of strengthening that this very important victims' rights organization is supporting.

Shared Hope International is another children's advocate organization that says:

Child pornography is one form of child sex trafficking and is too often intertwined with the other forms of sexual exploitation, which include prostitution and sexual performance. Stiffer penalties will bring greater deterrence and justice for the victims.

Then, RAINN, which is the largest victims' rights organization for sexual assault, says:

Thank you . . . for including the SAFER Act—

Which is Senator CORNYN's amendment.

. . . . We are grateful for your leadership in the battle to prevent sexual violence and prosecute its perpetrators.

Then, PROTECT also says:

. . . the apologists for child pornography traffickers deny the pain and harm done by possessors of these images.

They go on further to say:

. . . ''simple processors''—

Which would mean people who have this and have it on their computers and sell it—

fuel the market for more and more crime scene recordings of children being raped, tortured and degraded.

Now, these are people who are for the Cornyn amendment, and they are for the protection we have in the substitute.

It is so important we strengthen this area to try to protect our most vulnerable victims. That is one area where strengthening can make such a difference. The Marshals Service being able to have administrative subpoenas will allow them to track even known sexual predators who have fled and you have a hard time finding them.

I gave an illustration this morning of two children who were abducted by a known sexual predator, but they did not have the administrative ability to find that sexual predator, and he ended up killing one of the children, the children's mother, the mother's boyfriend, and another relative.

In the underlying bill, the mandatory sentences are days. We have a minimum mandatory 1-year sentence for a crime of having pornography that shows 8- to 10-year-old girls being raped. Now, I would think a 1-year minimum sentence for that kind of promotion of this degradation of children would be something all of us could support.

I heard people on the floor say our substitute does not fully cover some areas, such as Indian women. Well, our bill assures that Indian women are going to have the protections in a constitutional way so the bill is not thrown out. Indian women on reservations are particularly vulnerable, and my colleague, Senator MURKOWSKI, has told me that in Alaska they do not have reservations to a great extent, but they do have a record of abuse of Indian women, and we need to protect them.

We do it in a constitutional way in our substitute, and I think that protection is very important. It has been determined by several organizations—criminal justice organizations—that the underlying bill is not constitutional and would not work for Indian women.

It has been asserted on the Senate floor that we do not protect victims of same-sex sexual violence, but we do. We neutralize in our bill any reference or discrimination. In fact, I will read the language of our bill:

No person in the United States shall on the basis of actual or perceived race, color, religion, national origin, sex, or disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under [this act].

We cover every person who is a victim under this bill. I have been made aware through very sad stories of the need to protect men as well, as victims of same-sex domestic violence. Men who have been gang raped are less likely to report it because of a shame they feel, and it is a different aspect than we have dealt with in previous Violence Against Women Act bills. But it is real and we do need to cover that. We do in the substitute bill, absolutely fully. We cover victims of domestic violence in our bill, and that is what is important to all of us.

Immigrant women who are illegal have the same protections they have had in every Violence Against Women Act that has been passed over the last 16 years. So we do not change that. We do not change the authorization levels.

So all of these—along with our strengthening of the bill with the Marshals Service's ability to get administrative subpoenas, as well as the minimum sentences that are so very important—make our bill the right alternative.

I have said before that I feel so strongly about this issue that I intend to vote for, of course, my amendment, which I think is strengthening; most certainly for Senator CORNYN's amendment, which is a strengthening amendment to the underlying bill—it is included in our substitute as well; Senator CORNYN is another cosponsor, as is

Senator MCCONNELL, of the substitute—but I intend to vote for the underlying bill even with its flaws because I wish to make sure there is no cutting off of the aspect of this most important legislation because of the time limit of our action.

The PRESIDING OFFICER. The minority has 3 minutes remaining reserved for the junior Senator from Texas.

Mrs. HUTCHISON. If the Senator wishes to speak further, I am happy to yield.

Mr. CORNYN. I will be glad to yield to Senator HUTCHISON 2 of these 3 minutes remaining.

Mrs. HUTCHISON. I thank the Senator. I would just say I have had a long record in this area. When I was a member of the State legislature, Texas passed the most far-reaching protection for victims of rape in the whole country. I was the lead sponsor of that bill. When we passed it in 1975, it then became the model other States used to strengthen the laws to help these victims.

One day, just in this last year, I was at a grocery store in Dallas, TX. A woman came up to my truck I was driving, knocked on the window. I had no idea what she was going to say, but I rolled down the window. She said: Senator HUTCHISON, thank you for the bill you passed in Texas in 1975—because I was a victim of rape, and I would not have gone forward without your protections. But I did and that man was sent to prison.

That is what we are here for, and that is why I have this strong substitute.

The PRESIDING OFFICER. The junior Senator from Texas.

Mr. CORNYN. Madam President, I have letters in support of the legislation we have talked about, the SAFER amendment, the alternative to the Klobuchar amendment, from the National Center for Missing and Exploited Children, from Arrow Child and Family Ministries, from the Rape, Abuse and Incest National Network, and from PROTECT. I ask unanimous consent that all those letters be printed in the RECORD following my remarks.

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

(See exhibit 1.)

Mr. CORNYN. I wish to talk about one aspect of Senator HUTCHISON's legislation that is also included in my stand-alone amendment. This is the administrative subpoena authority. Because this has been taken out of the Klobuchar alternative, it is not in underlying Leahy bill.

What happens is sex offenders are required to register. If they do not register, they are much more likely to commit future acts of sexual assault and abuse, particularly against children. As a matter of fact, one of the biggest indicators that someone is likely to reoffend is when they do not register. So what the Hutchison bill does, what my bill does, is give U.S. marshals the administrative subpoenas to collect records and information to help identify these unregistered sex offenders and to protect future victims from their sexual assault.

Because if they are registered, if they are identified, they are much less likely to reoffend and commit further acts of sexual abuse. We all want to see this legislation pass. But I would just reiterate for my colleagues' benefit, the letter we received from the Rape, Abuse and Incest National Network that said the alternative to my amendment that will be offered—that the alternative is largely symbolic and will not have the impact of reducing the impact we find in the Cornyn amendment.

I would ask my colleagues to support the amendment and to support certainly Senator HUTCHISON's amendment. I commend her for her great work on this subject.

EXHIBIT 1

NATIONAL CENTER FOR MISSING & EXPLOITED CHILDREN,
Alexandria, VA, April 26, 2012.

Hon. KAY BAILEY HUTCHISON,
U.S. Senate,
Washington, DC.

DEAR SENATOR HUTCHISON: As you know, the National Center for Missing & Exploited Children (NCMEC) addressed the issue of sentencing for federal child pornography crimes in our testimony before the Senate Judiciary Committee in March 2011. The 1.4 million reports to NCMEC's CyberTipline, the Congressionally-authorized reporting mechanism for online crimes against children, indicate the scope of the problem. These child sex abuse images are crime scene photos that memorialize the sexual abuse of a child. Those who possess them create a demand for new images, which drives their production and, hence, the sexual abuse of more child victims to create the images.

Despite the heinous nature of this crime, the federal statute criminalizing the possession of child pornography has no mandatory minimum sentence. This, combined with the advisory nature of the federal sentencing guidelines, allows judges to impose light sentences for possession. Congress passed mandatory minimum sentences for the crimes of receipt, distribution, and production of child pornography. We don't believe that Congress intended to imply that possession of child pornography is less serious than these other offenses. NCMEC feels strongly that possession of child pornography is a serious crime that deserves a serious sentence. Therefore, we support a reasonable mandatory minimum sentence for this offense.

As we have previously testified, child protection measures must also include the ability to locate non-compliant registered sex offenders—offenders who have been convicted of crimes against children yet fail to comply with their registration duties. The U.S. Marshals Service is the lead federal law enforcement agency for tracking these fugitives. Their efforts would be greatly enhanced if the had the authority to serve administrative subpoenas in order to obtain Internet subscriber information to help determine the fugitives' physical location and apprehend them.

Thank you for your efforts to protect our nation's children.

Sincerely,

ERNIE ALLEN,
President and CEO.

ARROW CHILD & FAMILY MINISTRIES,
April 25, 2012.

DEAR SENATOR CORNYN: Arrow Child & Family Ministries supports the proposed ''Justice for Victims Amendment'' to S. 1925. VAWA Reauthorization is of critical importance to victims of sexual assault, stalking, domestic and dating violence and your proposed amendment will provide additional protections and accountability to victims.

As a provider of foster care services in Texas, California, Pennsylvania and Maryland, Arrow sees first-hand the impact domestic and sexual violence has on families and society's youngest victims—children. Arrow is also engaged in helping victims of child sex trafficking with the opening of Freedom Place, a long-term comprehensive care facility located in Texas for underage American girls who have been bought and sold as sex slaves. The average age of these girls is 12 to 13 years old. Once they become victims, their life expectancy is only seven years. This is not just an international problem. Thousands of girls and boys from towns and cities across America are victims. In fact, according to the National Incidence Studies of Missing, Abducted, Runaway and Throwaway Children, an estimated 1 out of every 3 children who run away is lured into sex trafficking within 48 hours of leaving home.

Our children are in crisis and we thank Senator Cornyn for his willingness to toughen sentencing for some of the worst sex offenders, and call on Backpage.com to remove part of its website that has been linked to child sex trafficking.

Respectfully,

MARK TENNANT,
Founder and CEO.

RAPE, ABUSE & INCEST NATIONAL NETWORK,
Washington, DC, March 23, 2012.

Hon. JOHN CORNYN,
U.S. Senate,
Washington, DC.

DEAR SEN. CORNYN: I am writing to express RAINN's strong support for the Justice for Victims Amendment, which will strengthen the Violence Against Women Reauthorization Act and have a tremendously positive impact on how our nation's criminal justice system responds to—and prevents—sexual violence.

One out of every six women and one in 33 men are victims of sexual assault—20 million Americans in all, according to the Department of Justice. Rapists tend to be serial criminals, often committing many crimes before they are finally caught; and only about 3% of rapists will ever spend a single day in prison.

First, this amendment will help eliminate the DNA evidence backlog by ensuring that 75% of DNA spending goes directly to solve cases, a big improvement over current practice. It will also establish the Sexual Assault Forensic Evidence Registry, which will bring transparency, efficiency and accountability to the DNA backlog problem and allow policymakers to closely track local backlogs and prioritize testing. The amendment will also ensure that criminals convicted of severe crimes of violence against women receive a just punishment, and ensure that fugitive sex offenders are swiftly identified and located. If enacted, these provisions will lead to more successful prosecutions, more violent criminals behind bars, and safer communities.

RAINN is the nation's largest anti-sexual violence organization. RAINN created and operates the National Sexual Assault Hotlines (800.656.HOPE and rainn.org), which have helped more than 1.6 million people since 1994. RAINN also carries out programs

to prevent sexual assault, help victims, and ensure that rapists are brought to justice. For more information about RAINN, please visit www.rainn.org.

Thank you for introducing the Justice for Victims Amendment. We believe this amendment will greatly enhance VAWA and result in a stronger, more effective bill. We are grateful for your unflagging leadership in the battle to prevent sexual violence and prosecute its perpetrators, and we look forward to working with you to encourage passage of this important amendment and to reauthorize VAWA.

Sincerely,

SCOTT BERKOWITZ,
President and Founder.

PROTECT,
Knoxville, TN, April 16, 2012.

Hon. JOHN CORNYN,
517 Hart Senate Office Bldg.,
Washington, DC.

DEAR SENATOR CORNYN: I am writing to express PROTECT's strong support for the Justice for Victims Amendment.

This amendment to the Violence Against Women Act will create needed penalty enhancements for several crimes, including child trafficking and domestic violence. It would also begin to address the nation's outrageous and unacceptable backlog of rape kits, by reforming how the Justice Department allocates existing resources.

PROTECT has members in all 50 states and around the world. As you know, we have focused on addressing the magnitude of online child exploitation. The PROTECT our Children Act of 2008, which we initiated (and which had 61 Senate sponsors) exposed the magnitude of this problem both domestically and abroad and mandated increased transparency and accountability by the U.S. Department of Justice and the agencies it funds.

We also want to thank you for including an important provision granting the US Marshals Service administrative subpoena power to track unregistered sex offenders. Since 1993, the national trend to use public registration in lieu of meaningful containment and supervision has threatened community safety. Aggressively pursuing those who fail to comply is thus an especially valuable public safety strategy. PROTECT is intimately familiar with the work of the Service and can attest to the hard work and success that office has tracking and apprehending child predators.

We thank you for continued leadership in the battle to protect American Children. The Justice for Victims Amendment is a much-needed advance in this battle. We look forward to working with you to secure passage of this amendment to champion the re-authorization of VAWA.

Sincerely,

GRIER WEEKS,
Executive Director.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, how much time is remaining on each side?

The PRESIDING OFFICER. There is 6 minutes 20 seconds for the majority.

Mr. LEAHY. How much on the other side?

The PRESIDING OFFICER. Zero.

Mr. LEAHY. Mr. President, the Leahy-Crapo Violence Against Women Reauthorization Act is based on months of work with survivors, advocates, and law enforcement officers from all across the country.

We listened when they told us what was working and what could be improved. We took their input seriously, and we carefully drafted our legislation to respond to those needs.

Our bill is supported by more than 1,000 Federal, State, and local organizations. They include service providers, law enforcement, religious organizations, and many, many more.

There is one purpose and one purpose only for the bill that Senator CRAPO and I introduced, and that is to help and protect victims of domestic and sexual violence. Our legislation represents the voices of millions of survivors and their advocates all over the country.

The same cannot be said for the Republican proposal brought forward in these last couple of days. That is why the Republican proposal is opposed by so many and such a wide spectrum of people and organizations.

The National Task Force to End Sexual and Domestic Violence Against Women, which represents dozens of organizations from across the country says: ''The Grassley-Hutchison substitute was drafted without input or consultation from the thousands of professionals engaged in this work every day.

The substitute includes damaging and unworkable provisions that will harm victims, increase costs, and create unnecessary inefficiencies.'' Although well-intentioned, the Republican proposal is no substitute for the months of work we have done in a bipartisan way with victims and advocates from all over the country.

I regret to say that the Republican proposal undermines core principles of the Violence Against Women Act. It would result in abandoning some of the most vulnerable victims and strips out key provisions that are critically necessary to protect all victims—including battered immigrants, Native women, and victims in same sex relationships.

The improvements in the bipartisan Leahy-Crapo Violence Against Women Reauthorization Act are gone from the Republican proposal. It is no substitute and does nothing to meet the unmet needs of victims.

The Republican proposal fundamentally undermines VAWA's historic focus on protecting women. It literally calls for removing the word ''women'' from the largest VAWA grant program. Women are still victimized at far higher rates, and with a far greater impact on their lives, than men. Shifting VAWA's focus away from women is unnecessary and harmful.

The Republican proposal would send a terrible message. There is no reason to turn the Violence Against Women Act inside out and eliminate the focus on the victims the bill has always been intended to protect.

Our Leahy-Crapo bipartisan bill, by contrast, does not eliminate the focus on violence against women, but increases our focus to include all victims of domestic violence and sexual assault.

The Republican proposal strips out critical protections for gay and lesbian victims. The rate of violence in same sex relationships is the same as the general population, and we know that victims in that community are having difficulty accessing services.

To strip out these critical provisions is to turn our backs on victims of violence. That is not the spirit of VAWA. We understand that a victim is a victim is a victim, and none of them should be excluded or discriminated against.

The Republican proposal would extend and institutionalize that discrimination. The Republican proposal should be rejected.

The Republican proposal also fails to adequately protect Tribal victims. Domestic violence in tribal communities is an epidemic. Four out of five perpetrators of domestic or sexual violence on Tribal lands are non-Indian and currently cannot be prosecuted by tribal governments.

If you need more convincing of this problem, listen to the senior Senator from Washington and the Senators from New Mexico, Montana, Alaska and Hawaii who have spoken so compellingly to the Senate about these concerns and who strongly support the provisions in the bipartisan Leahy-Crapo bill.

The Republican proposal is no real alternative to fix the jurisdictional loophole that is allowing the domestic and sexual violence against Native women to go undeterred and unremedied. Its proposal offers a false hope, a provision that purports to allow a tribe to petition a Federal court for a protective order to exclude individuals from tribal land. It does not even allow the victim herself to request the order, and it does nothing to ensure that a violent offender is held accountable.

This is a false alternative. It is not what the Justice Department has suggested. It is not what the Indian Affairs Committee has supported. It will do next to nothing and is no answer to the epidemic of violence against Native women.

The Republican proposal also abandons immigrant victims and disregards law enforcement requests for additional U visas, a law enforcement tool that encourages immigrants to report and help prosecute crime. To the contrary, the Republican proposal would add dangerous restrictions on current U visa requirements that could result in that tool being less effective.

The U visa process already has fraud protections. For law enforcement to employ U visas, law enforcement officers must personally certify that the victim is cooperating with a criminal investigation. The new restrictions the Republican proposal seeks to add will discourage victims from coming forward and will hinder law enforcement's ability to take violent criminals off the street.

I will be offering an amendment to offset the minimal additional costs associated with our increasing the number of U visas that can be used. With

that amendment the bipartisan Leahy-Crapo bill will not ''score'' and will be deficit neutral.

The Republican proposal also would add burdensome, unnecessary and counterproductive requirements that would compromise the ability of service providers to maximize their ability to reach victims. In contrast, the bipartisan Leahy-Crapo accountability provisions ensure the appropriate use of taxpayer dollars without unnecessary regulatory burdens.

It is all the more ironic that the Republican proposal would add massive, new bureaucratic requirements to service providers who are understaffed and operating on shoestring budgets like most small businesses and nonprofits. These requirements are unnecessary and would add significant costs to victim service providers, undercutting their ability to help victims.

It is easy to call for audits, but without proper resources and focus, such demands could be counterproductive and lead to decreased accountability. The bipartisan Leahy-Crapo bill, by contrast, includes targeted accountability provisions.

While I have been willing to accommodate improvements to this legislation from day one, I have also been clear that I will not abandon core principles of fairness. Regrettably, that is what the Republican proposal would result in doing. It would undermine the core principle of VAWA to protect victims—all victims—the best way we know how. Our bill is focused on VAWA and improvements to meet the unmet needs of victims.

It is not a catch-all for all proposals for criminal law reform, for sentencing modifications. There are other bills and other packages of bills that we are working on and hope to pass this year. We should not complicate passage of this bipartisan measure with such matters beyond the scope and purpose of the bill. Such debates are for another time and other bills.

I urge all Senators to join together to protect the most vulnerable victims of violence, including battered immigrant women assisting law enforcement, Native American women who suffer in record numbers, and those who have traditionally had trouble accessing services.

A victim is a victim is a victim. They all deserve our attention and the protection and access to services the bipartisan Leahy-Crapo bill provides.

The path forward is to reject the Republican proposal, which is no alternative to the bipartisan Leahy-Crapo bill. Let us move forward together to meet the unmet needs of victims.

I would just say that the Leahy-Crapo bill does not eliminate the focus on violence against women; it protects women, unlike the Republican proposal which strips out so many aspects.

Our bill is inclusive. Theirs is exclusive. A victim is a victim is a victim. We do not exclude anybody. As the distinguished Senator from New Hampshire said earlier today: They do not ask who the victim is when there is a victim.

With my remaining time, I yield 2 minutes to the Senator from New Jersey and the remaining time to the Senator from Minnesota, Ms. KLOBUCHAR.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Madam President, I wish to salute the distinguished chairman of the Judiciary Committee for the incredible work he has done to bring us to this moment.

I held a roundtable in New Jersey with about 35 organizations that deal with the challenge of violence against women. They unequivocally expressed their support for what we are doing here today and the importance in the lives of women whom they deal with every day.

I know my friends on the other side of the aisle are trying to strip provisions that protect women from discrimination and abuse in certain categories. In my view, violence against any woman is still violence. The Nation has been outraged about violence against women for almost two decades. We have seen the violence. We continue to fight against it. We have tried to end it. In my mind, there is no doubt—and I would find it very hard to understand why anyone would stand in the way of denouncing violence against any woman, no matter who they are, no matter what their class is.

I am hard-pressed to understand why anyone would choose to exclude violence against certain women; turn back the clock to a time when such violence was not recognized, was not a national disgrace, and make a distinction when and against whom such violence meets our threshold of outrage. In my mind, there can be no such threshold, no such distinction. Violence against any woman is an outrage, plain and simple.

The reauthorization of the Violence Against Women Act does not just affect those who are here or might become victims of sexual violence or domestic violence; it affects all of us. Nearly one in five women report being the victim of a rape or an attempted rape. One in six report being stalked. One in four women report having been beaten by their partner. Of those who report being raped, 80 percent report being raped before the age of 25.

The short-term physical and emotional trauma of such an event cannot be overstated. That is why it is critical we pass VAWA as the committee has moved forward.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

AMENDMENT NO. 2094 TO AMENDMENT NO. 2093

Ms. KLOBUCHAR. Madam President, I call up amendment No. 2094.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Minnesota [Ms. KLOBUCHAR] proposes an amendment numbered 2094 to amendment No. 2093.

Ms. KLOBUCHAR. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide Debbie Smith grants for auditing sexual assault evidence backlogs)

At the appropriate place, insert the following:

SEC. ____. DEBBIE SMITH GRANTS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.

Section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135) is amended—

(1) in subsection (a), by adding at the end the following:

''(6) To conduct an audit consistent with subsection (n) of the samples of sexual assault evidence that are in the possession of the State or unit of local government and are awaiting testing.

''(7) To ensure that the collection and processing of DNA evidence from crimes, including sexual assault and other serious violent crimes, is carried out in an appropriate and timely manner.

''(8) To ensure effective communication among emergency response providers, law enforcement personnel, prosecutors, courts, defense counsel, crime laboratory personnel, and crime victims regarding the status of crime scene evidence to be tested.'';

(2) in subsection (c)(3)(B)—

(A) by striking ''2014'' and inserting ''2017''; and

(B) by striking ''40'' and inserting ''70'';

(3) by striking subsection (j) and inserting the following:

''(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Attorney General for grants under this section $151,000,000 for each of fiscal years 2013 through 2017.''; and

(4) by adding at the end the following:

''(n) USE OF FUNDS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.—

''(1) ELIGIBILITY.—The Attorney General may award a grant under this section to a State or unit of local government for the purpose described in subsection (a)(6) only if the State or unit of local government—

''(A) submits a plan for performing the audit of samples described in such subsection; and

''(B) includes in such plan a good-faith estimate of the number of such samples.

''(2) GRANT CONDITIONS.—A State or unit of local government receiving a grant for the purpose described in subsection (a)(6) shall, not later than 1 year after receiving such grant, complete the audit described in paragraph (1)(A) in accordance with the plan submitted under such paragraph.

''(3) EXTENSION OF INITIAL DEADLINE.—The Attorney General may grant an extension of the deadline under paragraph (2)(A) to a State or unit of local government that demonstrates that more time is required for compliance with such paragraph.

''(4) DEFINITIONS.—In this subsection:

''(A) AWAITING TESTING.—The term 'awaiting testing' means, with respect to a sample of sexual assault evidence, that—

''(i) the sample has been collected and is in the possession of a State or unit of local government;

''(ii) DNA and other appropriate forensic analyses have not been performed on such sample; and

''(iii) the sample is related to a criminal case or investigation in which final disposition has not yet been reached.

''(B) POSSESSION.—

''(i) IN GENERAL.—The term 'possession', used with respect to possession of a sample of sexual assault evidence by a State or unit of local government, includes possession by an individual who is acting as an agent of the State or unit of local government for the collection of the sample.

''(ii) RULE OF CONSTRUCTION.—Nothing in clause (i) shall be construed to create or amend any Federal rights or privileges for non-governmental vendor laboratories described in regulations promulgated under section 210303 of the DNA Identification Act of 1994 (42 U.S.C. 14131).

''(o) DEVELOPMENT OF PROTOCOLS AND PRACTICES.—

''(1) PROTOCOLS AND PRACTICES.—Not later than 18 months after the date of enactment of the Violence Against Women Reauthorization Act of 2011 the Director of the National Institute of Justice, in consultation with Federal, State, and local government laboratories and law enforcement agencies, shall develop and publish a description of protocols and practices the Director considers appropriate for the accurate, timely, and effective collection and processing of DNA evidence, including protocols and practices specific to sexual assault cases, which shall address appropriate steps in the investigation of cases that might involve DNA evidence.

''(2) TECHNICAL ASSISTANCE AND TRAINING.—The Director shall make available technical assistance and training to support States and units of local government in adopting and implementing the protocols and practices developed under paragraph (1) on and after the date on which the protocols and practices are published.

''(3) DEFINITION OF BACKLOG FOR DNA CASE WORK.—The Director shall develop and publish a definition of the term 'backlog for DNA case work' for purposes of this section—

''(A) taking into consideration the different stages at which a backlog may develop, including the investigation and prosecution of a crime by law enforcement personnel, prosecutors, and others, and the laboratory analysis of crime scene samples; and

''(B) which may include different criteria or thresholds for the different stages.''.

Ms. KLOBUCHAR. I thank Senator CORNYN and Senator HUTCHISON for their words and their work. I rise to discuss my amendment that would respond to the problems we are seeing with rape kit backlogs, which Senator CORNYN has identified, while also reforming what we know is working well on this issue.

This amendment would amend the Debbie Smith Act, which, similar to the Violence Against Women Act, has a history of bipartisan support. The Debbie Smith Act, as you know, was enacted in 2004. It was named after a courageous survivor of sexual assault.

What this amendment does is to basically increase the percentage of Debbie Smith grant funds that are available for use in testing the backlog of rape kits. We raise the current percentage of 40 percent up to 70 percent. So it is a significant change.

The amendment also asks the National Institute of Justice to develop protocols to help law enforcement with sexual assault cases and to provide technical assistance and training to law enforcement and local governments. The amendment also allows funds to be used for auditing rape kit backlogs, which is one of the important issues Senator CORNYN's amendment addresses.

The difference between Senator CORNYN's amendment and my amendment is that mine does not mandate that a minimum percentage of funds be used for audit. Senator CORNYN's amendment also has provisions such as subpoena authority for U.S. marshals who are tracking fugitive sex offenders that I have supported in the past and I will continue to support in the future. I will be glad to work with Senator CORNYN and Chairman LEAHY and others to get this done and to look for an appropriate vehicle to address this issue.

But today is about passing VAWA without delay. We have worked on the Judiciary Committee for 1 month with every group that wanted to have a say in the reauthorization of VAWA, and we have worked closely with all on the committee. As you know, Senator CRAPO has been the long-time Republican coauthor of this bill. We have a number of Republican supporters. I wish to end with the words of Paul Wellstone, who once served in the Senate on behalf of the State of the Minnesota, who was a fierce advocate for the Violence Against Women Act.

He said this:

> What are we waiting for? Too many have spoken with their voices and with their lives, and this violence must end.

Let's get the Violence Against Women Act done.

I yield the floor.

Mr. LEAHY. Madam President, we are about to vote. This is a time for both Republicans and Democrats to come together and say what we all know in our heart: We oppose violence against women. Let's say it not just in our heart, let's say it in legislation—good legislation.

Have the yeas and nays been ordered?

The PRESIDING OFFICER. They have not.

Mr. LEAHY. Madam President, which is the first amendment to be considered?

The PRESIDING OFFICER. The question is on agreeing to the Klobuchar amendment, No. 2094.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Virginia (Mr. WEBB) is necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

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

The result was announced—yeas 57, nays 41, as follows:

[Rollcall Vote No. 84 Leg.]

YEAS—57

Akaka	Begich	Bingaman
Baucus	Bennet	Blumenthal
Boxer	Inouye	Nelson (NE)
Brown (MA)	Johnson (SD)	Nelson (FL)
Brown (OH)	Kerry	Pryor
Cantwell	Klobuchar	Reed
Cardin	Kohl	Reid
Carper	Landrieu	Rockefeller
Casey	Lautenberg	Sanders
Collins	Leahy	Schumer
Conrad	Levin	Shaheen
Coons	Lieberman	Snowe
Durbin	Manchin	Stabenow
Feinstein	McCaskill	Tester
Franken	Menendez	Udall (CO)
Gillibrand	Merkley	Udall (NM)
Hagan	Mikulski	Warner
Harkin	Murkowski	Whitehouse
Heller	Murray	Wyden

NAYS—41

Alexander	Enzi	McConnell
Ayotte	Graham	Moran
Barrasso	Grassley	Paul
Blunt	Hatch	Portman
Boozman	Hoeven	Risch
Burr	Hutchison	Roberts
Chambliss	Inhofe	Rubio
Coats	Isakson	Sessions
Coburn	Johanns	Shelby
Cochran	Johnson (WI)	Thune
Corker	Kyl	Toomey
Cornyn	Lee	Vitter
Crapo	Lugar	Wicker
DeMint	McCain	

NOT VOTING—2

Kirk	Webb

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

AMENDMENT NO. 2086

Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 2086, offered by the Senator from Texas, Mr. CORNYN.

The Senator from Texas.

Mr. CORNYN. Madam President, for those who supported the Klobuchar amendment, here is your last chance to make sure more money under the Debbie Smith Act is appropriated and directed toward solving the 400,000 untested rape kits backlogged in this country that is nothing short of a national scandal.

We know the people who commit these sexual assault crimes are serial offenders. If we don't catch them early, more people are going to get hurt. The best way to catch them is to collect this DNA, match it against banked DNA, and take them off the street, and to exonerate those who may be under suspicion but who are innocent.

I hope my colleagues will support this amendment. It has the support of the Rape Abuse and Incest National Network, and it has administrative subpoenas to track down unregistered sex offenders who are more likely to commit crimes against children and other innocent victims. Please vote for this amendment. It will strengthen the Violence Against Women Act and you can be proud of your vote.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, we have been able to get very good progress on the rape kit backlogs in the Leahy-Crapo bill. I wish we had passed the Klobuchar amendment. The Cornyn amendment is well intentioned, but it will undermine, rather than enhance, the progress we have made.

The Cornyn amendment will divert funding from the Debbie Smith rape kit backlog reduction program. Let me repeat: It will divert funding from the Debbie Smith rape kit backlog reduction program to create an unwieldy national database of rape kits. It could force State and local law enforcement to invest time and resources to comply with onerous and illogical reporting requirements instead of actually responding to calls and investigating sexual assault cases.

Key victims' groups have opposed it, saying all the things it adds in here—the things we have taken care of to help victims—would actually hurt them. It creates new mandatory minimum penalties that victims' groups say will have the opposite effect of what we want by deterring abused women from reporting violence and sexual assault crimes. And I strongly oppose it.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. MENENDEZ. I ask for the yeas and nays.

Mr. CORNYN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Virginia (Mr. WEBB) is necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The result was announced—yeas 50, nays 48, as follows:

[Rollcall Vote No. 85 Leg.]

YEAS—50

Alexander	Enzi	McConnell
Ayotte	Graham	Moran
Barrasso	Grassley	Murkowski
Bennet	Hatch	Paul
Blunt	Heller	Portman
Boozman	Hoeven	Risch
Brown (MA)	Hutchison	Roberts
Burr	Inhofe	Rubio
Chambliss	Isakson	Sessions
Coats	Johanns	Shelby
Coburn	Johnson (WI)	Snowe
Cochran	Kyl	Tester
Collins	Lee	Thune
Corker	Lieberman	Toomey
Cornyn	Lugar	Vitter
Crapo	McCain	Wicker
DeMint	McCaskill	

NAYS—48

Akaka	Gillibrand	Murray
Baucus	Hagan	Nelson (NE)
Begich	Harkin	Nelson (FL)
Bingaman	Inouye	Pryor
Blumenthal	Johnson (SD)	Reed
Boxer	Kerry	Reid
Brown (OH)	Klobuchar	Rockefeller
Cantwell	Kohl	Sanders
Cardin	Landrieu	Schumer
Carper	Lautenberg	Shaheen
Casey	Leahy	Stabenow
Conrad	Levin	Udall (CO)
Coons	Manchin	Udall (NM)
Durbin	Menendez	Warner
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wyden

NOT VOTING—2

Kirk Webb

The PRESIDING OFFICER (Mr. BLUMENTHAL). Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

AMENDMENT NO. 2095

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate, equally divided, prior to a vote on amendment No. 2095, offered by the Senator from Texas.

Mrs. HUTCHISON. Mr. President, No. 2095 takes the part of the bill that reauthorizes the Violence Against Women Act and continues those, but it does important things that are not in the underlying bill:

No. 1, a mandatory minimum sentence of 5 years for aggravated sexual assault through the use of drugs or otherwise rendering the victim unconscious is not in the underlying bill. It is in our substitute.

No. 2, it grants administrative subpoena power to U.S. Marshals so they can have the ability to quickly find a known sexual predator. This has been cited by the National Center for Missing and Exploited Children as a key part of the need to help get these offenders when they are going to prey on children. It is not in the underlying bill; it is in ours.

It protects Indian women on reservations in a constitutional way. The underlying bill has been questioned as to constitutionality by the Congressional Research Service.

The PRESIDING OFFICER. The Senator's time has expired.

Mrs. HUTCHISON. And it also does what the Cornyn and Klobuchar amendments attempted to do and assure that we get this backlog of people who have committed rape off the streets.

Please support this amendment.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, the reason why so many people across the political spectrum support the Leahy-Crapo bill and the reason they oppose this amendment is it is going to remove the historic emphasis of women in VAWA. The improvements we have made in the bipartisan Leahy-Crapo bill are gone from the Republican proposal. There is only one real Violence Against Women Act reauthorization, and this is not it. It undermines core principles. It abandons some of the most vulnerable victims. It strips key provisions that are critically necessary to protect all victims, including battered immigrants, Native women, and victims of same-sex relationships.

I hope my colleagues will strongly and roundly defeat this alternative. It guts the Violence Against Women Act reauthorization.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mrs. HUTCHISON. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

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

The result was announced—yeas 37, nays 62, as follows:

[Rollcall Vote No. 86 Leg.]

YEAS—37

Alexander	Graham	McConnell
Ayotte	Grassley	Moran
Barrasso	Hatch	Portman
Blunt	Heller	Risch
Boozman	Hoeven	Roberts
Burr	Hutchison	Sessions
Chambliss	Inhofe	Shelby
Coats	Isakson	Thune
Cochran	Johanns	Toomey
Corker	Johnson (WI)	Vitter
Cornyn	Kyl	Wicker
Crapo	Lugar	
Enzi	McCain	

NAYS—62

Akaka	Gillibrand	Nelson (NE)
Baucus	Hagan	Nelson (FL)
Begich	Harkin	Paul
Bennet	Inouye	Pryor
Bingaman	Johnson (SD)	Reed
Blumenthal	Kerry	Reid
Boxer	Klobuchar	Rockefeller
Brown (MA)	Kohl	Rubio
Brown (OH)	Landrieu	Sanders
Cantwell	Lautenberg	Schumer
Cardin	Leahy	Shaheen
Carper	Lee	Snowe
Casey	Levin	Stabenow
Coburn	Lieberman	Tester
Collins	Manchin	Udall (CO)
Conrad	McCaskill	Udall (NM)
Coons	Menendez	Warner
DeMint	Merkley	Webb
Durbin	Mikulski	Whitehouse
Feinstein	Murkowski	Wyden
Franken	Murray	

NOT VOTING—1

Kirk

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Mr. LEAHY. Mr. President, I wish to commend and thank Senator KLOBUCHAR, Senator MIKULSKI, Senator BOXER, and Senator CANTWELL for their outstanding statements earlier today in support of our bipartisan Violence Against Women Reauthorization Act. Their contributions to the bill and their leadership have been essential. They have spoken often and consistently about this legislative priority. They bring their experiences and years of work on these matters to this effort.

I also wish to commend the statements made by Senators from both sides of the aisle yesterday as the Senate began consideration of the bill. I have always enjoyed working with the senior Senator from Texas and recall how we worked together to pass our Amber Alert legislation in record time. As I have said, we have included the Klobuchar-Hutchison provision updating Federal antistalking legislation in our bill from the outset. I appreciate her saying that she ''is going to support'' the Leahy-Crapo bill. Likewise, I

have supported giving the Republican proposal a Senate vote, although I have explained why I will vote against it.

I thought the statements by the majority leader, Senator BEGICH, Senator UDALL of New Mexico, Senator TESTER, Senator GILLIBRAND, Senator SCHUMER, as well as Senator HELLER were strong and compelling.

We now have the opportunity to consider our amendment to improve upon the bill. Our amendment continues to focus on protecting victims. By way of our amendment, we can fix a ''scoring'' problem by adding an offset for the measures in the bill that the Congressional Budget Office determined after its technical analysis would result in affecting budget. That amendment should keep the measure budget neutral. We also are pleased to include provisions suggested by Senators MURKOWSKI and BEGICH to correct the manner in which Alaska is affected by the tribal provisions in the bill. We worked with them on the initial language and are pleased to continue that bipartisan cooperation. These are additional steps we can take to make sure we pass the best possible legislation we can.

It has been a pleasure to work with Senator CRAPO over the last many months to reauthorize and improve the Violence Against Women Act. We have been committed to an open, bipartisan process for this legislation from the beginning. This amendment I am offering continues that process and incorporates further important suggestions we have received from both sides of the aisle.

The substitute makes modest changes to the tribal provisions to further protect the rights of defendants. These changes are in response to concerns raised by Senator KYL and others, and I am happy to make them. The substitute also responds to concerns raised by Senator MURKOWSKI and Senator BEGICH about the legislation's impact on Alaska Native villages. Again, I am pleased to be able to address those concerns. The bill is stronger for it.

The substitute also incorporates national security protections at the request of Senator FEINSTEIN.

We also add a small fee for applications for diversity visas that will more than cover the modest costs of protecting additional battered immigrants who assist law enforcement. This addition renders the bill deficit neutral and alleviates budget concerns. It, too, makes the legislation stronger.

The amendment strengthens the campus provision of the legislation while responding to concerns that the bill might have inadvertently affected burdens of proof in campus proceedings. I thank Senator CASEY for working with us on this aspect of the amendment.

These are very modest changes, but every one reflects our continued commitment to listening to those who work with victims of domestic and sexual violence every day and to working with Senators of both parties to make the legislation stronger. The legislation came to the floor with 61 Senators, including 8 Republicans, as cosponsors. These adjustments should make it even more of a consensus bill.

I have been heartened by the constructive tone of debate on the floor of the Senate and the near universal support for reauthorizing VAWA. Let's continue this consensus, bipartisan process by passing this amendment and then adopting the bill with these improvements. Let's pass this reauthorization. As Congress faces unrelenting criticism for gridlock and dysfunction, our reauthorizing VAWA in a bipartisan way that helps all victims of domestic and sexual violence is an example of the Senate at its best. I hope all Senators will join us in this effort.

The PRESIDING OFFICER. Under the previous order, amendment No. 2093, the Leahy substitute amendment, is agreed to.

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

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

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to the vote on S. 1925.

The Senator from Vermont.

Mr. LEAHY. As we proceed to vote to reauthorize the Violence Against Women Act, I look forward to a strong bipartisan vote. I thank the majority leader and the Republican leader for their work to bring us to this point. I commend the Senators from both sides of the aisle who have worked so hard to bring us to this. In particular I thank my partner in this effort, Senator CRAPO, and our bipartisan cosponsors. I also commend Senator MURRAY and Senator MURKOWSKI who have been so instrumental in helping both sides arrive at a fair process for considering amendments and proceeding without unnecessary delays.

The Violence Against Women Act continues to send a powerful message that violence against women is a crime, and it will not be tolerated. It is helping transform the law enforcement response and provide services to victims all across the country. We are right to renew our commitment to the victims who are helped by this critical legislation and to extend a hand to those whose needs have remained unmet.

As we have done in every VAWA authorization, this bill takes steps to improve the law and meet unmet needs. We recognize those victims who we have not yet reached and find ways to help them. This is what we have always done. As I have said many times the past several weeks, a victim is a victim is a victim. We are reaching out to help all victims. I am proud that the legislation Senator CRAPO and I introduced seeks to protect all victims—women, children, and men, immigrants and native born, gay and straight, Indian and non-Indian. They all deserve our attention and the protection and access to services our bill provides.

I have said since we started the process of drafting this legislation that the Violence Against Women Act is an example of what the Senate can accomplish when we work together. I have worked hard to make this reauthorization process open and democratic. Senator CRAPO and I have requested input from both sides of the aisle, and we have incorporated many changes to this legislation suggested by Republican as well as Democratic Senators.

Our bill is based on months of work with survivors, advocates, and law enforcement officers from all across the country and from all political persuasions. We worked with them to craft a bill that responds to the needs they see in the field. That is why every one of the provisions in the bill has such widespread support. That is why more than 1000 national, State, and local organizations support our bill.

I appreciate the bipartisan support this bill has had from the beginning, and I want to commend our 61 cosponsors. I commend our eight Republicans for their willingness to work across party lines.

I cannot overstate the important role played by Senators MURRAY, MURKOWSKI, MIKULSKI, FEINSTEIN, KLOBUCHAR, BOXER, HAGAN, SHAHEEN, CANTWELL, GILLIBRAND, COLLINS, SNOWE, and AYOTTE in this process. The work these women Senators have done in shaping the legislation, and supporting it here on the Senate floor, as well as back home in their States, has helped create the urgency needed to get a bill passed. They are among the strongest supporters of our bill, and the bill is better for their efforts. I also appreciate the gracious comments Senator HUTCHISON made about the Leahy-Crapo bill, and I am encouraged by her now joining with us to pass the bill.

I also want to thank the many members of the Judiciary Committee who helped draft various provisions in the bill. Senators KOHL, DURBIN, SCHUMER, FRANKEN, KLOBUCHAR, WHITEHOUSE, COONS, and BLUMENTHAL offered significant contributions.

The Senate's action today could not have been accomplished without the hard work of many dedicated staffers. I would like to thank in particular Anya McMurray, Noah Bookbinder, Ed Chung, Erica Chabot, Liz Aloi, Matt Smith, Kelsey Kobelt, Tara Magner, Ed Pagano, John Dowd and Bruce Cohen from my staff.

I know the staff of Senator GRASSLEY has put in significant time on this legislation as well. I thank Kolan Davis, Fred Ansell, and Kathy Neubel for their efforts.

I also commend the hardworking Senate floor staff, Tim Mitchell and Trish Engle, and the staffs of other Senators who I know have worked hard on this legislation, including Erik Stegman, Wendy Helgemo, Josh Riley, Ken Flanz, Susan Stoner, Nate Bergerbest, Kristi Williams, Stacy

Rich, Mike Spahn, Serena Hoy, Bill Dauster, and Gary Myrick.

Most importantly, I thank the many individuals, organizations, and coalitions that have helped with this effort. I thank the Vermonters who have helped inform me and this legislation, Karen Tronsgard-Scott of the Vermont Network to End Domestic and Sexual Violence and Jane Van Buren with Women Helping Battered Women. And I thank all those involved with the National Task Force to End Sexual and Domestic Violence Against Women, American Bar Association Commission on Domestic Violence, Asian & Pacific Islander Institute on Domestic Violence, Break the Cycle, Casa de Esperanza, Futures Without Violence, Jewish Women International, Legal Momentum, National Alliance to End Sexual Violence, National Center for Victims of Crime, National Coalition Against Domestic Violence, National Coalition of Anti-Violence Programs, National Congress of American Indians Taskforce on Violence Against Women, National Council of Jewish Women, National Domestic Violence Hotline, National Network to End Domestic Violence, National Organization of Sisters of Color Ending Sexual Assault, SCESA, National Resource Center on Domestic Violence, National Sexual Violence Resource Center, Resource Sharing Project of the Iowa Coalition Against Sexual Assault, YWCA USA, Human Rights Campaign, Human Rights Watch, NAACP, Mayors of Los Angeles, New York, and Chicago, the National Sheriff's Association, Federal Law Enforcement Officers Association, FLEOA, National Center for State Courts, National Association of Attorneys General, National Association of Women Judges, Leadership Conference on Civil and Human Rights, National Faith Groups, and so many more for their focus on the victims and their unmet needs.

This is an example of what the Senate can do when we put aside rhetoric and partisanship. I believe that if Senators, Members of the House, Americans from across the country take an honest look at the provisions in our bipartisan VAWA reauthorization bill, they will find them to be commonsense measures that we all can support. Sixty-one Senators have already reached this conclusion. I hope more will join us and the Senate can promptly pass and Congress can promptly enact the Leahy-Crapo Violence Against Women Reauthorization Act.

I thank the bipartisan coalition that has come together on this. Most importantly, the coalition across the political spectrum that is so opposed to violence against women will thank us for passing this bill.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. LEAHY. I yield back all time on our side.

Mrs. HUTCHISON. I yield back time on our side.

The PRESIDING OFFICER. All time has been yielded back.

The bill having been read the third time, the question is, Shall the bill pass?

The yeas and nays have been ordered.

The clerk will call the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

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

The result was announced—yeas 68, nays 31, as follows:

[Rollcall Vote No. 87 Leg.]

YEAS—68

Akaka	Franken	Murkowski
Alexander	Gillibrand	Murray
Ayotte	Hagan	Nelson (NE)
Baucus	Harkin	Nelson (FL)
Begich	Heller	Portman
Bennet	Hoeven	Pryor
Bingaman	Hutchison	Reed
Blumenthal	Inouye	Reid
Boxer	Johnson (SD)	Rockefeller
Brown (MA)	Kerry	Sanders
Brown (OH)	Klobuchar	Schumer
Cantwell	Kohl	Shaheen
Cardin	Landrieu	Snowe
Carper	Lautenberg	Stabenow
Casey	Leahy	Tester
Coats	Levin	Udall (CO)
Collins	Lieberman	Udall (NM)
Conrad	Manchin	Vitter
Coons	McCain	Warner
Corker	McCaskill	Webb
Crapo	Menendez	Whitehouse
Durbin	Merkley	Wyden
Feinstein	Mikulski	

NAYS—31

Barrasso	Grassley	Paul
Blunt	Hatch	Risch
Boozman	Inhofe	Roberts
Burr	Isakson	Rubio
Chambliss	Johanns	Sessions
Coburn	Johnson (WI)	Shelby
Cochran	Kyl	Thune
Cornyn	Lee	Toomey
DeMint	Lugar	Wicker
Enzi	McConnell	
Graham	Moran	

NOT VOTING—1

Kirk

The bill (S. 1925), as amended, was passed.

(The bill will be printed in a future edition of the RECORD.)

Mr. LEAHY. I move to reconsider the vote.

Mr. KERRY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

STOP THE STUDENT LOAN INTEREST RATE HIKE ACT OF 2012—MOTION TO PROCEED

Mr. REID. I now move to proceed to Calendar No. 365, S. 2343.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

Motion to proceed to S. 2343, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans, and for other purposes.

CLOTURE MOTION

Mr. REID. I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 365, S. 2343, The Stop the Student Loan Interest Rate Hike Act of 2012.

Harry Reid, Jack Reed, Sheldon Whitehouse, Jeff Merkley, Charles E. Schumer, Kay R. Hagan, Jeanne Shaheen, Robert P. Casey, Jr., Kent Conrad, Sherrod Brown, John F. Kerry, Dianne Feinstein, Mary Landrieu, Barbara Boxer, Patty Murray, Bernard Sanders, Barbara A. Mikulski, Richard J. Durbin.

Mr. REID. I ask unanimous consent that the mandatory quorum under rule XXII be waived, and a vote on the motion to invoke cloture on the motion to proceed to S. 2343 occur at noon on Tuesday, May 8, 2012.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Massachusetts.

Mr. KERRY. Mr. President, there are a number of us who wish to speak. I will cede to the Senator from Montana, my senior. So if I could ask unanimous consent that the Senator from Montana speak, then the Senator from Massachusetts, and then—I think the Senator from Louisiana had a request for 1 minute. So if we could allow the Senator from Louisiana to go first, then the Senator from Montana, and then I would follow, and then Senator REED would follow me. So I ask unanimous consent for that order.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

TAKE OUR DAUGHTERS AND SONS TO WORK DAY

Ms. LANDRIEU. Mr. President, today, young women from Louisiana, California, and the Washington area are my special guests for Take Our Daughters and Sons to Work Day. We were joined by over 100 young women and men here at the Capitol today with their parents, grandparents, and guardians to participate in work in the Senate.

I want to acknowledge the Ms. Foundation that started the national Take Our Daughters and Sons to Work Day program over 20 years ago. I would like to particularly thank Leader REID and Leader MCCONNELL for opening the Senate floor today for these children.

I ask unanimous consent that the young women's names, as well as the names of those family members or guardians joining them, be printed in the RECORD.

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

Dominique Cravins, from Opelousas, LA, accompanied by her parents, Don and Yvette Cravins; Martine Cruz, from Baton Rouge, LA, accompanied by her mother, Dr. Julie

Morial; Amiya Dawson, from Monroe, LA, accompanied by her mother, Kinya Dawson; Katya and Anya Fontana, from New Orleans, LA, accompanied by their mother, Karen Fontana; Mariah Jones, from Natchitoches, LA, accompanied by their grandfather, Victor Jones and Deloris Jones; Anna Reilly, from Baton Rouge, LA, accompanied by her mother, Jennifer Reilly; Lawren Scott, from Baton Rouge, LA, accompanied by her mother, Jacqueline Scott; Sarah Sternberg, from Los Angeles, CA, accompanied by Morton Friedkin; Grace Strottman, from Washington, DC, accompanied by her parents, Kathleen and Matt Strottman; Hailey Trahan, from Lafayette, LA, accompanied by her mother, Angela Trahan, Gladys and Clayton Arceneaux, and Monique Thierry; and, Caroline and Bailey Watts, from Hammond, LA, accompanied by their great aunt, Grace Eldridge and, their grandmother, Maggie Watts.

Ms. LANDRIEU. Please join me in welcoming my exceptional guests and their family members or guardians who have accompanied them to the U.S. Senate.

So, again, I thank my Senate colleagues for giving me this opportunity.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I note the Senator from Massachusetts has a very tight schedule and a close timeline to catch a flight overseas. I think it appropriate that I defer to the Senator from Massachusetts. He has a very tight schedule, and I can wait a little longer.

The PRESIDING OFFICER. The Senator from Massachusetts.

TRIBUTE TO MARY C. TARR

Mr. KERRY. Mr. President, I am very grateful to my colleague. I was happy to wait, but I am grateful to him. I thank the Senator from Montana, my friend Senator BAUCUS.

I am privileged to work with a lot of extraordinary staff members here in the Senate, as we all are. We often say that none of us is any better than our staff allow us to be. It is rare that I have had somebody on my team who predated my time in the U.S. Senate. I have been here—oh, this is my 28th year now.

Mary Tarr, who I would like to say a few words about, is my office manager, up until today—a veteran staffer of 31 years here in the Senate. She is about to retire and looks forward to going into the grandmother business over the course of these next years, after three decades here.

I think sometimes people miss or are unaware of the difference that an office manager could make in a Senate office. It is hard to quantify sometimes. But without any negative inference to the Senate itself in drawing this analogy, which is sort of a prison-and-inmates analogy, a great manager is a little bit like the character Red in the movie ''The Shawshank Redemption.'' In that movie, Red is described as the guy who can get stuff, not unlike the sergeant in ''Catch 22.'' There are these special people who know how to make things appear out of nowhere and make everything work. That is exactly the quality Mary Tarr has brought to my office over these years—a mix of relationships, building relationships, institutional memory, and a lot of guile at times. And she gets things done. So since the summer of 1997 when she came aboard in my office, Mary has literally been my ''Red'' in my office.

Over the course of nearly 15 years, no matter what I needed, no matter what the office needed, no matter what we needed to get done, she managed to make that happen. I must say I was very lucky, because I didn't have the ability to show her any tricks; she taught me the tricks. The reason is that she came to me already a master of Senate procedure. I was privileged to be the fifth U.S. Senator for whom she worked—and for 15 years, I might add. Before me, she split her assignments down the middle between Democrats and Republicans. She worked for PATTY MURRAY and Brock Adams, and she worked for Republicans, including Jim Abnor and Charles Percy. She knew this place. She has always loved this place, and she knew pretty much everybody who worked here.

She did all of the things one needs to do to make the trains run on time: kept the records, maintained the office accounts, prepared the budget, kept the payroll, preaudited expenses, ordered supplies, made sure we were in compliance with all the rules, requirements, and procedures, and followed them as they changed, as we tie ourselves in various knots with various requirements we dump on ourselves. She was my liaison with the Senate Sergeant at Arms Office, the Senate Disbursing Office, the Senate Service Department, and the Senate Computer Center—an extraordinary amount of work. She performed the endless tasks that all of us here understand are critical to enabling our offices to be able to work—much more complex than obviously the average citizen ever sees.

She wrote the emergency evacuation manual for my staff after 9/11. She trained the staff on emergency procedures, and she restructured and ran what I think is one of the best intern programs, if not the best internship program, in the U.S. Senate, for which the summer interns at the end of the summer got to have a terrific intern pool party at her home. Office managers all over the Senate constantly consulted her on how to run an effective intern program, and she was always ready to help because she understood how important it was for young interns to have a positive experience. Part of that belief came out of the fact that she was only 17 when she came to work full time for the U.S. Senate—younger, obviously, than some of the interns who come here and work with us.

When I said she could do the impossible, what I was referring to is the fact that she helped me move my office not once but twice, which is an enormous undertaking here in the Senate.

Mary Tarr has worked for the Senate since 1981. In those 31 years, I will tell my colleagues she has become a fixture on Capitol Hill, well-known by everybody, perhaps legendary with some.

If you needed a room at the last minute to host a function, people would call Mary Tarr—from outside of our office, I might add.

If you needed a desk repaired or a light repaired or air-conditioning work done, mention Mary's name and people would say: Right away.

Printing? My legislative director told me a story about how he went to get some printing done, and the folks at the Senate Printing Office asked: Did Mary OK this?

Extra ice cream at the great ice cream party we have in May at the Dirksen buffet? She would just say: Go in and ask for the ''Mary special,'' and they made it.

Everybody seemed to know Mary, from the hundreds of former interns she mentored over the years, who are now working in government or public service, to Bill Gates, who once conveyed a hello from Mary to a former colleague in PATTY MURRAY's office.

Hundreds of American soldiers, I might add, stationed abroad have received care packages from Mary, the daughter of a wounded Vietnam veteran.

In my Senate offices, I have a shelf of scrapbooks filled with e-mails, letters, and photos from soldiers who have received care packages, Christmas stockings, Easter baskets, and Halloween candy—all of which Mary has organized and shipped year after year. And the words of those soldiers underscore just how important Mary has been to them.

Our former intern, Army 2LT Rory McGovern, wrote:

> It always helps to have a piece of home come in the mail.

Army Private Jacob Adkins:

> I appreciate the fact that someone who I don't even know supports me enough to send a care package. You make me proud to serve.

From Marine battalion chaplain Capt. Pat Opp:

> Little things go a long way with morale. Send more lemonade—the troops mix it with cold water as the temperature is super hot over here.

Army MAJ James Maloney, upon receiving clothes, school supplies, and personal grooming items to share with a children's and women's clinic in Afghanistan, wrote:

> It has done wonders for our interaction with the local population.

All of that organized—every time—by Mary Tarr.

One of my favorite e-mails in the scrapbooks comes not from a soldier but from a marine's mother, Kathy Lavin, whose son Ryan had received one of our care packages. Kathy wrote to tell Mary that she can finally get a good night's sleep because of the message she just received from Ryan. Ryan wrote:

> It's almost time to take the candle out of the window, mom. I am coming home. I love and miss you.

So how did Mary Tarr come to send a care package to Ryan? So typical of

Mary, she was in Massachusetts attending the funeral of a friend, and while there she went into a shop in Hull to buy gifts for her mother and father, Carolyn and Tom Corbe. Mary chose a Marine Corps kite for her dad, who received a Purple Heart in Vietnam. Ryan's mother was in the shop and asked Mary if she had a marine because of what she was buying. Mary told her she was a Marine Corps brat and the kite was for her father. She asked if Kathy had a marine. When Kathy told her about Ryan, Mary immediately wrote the information down, got his address, and then, seeing her job through—like every single one she has ever undertaken—she stayed in touch with Ryan until he came home.

I personally know how important those packages are, and I will tell you, one of the things I am proudest of is what Mary has done on behalf of her country and certainly those of us who make decisions to send people into combat. And I am proud of her.

She may be retiring, but she has enormous plans ahead of her. She and her husband Brian are planning to move to Roswell, GA, where her daughter Angela and her husband Daniel live. Mary jokes that Angela and Daniel may be the only two Democrats in the whole town of Roswell, so the arrival of Mary and Brian will double our party's strength there. But Angela is going to have a baby in October, so there is hope even for Roswell yet. Her plan is to babysit her new grandson for a few years, and then eventually she and Brian are going to retire to Florida, where her daughters Chrissy and Lindsay are in college.

No matter where she goes or how far from Capitol Hill, she is always going to be a very special part of the family here, the extended Senate family. She has always represented our Senate well. She is extremely hard working, honest, bright, conscientious, and knowledgeable. She has handled her responsibilities with great dedication. I think she has viewed every challenge as an opportunity to prove herself, and she did that again and again.

So, Mr. President, as she departs my staff today, the principles she represented in her work and the standards she established are going to remain for a long time as a guide to those in our office and here in the Senate, and we say thank you to her for all she has done for our country, the State of Massachusetts, and for me personally. I wish her and Brian and her family the very best as they take on a new chapter in their lives.

Mr. President, again, I thank my colleague from Montana.

The PRESIDING OFFICER. The Senator from Montana.

TRIBUTE TO MAUREEN RICE

Mr. BAUCUS. Mr. President, I compliment the Senator from Massachusetts for taking so much time to praise a person who clearly deserves praise, who has worked so hard for him and for the people of Massachusetts and for her country. Clearly, Mary is an incredible lady.

Mr. President, my ''Mary'' is Maureen. Maureen, too, is someone who started working for me when she was very young—17 years old. In 1974, 1975—I do not know exactly when—I was hiring people, and this young girl came to my office. I could tell—this young girl knows the meaning of work. She is Catholic, Irish Catholic, and this lady knows the meaning of hard work.

I hired her on the spot. She is my office manager. She is with me even to this date. She is tough. She is smart. She organizes. She is the glue. She is a super lady.

We all have our ''Marys.'' We have our ''Maureens.'' And at this moment, I want to praise Mary and Maureen but also all those who work so hard for us in so many different capacities.

REAUTHORIZATION OF THE VIOLENCE AGAINST WOMEN ACT

Mr. President, renowned poet and author Maya Angelou wrote:

> History with all its unending pain cannot be outlived, but faced with courage need not be lived again.

I stand here today to once again lend my strong support—I voted for it, as a majority of our colleagues did—for the Violence Against Women Act.

Nearly two decades ago, the Congress underwent an exhaustive investigation on the extent and severity of domestic violence and sexual assault toward women in this country. In hearing after hearing, Senators heard from experts, including prosecutors, victim advocates, and physicians, and real-life stories of women who were the victims of these crimes.

In response, Congress passed the Violence Against Women Act in 1994. This law quite literally changed the culture in our country. It changed how we view and address domestic violence and sexual assault. States across our country began to enact laws to make stalking a crime and strengthened criminal rape statutes. Congress provided States with the resources to train law enforcement and coordinate services related to domestic violence and sexual assault.

Despite the progress we have made, our work is not done. One in every four women will experience domestic violence during her lifetime. In my home State of Montana, 98 people died from domestic violence between 2000 and 2010. These are not simply statistics, they are our mothers, our sisters, our daughters, our friends—they are people close to us.

Since the passage of the Violence Against Women Act, reporting of domestic violence has increased by 51 percent and the rate of nonfatal intimate partner violence against women has decreased by 53 percent.

Congress renewed this critical legislation in the year 2000 and again in 2005. Both measures included improvements, and both of those passed the Senate unanimously.

We are here today to reiterate our commitment to addressing violence against women, including domestic abuse, sexual assault, dating violence, and stalking.

I was struck recently by the story in the Billings Gazette of Maria Martin. Maria was a victim of partner abuse. In the year 2005, the man she was dating went into a jealous rage. He held her hostage in her own home with a knife to her throat. He also threatened to kill her three daughters. Charges were filed, and this man is now serving a 61-year prison term.

Maria went on to earn her master's degree in rehabilitation and mental health counseling. She now helps others who find themselves in the situation she was in just a few short years ago. Maria told the reporter that programs created under the Violence Against Women Act provided her with the resources and support to overcome her situation. The act helped her to find the courage she needed to see that this painful experience did not have to be lived again—with its counseling, shelter for abused women, and law enforcement counseling for law enforcement so they can be more sensitive to women who are victims of domestic violence.

The bipartisan reauthorization renews grant programs critical to Montana, including those that support law enforcement, victim services, and prevention programs.

The bill consolidates 13 programs, many of which overlap, into 4. This consolidation reduces administrative costs and adds efficiency. Acknowledging the current fiscal realities, the bill, therefore, reduces authorization levels by 17 percent overall. It is more effective, and it costs less.

The bill also makes critical changes to address the pervasive domestic violence occurring in Indian Country.

Native Americans represent about 6 percent of Montana's population—about 6 percent. Yet Native women accounted for over 13 percent of victims reporting domestic violence in my State in the year 2008—more than two times the percentage.

According to the Department of Justice, Native women are 2½ times more likely to be a victim of rape or sexual assault compared with non-Native women. However, it is the Federal courts, not the tribal courts, that have jurisdiction over many of these crimes, including misdemeanor cases. With Federal prosecutors stretched thin, especially in large rural States such as Montana, many cases go uninvestigated and criminals walk free to continue their violence with no repercussions.

Chairman LEAHY's bill carefully crafts a measure to extend concurrent criminal tribal jurisdiction to address the issue of domestic violence and partner abuse occurring in Indian Country. These provisions will give tribal courts narrow jurisdiction to prosecute domestic violence or dating partner violence occurring on tribal land.

The bill, however, provides safeguards to those who might be defendants. It provides safeguards to ensure that the defendant receives all rights guaranteed by the U.S. Constitution. This includes fourth amendment protections against unreasonable search and seizure, fifth amendment privilege against self-incrimination, and sixth amendment right to effective assistance of counsel—all guaranteed in this statute.

Fifty law professors from across the country, including the University of Montana, wrote to Chairman LEAHY in support of these provisions and Congress's constitutional authority to extend tribal jurisdiction. These provisions will begin to address the violence against Native women that ''has reached epidemic proportions.''

Maya Angelou is right that we cannot erase the past and what happened to Maria and others like her. But Maria's courage is proof that we can change these circumstances for others—to see that no one has to live through this experience.

Maria said—and I will quote her:

> I am alive today because I am a strong, intelligent woman. I need to stand up, step out, and be in front of this issue for others who can't or are not able to—yet.

I urge my colleagues to support me in making sure that this act follows through in negotiations with the House and that we get this reauthorization passed that is so important to so many people in our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, after months of working to ensure that the subsidized student loan interest rate does not double this summer, I think we finally have reached a consensus—middle-income families in America cannot afford a huge increase, a doubling in the interest rate on student loans.

Those who were previously opposed or indifferent to our proposal now are in favor of stopping the doubling of the rate. The most prominent, of course, is the former Governor of Massachusetts, Mitt Romney, who said: ''I fully support the effort to extend the low interest rate on student loans.'' I think that is the consensus. It was hard fought. I submitted the legislation to keep the rate at 3.4 percent originally in January. Now we have reached that consensus.

But the debate has now shifted to how do we pay for it. What I have proposed, and am joined by many colleagues, is to close a loophole that has allowed a self-selected few to avoid paying their fair share of payroll taxes.

The alternative proposed on the other side goes to critical health care benefits for lower and middle-income families. It seems to me entirely unfair to try to provide help to middle-income families by taking away their access to health care. For families who are struggling, education and health care are not something that can be traded one for the other.

Congress should not raise the interest rate on these loans. We have reached that agreement. It is a de facto tax on middle-income families. We have put forward a plan that will avoid the doubling of the interest rate on student loans and will pay for it in a responsible way. We are offering a short-term solution to a long-term problem. But we have to begin. We have to do it quickly. If we do not act before July 1, the interest rate on these loans will double for every loan granted thereafter.

Our proposal is to close a loophole that the General Accounting Service has identified as glaring and, frankly, not substantiated by any need. This loophole involves Subchapter S corporations or S-corps. Immediately, when we say S-corps, we think it must be the local manufacturer or the hardware store and how can we go ahead and impose any further taxes, any further costs on these job creators.

This is not the situation. What is happening is that a very clever and bright group of people have figured out a way to use the S-corp to avoid payroll taxes. It is a small subset of corporations that are doing this, and our proposal is targeted. It is targeted only to those S-corps that derive 75 percent or more of their gross revenue from the services of three or fewer shareholders or where the S-corp is a partner in a professional service business.

Essentially, this is a small group of people who derive 75 percent or more of their gross revenues from providing professional services. It is lawyers, accountants, lobbyists, and folks such as that. The proposal only applies to S-corps or partnerships in the field, where virtually all the earnings are attributable to the performance of services. This is not the local manufacturer, not the local hardware store, not the local dry cleaner or gas station. These are people who perform essentially professional services.

They are avoiding their payroll taxes, and we do not think that should be the case. Furthermore, this proposal exempts S-corp shareholders, partners, and partnerships with modified adjusted gross incomes below $250,000 for joint filers and $200,000 for individuals. So it is targeted within this small subgroup of S-corps to an even smaller group, those who are making $250,000 and above as joint filers or $200,000 and above as sole filers.

This proposal prevents professional service income from being mis-characterized to avoid employment taxes. However, legitimate passive income—if the S-corp is earning income from rents, from dividends, from interest, and certain other gains, those will be essentially treated as such and will continue to be exempt from payroll taxes.

All we have done is close a glaring loophole, done it in a way in which we do not impact anyone making under $200,000, anyone, frankly, who is involved in a corporation whose principal activities are not professional services. I think this is a responsible way to do it. This is a way that can, in fact, respond to the need to responsibly fund this provision for maintaining the student loan interest rate.

The GAO found that in 2003 and 2004 tax years, individuals used this loophole to underreport over $23 billion in wage income. The median unreported amount was $20,127. For most students, that would cover tuition. Let me say this again. What the GAO found was that using this device as an S-corp, people were able to transform what normally would be $20,000 in payroll wages or salaries that would be subject to payroll taxes into a distribution of an S-corp, avoiding payroll taxes.

This is a loophole. There is no other word for it. We are closing it, and we are closing it in a way that is responsible and that will have virtually no impact on the businesses on Main Street USA. In fact, I think if we tried to explain to anyone running the local store that there are some folks out there who were using S-corps to avoid their payroll taxes, they would be, if not shocked, they would, at least, raise objections to that practice, frankly.

So closing this loophole will fully offset the $5.9 billion cost of this 1-year extension on the interest rate and would make the Tax Code more fair. It is a win-win proposition. In fact, according to Citizens for Tax Justice, in their words, closing this loophole will actually help most small businesses, which are currently subsidizing the minority who abuse it to avoid payroll taxes. So I think this is not only the right thing to do in terms of the policy of not doubling the interest rate on student loans, this is an appropriate way to do it, an appropriate way to pay for it.

Even Governor Romney recognizes that at times S-corps have to pay their fair share. This is a quote from the Boston Herald of January 6, 2008.

> ''When Mitt Romney became Governor in 2003, Subchapter S corporations that were owned by Massachusetts business trusts were taxed at 5.3 percent. By the time Romney left office, the tax rate on these corporations had climbed to 9.8 percent, with Romney declaring the tax increase to be merely 'closing loopholes.' ''

We are urging that the Governor be consistent both in support for avoiding the increase in the student interest rate and closing loopholes in Subchapter S corporations. Both parties must work to find a way to do this. The good news is there is now consensus that it must be done. I am prepared, and I hope my colleagues are prepared to work for a way to pay for it which is fair, which does not take from one middle-class program to offset another middle-class program. We should work together to get this done as soon as we return.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

TRIBUTE TO ANGELA ELSBURY

Mrs. MCCASKILL. Mr. President, I have obviously been very fortunate to have the opportunity to give remarks from my desk on the floor of the Senate several times since the people of Missouri sent me in 2006. I do not think I have ever had a speech that I was going to give that was easier and harder than this speech—easy in that I am talking about someone I love; hard because this person I love is going on to a different place and a brighter future and I am going to miss her terribly.

This person's name is Angela Elsbury, and she has a job that people outside Congress do not fully appreciate. She is called the scheduler. But for anybody who does this work, they appreciate that somehow that title just does not do it justice. I do not know what the right title would be. I can think of several: In charge of my life, hand holder, the nicest person who has to say no, multitasker, mother to the entire office, disciplinarian, jokester.

There are so many things a good scheduler does that make our lives work. Angela came to this work having worked for the Governor in Missouri in a similar capacity. She actually joined my campaign and was one of the first ones through the door. She came from a place that, frankly, had not had a lot of people who were elbow to elbow with Governors and Senators. She came from a small town called Madison, MO. I think there are maybe just north of 500 people who live in Madison.

So not only did she begin the campaign and do a lot at the beginning of the campaign keeping us organized and allowing the schedule to work, she came to Washington and has done remarkable work. Her work is so remarkable that everybody kind of thought it was easy. That is the mark of a very good scheduler because it is the hardest job—the hardest job—in the office.

Not only does she have to put up with the frustration of me when the hours are long and the meetings are back to back and there is not time to get a breath, she has to put up with everyone in Missouri who cannot understand why I cannot be in five places at one time and why it is not possible for me to vote one hour and be in Rolla, MO, the next hour. She does all that with incredible grace and intellect and a smile on her face. She is just a very special person.

The thing about these jobs is there are days I get worried about our democracy, and then I look at the resumes of the young people, whether it is the great pages who serve us morning, noon, and night in the Chamber or whether it is the amazing people whom I work with in my office. These are people who could go other places in the private sector and make a lot of money. They choose to come here. They are drawn here. They are drawn to their government. They are drawn to public service.

So, as a result, I mean, what do I love about my job? Let me count the ways. But one of the things I love most is being surrounded by patriotic, intellectual Americans who want to do the right thing and do not care that they have to still live like they are in college, who do not care that the idea of buying a car is a fantasy because it is just too expensive, who do not care that they have to have an hour commute in order to get housing they can afford. They want to be a part of it.

I am surrounded by a team like that, but in the driver's seat, kind of making the car go where it needs to go, and making sure it does not get broken down on the side of the road has been Angela. I am not sure exactly how this car is going to navigate without her. I have a feeling we are going to have a few bumps. There may be an out and out collision. There may be some scrapes and some wailing and some hollering about people who are upset or it does not work.

I do know this, that we always say somebody's shoes are hard to fill. These shoes will be very hard to fill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I ask unanimous consent that I be permitted to give this speech in full.

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

TAXES

Mr. President, I rise today to discuss the impending tax hike which, if allowed to occur, will raise taxes on practically all Americans come Jan 1, 2013. That is only eight months from now. Earlier in February, The Washington Post called the approximately $500 billion tax hike Taxmageddon, and Federal Reserve Chairman Ben Bernanke described it as a massive fiscal cliff when testifying before Congress.

This tax hike will affect virtually every single federal income tax payer. We must not allow this to happen. America is slowly recovering from one of the greatest recessions in modern history. We remain in a precarious economic situation, with a fragile recovery. It is beyond irresponsible for President Obama to sit idly by and allow this scheduled $500 billion tax hike to occur.

Congress needs to act now in order to prevent this tax hike on America.

First we need to focus on tax extenders.

Tax Extenders are temporary tax provisions affecting everything from individuals and businesses to charitable giving, energy, and even disaster relief. My colleague from Montana, Senator BAUCUS, and I held a hearing in late January to discuss these tax provisions and the fact that Congress year after year continues to extend these provisions without a thorough review of each provision.

Some of these provisions are worthy of being extended, such as the Research and Development tax credit. I have introduced legislation with the Chairman, my friend from Montana, to make this provision permanent. But when it comes to tax extenders, we need to have a real debate, one where the Senate decides which provisions must be extended and which should be allowed to expire.

Second, we need to address the Alternative Minimum Tax, or AMT.

The AMT was initially drafted to provide some type of guarantee that higher-income taxpayers, who owed little or no taxes under the regular income tax due to tax preferences, would still pay some taxes. Yet over time, this tax has grown into a monster potentially ensnaring more and more middle income families every year.

To avoid the consequences of the AMT on the middle class, year after year Congress has patched the AMT. We have indexed the AMT for inflation so that middle income families do not get caught up paying this tax. Not only must we patch the AMT for 2012, we must eliminate the AMT in the long term.

Third, we must focus on death tax reform.

Taxing people's assets upon their death is just plain wrong. The death tax affects thousands of small businesses owners every year. This year alone, it is estimated that 3,600 estates will be affected. In 10 years, approximately 83,200 estates will be hit with this tax according to the Joint Committee on Taxation.

The President likes to talk about how his policies will help small businesses. Well, if current law expires, the number of small business owners who will face the death tax will rise by 900 percent. The number of farmers who will face the death tax will rise by 2,200 percent. That's right—two thousand two hundred percent.

Many individuals work their entire lives to build a business, and they reasonably want to pass that business along to their families. Instead of being rewarded for their work, and the work of their families, this is what they face come January 1, 2013. Uncle Sam will take over 50 percent of their assets—55 percent to be exact.

The survivors of the deceased will be forced to sell land or assets of the business to meet this liability. Let me be clear. Nobody should be forced to sell a single asset in order to meet this arbitrary tax due date. Company assets should not have to be sold to pay taxes. The market should determine when things are bought and sold. That is the best measurement—when a willing Buyer meets a willing Seller and they agree on a price and a time when a company should be sold.

Currently, the law states that there is an exemption equivalent of $5 million and a tax rate of 35 percent on the remaining estate. In 2013 the exemption equivalent will drop to $1 million and the top tax rate will be the full 55 percent.

That's a 57 percent increase.

The truth is that we ought to repeal the death tax in its entirety. The whole

thing must go. And I am working hard to make that a reality. Unfortunately, with the current composition of the Senate, that is going to be an uphill climb. Yet at a minimum we must extend the current provisions and keep a tax hike from occurring on these job creators.

Fourth and most importantly, we must extend the tax relief signed into law by President Bush and extended by President Obama.

This may be the most crucial piece of legislation Congress passes this year, if not during the entire 112th Congress. If we allow these cuts to expire as scheduled at the end of the year, almost every federal income tax payer in America will see an increase in their rates. Some will see a rate increase of 9 percent, while others will see a rate increase of 87 percent.

Let's take the average American family of four earning $50,000. This family will owe an additional tax of $2,183.

Democrats insist that that is fair.

That is just more people paying more of their fair share.

But to whom? And for what?

What this means in reality is that instead of taxpayers using their $2,183 to pay for their children's education, save for retirement, buy a new home, or invest in a new business, they will be forking that $2,183 over to the federal government. And after winding its way through the federal bureaucracy, some pittance of that $2,183 will be spent on a federal program that too often has zero demonstrated success.

Let's not sugarcoat this.

In the supposed interest of fairness, families will have an additional $2,183 taken from their wallets in order to serve bigger government.

That is the impact on families and businesses of President Obama's redistributionist agenda.

Looking at this problem more broadly, economists estimate that if these current policies are allowed to expire, the economy could contract by approximately 3 percentage points. That would be a large hit to an economy that is still weak and recovering from the fiscal crisis of 2008. Adding another fiscal crisis by not extending these tax policies definitely won't help and will likely do further damage.

Preventing this tax hike is what we must focus on. Congress should have a laser focus on preventing this looming disaster.

Yet at a time when we should be working to prevent a massive tax increase, President Obama and his Democrat allies are spinning their wheels trying to raise taxes on politically unpopular groups.

These tax hikes are already scheduled to go into effect. Congress doesn't have to do anything and everyone will pay more in taxes come 2013.

That's not a good sign given that some people have called this a do-nothing Senate.

I am sure that some people are tired of the mantra among conservatives that Democrats want to raise your taxes and Republican's don't.

But we say it because it is true.

At liberal think tanks, their employees go to work every morning and think about how they can raise taxes.

My friends on the other side of the aisle, knowing that their constituents already feel overtaxed, spend countless hours devising ways to raise taxes in a way that only hits politically unpopular groups.

And the President is devoting his entire reelection campaign toward tax hiking in the interest of fairness.

Here in the Senate, we have already voted twice on my colleague from New Jersey's proposal to raise taxes on oil and gas companies.

First we had hearings in the Senate Finance Committee last year. As I said then, that was nothing more than a dog and pony show. Then leadership brought the bill directly to the floor skipping the process of a markup.

Last week we voted for the silly Buffett Tax.

This is not serious tax policy. The Buffett Tax is a statutory talking point. And not a very good one at that.

First, the President said it was about deficit reduction.

When we pointed out to him that it raised only $47 billion in revenue over 10-years, a drop in the bucket given the President's trillions in deficit spending, the White House shifted gears.

Now it was about fairness.

But when we pointed out that his redistributionist scheme, if redirected to a lower tax bracket, would only yield an $11 per family tax rebate, he criticized Republicans for demonizing him as a class warrior.

The President needs to come clean about what the Buffett tax really is.

It is nothing less than a second and even more damaging AMT, one that would force many small business owners and job creators to pay a minimum of 30 percent of their income in tax.

As the Wall Street Journal said on April 10, ''The U.S. already has a Buffett rule. The Alternative Minimum Tax that first became law in 1969 . . . The surest prediction in politics is that any tax that starts by hitting the rich ends up hitting the middle class because that is where the real money is.''

And what is really rich about the Buffett rule, is that Mr. Buffett would be able to avoid his own Buffett tax.

So what is the President doing? Why, with Taxmageddon around the corner, are President Obama and his liberal allies dithering with these harmful tax increases?

The answer is politics.

President Obama has read the polls. He knows he's in trouble. His approval rating is declining and he does not have a single positive accomplishment to run on for a second term.

The $800 billion stimulus? A failed policy that hasn't kept the employment rate under 8 percent.

Obamacare? Rejected soundly by the American people as evidenced by the 2010 midterm elections, it might now be rejected by the Supreme Court as one of the biggest unconstitutional boondoggles in our nation's history.

What else does he have?

Absolutely nothing.

His fawning admirers might not know it yet, but Mitt Romney is in the catbird seat.

President Obama long ago lost independents. So he is appealing to all he has left, core left wing supporters, one step from an Occupy Wall Street encampment, who love class warfare.

Before the Buffett rule, Democrats proposed six different pieces of legislation that in one form or another raise taxes on millionaires.

Here they are.

And every one of these bills was focused on raising taxes to pay for more government spending.

Let's not pretend that all of these redistributionist tax plans comprise serious policy.

And let's not forget that every minute Democrats spend goofing around with these plans, is a minute that we do not spend preventing the largest tax increase in American history.

Mr. President, Senate Democrats are fiddling while Rome burns. They have failed to address the deficit. Spending surged 24 percent under President Obama when he took office. All of the tax hikes he and his allies have proposed do little, if anything, to pay down his deficits and debt.

It is time for the Senate leadership to get serious and to focus on making the lives of middle class families easier, not more difficult. The policies from the other side do nothing of the sort. If anything they make them more difficult.

Taxmageddon is coming. The only good news is that Congress can prevent it and extend tax relief for the middle class.

That is where my focus will be for the next 8 months, and I hope that my colleagues will join me in securing the benefits of tax relief for all Americans.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

THE ECONOMY

Mr. CARPER. Mr. President, I came to the floor today to talk about the actions we took here this week in the Senate to make sure the postal service has a good chance to return to solvency and be relevant in the 21st century and continue to provide a valuable role in providing 7 to 8 million jobs in the United States of America. But I think I will put that on hold for a moment and recall the words of a former President, Harry Truman, who left office not very popular, but in retrospect is regarded as one of the best Presidents of the last century. Harry Truman used to say, the only thing new in the world is the history we forgot or never learned.

I want to go back to a few years in our history and reflect on the words of

the preceding speaker and ask, what can we learn from history? Well, one of the things we can learn from is the last time we actually had a balanced budget in this country, and we had three of them in the last 3 years of the Clinton administration. He became President in the middle of a recession and left our country with the strongest economy of any Nation on Earth, with the most productive workforce, the most revered Nation on Earth. He turned the reins over to a new President, George W. Bush, and gave to him balanced budgets and a strong economy. Eight years later, we had accumulated more debt in those 8 years—from 2001 to 2009—I think than we had in the previous 208 years combined.

President Bush then turned over to President-elect Obama a $1 trillion deficit and an economy that was in free fall, with the worst recession since the Great Depression. That is where President Obama and Vice President BIDEN—a former colleague and Senator from Delaware—started off in January of 2009. Keep in mind, the last 6 months of 2008, this country lost 2½ million jobs. The first 6 months of 2009, this country lost 2½ million jobs. That is sort of like where they took the handoff.

I am not trying, and have never attempted, to characterize the comments made by my colleague a few minutes ago, but I think a little history is not a bad thing. Interestingly enough, the balanced budget agreement was negotiated by President Clinton's Chief of Staff Erskine Bowles. That is a name we have heard a lot of in the past year and a half, because he was asked by this President to do a similar kind of thing, to try to negotiate a deficit reduction deal, along with a former Republican Senator from Wyoming, Alan Simpson. The two were asked to head up a commission, with 16 other very smart people. And 11 out of the 18, after working at this for a year, came back and said, here is what we think you should do to take a good $4 trillion or $5 trillion out of the deficit over the next 10 years.

The deficit commission, headed by Erskine Bowles and Alan Simpson, simply recommended we do that by working on the spending side and on the revenue side. For every $3 of deficit reduction on the spending side, they said there would be $1 of new revenues—not by raising taxes but actually by lowering somewhat the personal income tax rate, the corporate income tax rate, and broadening the base of the income which can be taxed.

That was seen by a lot of people as being a grand compromise. Democrats agreed to compromise on entitlement program reform in an effort to make sure we have Social Security, Medicare, and Medicaid 50, 60, 70, or 100 years from now; and Republicans agreed to compromise on tax reform that actually lowers the rate but allows us to generate new revenue—$1 of new revenue for every $3 of spending reductions to achieve deficit reduction.

I think that is a smart plan. Other people have come forward with their plans since, but I think that is the smartest deficit reduction plan, and I think it is a good jobs bill. I hope by the end of the year, when the smoke clears and the elections are over, we will come back to that and use that as maybe our north star to get us back to fiscal responsibility in this Nation.

That is not why I came here tonight, but I thought maybe it was appropriate, on the heels of my friend and colleague, to set the record straight a little bit.

POSTAL SERVICE REFORM

Ironically, yesterday 62 Senators voted for postal reform legislation. I appreciate the support of the Presiding Officer and other colleagues, Democrat and Republican. But that legislation was almost immediately attacked by some of our Republican friends over in the House of Representatives. Our Presiding Officer knows I am not a real partisan guy; never have been, not while I was Governor or in the many roles I have been privileged to play in Delaware. But our bill was attacked almost immediately by our Republican friends over in the House because it doesn't do this or doesn't do that or whatever the sin might be.

Ironically, we asked, where is your bill? How about let's compare our bill to your bill. They haven't passed a bill. Yet they feel at liberty to take all kinds of shots—and I don't think they are entirely fair shots—at our bill. I had a conversation this afternoon with the chair of the relevant committee in the House and urged him to make sure they actually move a bill and not just criticize what we have done.

There are provisions in our bill I am frankly not happy with, and I am sure there will be provisions in whatever bill the House passes he won't be comfortable with. But at the end of the day, they have to move a bill. They have to say this is what we are for, because we have said this is what we want to have as our negotiating point in conference going forward. So we need the House to do the same thing, sooner rather than later. I am encouraged to hear the House is going to take something up by the middle of May. If they can do it before that, God bless them.

I want to take 5, 6, or 7 minutes to talk a little about what we are trying to do with respect to postal reform. We are trying to rightsize the enterprise, much as the auto industry rightsized itself 3 or 4 years ago coming out of bankruptcy. We are trying to modernize the postal industry and we are also trying to help the postal service—encourage the postal service—to find new ways to use their existing business model—where in every community in America there are 33,000 post offices going to every front door and mailbox in America 5 or 6 days a week—to make more money and raise their revenues, some of the ways they can do that.

Our legislation focuses on that, rightsizing the enterprise given the reduction in mail, the diversion of mail to the electronic media because of Facebook, Twitter, the Internet, or all of the above. We communicate differently than we used to. We have to help them rightsize their enterprise and modernize and find new ways to generate revenues. That is the heart and soul of what we want to do.

How do we do that? As it turns out, by luck, the postal service over the years has overpaid its obligation to the Federal Employees Retirement System by a lot, it turns out by about $11 billion. There is no argument; they have overpaid the money. The postal service is owed that money by the Federal Employees Retirement System. The postal service wishes to take that money and use that money in two ways: one, to incentivize about 100,000 postal employees who are eligible to retire, to retire; not fire them, not lay them off, but say, look, if you will retire, here is another $25,000 or if you are close to retirement, here is some credit, but we want you to retire.

Second, the postal service has more mail processing centers than they need. A couple of years ago they had maybe 600 or so. Today they have a few less than 500. They want to get down to about 325 over the next year or two. That would be almost cutting in half the number of mail processing centers around the country. They do not need them, given the volume of mail today. They need mail processing centers, but not as many as they have.

When the postal service closes another 150 or so mail processing centers, some people will not be able to work at those mail processing centers, but the postal service is saying, we will find you other jobs. You can be a letter carrier or work in another part of the postal service. You will not get fired. But we want to encourage those eligible to retire to retire.

The Service also wants to take most of that Federal Employees Retirement System money to pay down their debt to the Treasury. Right now, they have gone on a $15 billion line of credit. The postal service wants to take most of their Federal Employees Retirement System reimbursement and pay off that debt.

Another thing they wish to do, that a lot of folks around here are real concerned about, is to close some post offices. There is the fear that maybe as many as 3,000 or 4,000 post offices. In rural places around the country, maybe the post office is the center of the town. Folks are concerned their post office will be closed and people will be left without postal service. As it turns out, that will not be the case.

What the postal service is going to do under our bill is to say to communities across the country, we want to offer you a menu of options. We want to offer you a menu of options for different communities, and among that menu of options we want to offer to those communities are these:

No. 1, we are not going to close your post office. We will keep your post office open, but in a place where we are paying the people $50,000, $60,000, $70,000 a year to run a post office that sells $15,000 worth of stamps, that doesn't make sense. So if the postmaster is eligible to retire, we want to incentivize that postmaster to retire. Let him go off and get his pension, get his benefits, and he could still come back to work on a part-time basis, maybe 2 or 4 or 6 hours a day, and run the post office in that community. If that is what the community wants, that is what they would get.

Some communities might prefer to put the post office in the supermarket or the local drugstore or a convenience store, where it is open not just a few hours a day but open 24/7, maybe. That would be an option for the community. Some communities may have a townhall and some other State and local businesses that could collocate those with the post office and put them all under one roof and everybody would save some money. So they could share some space.

Another option for some places, maybe Minnesota—we have rural letter carriers in the southern part of Delaware—we could offer people the opportunity for rural mail delivery. They wouldn't have to come in to town to collect their mail in a post office. It would be delivered to wherever they live. The idea is to say to folks in communities that might be adversely affected, you pick from among this menu of options, figure out what works for you. Even vote by mail and pick their favorite choice.

So rightsizing the enterprise, reducing the head count, reducing the number of mail processing centers further by another third, and, finally, ways to provide more cost-effective mail service in communities across the country, though not the heart and soul of what we are trying to do, they are very important.

Let me mention one or two others, if I could. The postal service pays twice for health care for their retirees. I will say that again. The postal service pays twice for the health care of their retirees. They pay under Medicare and they pay under the Federal Employees Health Benefit Plan. Twice. The employees don't get the full benefit of that money, the postal service certainly doesn't get the full benefit of that money. Most companies in this country—big companies and small ones—when their employees retire, a lot of times will continue to provide health care benefits for them until the age of 65. Then at age 65, the company will say to the retiree, we want you to get your primary Medicare, your primary source of health care, and we will provide a wraparound, your Medigap program, to fill in the gaps for you. That is how a lot of companies do it. My wife retired from DuPont. When she turns 65—in about another 30 years, well, maybe a little sooner than that—Medicare will be her primary source of health care and the company will provide a wraparound for Medigap. What the post office wishes to do is have a similar type of opportunity. In the end, I think the retirees will benefit, the postal service will benefit, and the taxpayers, I think, arguably would benefit. Those are a couple of things that are in our legislation.

Did we pass a perfect bill? By no means. By no means. As I said earlier, there are some things in the bill I don't like. And I hope we can make the bill better in conference. In order to get to conference with the House, the House has to pass a bill. It is not enough for the House to criticize what we have done. We say, what have you done? As it turns out, so far, not much—at least in terms of passing a bill and being able to appoint conferees and see what we can work out here. My hope is they will do that.

My hope is they will do that sooner rather than later, so we can stop saying, well, the postal service lost $45 million today. They did that yesterday and they are going to do it tomorrow. That is not sustainable. That is not sustainable. They need to be put in a position where they can be successful. We can help them get there. And to the extent the postal service becomes vibrant and solvent, they can support the 7 or 8 million jobs that are tied to and interconnected with the postal service.

With that, Mr. President, I bid you adieu, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Mr. BEGICH). The Senator from New Mexico.

Mr. UDALL of New Mexico. I ask unanimous consent that the order for the quorum call be rescinded.

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

TRIBUTE TO RUDOLFO ANAYA

Mr. UDALL of New Mexico. Mr. President, it is good to see the Presiding Officer in the chair today and to know that Alaska is well represented having the Senator from Alaska in the chair and presiding over the Senate. I very much appreciate that.

I come to the floor to commend one of New Mexico's most celebrated authors, Rudolfo Anaya. This year marks the 40th anniversary of Professor Anaya's acclaimed novel ''Bless Me, Ultima.''

This beloved book is an iconic part of Chicano literary history. It has been read by thousands of high school and college students, as well as the general public. It tells the story of a young boy growing up in a small New Mexico town during World War II. ''Bless Me, Ultima'' is a classic portrait of Chicano culture in a particular time and place, but it also resonates with universal themes: the search for identity, the conflict between good and evil.

Literature expands our horizons. It increases our understanding. As President Kennedy said, ''Art establishes the basic human truths which must serve as the touchstone of our judgment.''

For 40 years, Rudolfo Anaya's work has explored the human condition. The University of New Mexico organized a reading marathon to commemorate the publication of ''Bless Me, Ultima,'' and I was pleased to take part.

Rudolfo Anaya was born in 1937 in the small New Mexico village of Pastura. He grew up in Santa Rosa and in Albuquerque. When he was only 16, he suffered a terrible accident. His injuries required years of rehabilitation. He has commented on that painful time in his young life and how those events affected his sensibilities as a writer.

He obtained his B.A. and M.A. from the University of New Mexico. ''Bless me, Ultima,'' in 1972, was his debut novel. It was the beginning of a remarkable literary career. He is also the author of ''Tortuga,'' ''Zia Summer,'' and ''Albuquerque,'' among many other works. He was a professor of English at the University of New Mexico from 1974 until his retirement in 1993. Professor Anaya was awarded the National Medal of Arts in 2001. He received the award for his ''exceptional contribution to contemporary American literature that has brought national recognition to Chicano traditions, and for his efforts to promote Hispanic writers.''

Rudolfo Anaya has been a prolific writer and a dedicated teacher. He has made a lasting contribution to American arts and letters. I am pleased to congratulate him on the 40th anniversary of ''Bless Me, Ultima,'' and I wish him the very best in his future endeavors.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Colorado.

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

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

VIOLENCE AGAINST WOMEN ACT

Mr. BENNET. Mr. President, I rise to talk about the importance of the passage of the Violence Against Women Act. As a husband and as a father of three young daughters, this issue is especially personal to me. This piece of legislation provides extremely valuable Federal resources to help victims of domestic and sexual violence rebuild their lives. Whether it comes in the form of an emergency shelter, legal assistance, a crisis hotline or advocacy, this bill provides the assistance that victims need, especially in the most vulnerable time.

Domestic violence, spousal abuse, and sexual assaults represent enormous public policy challenges. Because of

the very personal nature of these crimes, it can be extremely difficult for victims to come forward to get the help they need, let alone call out those who have committed these heinous crimes. But since this bill was first enacted, the annual incidence of domestic violence continues to drop. Additionally, domestic violence reporting has dramatically increased and victims are receiving lifesaving assistance to help them move forward with their lives.

In my home State of Colorado, we continue to make great progress reducing the number of domestic and sexual assaults that occur, but we must continue to do more.

In 2010, the National Center for Injury Prevention and Control published a report which estimated that 451,000 women in Colorado were victims of rape in their lifetime. It also estimated that 897,000 Colorado women were victims of sexual violence other than rape in their lifetime. That same report said 505,000 men had been victims of sexual violence in their lifetime. These statistics are staggering in my view, and they make the case for why we had to pass this bill and continue to strengthen the programs that provide lifesaving services.

The Violence Against Women Act also includes invaluable programs to coordinate community efforts to respond to incidents of domestic and sexual violence by training police officers, judges, and other members of the criminal justice system. The legal system in our country is already stretched so thin. The resources provided by this bill will help law enforcement and court officials track down and bring to justice those who commit these crimes.

In my opinion, we can't do enough to get these criminals off the streets. For instance, we need to ensure that we support protection and prevention services such as training judges and police officers on how to identify and respond to abusive situations. We can significantly decrease domestic violence fatalities and the number of displaced families if we have better trained officers in our legal system and health and human services arena.

Finally, I wish to thank Chairman LEAHY for his tireless efforts to move this critical piece of legislation forward, as well as Senators MURRAY and KLOBUCHAR for their continued leadership on behalf of women and children all across the Nation. With a big bipartisan vote today in the Senate, we came together to make sure the Violence Against Women Act was passed.

With that, I yield the floor and 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.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 263, 502, 566, 567, 572, 624, 653, 654, 656, 657, 658, 659, 666, 667, 668, 669, 670, 671, 672, 673, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, and all nominations placed on the Secretary's desk in the Air Force, Army, Marine Corps, and Navy; that the nominations be confirmed en bloc, the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to any of the nominations; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

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

The nominations considered and confirmed en bloc are as follows:

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

Jane D. Hartley, of New York, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2014.

DEPARTMENT OF STATE

Adam E. Namm, of New York, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Ecuador.

DEPARTMENT OF AGRICULTURE

Michael T. Scuse, of Delaware, to be Under Secretary of Agriculture for Farm and Foreign Agricultural Services.

Michael T. Scuse, of Delaware, to be a Member of the Board of Directors of the Commodity Credit Corporation.

DEPARTMENT OF DEFENSE

Mark William Lippert, of Ohio, to be an Assistant Secretary of Defense.

IN THE ARMY

The following named officer for appointment as the Chief of Engineers/Commanding General, United States Army Corps of Engineers, and appointment to the grade indicated in the United States Army while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 3036:

To be lieutenant general

Lt. Gen. Thomas P. Bostick

NATIONAL INSTITUTE OF BUILDING SCIENCES

James T. Ryan, of Utah, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2013.

James Timberlake, of Pennsylvania, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2014.

Mary B. Verner, of Washington, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2012.

Mary B. Verner, of Washington, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2015.

Susan A. Maxman, of Pennsylvania, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2012.

Susan A. Maxman, of Pennsylvania, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2015.

POSTAL REGULATORY COMMISSION

Tony Hammond, of Missouri, to be a Commissioner of the Postal Regulatory Commission for the remainder of the term expiring October 14, 2012.

MERIT SYSTEMS PROTECTION BOARD

Mark A. Robbins, of California, to be a Member of the Merit Systems Protection Board for the term of seven years expiring March 1, 2018.

NATIONAL BOARD FOR EDUCATION SCIENCES

Adam Gamoran, of Wisconsin, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2015.

Judith D. Singer, of Massachusetts, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2014.

Hirokazu Yoshikawa, of Massachusetts, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2015.

David James Chard, of Texas, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2015.

NATIONAL SCIENCE FOUNDATION

Bonnie L. Bassler, of New Jersey, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2016.

DEPARTMENT OF EDUCATION

Deborah S. Delisle, of South Carolina, to be Assistant Secretary for Elementary and Secondary Education, Department of Education.

IN THE AIR FORCE

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be brigadier general

Col. Donald S. Wenke

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Burton M. Field

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Bruce A. Litchfield

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Charles R. Davis

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Salvatore A. Angelella

The following named officer for appointment as Chief of Air Force Reserve, and appointment to the grade of lieutenant general in the United States Air Force while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 8038

To be lieutenant general

Maj. Gen. James F. Jackson

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be Lieutenant General

Maj. Gen. Andrew E. Busch

IN THE ARMY

The following named officers for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

To be Brigadier General

Colonel Robert P. White

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be Brigadier General

Col. Steven Ferrari

The following named officers for appointment to the grade indicated in the United States Army under title 10, U.S.C., section 624:

To be Brigadier General

Col. Kristin K. French
Col. Walter E. Piatt

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be General

Lt. Gen. Dennis L. Via

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be brigadier general

Col. Todd A. Plimpton

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Patricia E. McQuistion

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Raymond P. Palumbo

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Robert P. Lennox

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Robert B. Brown

The following named United States Army Reserve officer for appointment as Chief, Army Reserve and appointment to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 3038:

To be lieutenant general

Maj. Gen. Jeffrey W. Talley

IN THE NAVY

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. Eric C. Young

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) Terry B. Kraft

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral

Rear Adm. (lh) Bryan P. Cutchen

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) Jonathan W. White

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) Richard P. Breckenridge
Rear Adm. (lh) Walter E. Carter, Jr.
Rear Adm. (lh) Craig S. Faller
Rear Adm. (lh) James G. Foggo, III
Rear Adm. (lh) Peter A. Gumataotao
Rear Adm. (lh) John R. Haley
Rear Adm. (lh) Patrick J. Lorge
Rear Adm. (lh) Michael C. Manazir
Rear Adm. (lh) Samuel Perez, Jr.
Rear Adm. (lh) Joseph W. Rixey
Rear Adm. (lh) Kevin D. Scott
Rear Adm. (lh) James J. Shannon
Rear Adm. (lh) Thomas K. Shannon
Rear Adm. (lh) Herman A. Shelanski

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Vice Adm. Mark I. Fox

IN THE AIR FORCE

PN1393 AIR FORCE nominations (25) beginning JENNIFER M. AGULTO, and ending KATHRYN W. WEISS, which nominations were received by the Senate and appeared in the Congressional Record of February 16, 2012.

PN1394 AIR FORCE nominations (112) beginning MARIO ABEJERO, and ending CARL R. YOUNG, JR., which nominations were received by the Senate and appeared in the Congressional Record of February 16, 2012.

PN1395 AIR FORCE nominations (514) beginning RICHARD E. AARON, and ending ERIC D. ZIMMERMAN, which nominations were received by the Senate and appeared in the Congressional Record of February 16, 2012.

IN THE ARMY

PN1463 ARMY nominations of Carol A. Fensand, which was received by the Senate and appeared in the Congressional Record of March 19, 2012.

PN1464 ARMY nominations (2) beginning KELLEY R. BARNES, and ending DAVID L. GARDNER, which nominations were received by the Senate and appeared in the Congressional Record of March 19, 2012.

PN1465 ARMY nomination of Troy W. Ross, which was received by the Senate and appeared in the Congressional Record of March 19, 2012.

PN1466 ARMY nomination of Sean D. Pitman, which was received by the Senate and appeared in the Congressional Record of March 19, 2012.

PN1467 ARMY nomination of Walter S. Carr, which was received by the Senate and appeared in the Congressional Record of March 19, 2012.

PN1468 ARMY nomination of Marc E. Patrick, which was received by the Senate and appeared in the Congressional Record of March 19, 2012.

PN1469 ARMY nomination of Demetres Williams, which was received by the Senate and appeared in the Congressional Record of March 19, 2012.

PN1470 ARMY nominations of (2) beginning ALYSSA ADAMS, and ending DONALD L. POTTS, which nominations were received by the Senate and appeared in the Congressional Record of March 19, 2012.

PN1485 ARMY nomination of James M. Veazey, Jr., which was received by the Senate and appeared in the Congressional Record of March 21, 2012.

PN1486 ARMY nomination of Shari F. Shugart, which was received by the Senate and appeared in the Congressional Record of March 21, 2012.

PN1487 ARMY nominations (4) beginning DANIEL A. GALVIN, and ending THOMAS J. SEARS, which nominations were received by the Senate and appeared in the Congressional Record of March 21, 2012.

PN1488 ARMY nominations (4) beginning ANTHONY R. CAMACHO, and ending RICHARD J. SLOMA, which nominations were received by the Senate and appeared in the Congressional Record of March 21, 2012.

PN1489 ARMY nominations (8) beginning JAMES M. BLEDSOE, and ending DANIEL J. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of March 21, 2012.

PN1490 ARMY nominations (534) beginning JOHN R. ABELLA, and ending D010584, which nominations were received by the Senate and appeared in the Congressional Record of March 21, 2012.

PN1491 ARMY nominations (652) beginning DREW Q. ABELL, and ending G010092, which nominations were received by the Senate and appeared in the Congressional Record of March 21, 2012.

PN1492 ARMY nominations (980) beginning EDWARD C. ADAMS, and ending D011050, which nominations were received by the Senate and appeared in the Congressional Record of March 21, 2012.

IN THE MARINE CORPS

PN1289 MARINE CORPS nomination of Juan M. Ortiz, Jr., which was received by the Senate and appeared in the Congressional Record of January 31, 2012.

IN THE NAVY

PN1471 NAVY nomination of David T. Carpenter, which was received by the Senate and appeared in the Congressional Record of March 19, 2012.

PN1472 NAVY nomination of Michael Junge, which was received by the Senate and appeared in the Congressional Record of March 19, 2012.

PN1473 NAVY nomination of Marc E. Bernath, which was received by the Senate and appeared in the Congressional Record of March 19, 2012.

PN1475 NAVY nomination of Steven A. Khalil, which was received by the Senate and appeared in the Congressional Record of March 19, 2012.

PN1493 NAVY nomination of Ashley A. Hockycko, which was received by the Senate

and appeared in the Congressional Record of March 21, 2012.

PN1494 NAVY nomination of Jason A. Langham, which was received by the Senate and appeared in the Congressional Record of March 21, 2012.

PN1495 NAVY nomination of Will J. Chambers, which was received by the Senate and appeared in the Congressional Record of March 21, 2012.

PN1496 NAVY nominations (4) beginning PATRICK J. FOX, JR., and ending LESLIE H. TRIPPE, which nominations were received by the Senate and appeared in the Congressional Record of March 21, 2012.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that on Monday, May 7, 2012, at 4:30 p.m., the Senate proceed to executive session to consider the following nominations: Calendar Nos. 508, 568, and 569; that there be 60 minutes for debate equally divided in the usual form; that upon the use or yielding back of time, the Senate proceed to vote without intervening action or debate on the nominations in the order listed, the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; 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.

MORNING BUSINESS

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

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

REMEMBERING MATTILOU SEXTON CATCHPOLE

Mr. DURBIN: Mr. President, an incredible woman died late last month after a hard fought battle with Alzheimer's disease—a woman who gave her life to help and teach others. A former University of Illinois Springfield professor, Dr. Mattilou Sexton Catchpole, passed away at the age of 88.

Mattilou was born on Halloween day in Chicago, IL, but grew up in Texarkana, AR. Her parents gave her a strong moral background and an appreciation for justice. As active participants in the Arkansas civil rights movement, they taught her that social justice, equitable educational opportunities, and equal rights for all were of the utmost importance.

She enlisted in the Air Force during World War II and served as a medical technician stateside. While post-traumatic stress disorder was not categorized as a medical condition, Mattilou knew that many of the returning soldiers experienced hell. She soon realized that quiet conversations and a caring touch helped to heal the wounds that she couldn't see.

Still caring for others, she first became a registered nurse and then a certified registered nurse anesthetist, or CRNA. While raising three children and suffering from sometimes debilitating back pain, she worked as a CRNA at the Cleveland Clinic and obtained bachelor's and master's degrees at Case Western Reserve University.

She came to my hometown of Springfield, IL, to teach at the university in 1978, and in no time finished her doctorate in health education from Southern Illinois University at Carbondale. Dr. Catchpole became the director of the Nurse Anesthesia Program and Nurse Anesthesia Completion Program in Springfield. She spent the rest of her life teaching at the university and writing.

At the age of 78, Dr. Catchpole was named the 2002 Kayaker of the Year by the Missouri Whitewater Association. Physical fitness and the outdoors were very important to her. It was swimming that enabled her to build the strength and leave behind a full-body cast that doctors thought she would wear for most of her adult life because of back pain. In 2006, at the age of 82, Mattilou was one of 18 recipients of the President's Call to Service Awards for over 5,000 hours of service with Health Volunteers Overseas. You could always rely on Mattilou to lend a helping hand to someone in need or to teach a person all that she knew about a subject.

I offer my deepest condolences to her family, her brother, U.A. Garred Sexton; her three children, Julia Ann, Nancy, and Floyd; and her eight grandchildren and seven great-grandchildren. Mattilou's passing is a deep loss for so many, but her hard work, accomplishments, and students will continue to carry on.

TRIBUTE TO MAYOR CHARLES LONG

Mr. MCCONNELL. Mr. President, I rise to pay tribute to my good friend Mr. Charles Long, the longtime mayor of Booneville, KY. Mr. LONG has served as mayor of this small Owsley County town for 53 years. During his tenure, he has worked to provide a better life for the citizens of Booneville by providing exceptional opportunities for various daily improvements, as well as working to make vital amenities more easily accessible to all.

One of the most significant accomplishments of Mayor Long's time in office has to do with developments he oversaw in the area of water and sanitation. The mayor oversaw the installation of the town's water and sewer system in 1968. Afterwards, he went on to guarantee that over 98 percent of Owsley County had access to the water system and worked to see the sewage system expanded to over 400 residents in the county.

Mayor Long serves on the Kentucky River Area Development Committee—KRADD. The mayor's home county of Owsley is one of the eight counties in eastern Kentucky that KRADD supervises. The organization has been a major force in further developing the rural areas of eastern Kentucky, and Mayor Long is an integral part of that process.

Besides the hard work Mayor Long does for the people of Booneville, he is known for being a beloved and involved member of his large family. His children, grandchildren, and great-grandchildren are all very proud of him and all he has accomplished.

Sadly, Charles recently lost the love of his life and wife of 72 years, Virginia Ruth Long. Mrs. Long passed away on March 27, 2012, at the age of 92. During a recent session of the Kentucky State Senate, she was honored by a Senate Resolution commemorating her life and accomplishments. I know Mayor Long surely appreciated that gesture.

Charles Long has literally spent the majority of his life serving the local people of Booneville as their mayor. He is able to look back at his long and successful career and reminisce on the countless improvements he has put in place for the city he holds dear to his heart. Mr. Charles Long exhibits a commendable display of characteristics such as dedication, kindheartedness, and reliability which set him apart as a true hometown hero.

I am honored to stand on the floor of the U.S. Senate today in tribute to Mayor Charles Long's service to the town of Booneville and the Commonwealth of Kentucky. And I ask my Senate colleagues to join me in expressing recognition to Mayor Long for his long and fruitful tenure in office.

Mr. KYL. Mr. President, I would like to call the attention of my colleagues to a column published in the April 23rd edition of The Washington Post by Dr. Henry Kissinger and retired GEN Brent Scowcroft. These are two of the most respected voices on nuclear strategy, deterrence, and arms control, and they both recently testified on the New START treaty.

The article, titled ''Strategic Stability in Today's Nuclear World,'' comes at an important time. The President, we know, has tasked his advisors to conduct an assessment of our nuclear forces and strategy to inform future arms reductions beyond the levels established by the New START treaty. The administration is said to be considering reductions that could lead to as few as 300 warheads, which would require rather significant changes to long-standing U.S. nuclear doctrine.

Dr. Kissinger and General Scowcroft warn that:

Before momentum builds on that basis, we feel obliged to stress our conviction that the

goal of future negotiations should be strategic stability and that lower numbers of weapons should be a consequence of strategic analysis, not an abstract preconceived determination.

In fact, the authors go on to warn the reader that:

Strategic stability is not inherent with low numbers of nuclear weapons; indeed, excessively low numbers could lead to a situation in which surprise attacks are conceivable.

This short column should be required reading for all of my colleagues, and the eight key criteria listed by the authors, to govern nuclear weapons policy, should become the basis for our consideration of nuclear strategy and arms control moving forward.

I want to express my deep appreciation to Dr. Kissinger and General Scowcroft for their important contributions to our ongoing debates about nuclear weapons and, more broadly, for their decades of service to our country.

Mr. President, I ask unanimous consent to have the article printed in the RECORD at the end of my remarks.

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

[From the Washington Post, April 23, 2012]

STRATEGIC STABILITY IN TODAY'S NUCLEAR WORLD

(By Henry A. Kissinger and Brent Scowcroft)

A New START treaty reestablishing the process of nuclear arms control has recently taken effect. Combined with reductions in the U.S. defense budget, this will bring the number of nuclear weapons in the United States to the lowest overall level since the 1950s. The Obama administration is said to be considering negotiations for a new round of nuclear reductions to bring about ceilings as low as 300 warheads. Before momentum builds on that basis, we feel obliged to stress our conviction that the goal of future negotiations should be strategic stability and that lower numbers of weapons should be a consequence of strategic analysis, not an abstract preconceived determination.

Regardless of one's vision of the ultimate future of nuclear weapons, the overarching goal of contemporary U.S. nuclear policy must be to ensure that nuclear weapons are never used. Strategic stability is not inherent with low numbers of weapons; indeed, excessively low numbers could lead to a situation in which surprise attacks are conceivable.

We supported ratification of the START treaty. We favor verification of agreed reductions and procedures that enhance predictability and transparency. One of us (Kissinger) has supported working toward the elimination of nuclear weapons, albeit with the proviso that a series of verifiable intermediate steps that maintain stability precede such an end point and that every stage of the process be fully transparent and verifiable.

The precondition of the next phase of U.S. nuclear weapons policy must be to enhance and enshrine the strategic stability that has preserved global peace and prevented the use of nuclear weapons for two generations.

Eight key facts should govern such a policy:

First, strategic stability requires maintaining strategic forces of sufficient size and composition that a first strike cannot reduce retaliation to a level acceptable to the aggressor.

Second, in assessing the level of unacceptable damage, the United States cannot assume that a potential enemy will adhere to values or calculations identical to our own. We need a sufficient number of weapons to pose a threat to what potential aggressors value under every conceivable circumstance. We should avoid strategic analysis by mirror-imaging.

Third, the composition of our strategic forces cannot be defined by numbers alone. It also depends on the type of delivery vehicles and their mix. If the composition of the U.S. deterrent force is modified as a result of reduction, agreement or for other reasons, a sufficient variety must be retained, together with a robust supporting command and control system, so as to guarantee that a preemptive attack cannot succeed.

Fourth, in deciding on force levels and lower numbers, verification is crucial. Particularly important is a determination of what level of uncertainty threatens the calculation of stability. At present, that level is well within the capabilities of the existing verification systems. We must be certain that projected levels maintain—and when possible, reinforce—that confidence.

Fifth, the global nonproliferation regime has been weakened to a point where some of the proliferating countries are reported to have arsenals of more than 100 weapons. And these arsenals are growing. At what lower U.S. levels could these arsenals constitute a strategic threat? What will be their strategic impact if deterrence breaks down in the overall strategic relationship? Does this prospect open up the risk of hostile alliances between countries whose forces individually are not adequate to challenge strategic stability but that combined might overthrow the nuclear equation?

Sixth, this suggests that, below a level yet to be established, nuclear reductions cannot be confined to Russia and the United States. As the countries with the two largest nuclear arsenals, Russia and the United States have a special responsibility. But other countries need to be brought into the discussion when substantial reductions from existing START levels are on the international agenda.

Seventh, strategic stability will be affected by other factors, such as missile defenses and the roles and numbers of tactical nuclear weapons, which are not now subject to agreed limitations. Precision-guided large conventional warheads on long-range delivery vehicles provide another challenge to stability. The interrelationship among these elements must be taken into account in future negotiations.

Eighth, we must see to it that countries that have relied on American nuclear protection maintain their confidence in the U.S. capability for deterrence. If that confidence falters, they may be tempted by accommodation to their adversaries or independent nuclear capabilities.

Nuclear weapons will continue to influence the international landscape as part of strategy and an aspect of negotiation. The lessons learned throughout seven decades need to continue to govern the future.

PASSAGE OF THE EQUAL RIGHTS AMENDMENT

Mr. MENENDEZ. Mr. President, the following statement is from Senator Birch Bayh in honor of the 40th anniversary of Congressional passage of the Equal Rights Amendment:

Recent events have seen an assault on those who provide health care services to women and we have even seen questions raised anew about issues like contraception. It may have been 40 years since we passed the ERA in Congress but the reasons why many of us tried to write women's rights into the Constitution are still with us today.

As the Chief Senate Sponsor and floor leader of the Equal Rights Amendment, I remember well the intensity of the battle we fought in the early 1970's. America's history has been a steady expansion of individual rights, beginning with the expansion of the franchise in our early years. From the rights of former slaves after the Civil War to the expansion of the vote for women and then for 18 year olds, we have codified in our Constitution an ongoing commitment to individual rights. It seemed fitting then, and seems fitting now, that our Constitution speak loudly and clearly that the law allow no discrimination on the basis of gender.

While the principles involved in this battle remain, the country has evolved quite a bit since 1972. In 1972 there were 2 women in the U.S. Senate and 13 in the House of Representatives. Now there are 17 women Senators and 75 Congresswomen. There were no female Governors in 1972 and had been only 3 in all our history before that, there are 6 now. We have had a female Speaker of the House and have scores of CEOs, business owners and leaders in all walks of life who are female. The number of women elected to state legislatures across the country is larger than ever before. The number of women in the military cannot be compared to the numbers 40 years ago. And in a recent issue of Newsweek, long-time Supreme Court reporter Nina Totenberg spoke about taking the job at NPR in the 70s because the pay was too low for men to want the job.

There has indeed been progress, but the principles remain the same. To open the sports pages in the morning is to see female athletes in a number of sports. To watch the television news in the evening has us watching many female anchor persons, weather ladies, and sports announcers. Even the major sports telecasts regularly involve on-air female broadcasters. But is there equal pay for equal work today? Are there still obstacles on the professional paths to boardrooms for women? Is sexual harassment still a prominent issue in offices around America and in our military?

It is still fitting in the 21st century for our nation to include in its basic law the principle that discrimination based on sex has no place in American life. It is fitting for our daughters and granddaughters to be reminded that their parents and grandparents took a stand to protect their futures and to ensure that they have an equal place in modern America.

In closing, let me stress that the ERA is still the right thing to do, not only in principle but in every day practice. Thank you for your continued, dedicated efforts.

RECOGNIZING THE GREATER BRIDGEPORT YOUTH ORCHESTRAS

Mr. BLUMENTHAL. Mr. President, today I commend the Greater Bridgeport Youth Orchestras, GBYO, as it celebrates its 50th anniversary this year. This legendary local group currently at a membership of 250 students of all ages from 29 different communities around the city of Bridgeport, who participate in 5 different ensembles—has bestowed the gift of great music and mentorship to the State of Connecticut. Through the platform of an orchestra, these young musicians have learned how to support each

other. They listen closely while others shine as well as play as an ensemble, producing thrilling fortissimos that echo in audiences' hearts long after the final note.

While maintaining a high level of musicianship through competitive auditions, the GBYO provides an invaluable experience—an alternative to joining a sports team—for students who love music. Its members can feel camaraderie, learn teamwork, and come to understand the value of weekly group rehearsals and daily practice.

I applaud the GBYO for its goal of providing a supportive environment where lifelong friendships are formed, mentorship thrives, and students feel safe to express their emotions and connect through passionate music. This sensitivity is rare and precious. GBYO combines the development of emotional intelligence and social skills with the principles of hard work and diligence. These young musicians are talented, smart, well-rounded, and, best of all, excited.

In March, the GBYO celebrated its landmark anniversary with a gala alumni concert at the University of Bridgeport, conducted by GBYO's music director, Christopher Hisey, who is an alumnus of the orchestra. He led a stirring and inspiring alumni ensemble piece to finish the tremendous concert. I congratulate executive director Barbara Upton and music director Christopher Hisey, for their leadership.

I wish the Greater Bridgeport Youth Orchestras continued success and hope this well-regarded organization can serve as a role model, inspiring others to preserve and perpetuate the long tradition of the arts and the importance it holds for our culture and society.

2011 CONNECTICUT WOMEN'S HALL OF FAME

Mr. BLUMENTHAL. Mr. President, today I wish to recognize the 2011 Connecticut Women's Hall of Fame inductees and their contributions to the recent history of the State of Connecticut and our Nation.

In the spirit of preserving the often untold accomplishments of impactful leaders from Connecticut, each year the Connecticut Women's Hall of Fame publicly honors several women, living or deceased, to share their stories, preserve their legacies, and update and equalize the history that is taught to our children. The Connecticut Women's Hall of Fame has created and maintained a remarkable space, free of charge, where the utmost respect can be paid to women who have made immeasurable impacts to our daily lives.

On October 25, 2011, at the 18th Annual Induction Ceremony and Celebration ''Women of Influence: Creating Social Change''—Isabelle M. Kelley, Denise Lynn Nappier, and Patricia Wald were inducted. These three women are trailblazers, taking on various leadership positions in government while breaking through stagnant stereotypes and archaic traditions.

Isabelle M. Kelley devoted her passion for societal transformation, drive to accomplish, and energetic entrepreneurship to the problem of food shortages faced by our country's most impoverished families. Ms. Kelley was born in Connecticut in 1917 and remained there throughout her high school and college years, attending Simsbury High School and the University of Connecticut. Upon graduation in 1938 with an economics degree, she was asked to join the U.S. Department of Agriculture as an economist to examine food purchasing trends, which inspired a life-long interest in our country's food supply. In this capacity, she was the first to publicly link malnourishment in children to limited school achievement. She was asked by President Kennedy to serve on a task force to realize a national food stamp program. In 1964, she authored the Food Stamp Act and was appointed as the first Director of the Food Stamp Division of the USDA. It was the first time any woman directed a national social program at the USDA and led any type of consumer affairs or marketing division in any Federal agency.

Ms. Kelley passed away in 1997, but students of public health and nutrition can listen to and read transcripts of her oral history project by Harvard University's Schlesinger Library, whose aim was to capture the voices of 38 women ''who had achieved positions of high rank in the federal government during the middle decades of the twentieth century.'' In 2011, she was invited into the USDA's Hall of Heroes.

The Honorable Denise Lynn Nappier, now serving her fourth term as Connecticut's first female State treasurer and first elected statewide official, and the country's first African American female State treasurer, can serve as a role model to women around the country who strive to impact the field of financial regulation. Born in 1951 in Hartford, Treasurer Nappier ran for city treasurer in 1989. After working 10 years to engender Hartford's financial development, she won the position of State treasurer. She made visits to schools around the State, teaching students how to save and budget—paving the way for success in their finances as adults. The Connecticut Women's Hall of Fame joins other esteemed organizations that have honored Treasurer Nappier, including the Girl Scouts of Connecticut, the Hartford College for Women, the National Association of Minority and Women Law Firms, the Government Finance Officers Association, and the National Political Congress of Black Women.

The Honorable Patricia Wald has dedicated her career to public service and the law, retiring from her seat as the first female judge for the U.S. Circuit Court of Appeals for the District of Columbia to serve on the International Criminal Tribunal in The Hague. Born in 1928 in the city of Torrington, she went on to attend law school at Yale University as one of only 11 women in her graduating class. Judge Wald was motivated to go into government service by the possibilities of social reform, especially addressing issues concerning poverty and criminal justice. In 1964, she was nominated by President Johnson to the President's Commission on Crime in Washington, DC. After serving the Carter administration as Assistant Attorney General for Legislative Affairs, she was appointed to the U.S. Circuit Court of Appeals of the District of Columbia in 1979, where she served for 20 years, eventually as chief judge. Since her retirement from the bench, she has been asked to join several commissions and task forces, including President Bush's Commission on Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction and the Constitution Project's Guantanamo Task Force. Most recently, she has served on the advisory board of the Coalition for the International Criminal Court. I join those who have honored Judge Wald, including members of the International Human Rights Law Group, the American Lawyer Hall of Fame, and the American Bar Association, in celebrating her commitment to the law, especially in protecting our country's most vulnerable.

I know my colleagues will join me in honoring these remarkable women, who weathered criticism and risked public failure to inspire current and upcoming public servants and to better the lives of future generations.

2011 CONNECTICUT VETERANS HALL OF FAME

Mr. BLUMENTHAL. Mr. President, today I wish to recognize the 2011 inductees of the Connecticut Veterans Hall of Fame, a nonprofit organization that honors men and women from Connecticut who have served their communities in commendable ways since retiring from the military. Starting in 2005, when established by Executive Order, the Connecticut Veterans Hall of Fame has selected at least 10 inductees each year: men and women from Connecticut who, even after their great sacrifices as Active members of our military, have chosen to continue their service in innovative ways to contribute to the lives of current enlistees, fellow veterans, and civilians.

These local heroes were celebrated at an induction ceremony surrounded by their family and friends this past December attended by Lieutenant Governor Nancy Wyman and the Connecticut Department of Veterans Affairs Commissioner Linda Schwartz. I would like to join Lieutenant Governor Wyman and Commissioner Schwartz and formally recognize Samuel Beamon, Sr., Rev. Dr. G. Kenneth Carpenter, Richard Rampone, Ronald Catania, Burke Ross, John Chiarella, Phillip Kraft, Ronald Perry, Dr. Madelon Baranoski, and Harold Farrington, Jr.

Several of these 2011 inductees are well-loved for touching their communities through a wide range of public leadership initiatives. Samuel Beamon, Sr., Rev. Dr. G. Kenneth Carpenter, and Richard Rampone served in Vietnam in the U.S. Marine Corps. Samuel Beamon, Sr. was honored for his exceptional work with the Young Marines Program in Waterbury, CT and as past commandant of the Department of Connecticut Marine Corps League, as well as his esteemed legacy as lieutenant of the Waterbury Police Department. Rev. Dr. G. Kenneth Carpenter has been recognized as a constant source of spiritual guidance as pastor of the Union Baptist Church in Mystic; in addition, he is founder and president of the Mystic Area Shelter and Hospitality, MASH, which gives temporary shelter and counseling to families—especially those with children—who are struggling in this tough economy. Richard Rampone, who worked to protect his community as Patrolman for the Berlin Police Department, is the State commandant of the Marine Corps League Department of Connecticut, whose mission is to assist marines entering civilian life.

Many of our honorees participate in more than one organization, dedicating a vast amount of time to helping servicemembers and veterans. Ronald Catania, who served in the U.S. Air Force in Vietnam, has given countless hours to numerous groups, including the Connecticut Police Chiefs Association, Connecticut Veterans Memorial, Connecticut National Guard during the Hurricane Katrina disaster, the American Red Cross, and the Special Olympics. On September 11, he worked the day after the attacks to transport donated goods to Ground Zero for emergency responders. Burke Ross, who served in the U.S. Marine Corps during World War II, has been a fervent supporter and participant of the Military Order of the Purple Heart, MOPH, volunteers at the West Haven VA Medical Facility, and for the past 25 years has planned the annual Memorial Day Services and Parade in the Derby-Shelton area; in 2001, he was selected as the Disabled American Veteran, DAV, of the Year for his more than 30 years as an officer and then chaplain to his local DAV chapter.

The civic dedication of a number of these inductees spans decades. John Chiarella, who served in the U.S. Army in Korea and Vietnam, has spent 10 years ensuring that Waterbury-area students have an education in our patriotic traditions, including developing a program called Forever Wave, whose mission is to instruct on the flag salute. He is also is known for his role as chairman of the Waterbury Veterans Memorial Committee. U.S. Army veteran Phillip Kraft has been a voice for veterans' benefits as an instructor at the International Union, United Automobile, Aerospace, and Agricultural Implement Workers of America, UAW, annual conference. Also, for many years, Mr. Kraft has watched over burial services and maintained the upkeep of the Spring Grove Cemetery in Darian, where approximately 1,500 veterans have been laid to rest, and also takes the lead as CEO of the National Veterans Services Fund. Honoree Ronald Perry, who served in the U.S. Marine Corps in Vietnam, has been a solid support system for the Meriden, CT, Marine community, speaking out on behalf of several veterans associations, including the Marine Corps League of Meriden, and arranging the birthday celebrations of Meriden-area Marine Corps veterans.

The remaining two Connecticut veterans honored in 2011, Dr. Madelon Baranoski and Harold Farrington, have used the skills and experiences they developed in a professional capacity to positively affect the military and veterans communities of Connecticut. After serving in Vietnam in the U.S. Army Nurse Corps, Dr. Baranoski has compiled research on the physiological consequences of stress to foster greater understanding about the mental conditions of veterans in our communities and to help reform the criminal justice system. She is currently an associate professor of psychiatry and the vice chair of the Human Investigation Committee at Yale University School of Medicine. Harold Farrington, Jr., has spent 30 years helping veterans and their families navigate the bureaucracy and reap the benefits of government programs as an employee of the U.S. Department of Veterans Affairs. In an article for New London's The Day, Mr. Farrington candidly captured the emotions he felt as a 2011 Connecticut Veterans Hall of Fame Inductee: Having dedicated his life to service, he acknowledged that ''to know my work is being recognized is very rewarding.''

I hope this honor from the State of Connecticut will start to reflect and manifest the pride felt by the family, friends, and fellow veterans of these inductees. It gives me great pride to laud these courageous and selfless individuals who have not hesitated to serve and sacrifice in and out of uniform. To them, I say with gratitude: Today, your country publicly recognizes your contributions and deep, heartfelt commitment to our U.S. veterans.

NATIONAL INFERTILITY AWARENESS WEEK

Mrs. GILLIBRAND. Mr. President, building a family is an exciting milestone in the lives of millions of American families. Unfortunately, the road towards conceiving a child is often difficult and painful for the nearly 7 million Americans diagnosed with the disease of infertility.

This week, men and women across the country will share their stories during National Infertility Awareness Week. This movement, organized by RESOLVE: The National Infertility Association, brings attention to the disease of infertility and encourages the public to take charge of their reproductive health. Let me take this opportunity to commend RESOLVE for its work providing community and giving voice to women and men experiencing infertility.

Over the last few decades, significant medical advancements, such as in vitro fertilization, have provided a solution for some would be parents. However, the high cost to undergo infertility care often poses an additional barrier for couples to overcome. It costs more than $12,000 for a couple to undergo one cycle of infertility treatment, and insurance coverage is often dismal. For some patients, multiple cycles are required to achieve a successful pregnancy outcome. Federal Government insurance plans do not specifically cover infertility treatments, and only 15 States offer any level of coverage.

I have introduced a bill that would alleviate some of the costs associated with infertility care. The Family Act, S. 965 creates a Federal tax credit for individuals who are diagnosed with infertility by a licensed physician. A tax credit will help make this vital patient care more accessible and affordable to those who lack insurance coverage for these services.

I hope you will join me during National Infertility Awareness Week and become a cosponsor of the Family Act. This is a necessary step towards ensuring that all of our citizens have the ability to raise a family, without compromising their financial future.

ADDITIONAL STATEMENTS

LOST AT SEA

• Mrs. BOXER. Mr. President, it is with great sadness that I speak in memory of five extraordinary sailors who recently died at sea during a boat race off the coast of California.

On Saturday, April 15, the sailing vessel *Low Speed Chase* was one of 49 boats participating in the Full Crew Farallones Race, which has been run annually from San Francisco to the Farallon Islands and back since 1907. As the yacht rounded an island, it was broadsided by huge waves and crashed onto the rocks.

Three sailors survived and were rescued by the U.S. Coast Guard. Tragically, the lives of five others—Alexis Busch, Alan Cahill, Jordan Fromm, Marc Kasanin, and Elmer Morrissey—were lost.

Alexis Busch, who as a teenager had been a beloved batgirl for the San Francisco Giants, managed the Ross Valley Swim and Tennis Club and crewed in sailing races from San Francisco Bay to Australia. Her longtime boyfriend and sailing partner, Nick Vos, was one of the survivors on the *Low Speed Chase*.

Alan Cahill was a married father of two children and a master marine craftsman who served as caretaker for

many boats at the San Francisco Yacht Club. Originally from Cork, Ireland, Alan moved to the Bay Area to pursue his love of racing. He was a talented sailor and good friend, who served as the best man at the wedding of his crewmate, Bryan Chong, one of the three survivors.

Jordan Fromm was a lifelong sailor who was a fixture at the San Francisco Yacht Club, where he had been a member since childhood and participated in its youth sailing programs. Fromm planned to start his own yacht restoration business.

Marc Kasanin grew up in Belvedere, started sailing at age 5, and spent most of his life on the water as a sailor and a nautical artist. His artwork was recently displayed at the Tiburon Art Festival.

Elmer Morrissey earned a Ph.D. in energy engineering and worked as a software designer at Lawrence Berkeley National Laboratory. In addition to sailing, he enjoyed playing music and rugby and writing humorous sports blogs.

These crew members were some of the Bay Area's best sailors. Their loss is a devastating blow to their families, to their friends, to their crewmates, and to the entire sailing community. At this most difficult time, my heart goes out to them all.●

TRIBUTE TO DOROTHY INGHRAM

● MRS. BOXER. Mr. President, I am honored to remember the life, accomplishments, and service of Dorothy Inghram, a pioneer who was California's first African American school district superintendent and San Bernardino County's first African American school teacher and principal. Ms. Inghram passed away at her San Bernardino home on March 14 at the age of 106.

Dorothy Inghram was born on November 9, 1905, the youngest of Henry and Mary Inghram's seven children. While at San Bernardino Valley College, Ms. Inghram wrote the school's alma mater and later transferred to Redlands University to complete a bachelor's degree in music in 1936. She began her teaching career in Texas but later returned to California and accepted a teaching position in the Mill School District. For the next 3 decades, she devoted her life to education and literacy in the community.

Over the years, Ms. Inghram's professional contributions have been acknowledged on many occasions, including numerous awards, a city-proclaimed Dorothy Inghram Day, and a library named in her honor. Most rewarding to her personally, however, were the admiring and grateful former students who credited her with helping them recognize undiscovered talents and sparking interests that led to successful careers.

I ask my colleagues to join me, and her grateful community in honoring the life and trailblazing legacy of Dorothy Inghram.●

TRIBUTE TO MR. WAYNE R. GRACIE

● Mr. CHAMBLISS. Mr. President, today I wish to recognize Mr. Wayne R. Gracie upon his retirement after an outstanding career of 37 years of distinguished civil service to our great Nation.

Since 1975, through seven Presidential administrations, Wayne has worked with Congress and directly supported the Secretary and Chief of Staff of the Air Force, as well as the Chief of the Air Force Reserve. He has worked on logistics, budgets, and legislative interactions—turning words into programming actions—that resulted in new Department of Defense policies and programs.

Wayne excelled at providing both Houses of Congress with new insight and understanding of the Air Force Reserve's need to transition from a Cold War force to the modern force operating around the world today. His efforts resulted in new funding and development of both a ''strategic reserve'' for surge operations, as well as a cost-effective ''operational reserve'' for use in daily military missions.

In 1997, backed by his credibility and good will on Capitol Hill, Wayne led the preparation, messaging, and testimony for congressional hearings that resulted in the formation of Air Force Reserve Command, the ninth major command in the Air Force. This authorized a three-star commander and energized new Reserve component personnel benefits.

After conducting more than 20 years of continual combat operations in Iraq, Bosnia, Kosovo, Afghanistan, Horn of Africa, Libya, and many other locations around the globe, the Air Force Reserve's success is evident today. Wayne's efforts were critical to presenting, justifying, and enacting new legislation supporting Air Force reservists, their civilian employers, and their families who were impacted by increased Reserve operations. Thanks to his continuous dialogue with Congress, reservists now get improved health care, new credits toward retirement, inactive duty training travel pay, and post-9/11 G.I. Bill benefits.

Also, Wayne was pivotal to facilitating Air Force Reserve testimonies before the Senate Armed Services Committee and Senate Appropriation Committee that resulted in additional funding for equipment modernization. His efforts directly led to increased combat effectiveness as well as improved humanitarian and disaster response operations. These updated capabilities were essential to successful relief missions in Japan and Haiti, as well as in the United States for Hurricanes Katrina and Ivan, for aerial firefighting in the Southwest, and for containing the gulf oil spill.

Because of Wayne's visionary leadership, planning, and foresight, the Air Force, the Department of Defense, and the Nation will long reap the benefits of his tenure at the Pentagon and his work with us here on Capitol Hill. It is experienced, dedicated, professional people like Wayne who make the Department of Defense and Air Force Reserve the outstanding institutions that they are today.

I thank Wayne for his many years of dedicated service and wish him and his wife Candace the very best as they enter retirement.●

RECOGNIZING JOHN T. CYR AND SONS, INC.

● Ms. COLLINS. Mr. President, today I wish to offer my congratulations to John T. Cyr and Sons, Inc., on its 100th anniversary. This outstanding Maine company demonstrates why family businesses are so important to our Nation's economy and to communities in every State. The determination and vision that led to a century of success define America's entrepreneurial spirit.

Sometime around 1903, John Thomas Cyr moved his family from Caribou, ME—my hometown—to Old Town, near Bangor, where he found work in a lumber mill. Nine years later, in 1912, at the age of 51, John T. Cyr struck out on his own. Joined by his son, Joseph, they started a livery stable and delivery business.

What began with horses, buggies, and wagons is today a thriving enterprise of 22 luxury motor coaches, 200 schoolbuses, and nearly 250 employees. A company that got its start hauling lumber for a local canoe factory now serves 17 school districts across Maine with an exemplary safety record. They offer tours throughout the United States and Canada—from New York City at Christmas to Washington, DC, in cherry blossom season. As a native of Aroostook County, I know how valuable their daily intercity service is to the towns and cities of northern Maine.

Handed down and nurtured through the generations, this is a true family business, owned and operated by the founder's grandson, Joe Cyr, joined by his brother, Pete, son Mike, and daughter Becky.

Their remarkable story of growth, of meeting challenges, and of delivering value was expertly told in a recent article in Maine Trails magazine. I would like to complement that account with my personal observations.

Before coming to the Senate, I worked at Husson University in Bangor, where I had the pleasure of getting to know Joe Cyr, class of 1962, and his wonderful wife Sue, class of 1965. Joe has been a longtime member of the Husson Board of Trustees, and Sue has been a volunteer supporter of uncommon energy. Joe and Sue's generosity to Husson includes significant gifts to athletic programs, a new home for the university president, the annual fund, and most recently, the new Cyr Alumni Center. The countless ways they serve—from the Boys Scouts and the Y to St. Joseph Hospital—touch people of all ages.

People throughout Maine are fortunate to have such a family as the Cyrs,

but I am especially lucky—my summer camp on Cold Stream Pond is just down the road from theirs. As much as I cherish our time together, having dinner, playing cards, and enjoying the beautiful Maine summer evenings, I cherish even more being in the presence of those who give so much to others and who see the act of giving as the greatest reward. I am delighted to extend my congratulations to the Cyr family in their business's centennial year and to thank them for their contributions to the State of Maine.●

TRIBUTE TO TOM MCSWAIN

● Mrs. HAGAN. Mr. President, Leadership North Carolina is an organization committed to engaging and informing leaders from across my home State. Today I wish to recognize a constituent who is a leader of Leadership North Carolina. Tom McSwain's service to our citizens may be recognized during his term as chairman of the American Traffic Safety Services Association from 2004 to 2006, but his leadership skills were forged many years before this term and he continues to lead in many ways. Tom is a native of Macon, GA, and a proud alumnus of the University of Georgia, who has a deep love for and commitment to his adopted home State of North Carolina. Two sources of strength for Tom are his wife Shawn Scott, an alumna of Leadership North Carolina Class IX, and his son, Jack.

Currently, Tom serves as eastern region director with responsibility for company sales and activities in the Eastern United States, Latin and South America with Ennis-Flint. Ennis-Flint is the world's largest supplier of pavement marking materials and is headquartered in Dallas, TX.

Tom has served in many professional capacities within the highway safety industry. Most prominently, he was chairman of the American Traffic Safety Services Association—ATSSA—from 2004–2006. ATSSA is an international trade association with 1,600 members who manufacture and install roadway safety devices such as signs, striping, guardrails, crash cushions, and lighting. In this role, he served as the chair of the past chairman's advisory council and as the president-elect of the ATSSA Foundation, which provides scholarships to children of individuals killed while working on our nation's highways. He is also a board member of the Road Information Program—TRIP.

Our State has benefitted from the migration of citizens from all over the country, bringing their creativity and skills to North Carolina. Tom moved to his newly adopted home of North Carolina in 1997. Following his service as Chairman of ATSSA, Tom sought to transition his engagement and focus from the national arena to North Carolina.

In 2006, Mr. McSwain graduated from Leadership North Carolina as a member of Class XIII, receiving the prestigious Stanley Frank Class Award. This award is presented annually in honor of the late Stanley Frank, chair of the LNC Founding Committee, who gave his time, talents, and resources to make our State a better place to live and to work. Mr. Frank was a Greensboro businessman and a civic giant who was one of the earliest, and one of the strongest supporters of LNC. Each recipient of this award exemplifies the spirit of Stanley Frank as selected by their fellow participants. Tom was the Class XIII recipient, recognized for his demonstrated leadership, which has made a significant improvement in the quality of life, economic well-being, and sense of community in our State. Upon graduation, Mr. McSwain expanded his commitment to Leadership North Carolina, serving as program chair for Class XIV and joining the Leadership North Carolina Board of Directors.

Elected as chair of Leadership North Carolina in 2010, Tom has brought his considerable leadership experience to strengthen the organization during his 2-year tenure. His work has positioned the program for sustainability for years to come and strengthened its reputation among leaders in business, government, education, and nonprofits. The measure of a good leader is the legacy he or she leaves behind. Tom McSwain leaves North Carolina with 900 informed and engaged leaders to take the baton and help craft our State's future.

On June 30 of this year, Tom McSwain will complete his tenure as chair of Leadership North Carolina. We need strong, effective leaders now more than ever. Tom's service to Leadership North Carolina has been focused on engaging, challenging, and informing future leaders. I join the Board of Directors of Leadership North Carolina in recognizing Tom for his leadership, vision, and determination.

Tom embodies our State's motto Esse Quam Videri, to be rather than to seem, and I ask all my colleagues to join me in thanking Tom McSwain for his service to North Carolina.●

TRIBUTE TO DAN LYONS

● Mr. HELLER. Mr. President, today I am proud to recognize one of Nevada's veterans whose overwhelming sacrifice on behalf of those who served our great Nation is inspiring. As I speak, Mr. Lyons is traveling on foot from his hometown of Reno, NV to our Nation's capital to encourage legislators to assist our homeless veterans.

This is a serious issue that I have worked on since I was elected to Congress. Today, over 100,000 veterans are on America's streets. Many have serious problems and need support. That is why I stand with Mr. Lyons as he completes his 2,600 mile journey.

The brave men and women who served our country and fought to protect our freedom are coming back to a struggling economy with few job prospects, leaving them unable to afford housing. Our Nation's servicemembers have made great sacrifices for our country, and they deserve our gratitude and support. We must welcome them home and help them transition to civilian life. Assisting our Nation's veterans and families is of the utmost importance.

I am also grateful that Mr. Lyons is raising awareness for an issue that I am personally involved with. Having a family member who serves in the Armed Forces, I have always been an advocate for our troops. That is why I proudly cosponsored and voted in support of bipartisan legislation, the VOW to Hire Heroes Act, which was signed into law by President Obama. This legislation provides a tax credit to employers who hire veterans while also offering education and funding to provide on-the-job training and employment assistance to veterans. Ensuring our returning soldiers come home to good paying jobs is the least we can do and the VOW to Hire Heroes Act helps put our Nation's veterans back to work.

Mr. Lyons' selfless efforts to honor and acknowledge our Nation's veterans epitomize service over self. I commend Mr. Lyons for his steadfast determination in raising awareness for those who keep us safe. Today, I ask my colleagues to join me in recognizing Mr. Lyons for his service to our country and commitment to helping veterans in need.●

RECOGNIZING HOOSIER ESSAY CONTEST WINNERS

● Mr. LUGAR. Mr. President, I wish to take the opportunity to express my congratulations to the winners of the 2011–2012 Dick Lugar/Indiana Farm Bureau/Indiana Farm Bureau Insurance Companies Youth Essay Contest.

In 1985, I joined with the Indiana Farm Bureau to sponsor an essay contest for 8th grade students in my home State. The purpose of this contest is to encourage young Hoosiers to recognize and appreciate the importance of Indiana agriculture in their lives and subsequently craft an essay responding to the assigned theme. The theme chosen for this year was ''The Role of the Farm in a Healthy Diet.''

Along with my friends at the Indiana Farm Bureau and Indiana Farm Bureau Insurance Companies, I am pleased with the annual response to this contest and the quality of the essays received over the years. I applaud each of this year's participants on their thoughtful work and wish, especially, to highlight the submissions of the 2011–2012 contest winners—Travis Koester of Wadesville, IN, and Andrea Ledgerwood of Angola, IN. I ask unanimous consent to have printed in the RECORD the complete text of Travis' and Andrea's respective essays and I am pleased, also, to include the names of the many district and county winners of the contest.

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

THE ROLE OF THE FARM IN A HEALTHY DIET

(By Travis Koester)

Americans talk skinny, but eat fat. What can farmers do to help? American agriculture will feed the world with a safe, abundant, and affordable food supply. This has been our message in recent years. It is time for change. What word is missing? Healthy! Farmers can help Americans through education and making healthier food more available to low income families.

Living on a family dairy farm, what can I do? In a country where more than two-thirds of the population is overweight, adult food choices are often made on impulse, not intellect. Americans say they'd like restaurants to offer healthier items, but only 23 percent order those foods, according to research firm Technomic. We must reach the public at a young age. I can encourage teachers to welcome Farm Bureau Ag in the Classroom. These educational programs can influence my generation to eat healthy.

However, healthy food generally costs more than unhealthy food. How can we assist those with low incomes? Working with Partners in Food, our family farm donates lean healthy beef to local food banks, providing the underprivileged with nutritious protein. Furthermore, I live in a community with a plethora of gardens. Grandmother alone has four gardens! I will encourage my community to share excess garden items with the poor by using my family farm as a collection point. Neighbors and family can share healthy fruits and vegetables that I can deliver to local food banks promoting agriculture at the same time.

It is time for farmers to take action through education and making healthy food more available to the poor. One farmer at a time, we can make a difference and improve the health of our fellow Americans. Will you join me? American agriculture will feed the world with a safe, abundant, affordable, and healthy food supply.

THE ROLE OF THE FARM IN A HEALTHY DIET

(By Andrea Ledgerwood)

Indiana farms are crucial to our state's well-being. They provide healthy foods we eat every day, including milk, eggs, corn, and meat. The health of the animals occupying the farms ensures the quality of the food. Indiana farmers take pride in making sure only the healthiest products go to market.

On that note, we also get nutrients from these products. Milk from dairy cows can reduce the risk of health issues such as osteoporosis, some cancers, type two diabetes, and obesity to list just a few. It is just rich, cold, delicious, wholesome, fresh milk from our Hoosier dairy farmers who care about us. Hoosier farmers also grow sweet corn in the rich Indiana soil. Sweet corn contains only one gram of fat per ear of corn—that is seven times less fat than name brand granola bars. It also has significantly more vitamin C than most granola bars. Doesn't a crunchy, sweet, flavorful, fun to eat summer treat from our fellow Hoosier farmers sound delicious?

If Indiana were to have more farmers' markets in our cities and towns, I believe we could improve our state's average health, including obesity. When we incorporate educational and nutritional values, Hoosiers will soon realize that eating healthy can be easy, affordable, and fun. The Farm Bureau exhibit at the Indiana State Fair is an excellent example of people working together to educate the public about farm safety and the healthiness of homegrown farm products. They have demonstrations, food samples, and very knowledgeable people that care about your health. I believe if we had more of those types of facilities around Indiana, people will be more encouraged to consume the rich, tasty, fresh farm products from our local Hoosier farmers. Don't you agree . . . there's a lot more than corn in Indiana!!

2011–2012 DISTRICT ESSAY WINNERS

District 1: Rachel Stoner, Kyle Venditti; District 2: Luke Lashure, Andrea Ledgerwood; District 3: Ross Kindig, Grace Ringer; District 4: Will Harris, Carley Myers; District 5: Bailey Hayes, Jonathan Meredith; District 6: Aiden Foran, Karsyn Gaynor; District 7: Courtney Brown, Sam Ellis; District 8: Elizabeth Field, Brevin Runnebohn; District 9: Halie Klueg, Travis Koester; District 10: Jerry Clayton, Anne Franke.

2010–2011 COUNTY ESSAY WINNERS

Adams: Carley Myers and Triston Vetter, Adams Central Middle School. Allen: Haleigh DeVido and Luke Lashure, Saint Joseph Hessen Cassel School. Bartholomew: Aaron Kruchten and Audrey Wetzel, Central Middle School. Benton: Kendra Budreau and Joe Stembel, Benton Central Junior-Senior High School. Carroll: Morgan Dominguez, Delphi Community Middle School. Cass: Jodi Aleshire and Derek Sullivan, Southeastern School. Clay: Courtney Brown, Clay City Junior-Senior High School. Crawford: Nicholas Lahue and Nickki Parks, Crawford County Junior-Senior High School. Decatur: Sam Owens and Mika Shook, South Decatur Junior-Senior High School. Franklin: Sydney Browning and Dakota Busch, Mount Carmel School. Gibson: Cecilia Hall, Saint James Catholic School. Hamilton: Trenten Richardson, Carmel Middle School. Hendricks: Jonathan Meredith, Cascade Middle School. Howard: Will Harris and Anna Ortman, Northwestern Middle School.

Jackson: Anne Franke, Immanuel Lutheran School; Christopher Rust, Saint John's Lutheran School. Jay: Brett Laux and Abby Reier, East Jay Middle School. Lake: Mechai Sharks, Our Lady of Grace School; Kyle Venditti, Taft Middle School. Marion: Aiden Foran and Karsyn Gaynor, Immaculate Heart of Mary School. Monroe: Sam Ellis, Bachelor Middle School. Newton: Ross Kindig and Grace Wernert, South Newton Middle School. Owen: Caroline Sebastian, Owen Valley Middle School. Parke: Ross Akers and Bailey Hayes, Rockville Junior-Senior High School. Perry: Izic Holmes, Cannelton City Schools. Pike: Taylor Carlisle, Pike Central Middle School. Porter: Rachel Stoner, Morgan Township Middle School. Rush: Elizabeth Field and Brevin Runnebolun, Benjamin Rush Middle School. Steuben: Andrea Ledgerwood, Prairie Heights Middle School. Switzerland: Jerry Clayton and Destiny Marcum, Switzerland County Middle School. Vanderburgh: Halie Klueg, Thompkins Middle School; Travis Koester, Saint Wendel Catholic School. Wayne: Conner Allen and Amanda Wilson, Centerville Junior High School. White: Zeb Davis and Grace Ringer, Frontier Junior-Senior High School.●

TRIBUTE TO BRIGADIER GENERAL JOHN R. MCMAHON

● Mrs. MURRAY. Mr. President, it is with great privilege that I congratulate BG John R. McMahon, division commander of the Northwest Division of the U.S. Army Corps of Engineers, on his well-deserved retirement after a long and successful career serving our country. Brigadier General McMahon has been stationed with the Northwest Division since 2009, and my staff and I have had the pleasure of working extensively with him during that time.

An example of Brigadier General McMahon's leadership ability was his response to a storm that caused serious damage to the Howard Hanson Dam in King County. The storm raised the flood threat for hundreds of thousands of residents in the Green River Valley, which is home to one of the largest manufacturing and distribution bases on the west coast. Brigadier General McMahon and the Army Corps reacted quickly and decisively to respond and repair right abutment seepage issues and other potential failure modes, allowing the facility to return to normal operation in less than three years.

During his tenure, Brigadier General McMahon addressed the need to replace three lock gates on the Columbia-Snake River navigation system, and that was no small feat. He has also worked extensively to lay the groundwork with the Department of State in preparation for the upcoming renewal of the Columbia River Treaty. Brigadier General McMahon's hard work leaves a strong legacy upon which these important efforts may progress.

Additionally, as we all know, the Missouri River system witnessed some of the worst flooding in history in 2011. Under Brigadier General McMahon's leadership, the Army Corps responded quickly and efficiently to minimize the threats of rising floodwaters and to answer calls for help in repairing the extensive damage caused by these floods. For this, so many are grateful. His professionalism and expertise helped our Nation through this disaster and undoubtedly lessened the destruction and prevented loss of life.

On behalf of all who live in the Pacific Northwest, I thank Brigadier General McMahon for his dedication to the safety and well-being of the people of our region. His knowledge, experience, and tireless effort will be sorely missed. Mr. President, I congratulate General McMahon and wish him and his family the best of luck in their future endeavors.●

REMEMBERING PAUL SANDOVAL

● Mr. UDALL of Colorado. Mr. President, today I wish to honor a great Colorado leader and dear friend, Mr. Paul Sandoval. Two days ago, Paul passed away after a battle with pancreatic cancer, and I want to take this opportunity to honor his tremendous legacy and express my profound sadness at the loss of my dear friend a man who was the consummate public servant. I knew Paul as a fiercely compassionate person, tough yet kind, and he maintained these qualities throughout his battle with cancer.

Paul was a true family man. Known for his modesty and generosity, he gave as much to his family and friends as he did to his community and the State of Colorado. But it is not easy to express

just how much Paul meant to the people of Colorado.

He was perhaps most proud of this crowning achievement: being a tamale maker. He left an indelible impact on the culinary landscape of the State. I won't be the first or last to say this, but Paul's tamale shop, La Casita, makes the best tamales in Denver. People flocked to his restaurant, a landmark in north Denver, not only because of his delicious ''mile high traditional'' tamales but because of the community he created for all who visited. For the past four decades, anyone seeking fresh tamales and stimulating conversation about politics made a visit to Paul's restaurant.

The consummate public servant, Paul was often called the godfather of Colorado politics. He served the State faithfully as a State senator, a member of the Denver school board, and an adviser to elected officials at the local, State and Federal levels. I often relied on Paul's guidance, and I feel the loss of his counsel and friendship deeply.

I admire Paul because he never let partisanship get in the way of a good idea. As a supporter of Democrats, Republicans, and Independents, he valued a person's character and integrity, not party affiliation. Good people make the call to public service worth heeding, and Paul was one of the best. He embodied the Colorado principle that when you work together, things get done for the good of Colorado's families. Paul's example inspires my approach to bipartisanship and collaboration in the Senate today.

Paul's hard-working, entrepreneurial spirit stems from his early life and experiences. He started selling the Denver Post at the age of 6 and was delivering groceries for a local market by the eight grade. At that young age he even tracked down a customer who owed him for a newspaper, then negotiated with the man to pay interest for holding out. His early training in negotiation paid off for Colorado because Paul became one of our State's talented bridge-builders: he formulated commonsense public policy and then brought people together to achieve it.

The son of the founder of a meatpacking union, Paul had politics in his blood and was elected to the Colorado State Senate in 1974. In the Senate, Paul was a champion of many issues, but education issues held a special place in his heart and on his agenda. His leadership ensured the passage of Colorado's first bilingual education bill, and he cofounded the Chicano Education Project to implement bilingual curricula across the State. Paul furthered his commitment to educating Colorado's future leaders by later joining the Denver school board, and he personally set up scholarship funds to support undergraduate and graduate students.

For all of his work and in recognition of his leadership throughout the State, Paul received awards too numerous to recount here. Most recently, he was awarded the Hispanic Chamber of Commerce of Metro Denver's Lifetime Achievement Award. In addition, at this year's Jefferson Jackson Day Dinner, the Colorado Democratic Party honored him with its Lifetime Achievement Award.

My thoughts and prayers are with Paul's beloved wife Paula, his children, and his family, and I share their profound grief at the loss of my dear friend and confidant. But Paul's legacy will endure through the family he cherished, the generations of public servants he mentored, and the gift of inspiration he imparted to all of us.

I can think of no better way to describe Paul than as authentic, a real believer in what people could do through a good education and hard work, and a man who nourished a better political system the same way he nourished us with the best tamales in Denver. Paul Sandoval will be deeply missed but always remembered, for his extraordinary spirit.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and withdrawals which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 10:35 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. 1038. An act to authorize the conveyance of two small parcels of land within the boundaries of the Coconino National Forest containing private improvements that were developed based upon the reliance of the landowners in an erroneous survey conducted in May 1960.

H.R. 2146. An act to amend title 31, United States Code, to require accountability and transparency in Federal spending, and for other purposes.

H.R. 3336. An act to ensure the exclusion of small lenders from certain regulations of the Dodd-Frank Act.

The message further announced that the House disagree to the amendment of the Senate to the bill (H.R. 4348) 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, and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and appoint the following Members as managers of the conference on the part of the House:

From the Committee on Transportation and Infrastructure, for consideration of the House bill (except section 141) and the Senate amendment (except sections 1801, 40102, 40201, 40202, 40204, 40205, 40305, 40307, 40309–40312, 100112–100114, and 100116), and modifications committed to conference: Messrs. MICA, YOUNG of Alaska, DUNCAN of Tennessee, SHUSTER, Mrs. CAPITO, Mr. CRAWFORD, Ms. HERRERA BEUTLER, Messrs. BUCSHON, HANNA, SOUTHERLAND, LANKFORD, RIBBLE, RAHALL, DEFAZIO, COSTELLO, Ms. NORTON, Mr. NADLER, Ms. BROWN of Florida, Messrs. CUMMINGS, BOSWELL, and BISHOP of New York.

From the Committee on Energy and Commerce, for consideration of section 142 and titles II and V of the House bill, and sections 1113, 1201, 1202, subtitles B, C, D, and E of title I of division C, sections 32701–32705, 32710, 32713, 40101, and 40301 of the Senate amendment, and modifications committed to conference: Messrs. UPTON, WHITFIELD, and WAXMAN.

From the Committee on Natural Resources, for consideration of sections 123, 142, 204, and titles III and VI of the House bill, and section 1116, subtitles C, F, and G of title I of division A, section 33009, titles VI and VII of division C, section 40101, subtitles A and B of title I of division F, and section 100301 of the Senate amendment, and modifications committed to conference: Messrs. HASTINGS of Washington, BISHOP of Utah, and MARKEY.

From the Committee on Science, Space, and Technology for consideration of sections 121, 123, 136, and 137 of the House bill, and section 1534, subtitle F of title I of division A, sections 20013, 20014, 20029, 31101, 31103, 31111, 31204, 31504, 32705, 33009, 34008, and division E of the Senate amendment, and modifications committed to conference: Messrs. HALL, CRAVAACK, and Ms. EDDIE BERNICE JOHNSON of Texas.

From the Committee on Ways and Means, for consideration of sections 141 and 142 of the House bill, and sections 1801, 40101, 40102, 40201, 40202, 40204, 40205, 40301–40307, 40309–40314, 100112–100114, and 100116 of the Senate amendment, and modifications committed to conference: Messrs. CAMP, TIBERI, and BLUMENAUER.

MEASURES REFERRED

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

H.R. 1038. An act to authorize the conveyance of two small parcels of land within the boundaries of the Coconino National Forest containing private improvements that were developed based upon the reliance of the landowners in an erroneous survey conducted in May 1960; to the Committee on Energy and Natural Resources.

H.R. 2146. An act to amend title 31, United States Code, to require accountability and transparency in Federal spending, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3336. An act to ensure the exclusion of small lenders from certain regulations of the Dodd-Frank Act; to the Committee on Agriculture, Nutrition, and Forestry.

MEASURES DISCHARGED

The following concurrent resolution was discharged from the Committee on the Budget pursuant to Section 300 of the Congressional Budget Act, and placed on the calendar:

S. Con. Res. 42. A concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2013, revising the appropriate budgetary levels for fiscal year 2012, and setting forth the appropriate budgetary levels for fiscal years 2013 through 2022.

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–5851. A communication from the Acting Director, National Institute of Food and Agriculture, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Hispanic-Serving Agricultural Colleges and Universities (HSACU) Certification Process'' (RIN0524–AA39) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5852. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of fourteen (14) officers authorized to wear the insignia of the grade of major general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–5853. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of four (4) officers authorized to wear the insignia of the grade of major general and brigadier general, respectively, in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–5854. A communication from the Acting Assistant Secretary of Defense (Reserve Affairs), transmitting a report relative to additional Reserve component equipment procurement and military construction; to the Committee on Armed Services.

EC–5855. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Ireland; to the Committee on Banking, Housing, and Urban Affairs.

EC–5856. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to South Africa; to the Committee on Banking, Housing, and Urban Affairs.

EC–5857. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to the Republic of Korea; to the Committee on Banking, Housing, and Urban Affairs.

EC–5858. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Singapore; to the Committee on Banking, Housing, and Urban Affairs.

EC–5859. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to the United Arab Emirates (UAE); to the Committee on Banking, Housing, and Urban Affairs.

EC–5860. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to the Philippines; to the Committee on Banking, Housing, and Urban Affairs.

EC–5861. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Mexico; to the Committee on Banking, Housing, and Urban Affairs.

EC–5862. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Mexico; to the Committee on Banking, Housing, and Urban Affairs.

EC–5863. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Canada, Mexico, Chile, Colombia, Ecuador, China, Philippines, Japan, and South Korea; to the Committee on Banking, Housing, and Urban Affairs.

EC–5864. A communication from the Director of Congressional Affairs, Office of Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Constraint on Releases of Airborne Radioactive Materials to the Environment for Licensees Other than Power Reactors'' (Regulatory Guide 4.20, Revision 1) received in the Office of the President of the Senate on April 24, 2012; to the Committee on Environment and Public Works.

EC–5865. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare and Medicaid Programs; Changes in Provider and Supplier Enrollment, Ordering and Referring, and Documentation Requirements; and Changes in Provider Agreements'' (RIN0938–AQ01) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Finance.

EC–5866. A communication from the Chief Justice of the Supreme Court of the United States, transmitting, pursuant to law, the amendments to the Federal Rules of Bankruptcy Procedure that have been adopted by the Supreme Court of the United States; to the Committee on the Judiciary.

EC–5867. A communication from the Chief Justice of the Supreme Court of the United States, transmitting, pursuant to law, the amendments to the Federal Rules of Criminal Procedure that have been adopted by the Supreme Court of the United States; to the Committee on the Judiciary.

EC–5868. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zone; Passenger Vessel SAFARI EXPLORER Arrival/Departure, Kaunakakai Harbor, Molokai, Hawaii'' ((RIN1625–AA87) (Docket No. USCG–2011–1159)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5869. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zone; On the Waters in Kailua Bay, Oahu, HI'' ((RIN1625–AA87) (Docket No. USCG–2011–1142)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5870. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''West Oahu Offshore Security Zone'' ((RIN1625–AA87) (Docket No. USCG–2011–1048)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5871. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zones; Cruise Ships, San Pedro Bay, California'' ((RIN1625–AA87) (Docket No. USCG–2011–0101)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5872. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Submarine Cable Installation Project; Chicago River South Branch, Chicago, IL'' ((RIN1625–AA00) (Docket No. USCG–2011–1122)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5873. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Eisenhower Expressway Bridge Rehabilitation Project; Chicago River South Branch, Chicago, IL'' ((RIN1625–AA00) (Docket No. USCG–2011–1123)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5874. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zones; New Year's Eve Fireworks Displays within the Captain of the Port Miami Zone, FL'' ((RIN1625–AA00) (Docket No. USCG–2011–1091)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5875. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Upper Mississippi River, Mile 389.4 to 403.1'' ((RIN1625–AA00) (Docket No. USCG–2011–1087)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5876. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; City of Beaufort's Tricentennial New Year's Eve Fireworks Display, Beaufort River, Beaufort, SC'' ((RIN1625–AA00) (Docket No. USCG–2011–1112)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5877. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Sausalito Yacht Club's Annual Lighted Boat Parade and Fireworks Display, Sausalito, CA'' ((RIN1625–AA00) (Docket No.

USCG–2011–0970)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5878. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Power Line Replacement, West Bay, Panama City, FL'' ((RIN1625–AA00) (Docket No. USCG–2011–0983)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5879. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Mississippi River, Mile Marker 230 to Mile Marker 234, in the Vicinity of Baton Rouge, LA'' ((RIN1625–AA00) (Docket No. USCG–2011–0841)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5880. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; New Jersey Intracoastal Waterway (NJICW), Atlantic City, NJ'' ((RIN1625–AA09) (Docket No. USCG–2011–0698)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5881. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Regulated Navigation Area; S99 Alford Street Bridge Rehabilitation Project, Mystic River, MA'' ((RIN1625–AA11) (Docket No. USCG–2011–1125)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5882. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Regulated Navigation Area; Memorial Bridge Construction, Piscataqua River, Portsmouth, NH'' ((RIN1625–AA11) (Docket No. USCG–2011–1097)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5883. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Regulated Navigation Area; Arthur Kill, NY and NJ'' ((RIN1625–AA11) (Docket No. USCG–2011–0727)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5884. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Alternate Tonnage Threshold for Oil Spill Response Vessels'' ((RIN1625–AB82) (Docket No. USCG–2011–0966)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5885. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations and Safety Zones; Recurring Events in Captain of the Port New York Zone'' ((RIN1625–AA00) (Docket No. USCG–2010–1001)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5886. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations; Boca Raton Holiday Boat Parade, Intracoastal Waterway, Boca Raton, FL'' ((RIN1625–AA08) (Docket No. USCG–2011–1078)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5887. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations and Safety Zones; Recurring Events in Captain of the Port Boston Zone'' ((RIN1625–AA08; AA00) (Docket No. USCG–2011–0109)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5888. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries'' (RIN0648–XB116) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5889. A communication from the Deputy Chief Counsel for Regulations and Security Standards, Transportation Security Administration, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Transportation Security Administration Postal Zip Code Change; Technical Amendment'' ((49 CFR Part 1572) (Amendment No. 1572–9)) received in the Office of the President of the Senate on April 23, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5890. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Douglas, AZ'' ((RIN2120–AA66) (Docket No. FAA–2011–1313)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5891. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class D and Class E Airspace, and Establishment of Class E Airspace; Bozeman, MT'' ((RIN2120–AA66) (Docket No. FAA–2011–0783)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5892. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class D and E Airspace; Brooksville, FL'' ((RIN2120–AA66) (Docket No. FAA–2012–0013)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5893. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls-Royce plc Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2011–0959)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5894. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls-Royce plc (RR) Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2010–0562)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5895. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–0997)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5896. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc.'' ((RIN2120–AA64) (Docket No. FAA–2012–0190)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5897. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Thielert Aircraft Engines GmbH (TAE) Reciprocating Engines'' ((RIN2120–AA64) (Docket No. FAA–2009–0201)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5898. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2010–0030)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5899. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–0992)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5900. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–1087)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5901. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Burl A. Rogers (Type Certificate Previously Held by William Brad Mitchell and Aeronca, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–0318)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5902. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0191)) received in the Office of the President of the Senate on April

18, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5903. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–0565)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5904. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2010–1311)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5905. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Robinson Helicopter Company Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2011–0588)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5906. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Pacific Halibut Fisheries; Catch Sharing Plan'' (RIN0648–BB68) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5907. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; Framework Adjustment 23'' (RIN0648–BB51) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5908. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Northeast Multispecies Fishery Management Plan; Secretarial Amendment'' (RIN0648–BB39) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5909. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands; Final 2012 and 2013 Harvest Specifications'' (RIN0648–XA758) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5910. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''2012 Accountability Measures for Gulf of Mexico Commercial Greater Amberjack and Closure of the Commercial Sector for Greater Amberjack'' (RIN0648–XB074) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5911. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pollock in the Bering Sea and Aleutian Islands; Correction'' (RIN0648–XB038) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5912. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Closure'' (RIN0648–XB076) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5913. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Western Pacific Pelagic Fisheries; American Samoa Longline Limited Entry Program'' (RIN0648–XB009) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5914. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Economic Exclusive Zone Off Alaska; Shallow-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska'' (RIN0648–XB122) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5915. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 in the Gulf of Alaska'' (RIN0648–XB149) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5916. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod for American Fisheries Act Catcher/Processors Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XB136) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5917. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XB118) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5918. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in the West Yakutat District in the Gulf of Alaska'' (RIN0648–XB113) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5919. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer'' (RIN0648–XB103) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5920. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Central Regulatory Area of the Gulf of Alaska'' (RIN0648–XB142) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5921. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Standards for Living Organisms in Ships' Ballast Water Discharged in U.S. Waters'' ((RIN1625–AA32) (Docket No. USCG–2001–10486)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5922. A communication from the Program Manager, Centers for Disease Control, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''World Trade Center Health Program Requirements for the Addition of New WTC-Related Health Conditions'' (RIN0920–AA45) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC–5923. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Disclosure of Cochineal Extract and Carmine in the Labeling of Wines, Distilled Spirits, and Malt Beverages'' (RIN1513–AB79) received in the Office of the President of the Senate on April 25, 2012; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KOHL, from the Committee on Appropriations, without amendment:

S. 2375. An original bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and related Agencies programs for the fiscal year ending September 30, 2013, and for other purposes (Rept. No. 112–163).

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

S. 2465. An original bill making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2013, and for other purposes (Rept. No. 112–164).

By Mr. KERRY, from the Committee on Foreign Relations, without amendment:

H.R. 1016. A bill to measure the progress of relief, recovery, reconstruction, and development efforts in Haiti following the earthquake of January 12, 2010, and for other purposes.

By Mr. KERRY, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 401. A resolution expressing appreciation for Foreign Service and Civil Service professionals who represent the United States around the globe.

By Mr. KERRY, from the Committee on Foreign Relations, without amendment:

S. 2224. A bill to require the President to report to Congress on issues related to Syria.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. LEVIN for the Committee on Armed Services.

Air Force nomination of Col. Donald S. Wenke, to be Brigadier General.

Air Force nomination of Lt. Gen. Burton M. Field, to be Lieutenant General.

Air Force nomination of Maj. Gen. Bruce A. Litchfield, to be Lieutenant General.

Air Force nomination of Lt. Gen. Charles R. Davis, to be Lieutenant General.

Air Force nomination of Maj. Gen. Salvatore A. Angelella, to be Lieutenant General.

Air Force nomination of Maj. Gen. James F. Jackson, to be Lieutenant General.

Air Force nomination of Maj. Gen. Andrew E. Busch, to be Lieutenant General.

Army nomination of Colonel Robert P. White, to be Brigadier General.

Army nomination of Col. Steven Ferrari, to be Brigadier General.

Army nominations beginning with Col. Kristin K. French and ending with Col. Walter E. Piatt, which nominations were received by the Senate and appeared in the Congressional Record on January 23, 2012.

Army nomination of Lt. Gen. Dennis L. Via, to be General.

Army nomination of Col. Todd A. Plimpton, to be Brigadier General.

Army nomination of Maj. Gen. Patricia E. McQuistion, to be Lieutenant General.

Army nomination of Maj. Gen. Raymond P. Palumbo, to be Lieutenant General.

Army nomination of Lt. Gen. Robert P. Lennox, to be Lieutenant General.

Army nomination of Maj. Gen. Robert B. Brown, to be Lieutenant General.

Army nomination of Maj. Gen. Jeffrey W. Talley, to be Lieutenant General.

Navy nomination of Capt. Eric C. Young, to be Rear Admiral (lower half).

Navy nomination of Rear Adm. (lh) Terry B. Kraft, to be Rear Admiral.

Navy nomination of Rear Adm. (lh) Bryan P. Cutchen, to be Rear Admiral.

Navy nomination of Rear Adm. (lh) Jonathan W. White, to be Rear Admiral.

Navy nominations beginning with Rear Adm. (lh) Richard P. Breckenridge and ending with Rear Adm. (lh) Herman A. Shelanski, which nominations were received by the Senate and appeared in the Congressional Record on March 19, 2012.

Navy nomination of Vice Adm. Mark I. Fox, to be Vice Admiral.

Mr. LEVIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Air Force nominations beginning with Jennifer M. Agulto and ending with Kathryn W. Weiss, which nominations were received by the Senate and appeared in the Congressional Record on February 16, 2012.

Air Force nominations beginning with Mario Abejero and ending with Carl R. Young, Jr., which nominations were received by the Senate and appeared in the Congressional Record on February 16, 2012.

Air Force nominations beginning with Richard E. Aaron and ending with Eric D. Zimmerman, which nominations were received by the Senate and appeared in the Congressional Record on February 16, 2012.

Army nomination of Carol A. Fensand, to be Major.

Army nominations beginning with Kelley R. Barnes and ending with David L. Gardner, which nominations were received by the Senate and appeared in the Congressional Record on March 19, 2012.

Army nomination of Troy W. Ross, to be Colonel.

Army nomination of Sean D. Pitman, to be Major.

Army nomination of Walter S. Carr, to be Major.

Army nomination of Marc E. Patrick, to be Major.

Army nomination of Demetres Williams, to be Major.

Army nominations beginning with Alyssa Adams and ending with Donald L. Potts, which nominations were received by the Senate and appeared in the Congressional Record on March 19, 2012.

Army nomination of James M. Veazey, Jr., to be Colonel.

Army nomination of Shari F. Shugart, to be Major.

Army nominations beginning with Daniel A. Galvin and ending with Thomas J. Sears, which nominations were received by the Senate and appeared in the Congressional Record on March 21, 2012.

Army nominations beginning with Anthony R. Camacho and ending with Richard J. Sloma, which nominations were received by the Senate and appeared in the Congressional Record on March 21, 2012.

Army nominations beginning with James M. Bledsoe and ending with Daniel J. Young, which nominations were received by the Senate and appeared in the Congressional Record on March 21, 2012.

Army nominations beginning with John R. Abella and ending with D010584, which nominations were received by the Senate and appeared in the Congressional Record on March 21, 2012.

Army nominations beginning with Drew Q. Abell and ending with G010092, which nominations were received by the Senate and appeared in the Congressional Record on March 21, 2012.

Army nominations beginning with Edward C. Adams and ending with D011050, which nominations were received by the Senate and appeared in the Congressional Record on March 21, 2012.

Marine Corps nomination of Juan M. Ortiz, Jr., to be Lieutenant Colonel.

Navy nomination of David T. Carpenter, to be Captain.

Navy nomination of Michael Junge, to be Captain.

Navy nomination of Marc E. Bernath, to be Commander.

Navy nomination of Steven A. Khalil, to be Lieutenant Commander.

Navy nomination of Ashley A. Hockycko, to be Lieutenant Commander.

Navy nomination of Jason A. Langham, to be Commander.

Navy nomination of Will J. Chambers, to be Commander.

Navy nominations beginning with Patrick J. Fox, Jr. and ending with Leslie H. Trippe, which nominations were received by the Senate and appeared in the Congressional Record on March 21, 2012.

By Mr. BINGAMAN for the Committee on Energy and Natural Resources.

*Marcilynn A. Burke, of North Carolina, to be an Assistant Secretary of the Interior.

*Adam E. Sieminski, of Pennsylvania, to be Administrator of the Energy Information Administration.

*Anthony T. Clark, of North Dakota, to be a Member of the Federal Energy Regulatory Commission for the term expiring June 30, 2016.

*John Robert Norris, of Iowa, to be a Member of the Federal Energy Regulatory Commission for the term expiring June 30, 2017.

By Mr. KERRY for the Committee on Foreign Relations.

*Michael A. Raynor, of Maryland, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Benin.

Nominee Michael A. Raynor.

Post Cotonou, Benin.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: none.

2. Spouse: Kathleen M. Raynor: $25, 9/2008, Barack Obama.

3. Children and Spouses: Bradley J. Raynor: none; Emma C. Raynor: none.

4. Parents: Albert P. Raynor—deceased; Margaret B. Raynor—deceased.

5. Grandparents: Albert B. Raynor—deceased; Hazel P. Raynor—deceased; William Bradley—deceased; Beatrice Bradley—deceased.

6. Brothers and Spouses: Gregory P. Raynor—none; Geoffrey B. Raynor—deceased.

7. Sisters and Spouses: Catherine L. Raynor—none.

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*Scott H. DeLisi, of Minnesota, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Uganda.

Nominee: Scott H. DeLisi.

Post: Kampala, Uganda.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self $112.58, Oct. 2008, Obama Presidential Campaign '08; $20.00, Dec. 2011, Obama for America.

2. Spouse: Leija C. DeLisi: $80.00, Oct. 2008, Obama Presidential Campaign '08.

3. Children and Spouses: Daughter/Son-in-law: Tjama & Joe Saitta: $75.00, Oct. 2008, Obama Presidential Campaign '08; Son: Anthony DeLisi: $120.00, Oct. 2008, Obama Presidential Campaign '08; Son: Joe DeLisi: None.

4. Parents: Glorie A. DeLisi: $75.00, Oct. 2008, Obama Presidential Campaign '08; Joseph DeLisi (deceased), none.

5. Grandparents: Agostino & Antonella DeLisi (deceased), none; Elmer & Katherine Minea (deceased), none.

6. Brothers and Spouses: Andrew & Ida DeLisi: none; Daniel (deceased) & Jill DeLisi: none.

7. Sisters and Spouses: Sister: Deborah Hannigan: $2,200.00, Oct. 2008, Obama Presidential Campaign '08; Brother-in-Law: James Hannigan: $500.00, Oct. 2008, Obama Presidential Campaign '08; Christine & Edmond Perz: none; Martha & David Bogie: none.

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*Makila James, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Swaziland.

Nominee: Makila James

Post: Swaziland

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: none.

2. Spouse: $100.00, 2008, Barak Obama.

3. Children and Spouses: Louis Wells (spouse)

4. Parents: Eddie Mae James (mother) and Albert James (father) both deceased.

5. Grandparents: Cora Lester (grandmother); Lucius Lester (grandfather), Nellie James (grandmother), and Tal James (grandfather)—all deceased.

6. Brothers and Spouses: Albert James (brother) and Avonell James (sister-in-law): none.

7. Sisters and Spouses: Names: Helen Garrett (sister): none. Rosetta James (sister): $247.00, 2008, Hillary Clinton for President; $205.00, 2008, Obama Victory Fund; Patricia Boatner (sister) and Arnold Boatner (brother-in-law): none; Cynthia Jenkins (sister): none; Linda James (sister): none; Lisa Wise (sister) and Tony Wise (brother-in-law): none; Felice James (sister): none.

Mr. KERRY. Mr. President, for the Committee on Foreign Relations I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Foreign Service nominations beginning with Robert E. Drapcho and ending with Robert P. Schmidt, Jr., which nominations were received by the Senate and appeared in the Congressional Record on February 13, 2012.

Foreign Service nominations beginning with Kathryn E. Abate and ending with Timothy J. Riley, which nominations were received by the Senate and appeared in the Congressional Record on February 29, 2012.

By Mr. LEAHY for the Committee on the Judiciary.

Gonzalo P. Curiel, of California, to be United States District Judge for the Southern District of California.

Robert J. Shelby, of Utah, to be United States District Judge for the District of Utah.

Michael P. Shea, of Connecticut, to be United States District Judge for the District of Connecticut.

By Mrs. MURRAY for the Committee on Veterans' Affairs.

*Margaret Bartley, of Maryland, to be a Judge of the United States Court of Appeals for Veterans Claims for the term of fifteen years.

*Coral Wong Pietsch, of Hawaii, to be a Judge of the United States Court of Appeals for Veterans Claims for the term of fifteen years.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(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. WHITEHOUSE (for himself and Mr. GRASSLEY):

S. 2370. A bill to amend title 11, United States Code, to make bankruptcy organization more efficient for small business debtors, and for other purposes; to the Committee on the Judiciary.

By Mr. RUBIO (for himself, Mr. VITTER, Mr. DEMINT, and Mr. LEE):

S. 2371. A bill to amend the National Labor Relations Act to permit employers to pay higher wages to their employees; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BURR (for himself and Mrs. HAGAN):

S. 2372. A bill to authorize pedestrian and motorized vehicular access in Cape Hatteras National Seashore Recreational Area, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. VITTER:

S. 2373. A bill to improve the consideration by the Securities and Exchange Commission of the costs and benefits of its regulations and orders; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BINGAMAN (for himself, Mr. BARRASSO, Mr. WYDEN, and Mr. ENZI):

S. 2374. A bill to amend the Helium Act to ensure the expedient and responsible drawdown of the Federal Helium Reserve in a manner that protects the interests of private industry, the scientific, medical, and industrial communities, commercial users, and Federal agencies, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. KOHL:

S. 2375. An original bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and related Agencies programs for the fiscal year ending September 30, 2013, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Ms. SNOWE (for herself and Ms. CANTWELL):

S. 2376. A bill to recognize and clarify the authority of the States to regulate air ambulance medical standards pursuant to their authority over the regulation of health care services within their borders, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. GILLIBRAND:

S. 2377. A bill to provide to the Administrator of the Animal and Plant Health Inspection Service of the Department of Agriculture expedited authority to remove geese that threaten aircraft; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. ROCKEFELLER:

S. 2378. A bill to suspend temporarily the duty on vacuum-grade ferroniobium or ferrocolombium; to the Committee on Finance.

By Mr. ROCKEFELLER:

S. 2379. A bill to reduce temporarily the duty on manganese flake containing at least 99.5 percent by weight of manganese; to the Committee on Finance.

By Mr. ROCKEFELLER:

S. 2380. A bill to reduce temporarily the duty on ferroniobium; to the Committee on Finance.

By Mr. ROCKEFELLER:

S. 2381. A bill to suspend temporarily the duty on mixtures containing imidacloprid and thiodicarb; to the Committee on Finance.

By Mr. ROCKEFELLER:

S. 2382. A bill to suspend temporarily the duty on mixtures containing methyl 4-({[(3-methoxy-4-methyl-5-oxo-4,5-dihydro-1H-1,2,4-triazol-1-yl)carbonyl]-amino}sulfonyl)-5-methylthiophene-3-carboxylate, isoxaflutole, and cyprosulfamide; to the Committee on Finance.

By Mr. ROCKEFELLER:

S. 2383. A bill to modify and extend the temporary reduction of duty on mixtures of imidacloprid with application adjuvants; to the Committee on Finance.

By Mr. ROCKEFELLER:

S. 2384. A bill to reduce temporarily the duty on mixtures containing Imidacloprid and cyfluthrin or its B-cyfluthrin isomer; to the Committee on Finance.

By Mr. ROCKEFELLER:

S. 2385. A bill to suspend temporarily the duty on Imidacloprid; to the Committee on Finance.

By Mr. ROCKEFELLER:

S. 2386. A bill to reduce temporarily the duty on Penflufen; to the Committee on Finance.

By Mr. PRYOR:

S. 2387. A bill to amend the Food, Conservation, and Energy Act of 2008 to require the Secretary of Agriculture to acknowledge that the Department is considering or rejecting a civil rights claim not later than 45 days after receipt of the claim and, once considering a claim, to process all civil rights complaints within 270 days; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BEGICH (for himself, Mr. INOUYE, Ms. SNOWE, Ms. MURKOWSKI, and Mr. WHITEHOUSE):

S. 2388. A bill to reauthorize and amend the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BEGICH (for himself, Ms. MURKOWSKI, Mr. TESTER, and Mr. CRAPO):

S. 2389. A bill to deem the submission of certain claims to an Indian Health Service contracting officer as timely; to the Committee on Indian Affairs.

By Mr. GRAHAM:

S. 2390. A bill to direct the Attorney General to revise certain rules under titles II and III of the Americans with Disabilities Act of 1990 relating to accessible means of entry to pools; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. SHAHEEN:

S. 2391. A bill to extend the temporary suspension of duty on bitolylene diisocyanate; to the Committee on Finance.

By Mr. CARDIN:

S. 2392. A bill to suspend temporarily the duty on ginger extracted oleoresin; to the Committee on Finance.

By Mr. CARDIN:

S. 2393. A bill to suspend temporarily the duty on celery extracted oleoresin; to the Committee on Finance.

By Mr. CARDIN:

S. 2394. A bill to suspend temporarily the duty on capsicum extracted oleoresin; to the Committee on Finance.

By Mr. CARDIN:

S. 2395. A bill to suspend temporarily the duty on cassia extracted oleoresin; to the Committee on Finance.

By Mr. CARDIN:

S. 2396. A bill to suspend temporarily the duty on turmeric extracted oleoresin; to the Committee on Finance.

By Mr. CARDIN:

S. 2397. A bill to suspend temporarily the duty on white pepper extracted oleoresin; to the Committee on Finance.

By Mr. CARDIN:

S. 2398. A bill to suspend temporarily the duty on black pepper extracted oleoresin; to the Committee on Finance.

By Mrs. MURRAY:

S. 2399. A bill to suspend temporarily the duty on sports footwear for persons other than men or women, valued at $12/pair or higher, other than ski-boots, cross-country ski footwear and snowboard boots; to the Committee on Finance.

By Mrs. MURRAY:

S. 2400. A bill to suspend temporarily the duty on sports footwear for men (other than ski-boots, cross-country ski footwear and snowboard boots), valued $12/pair or higher, with spikes; to the Committee on Finance.

By Mrs. MURRAY:

S. 2401. A bill to suspend temporarily the duty on sports footwear for women (other than ski-boots, cross-country ski footwear, snowboard boots and golf shoes), with spikes; to the Committee on Finance.

By Mrs. MURRAY:

S. 2402. A bill to suspend temporarily the duty on sports footwear for men (other than ski-boots, cross-country ski footwear, snowboard boots and golf shoes), with spikes; to the Committee on Finance.

By Mrs. MURRAY:

S. 2403. A bill to suspend temporarily the duty on sports footwear for persons other than men (other than ski-boots, cross-country ski footwear and snowboard boots), valued $12/pair or higher, with spikes; to the Committee on Finance.

By Mr. KOHL (for himself and Mr. JOHNSON of Wisconsin):

S. 2404. A bill to authorize the award of the Medal of Honor to First Lieutenant Alonzo H. Cushing for acts of valor during the Civil War; to the Committee on Armed Services.

By Mr. LIEBERMAN:

S. 2405. A bill to suspend temporarily the duty on thermoplastic biodegradable polymer blend; to the Committee on Finance.

By Mr. LIEBERMAN:

S. 2406. A bill to suspend temporarily the duty on thermoplastic biodegradable polymer blend; to the Committee on Finance.

By Mr. LIEBERMAN:

S. 2407. A bill to suspend temporarily the duty on thermoplastic biodegradable polymer blend; to the Committee on Finance.

By Mr. SCHUMER:

S. 2408. A bill to suspend temporarily the duty on lenses for digital cameras with a focal length 55 mm or more but not over 300 mm; to the Committee on Finance.

By Mr. SCHUMER:

S. 2409. A bill to suspend temporarily the duty on lightweight digital camera lenses measuring approximately 10 mm or more; to the Committee on Finance.

By Mr. SCHUMER:

S. 2410. A bill to suspend temporarily the duty on lightweight digital camera lenses measuring approximately 70mm or more; to the Committee on Finance.

By Mr. SCHUMER:

S. 2411. A bill to suspend temporarily the duty on lightweight digital camera lenses measuring approximately 55 mm or more; to the Committee on Finance.

By Mr. SCHUMER:

S. 2412. A bill to extend the temporary suspension of duty on certain digital camera lenses not exceeding 765.5 grams in weight; to the Committee on Finance.

By Mr. SCHUMER:

S. 2413. A bill to extend temporary suspension of duty on certain plastic lamp-holder housings; to the Committee on Finance.

By Mr. SCHUMER:

S. 2414. A bill to extend the temporary suspension of duty on certain porcelain lamp-holder housings; to the Committee on Finance.

By Mr. SCHUMER:

S. 2415. A bill to extend the temporary suspension of duty on certain aluminum lamp-holder housings; to the Committee on Finance.

By Mr. SCHUMER:

S. 2416. A bill to extend the temporary suspension of duty on certain brass lamp-holder housings; to the Committee on Finance.

By Mr. SCHUMER:

S. 2417. A bill to suspend temporarily the duty on certain occupancy sensors; to the Committee on Finance.

By Mr. SCHUMER:

S. 2418. A bill to suspend temporarily the duty on certain electrical connectors; to the Committee on Finance.

By Mr. SCHUMER:

S. 2419. A bill to suspend temporarily the duty on certain time switches; to the Committee on Finance.

By Mr. SCHUMER:

S. 2420. A bill to suspend temporarily the duty on certain surge protectors; to the Committee on Finance.

By Mr. SCHUMER:

S. 2421. A bill to suspend temporarily the duty on certain tamper resistant ground fault circuit interrupters; to the Committee on Finance.

By Mr. SCHUMER:

S. 2422. A bill to suspend temporarily the duty on certain adjustable metal lighting fixtures; to the Committee on Finance.

By Mr. SCHUMER:

S. 2423. A bill to suspend temporarily the duty on nightlights of plastic; to the Committee on Finance.

By Mr. SCHUMER:

S. 2424. A bill to extend the temporary suspension of duty on mixtures containing n-butyl-1,2-benzisothiazolin-3-one, 1-hydroxypyridine-2-thione, zinc salt, and application adjuvants; to the Committee on Finance.

By Mr. SCHUMER:

S. 2425. A bill to extend the temporary suspension of duty on mixtures containing n-butyl-1,2-benzisothiazolin-3-one and application adjuvants; to the Committee on Finance.

By Mr. SCHUMER:

S. 2426. A bill to suspend temporarily the duty on p-toluenesulfonamide; to the Committee on Finance.

By Mr. SCHUMER:

S. 2427. A bill to suspend temporarily the duty on instant print film for analog photography; to the Committee on Finance.

By Mr. SCHUMER:

S. 2428. A bill to suspend temporarily the duty on cyflufenamid; to the Committee on Finance.

By Mr. SCHUMER:

S. 2429. A bill to extend the temporary suspension of duty on tebufenozide; to the Committee on Finance.

By Mr. SCHUMER:

S. 2430. A bill to extend the temporary reduction of duty on Acetamiprid, whether or not mixed with application adjuvants; to the Committee on Finance.

By Mr. SCHUMER:

S. 2431. A bill to extend the temporary suspension of duty on cis-3-hexen-1-ol; to the Committee on Finance.

By Mr. SCHUMER:

S. 2432. A bill to extend the temporary suspension of duty on Helional; to the Committee on Finance.

By Mr. SCHUMER:

S. 2433. A bill to extend the temporary suspension of duty on magnesium zinc aluminum hydroxide carbonate coated with stearic acid; to the Committee on Finance.

By Mr. SCHUMER:

S. 2434. A bill to extend the temporary suspension of duty on magnesium aluminum hydroxide carbonate (synthetic hydrotalcite) and magnesium aluminum hydroxide carbonate (synthetic hydrotalcite) coated with stearic acid; to the Committee on Finance.

By Mr. SCHUMER:

S. 2435. A bill to extend the temporary suspension of duty on C12-18 alkenes, polymers (TPX) with 4-methyl-1-pentene; to the Committee on Finance.

By Mr. SCHUMER:

S. 2436. A bill to extend the temporary suspension of duty on cyanuric chloride; to the Committee on Finance.

By Mr. SCHUMER:

S. 2437. A bill to extend the temporary suspension of duty on sodium hypophosphite monohydrate; to the Committee on Finance.

By Mr. SCHUMER:

S. 2438. A bill to extend the temporary suspension of duty on sorbic acid; to the Committee on Finance.

By Mr. SCHUMER:

S. 2439. A bill to renew the temporary suspension of duty on potassium sorbate; to the Committee on Finance.

By Mr. SCHUMER:

S. 2440. A bill to renew the temporary suspension of duty on N-propyl gallate; to the Committee on Finance.

By Mr. SCHUMER:

S. 2441. A bill to suspend temporarily the duty on thiourea dioxide; to the Committee on Finance.

By Mr. SCHUMER:

S. 2442. A bill to suspend temporarily the duty on 12-hydroxystearic acid; to the Committee on Finance.

By Mr. SCHUMER:

S. 2443. A bill to suspend temporarily the duty on sodium ferrocyanide; to the Committee on Finance.

By Mr. SCHUMER:

S. 2444. A bill to reduce temporarily the duty on certain ceramic frit rings; to the Committee on Finance.

By Mr. SCHUMER:

S. 2445. A bill to reduce temporarily the duty on certain metal iodide pellets; to the Committee on Finance.

By Mr. SCHUMER:

S. 2446. A bill to suspend temporarily the duty on leather footwear for women with uppers other than of pigskin, valued $35/pair or higher; to the Committee on Finance.

By Mr. SCHUMER:

S. 2447. A bill to suspend temporarily the duty on leather footwear for women with uppers other than of pigskin (other than house slippers, work footwear, tennis shoes, basketball shoes and the like), valued $20/pair or higher; to the Committee on Finance.

By Mr. SCHUMER:

S. 2448. A bill to suspend temporarily the duty on footwear for women (other than house slippers, tennis shoes, basketball shoes, gym shoes, training shoes and the like and other than work footwear), valued $15/pair or higher; to the Committee on Finance.

By Mr. SCHUMER:

S. 2449. A bill to suspend temporarily the duty on nonenumerated footwear for women, valued $25/pair or higher; to the Committee on Finance.

By Mr. SCHUMER:

S. 2450. A bill to suspend temporarily the duty on nonenumerated footwear with textile uppers for women, other than house slippers, valued $13/pair or higher; to the Committee on Finance.

By Mr. SCHUMER:

S. 2451. A bill to suspend temporarily the duty on footwear other than house slippers, for women, valued $9.00/pair or higher; to the Committee on Finance.

By Mr. SCHUMER:

S. 2452. A bill to suspend temporarily the duty on women's belts of leather or composition leather, each valued $7.00 or higher; to the Committee on Finance.

By Mr. SCHUMER:

S. 2453. A bill to suspend temporarily the duty on necklaces or bracelets, other than necklaces or bracelets containing jadeites or rubies, valued $10 each or higher; to the Committee on Finance.

By Mr. SCHUMER:

S. 2454. A bill to suspend temporarily the duty on imitation jewelry earrings; to the Committee on Finance.

By Mr. SCHUMER:

S. 2455. A bill to suspend temporarily the duty on imitation jewelry necklaces or bracelets, valued $10 each or higher; to the Committee on Finance.

By Mr. SCHUMER:

S. 2456. A bill to extend the temporary suspension of duty on sodium hypophosphite monohydrate; to the Committee on Finance.

By Mr. SCHUMER:

S. 2457. A bill to suspend temporarily the duty on anatase titanium dioxide; to the Committee on Finance.

By Mr. SCHUMER:

S. 2458. A bill to suspend temporarily the duty on germanium unwrought; to the Committee on Finance.

By Mr. SCHUMER:

S. 2459. A bill to suspend temporarily the duty on germanium oxides; to the Committee on Finance.

By Mr. SCHUMER:

S. 2460. A bill to suspend temporarily the duty on gallium unwrought; to the Committee on Finance.

By Mr. SCHUMER:

S. 2461. A bill to renew and modify the temporary suspension of duty on certain low expansion stoppers, lids, and other closures; to the Committee on Finance.

By Mr. SCHUMER:

S. 2462. A bill to renew and modify the temporary reduction of duty on certain low expansion laboratory glassware; to the Committee on Finance.

By Mr. LEVIN:

S. 2463. A bill to suspend temporarily the duty on fireworks (Class 1 .4G), other than display or special fireworks; to the Committee on Finance.

By Mr. LEVIN:

S. 2464. A bill to suspend temporarily the duty on display or special fireworks (Class 1.3G); to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 2465. An original bill making appropriations for energy and water 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 Mr. TESTER:

S. 2466. A bill to amend title 10, United States Code, to authorize the provision of behavioral health readiness services to certain members of the Selected Reserve of the Armed Forces based on need, and for other purposes; to the Committee on Armed Services.

By Mr. LEVIN (for himself and Mr. MCCAIN) (by request):

S. 2467. A bill to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for fiscal year 2013, and for other purposes; to the Committee on Armed Services.

By Mr. BINGAMAN (for himself and Mr. UDALL of New Mexico):

S. 2468. A bill to establish the Columbine-Hondo Wilderness in the State of New Mexico, to provide for the conveyance of certain parcels of National Forest System land in the State, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HELLER:

S. 2469. A bill to prohibit an agency or department of the United States from establishing or implementing an internal policy that discourages or prohibits the selection of a resort or vacation destination as the location for a conference or event, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

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

S. 2470. A bill to amend title 13, United States Code, to provide for the more accurate and complete enumeration of members of the Armed Forces in any tabulation of total population by the Secretary of Commerce, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. HATCH (for himself and Mr. LEE):

S. 2471. A bill to provide for the conveyance of a small parcel of National Forest System land in the Uinta-Wasatch-Cache National Forest in Utah to Brigham Young University, and for other purposes; to the Committee on Energy and Natural Resources.

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

S. 2472. A bill to provide for the issuance and sale of a semipostal by the United States Postal Service for research and demonstration projects relating to autism spectrum disorders; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LEE (for himself, Mr. BARRASSO, Ms. MURKOWSKI, Mr. PAUL, and Mr. HATCH):

S. 2473. A bill to prohibit the establishment of new units of the National Forest System, National Park System, National Wildlife Refuge System, National Wild and Scenic Rivers System, National Trails System, National Wilderness Preservation System, or any other system established by Federal law, or any national conservation or national recreation area without approval of the applicable State legislature; to the Committee on Energy and Natural Resources.

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

S. 2474. A bill to improve the health of minority individuals, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BROWN of Ohio:

S. 2475. A bill to extend the temporary suspension of duty on Mixtures of N'-(3,4-dichloro-phenyl)-N,Ndimethylurea with acrylate rubber; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2476. A bill to suspend temporarily the duty on mixture of 1-(1,2,3,4,5,6,7,8-octahydro-2,3,8,8-tetramethyl-2-naphthalenyl)-ethan-1-one (and isomers); to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2477. A bill to suspend temporarily the duty on certain warp knit open-work fabric; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2478. A bill to extend the temporary suspension of duty on 4,8-dicyclohexyl -6-2,10-dimethyl -12 H-dibenzo[d,g][1,3,2]-dioxaphosphocin); to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2479. A bill to extend the temporary suspension of duty on o-Chloro-p-toluidine (3-chloro-4-methylaniline); to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2480. A bill to suspend tempoarily the duty on 4-vinylbenzenesulfonic acid, lithium salt; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2481. A bill to extend the temporary suspension of duty on 1-octadecanaminium, N,N-dimethyl-N-octadecyl-,(Sp-4-2)-[29H,31H-phthalocyanine-2-sulfonato(3-)-kN29,kN30,kN31, kN32]cuprate(1-); to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2482. A bill to suspend temporarily the duty on 4-vinylbenzenesulfonic acid, sodium salt hydrate; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2483. A bill to suspend temporarily the duty on 1,3-propanediaminium, N-[3-[[[dimethyl[3- [2-methyl-1- oxo-2- propenyl) amino] propyl] ammonio] acetyl]amino] propyl] -2- hydroxy- N,N,N',N',N'-pentamethyl-, trichloride, polymer with 2-propenamide; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2484. A bill to suspend temporarily the duty on p-toluidine; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2485. A bill to suspend temporarily the duty on certain plastic laminate sheets consisting of layers of polyethylene film, polyethylene coextrusion copolymer of low density polyethylene and ethylene acrylic acid, and aluminum foil; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2486. A bill to suspend temporarily the duty on Ethylene-Propylene polymer; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2487. A bill to suspend temporarily the duty on 2-cyclo-hexylidene-2-phenyl-acetonitrile; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2488. A bill to reduce temporarily the duty on frames and mountings for spectacles, goggles, or the like; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2489. A bill to extend the temporary suspension of duty on mixtures of caprolactam disulfide with an elastomer binder of ethylene-propylene-diene monomer and ethyl vinyl acetate, and dispersing agents; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2490. A bill to suspend temporarily the duty on 3-trifluoromethyl-4-nitrophenol; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2491. A bill to extend the temporary suspension of duty on Copper Phthalocyanine Green 7, Crude; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2492. A bill to suspend temporarily the duty on sodium thiocyanate; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2493. A bill to suspend temporarily the duty on 1,3,5-triazine-2,4,6-triamine, polymer with formaldehyde; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2494. A bill to renew the temporary suspension of duty on 2-oxepanone, polymer with aziridine and tetrahydro-2H-pyran-2-one, dodecanoate ester; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2495. A bill to suspend temporarily the duty on certain clearcoat lacquer; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2496. A bill to extend the temporary suspension of duty on mixtures of zinc dicyanato diamine with an elastomer binder of ethylene-propylene-diene monomer and ethyl vinyl acetate, and dispersing agents; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2497. A bill to suspend temporarily the duty on mixtures of polyethylene glycol, C16–C18 fatty acids, and C2–C6 aliphatic hydrocarbons; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2498. A bill to extend the temporary suspension of duty on 4,4'-oxydiphthalic anhydride; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2499. A bill to suspend temporarily the duty on a mixture of alkali metal phenate, mineral oil, and p-Dodecylphenol; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2500. A bill to extend the temporary suspension of duty on 3-methyl-4-(2,6,6-trimethylcyclohex-2-enyl)but-3-en-2-one(Methylionone); to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2501. A bill to extend the temporary suspension of duty on mixtures of (acetato) pentammine cobalt dinitrate with a polymeric or paraffinic carrier; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2502. A bill to suspend temporarily the duty on benzene, polypropene derivatives; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2503. A bill to extend the temporary suspension of duty on 1,3-Bis(4-aminophenoxy)benzene (RODA); to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2504. A bill to suspend temporarily the duty on D-Galacto-D-mannan, 2-hydroxy-3-(trimethylammonio)propyl ether, chloride (83589-59-7), 1-Propanaminium, 2,3-dihydroxy-N,N,N-trimethyl-, chloride (34004-36-9) and water; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2505. A bill to extend the temporary suspension of duty on mixtures of benzenesulfonic acid, dodecyl-, with 2-aminoethanol and Poly (oxy-1,2-ethanediyl), a-[1-oxo-9- octadecenyl]- w-hydroxy-, (9Z); to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2506. A bill to suspend temporarily the duty on D-Galacto-D-mannan; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2507. A bill to reduce temporarily the duty on parts of frames and mountings for spectacles, goggles, or the like; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. UDALL of Colorado (for himself, Mr. CORNYN, Mr. MENENDEZ, Mr. BINGAMAN, Mr. REID, Mr. BENNET, Mr. AKAKA, Ms. STABENOW, Mrs. FEINSTEIN, and Mrs. HUTCHISON):

S. Res. 440. A resolution recognizing the historic significance of the Mexican holiday of Cinco de Mayo; to the Committee on the Judiciary.

By Mr. ROCKEFELLER (for himself, Mrs. HUTCHISON, Ms. KLOBUCHAR, Mr. PRYOR, and Mr. THUNE):

S. Res. 441. A resolution expressing support for the designation of May 2012 as National Youth Traffic Safety Month; considered and agreed to.

By Mr. JOHANNS (for himself and Mr. NELSON of Nebraska):

S. Res. 442. A resolution celebrating the 140th anniversary of Arbor Day; considered and agreed to.

By Mr. NELSON of Florida (for himself, Mr. RUBIO, and Mr. MENENDEZ):

S. Res. 443. A resolution honoring the life and legacy of Auxiliary Bishop Agustin Roman; considered and agreed to.

By Ms. KLOBUCHAR (for herself and Mr. THUNE):

S. Res. 444. A resolution designating the week of May 1 through May 7, 2012, as ''National Physical Education and Sport Week''; considered and agreed to.

By Mrs. MCCASKILL (for herself and Mr. BLUNT):

S. Res. 445. A resolution expressing support for the designation of May 1, 2012, as ''Silver Star Service Banner Day''; considered and agreed to.

By Mr. RUBIO (for himself, Mr. MCCAIN, Mr. JOHANNS, and Ms. AYOTTE):

S. Res. 446. A resolution expressing the Senate of the Senate that the United Nations and other intergovernmental organizations should not be allowed to exercise control over the Internet; to the Committee on Foreign Relations.

By Mr. PAUL:

S. Con. Res. 42. A concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2013, revising the appropriate budgetary levels for fiscal year 2012, and setting forth the appropriate budgetary levels for fiscal years 2013 through 2022; placed on the calendar.

By Mr. REID:

S. Con. Res. 43. A concurrent resolution providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives; considered and agreed to.

ADDITIONAL COSPONSORS

S. 207

At the request of Mr. KOHL, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 207, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to enhance the COPS ON THE BEAT grant program, and for other purposes.

S. 250

At the request of Mr. LEAHY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 250, a bill to protect crime victims' rights, to eliminate the substantial backlog of DNA samples collected from crime scenes and convicted offenders, to improve and expand the DNA testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA testing technologies, to develop new training programs regarding the collection and use of DNA evidence, to provide post conviction testing of DNA evidence to exonerate the innocent, to improve the performance of counsel in State capital cases, and for other purposes.

S. 434

At the request of Mr. COCHRAN, the name of the Senator from Kansas (Mr. MORAN) 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. 491

At the request of Mr. PRYOR, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 491, a bill to amend title 38, United States Code, to recognize the service in the reserve components of the Armed Forces of certain persons by honoring them with status as veterans under law, and for other purposes.

S. 722

At the request of Mr. WYDEN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 722, a bill to strengthen and protect Medicare hospice programs.

S. 750

At the request of Mr. DURBIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 750, a bill to reform the financing of Senate elections, and for other purposes.

S. 889

At the request of Mr. ROCKEFELLER, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 889, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Mother's Day.

S. 1133

At the request of Mr. WYDEN, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 1133, a bill to prevent the evasion of antidumping and countervailing duty orders, and for other purposes.

S. 1162

At the request of Mr. DEMINT, the names of the Senator from Oklahoma (Mr. COBURN), the Senator from Pennsylvania (Mr. TOOMEY), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Indiana (Mr. COATS), the Senator from Louisiana (Mr. VITTER), the Senator from Utah (Mr. LEE) and the Senator from New Hampshire (Ms. AYOTTE) were added as cosponsors of S. 1162, a bill to authorize the International Trade Commission to develop and recommend legislation for temporarily suspending duties, and for other purposes.

S. 1202

At the request of Mr. LEAHY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1202, a bill to amend the Immigration and Nationality Act to reaffirm the United States' historic commitment to protecting refugees who are fleeing persecution or torture.

S. 1301

At the request of Mr. LEAHY, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 1301, a bill to authorize appropriations for fiscal years 2012 through 2015 for the Trafficking Victims Protection Act of 2000, to enhance measures to combat trafficking in persons, and for other purposes.

S. 1718

At the request of Mr. WYDEN, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of S. 1718, a bill to amend title XVIII of the Social Security Act with respect to the application of Medicare secondary payer rules for certain claims.

S. 1773

At the request of Mr. BROWN of Ohio, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1773, a bill to promote local and

regional farm and food systems, and for other purposes.

S. 1872

At the request of Mr. CASEY, the names of the Senator from Maine (Ms. COLLINS) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 1872, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 1946

At the request of Mr. WHITEHOUSE, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1946, a bill to require foreign manufacturers of products imported into the United States to establish registered agents in the United States who are authorized to accept service of process against such manufacturers.

S. 1989

At the request of Ms. CANTWELL, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1989, a bill to amend the Internal Revenue Code of 1986 to make permanent the minimum low-income housing tax credit rate for unsubsidized buildings and to provide a minimum 4 percent credit rate for existing buildings.

S. 1993

At the request of Mr. NELSON of Florida, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 1993, a bill to posthumously award a Congressional Gold Medal to Lena Horne in recognition of her achievements and contributions to American culture and the civil rights movement.

S. 2010

At the request of Mr. KERRY, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. 2010, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 2050

At the request of Ms. SNOWE, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2050, a bill to amend the Internal Revenue Code of 1986 to extend certain provisions of the Creating Small Business Jobs Act of 2010, and for other purposes.

S. 2069

At the request of Ms. MIKULSKI, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2069, a bill to amend the Public Health Service Act to speed American innovation in research and drug development for the leading causes of death that are the most costly chronic conditions for our Nation, to save American families and the Federal and State governments money, and to help family caregivers.

S. 2112

At the request of Mr. BEGICH, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 2112, a bill to amend title 10, United States Code, to authorize space-available travel on military aircraft for members of the reserve components, a member or former member of a reserve component who is eligible for retired pay but for age, widows and widowers of retired members, and dependents.

S. 2121

At the request of Ms. KLOBUCHAR, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2121, a bill to modify the Department of Defense Program Guidance relating to the award of Post-Deployment/Mobilization Respite Absence administrative absence days to members of the reserve components to exempt any member whose qualified mobilization commenced before October 1, 2011, and continued on or after that date, from the changes to the program guidance that took effect on that date.

S. 2165

At the request of Mrs. BOXER, the names of the Senator from Delaware (Mr. COONS), the Senator from Utah (Mr. LEE) and the Senator from Alaska (Mr. BEGICH) were added as cosponsors of S. 2165, a bill to enhance strategic cooperation between the United States and Israel, and for other purposes.

S. 2173

At the request of Mr. DEMINT, the names of the Senator from Wyoming (Mr. BARRASSO), the Senator from North Carolina (Mr. BURR), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Texas (Mr. CORNYN), the Senator from South Carolina (Mr. GRAHAM), the Senator from Iowa (Mr. GRASSLEY), the Senator from Oklahoma (Mr. INHOFE), the Senator from Nevada (Mr. HELLER), the Senator from Arizona (Mr. MCCAIN), the Senator from Kansas (Mr. MORAN), the Senator from Florida (Mr. RUBIO) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of S. 2173, a bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

S. 2219

At the request of Mr. WHITEHOUSE, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 2219, a bill to amend the Federal Election Campaign Act of 1971 to provide for additional disclosure requirements for corporations, labor organizations, Super PACs and other entities, and for other purposes.

S. 2237

At the request of Mr. REID, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2237, a bill to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes.

S. 2255

At the request of Mr. BURR, the names of the Senator from Alaska (Mr. BEGICH), the Senator from New Mexico (Mr. BINGAMAN) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors 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. 2320

At the request of Ms. AYOTTE, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of 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.

S. 2325

At the request of Mr. NELSON of Florida, the names of the Senator from Kansas (Mr. MORAN), the Senator from Alaska (Mr. BEGICH), the Senator from Ohio (Mr. BROWN) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of S. 2325, a bill to authorize further assistance to Israel for the Iron Dome anti-missile defense system.

S. 2338

At the request of Mr. JOHANNS, his name was added as a cosponsor of S. 2338, a bill to reauthorize the Violence Against Women Act of 1994.

S. 2343

At the request of Mr. REID, the names of the Senator from Washington (Mrs. MURRAY), the Senator from New York (Mrs. GILLIBRAND), the Senator from Vermont (Mr. SANDERS), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Oregon (Mr. WYDEN), the Senator from Minnesota (Mr. FRANKEN), the Senator from Alaska (Mr. BEGICH), the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 2343, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans, and for other purposes.

S. 2344

At the request of Mr. VITTER, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 2344, a bill to extend the National Flood Insurance Program until December 31, 2012.

S. 2366

At the request of Mr. ALEXANDER, the names of the Senator from Ohio (Mr. PORTMAN), the Senator from Nevada (Mr. HELLER), the Senator from Florida (Mr. RUBIO) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. 2366, a bill to extend student loan interest rates for undergraduate Federal Direct Stafford Loans.

S. RES. 227

At the request of Mr. WEBB, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor

of S. Res. 227, a resolution calling for the protection of the Mekong River Basin and increased United States support for delaying the construction of mainstream dams along the Mekong River.

S. RES. 380

At the request of Mr. GRAHAM, the name of the Senator from Wisconsin (Mr. KOHL) 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. 419

At the request of Mr. CARDIN, his name was added as a cosponsor of S. Res. 419, a resolution expressing the sense of the Senate that public servants should be commended for their dedication and continued service to the United States during Public Service Recognition week.

S. RES. 436

At the request of Mr. BEGICH, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. Res. 436, a resolution designating the week of April 22 through 28, 2012, as the ''Week of the Young Child''.

S. RES. 439

At the request of Mr. BLUMENTHAL, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. Res. 439, a resolution expressing the sense of the Senate that Village Voice Media Holdings, LLC should eliminate the ''adult entertainment'' section of the classified advertising website Backpage.com.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BINGAMAN (for himself, Mr. BARRASSO, Mr. WYDEN, and Mr. ENZI:

S. 2374. A bill to amend the Helium Act to ensure the expedient and responsible draw-down of the Federal Helium Reserve in a manner that protects the interests of private industry, the scientific, medical, and industrial communities, commercial users, and Federal agencies, and for other purposes: to the Committee on Energy and Natural Resources.

Mr. BINGAMAN. Mr. President, I am pleased to introduce the Helium Stewardship Act of 2012, along with my cosponsors, Senators BARRASSO, WYDEN, and ENZI. This bipartisan bill addresses the need for ongoing stewardship of the nation's helium reserve in Amarillo, Texas. The helium reserve is not only a domestic treasure, but it also provides nearly 30 percent of the world's helium.

Helium is a commodity that is frequently overlooked and often only considered when you are going to the florist to purchase party balloons for your child's birthday party. I want to take a moment and highlight the importance of this commodity, as well as the importance of the U.S. helium reserve in the world's helium market.

Helium is critical to a wide range of industrial, scientific, and medical markets, including medical devices such as MRIs, industrial welding, high tech manufacturing of microchips and fiber optic cables, manufacturing magnets for wind turbines, space exploration at NASA, and other important scientific research that is conducted at national laboratories like those in my State.

The current sales and management structure for the helium reserve is distorting the private helium market and threatening helium supplies for Federal medical and scientific research, and other private commercial applications. The low government sales price is also a barrier to the development of private sources of helium. But more importantly, if Congress does not act, the helium program will disappear altogether in less than three years, leaving our hospitals, national labs, domestic manufacturers, and helium producers high and dry.

This bipartisan bill will address these issues by authorizing prudent helium sales and management beyond 2015 and securing private access to Federal supplies. It will also allow for the continued repayment of the national debt by selling helium at fair market prices—providing a good return on investment to the American taxpayer. This will bolster the private helium sector, and help to create long-term jobs in this American resource sector, as well as ensure the continued success of domestic manufacturers that utilize helium in their manufacturing process.

Finally, this bill will ensure secure access to helium for our national labs, scientific researchers, NASA, medical institutions, and universities, who rely on helium to push the boundaries of science and technology here in the USA. In particular, as the reserve is sold off, a 15 year supply of helium will be set aside exclusively for Federal researchers to guarantee continuity of our research programs as we transition to purely private sources of helium.

The bill is based on stakeholder input of the National Academies of Science, Bureau of Land Management staff, scientific researchers, high-tech manufacturers, and the private helium industry to address the most pressing problems facing Federal helium users and the helium industry today.

I would like to conclude by taking a moment to acknowledge the exceptional efforts of Dr. Marcius Extavour who was the AAAS Science policy fellow and physicist working on the Energy and Natural Resources Committee last year. He worked diligently to help craft this important piece of legislation and I thank him for his efforts.

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

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

S. 2374

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 ''Helium Stewardship Act of 2012''.

SEC. 2. DEFINITIONS.

Section 2 of the Helium Act (50 U.S.C. 167) is amended—

(1) in paragraph (1), by striking the semicolon at the end and inserting a period;

(2) in paragraph (2), by striking ''; and'' and inserting a period; and

(3) by adding at the end the following:

''(4) FEDERAL HELIUM RESERVE.—

''(A) IN GENERAL.—The term 'Federal Helium Reserve' means helium reserves owned by the United States.

''(B) INCLUSIONS.—The term 'Federal Helium Reserve' includes—

''(i) the Cliffside Field helium storage reservoir;

''(ii) the federally owned helium pipeline system; and

''(iii) all associated infrastructure owned, leased, or managed under contract by the Secretary for storage, transportation, withdrawal, purification, or management of helium.

''(5) LOW-BTU GAS.—The term 'low-Btu gas' means a fuel gas with a heating value of less than 250 Btu per standard cubic foot measured as the higher heating value resulting from the inclusion of noncombustible gases, including nitrogen, helium, argon, and carbon dioxide.''.

SEC. 3. SALE OF CRUDE HELIUM.

Section 6 of the Helium Act (50 U.S.C. 167d) is amended to read as follows:

''SEC. 6. SALE OF CRUDE HELIUM.

''(a) PHASE A: BUSINESS AS USUAL.—

''(1) IN GENERAL.—Subject to paragraph (2), the Secretary may offer for sale crude helium for Federal, medical, scientific, and commercial uses in such quantities, at such times, and under such conditions as the Secretary, in consultation with the helium industry, determines necessary to carry out this subsection with minimum market disruption.

''(2) MINIMUM QUANTITY.—The Secretary shall offer for sale during each fiscal year under paragraph (1) a quantity of crude helium that is not less than the quantity of crude helium offered for sale by the Secretary during fiscal year 2012.

''(3) PURCHASE BY FEDERAL AGENCIES.—Federal agencies, and extramural holders of 1 or more Federal research grants, may purchase refined helium under this subsection for Federal, medical, and scientific uses from persons who have entered into enforceable contracts to purchase an equivalent quantity of crude helium from the Secretary.

''(4) DURATION.—This subsection applies during the period—

''(A) beginning on the date of enactment of the Helium Stewardship Act of 2012; and

''(B) ending on the date on which all amounts required to be repaid to the United States under this Act as of October 1, 1995, are repaid in full.

''(b) PHASE B: MAXIMIZING TOTAL RECOVERY OF HELIUM.—

''(1) IN GENERAL.—The Secretary may offer for sale crude helium for Federal, medical, scientific, and commercial uses in such quantities, at such times, and under such conditions as the Secretary, in consultation with the helium industry, determines necessary—

''(A) to maximize total recovery of helium from the Federal Helium Reserve over the long term;

''(B) to manage crude helium sales according to the ability of the Secretary to extract and produce helium from the Federal Helium Reserve;

''(C) to respond to helium market supply and demand;

''(D) to give priority to meeting the helium demand of Federal users in event of any disruption to the Federal Helium Reserve; and

''(E) to carry out this subsection.

''(2) PURCHASE BY FEDERAL AGENCIES.—Federal agencies, and extramural holders of 1 or more Federal research grants, may purchase refined helium under this subsection for Federal, medical, and scientific uses from persons who have entered into enforceable contracts to purchase an equivalent quantity of crude helium from the Secretary.

''(3) DURATION.—This subsection applies during the period—

''(A) beginning on the day after the date described in subsection (a)(4)(B); and

''(B) ending on the date on which the volume of recoverable crude helium at the Federal Helium Reserve (other than privately owned quantities of crude helium stored temporarily at the Federal Helium Reserve under section 5 and this section) is 3,000,000,000 standard cubic feet.

''(c) PHASE C: ACCESS FOR FEDERAL USERS.—

''(1) IN GENERAL.—The Secretary may offer for sale crude helium for Federal uses (including medical and scientific uses) in such quantities, at such times, and under such conditions as the Secretary determines necessary to carry out this subsection.

''(2) PURCHASE BY FEDERAL AGENCIES.—Federal agencies, and extramural holders of 1 or more Federal research grants, may purchase refined helium under this subsection for Federal uses (including medical and scientific uses) from persons who have entered into enforceable contracts to purchase an equivalent quantity of crude helium from the Secretary.

''(3) EFFECTIVE DATE.—This subsection applies beginning on the day after the date described in subsection (b)(3)(B).

''(d) PRICES AND DETERMINATIONS.—

''(1) IN GENERAL.—Sales of crude helium by the Secretary shall be at prices established by the Secretary that approximate the crude helium price in the private market as of the date of the offer for sale.

''(2) DETERMINATION OF SALE PRICE.—The Secretary may make a determination of the prices described in paragraph (1) using—

''(A) a confidential survey of qualifying domestic helium sourcing transactions to which any holder of a contract with the Secretary for the acceptance, storage, and redelivery of crude helium in the Cliffside Field helium storage reservoir is a party;

''(B) current market crude helium prices inferred from any amount received by the Secretary from the sale or disposition of helium on Federal land under subsection (f); and

''(C) in consultation with the helium industry, the volume-weighted average cost among helium refiners, producers, and liquefiers, in dollars per thousand cubic feet, of converting gaseous crude helium into bulk liquid helium.

''(3) AUTHORITY OF SECRETARY.—The Secretary shall require all persons or entities that are parties to a contract with the Secretary for the acceptance, storage, and redelivery of crude helium to disclose, on a strictly confidential basis in dollars per thousand cubic feet, the weighted average price of all crude helium and bulk liquid helium purchased or processed by the persons in all qualifying domestic helium sourcing transactions during the fiscal year.

''(4) QUALIFYING DOMESTIC HELIUM SOURCING TRANSACTIONS.—

''(A) IN GENERAL.—In establishing the prices described in paragraph (1), the Secretary shall consider subparagraphs (B) and (C) to ensure a reasonable number of transactions.

''(B) INCLUSIONS.—For the purposes of this subsection, qualifying domestic helium sourcing transactions include any new agreement in the United States for the purchase of at least 20,000,000 standard cubic feet of crude helium or liquid helium in the fiscal year in which the Secretary collects the data.

''(C) EXCLUSIONS.—For the purposes of this subsection, qualifying domestic helium sourcing transactions do not include—

''(i) purchases of crude helium from the Secretary; or

''(ii) transactions at prices indexed to the posted crude helium price of the Secretary.

''(5) USE OF INFORMATION.—The Secretary may use the information gathered under this subsection to approximate the current fair market price for crude helium to ensure recovery of fair value for the taxpayers of the United States from sales of crude helium.

''(6) PROTECTION OF CONFIDENTIALITY.—The Secretary shall adopt such administrative policies and procedures that the Secretary considers necessary and reasonable to ensure robust protection of the confidentiality of data submitted by private persons.

''(e) HELIUM PRODUCTION FUND.—

''(1) IN GENERAL.—All amounts received under this Act, including amounts from the sale of crude helium, shall be credited to the Helium Production Fund, which shall be available without fiscal year limitation for purposes considered necessary by the Secretary to carry out this subsection.

''(2) CAPITAL INVESTMENTS AND MAINTENANCE.—The Secretary may use funds credited to the Helium Production Fund to fund capital investments in upgrades and maintenance at the Federal Helium Reserve, including—

''(A) well head maintenance at the Cliffside Field helium storage reservoir;

''(B) capital investments in maintenance and upgrades of facilities that pressurize the Cliffside Field helium storage reservoir;

''(C) capital investments in maintenance and upgrades of equipment related to the storage, withdrawal, transportation, purification, and sale of crude helium at the Cliffside Field helium storage reservoir; and

''(D) any other scheduled or unscheduled maintenance of the Cliffside Field helium storage reservoir and helium pipeline.

''(3) EXCESS FUNDS.—Any amounts in the Fund described in paragraph (1) that exceed the amounts that the Secretary determines to be necessary to carry out paragraph (1) and any contracts negotiated under this Act shall be paid to the Treasury and credited against the amounts required to be repaid to the Treasury under subsection (a).

''(f) EXTRACTION OF HELIUM FROM DEPOSITS ON FEDERAL LAND.—All amounts received by the Secretary from the sale or disposition of helium on Federal land shall be paid to the Treasury and credited against the amounts required to be repaid to the Treasury under subsection (a).''.

SEC. 4. HELIUM RESOURCE ASSESSMENT, CONSERVATION RESEARCH, AND HELIUM-3 SEPARATION.

The Helium Act is amended by striking section 15 (50 U.S.C. 167m) and inserting the following:

''SEC. 15. HELIUM GAS RESOURCE ASSESSMENT.

''Not later than 2 years after the date of enactment of the Helium Stewardship Act of 2012, the Secretary, acting through the Director of the United States Geological Survey, shall—

''(1) in coordination with appropriate heads of State geological surveys—

''(A) complete a national helium gas assessment that identifies and quantifies the quantity of helium, including the isotope helium-3, in each reservoir, including assessments of the constituent gases found in each helium resource, such as carbon dioxide, nitrogen, and natural gas; and

''(B) make available the modern seismic and geophysical log data for characterization of the Bush Dome Reservoir;

''(2) in coordination with appropriate international agencies and the global geology community, complete a global helium gas assessment that identifies and quantifies the quantity of the helium, including the isotope helium-3, in each reservoir;

''(3) in coordination with the Secretary of Energy, acting through the Administrator of the Energy Information Administration, complete—

''(A) an assessment of trends in global demand for helium, including the isotope helium-3;

''(B) a 10-year forecast of domestic demand for helium across all sectors, including scientific and medical research, manufacturing, space technologies, cryogenics, and national defense; and

''(C) an inventory of medical, scientific, industrial, commercial, and other uses of helium in the United States, including Federal and commercial helium uses, that identifies the nature of the helium use, the amounts required, the technical and commercial viability of helium recapture and recycling in that use, and the availability of material substitutes wherever possible; and

''(4) submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report describing the results of the assessments required under this paragraph.

''SEC. 16. LOW-BTU GAS SEPARATION AND HELIUM CONSERVATION RESEARCH AND DEVELOPMENT.

''(a) AUTHORIZATION.—The Secretary of Energy shall support programs of research, development, commercial application, and conservation (including the programs described in subsection (b))—

''(1) to expand the domestic production of low-Btu gas and helium resources;

''(2) to separate and capture helium from natural gas streams at the wellhead; and

''(3) to reduce the venting of helium and helium-bearing low-Btu gas during natural gas exploration and production.

''(b) PROGRAMS.—

''(1) MEMBRANE TECHNOLOGY RESEARCH.—The Secretary of Energy, in consultation with other appropriate agencies, shall support a civilian research program to develop advanced membrane technology that is used in the separation of low-Btu gases, including technologies that remove helium and other constituent gases that lower the Btu content of natural gas.

''(2) HELIUM SEPARATION TECHNOLOGY.—The Secretary of Energy shall support a research program to develop technologies for separating, gathering, and processing helium in low concentrations that occur naturally in geological reservoirs or formations, including—

''(A) low-Btu gas production streams; and

''(B) technologies that minimize the atmospheric venting of helium gas during natural gas production.

''(3) INDUSTRIAL HELIUM PROGRAM.—The Secretary of Energy, working through the Industrial Technologies Program of the Department of Energy, shall carry out a research program—

''(A) to develop low-cost technologies and technology systems for recycling, reprocessing, and reusing helium; and

''(B) to develop industrial gathering technologies to capture helium from other chemical processing, including ammonia processing.

"SEC. 17. HELIUM-3 SEPARATION.

''(a) INTERAGENCY COOPERATION.—The Secretary shall cooperate with the Secretary of Energy, or a designee, on any assessment or research relating to the extraction and refining of the isotope helium-3 from crude helium at the Federal Helium Reserve or along the helium pipeline system, including—

''(1) gas analysis;

''(2) infrastructure studies; and

''(3) cooperation with private helium refiners.

''(b) FEASIBILITY STUDY.—The Secretary, in consultation with the Secretary of Energy, or a designee, may carry out a study to assess the feasibility of establishing a facility to separate the isotope helium-3 from crude helium at—

''(1) the Federal Helium Reserve; or

''(2) an existing helium separation or purification facility connected to the helium pipeline system.

''(c) REPORT.—Not later than 1 year after the date of enactment of the Helium Stewardship Act of 2012, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that contains a description of the results of the assessments conducted under this section.''.

SEC. 5. MISCELLANEOUS.

Section 102 of the Soda Ash Royalty Reduction Act of 2006 (30 U.S.C. 262 note; Public Law 109–338) is amended by striking ''5-year'' and inserting ''7-year''.

By Mr. LEVIN (for himself and Mr. MCCAIN) (by request):

S. 2467. A bill to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for fiscal year 2013, and for other purposes; to the Committee on Armed Services.

Mr. LEVIN. Mr. President, Senator MCCAIN and I are introducing, by request, the Administration's proposed National Defense Authorization Act for fiscal year 2013. As is the case with any bill that is introduced by request, we introduce this bill for the purpose of placing the administration's proposals before Congress and the public without expressing our own views on the substance of these proposals. As Chairman and Ranking Member of the Armed Services Committee, we look forward to giving the administration's requested legislation our most careful review and thoughtful consideration.

By Mr. BINGAMAN (for himself and Mr. UDALL of New Mexico):

S. 2468. A bill to establish the Columbine-Hondo Wilderness in the State of New Mexico, to provide for the conveyance of certain parcels of National Forest System land in the State, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. BINGAMAN. Mr. President, I rise today to introduce the Columbine-Hondo Wilderness Act which will designate approximately 45,000 acres in the Sangre de Cristo Mountains in northern New Mexico as wilderness. I am pleased that my colleague, Senator TOM UDALL, is a cosponsor of this legislation.

Located in the Carson National Forest in Taos County, the Columbine-Hondo is one of the last remaining segments of this high alpine ecosystem to receive permanent wilderness protection. The concept of wilderness has deep roots and a long history in the Carson National Forest. For example, in the early 1900s, Aldo Leopold, known as the father of wilderness, spent his early career in the Forest Service in the Carson where he quickly reached the post of Forest Supervisor. There is no doubt that he spent much time traveling through this landscape that likely helped cultivate his thoughts on the importance of wilderness.

Leopold's concept of wilderness evolved over time and heavily influenced policy makers and the growing conservation community. He wrote, ''Wilderness is the raw material out of which man has hammered the artifact called civilization. . . . To the laborer in the sweat of his labor, the raw stuff on his anvil is an adversary to be conquered. So was wilderness an adversary to the pioneer. But to the laborer in repose, able for the moment to cast a philosophical eye on his world, that same raw stuff is something to be loved and cherished, because it gives definition and meaning to his life.'' One person who shared that definition and meaning with Aldo Leopold was former New Mexico Senator Clinton P. Anderson. In fact, due in large part to the conversations he had with Leopold forty years earlier, Senator Anderson led the effort in Congress to pass the Wilderness Act of 1964.

In that 1964 Act, the Wheeler Peak Wilderness became the first wilderness area in the Carson National Forest, which lies just south of the Columbine-Hondo area. Shortly thereafter in 1970, the Taos Pueblo-Blue Lake Wilderness, adjacent to Wheeler Peak, was established, further demonstrating that the idea of wilderness is a valuable concept to Indian tribes wishing to protect their most sacred sites for future generations. Another decade had to pass before Congress protected additional lands in New Mexico as wilderness in 1980, including the Latir Peak Wilderness, north of the Columbine-Hondo. In that same Act, the Columbine-Hondo was designated as a Wilderness Study Area to allow Congress further time to review the merits of designating this area as wilderness.

Aldo Leopold laments in A Sand County Almanac that progress in conservation is slow—a fact that hasn't changed much in modern times. ''Despite nearly a century of propaganda,'' he wrote, ''conservation still proceeds at a snail's pace.'' In this context, it is unfortunately not surprising that it has taken Congress over 30 years to review the merits of the Columbine-Hondo Wilderness Study Area.

But the time to permanently protect the Columbine-Hondo is now before us. After many years of hard work by local community leaders, a nearly unanimous consensus has formed in support of protecting this landscape as wilderness. This is due to the longstanding recognition by the surrounding communities and their residents of the benefits that wilderness provides them. The mountains provide communities with clean air and act as a watershed, providing them with fresh and clean water. Sportsmen benefit from the protection of quality habitat that will ensure the elk, deer, and antelope found in the mountains and the fish in the mountain streams will continue to thrive. Communities like the Towns of Taos and Red River and the Villages of Questa and Taos Ski Valley can find economic benefits by attracting visitors seeking opportunities for solitude and quiet recreation, including hiking, birding, horseback riding, and even the occasional llama trekking. And community members can create job opportunities through outfitting and other service industries to assist residents and visitors alike explore these gateways to a more primitive era.

Wilderness also ensures that the way of life of many local ranchers will remain protected from threats like mining or disruptive off-road vehicle use. Local mountain biking coalitions have also recognized that a balance can be reached to protect wilderness values while making practical and common sense boundary adjustments that will help promote sustainable mountain biking opportunities in the region.

During my tenure in the Senate, it has been relatively uncommon to find such overwhelming support for the establishment of a new wilderness area. I commend the dedication and perseverance exhibited by the many local wilderness advocates who have devoted many years to see this effort come to fruition. Without their help, it may have taken another decade before Congress addressed this long outstanding matter. Congress has had 32 years now to review the designation of the Columbine-Hondo Wilderness. With such broad support having been developed, I urge my colleagues to support this initiative to protect this area without further delay.

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

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

S. 2468

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Columbine-Hondo Wilderness Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.

TITLE I—ADDITION TO THE NATIONAL WILDERNESS PRESERVATION SYSTEM

Sec. 101. Designation of the Columbine-Hondo Wilderness.
Sec. 102. Wheeler Peak Wilderness boundary modification.
Sec. 103. Authorization of appropriations.

TITLE II—LAND CONVEYANCES AND SALES.

Sec. 201. Town of Red River land conveyance.

Sec. 202. Village of Taos Ski Valley land conveyance.

Sec. 203. Authorization of sale of certain National Forest System land.

SEC. 2. DEFINITIONS.

In this Act:

(1) RED RIVER CONVEYANCE MAP.—The term ''Red River Conveyance Map'' means the map entitled ''Town of Red River Town Site Act Proposal'' and dated April 19, 2012.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(3) STATE.—The term ''State'' means the State of New Mexico.

(4) TOWN.—The term ''Town'' means the town of Red River, New Mexico.

(5) VILLAGE.—The term ''Village'' means the village of Taos Ski Valley, New Mexico.

(6) WILDERNESS.—The term ''Wilderness'' means the Columbine-Hondo Wilderness designated by section 101(a).

(7) WILDERNESS MAP.—The term ''Wilderness Map'' means the map entitled ''Columbine-Hondo, Wheeler Peak Wilderness'' and dated April 19, 2012.

TITLE I—ADDITION TO THE NATIONAL WILDERNESS PRESERVATION SYSTEM

SEC. 101. DESIGNATION OF THE COLUMBINE-HONDO WILDERNESS.

(a) IN GENERAL.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the approximately 45,000 acres of land in the Carson National Forest in the State, as generally depicted on the Wilderness Map, is designated as wilderness and as a component of the National Wilderness Preservation System, which shall be known as the ''Columbine-Hondo Wilderness''.

(b) MANAGEMENT.—Subject to valid existing rights, the Wilderness shall be administered by the Secretary in accordance with this Act and the Wilderness Act (16 U.S.C. 1131 et seq.), except that any reference in that Act to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act.

(c) INCORPORATION OF ACQUIRED LAND AND INTERESTS IN LAND.—Any land or interest in land that is within the boundary of the Wilderness that is acquired by the United States shall—

(1) become part of the Wilderness; and

(2) be managed in accordance with—

(A) the Wilderness Act (16 U.S.C. 1131 et seq.);

(B) this section; and

(C) any other applicable laws.

(d) GRAZING.—Grazing of livestock in the Wilderness, where established before the date of enactment of this Act, shall be administered in accordance with—

(1) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and

(2) the guidelines set forth in the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 5487 of the 96th Congress (H. Rept. 96–617).

(e) COLUMBINE HONDO WILDERNESS STUDY AREA.—

(1) FINDING.—Congress finds that, for purposes of section 103(a)(2) of Public Law 96–550 (16 U.S.C. 1132 note; 94 Stat. 3223), any Federal land in the Columbine Hondo Wilderness Study Area administered by the Forest Service that is not designated as wilderness by subsection (a) has been adequately reviewed for wilderness designation.

(2) APPLICABILITY.—The Federal land described in paragraph (1) is no longer subject to subsections (a)(2) and (b) of section 103 of Public Law 96–550 (16 U.S.C. 1132 note; 94 Stat. 3223).

(f) MAPS AND LEGAL DESCRIPTIONS.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare maps and legal descriptions of the Wilderness.

(2) FORCE OF LAW.—The maps and legal descriptions prepared under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary may correct errors in the maps and legal descriptions.

(3) PUBLIC AVAILABILITY.—The maps and legal descriptions prepared under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service.

(g) FISH AND WILDLIFE.—Nothing in this Act affects the jurisdiction of the State with respect to fish and wildlife located on public land in the State, except that the Secretary, after consultation with the New Mexico Department of Game and Fish, may designate zones in which, and establish periods during which, hunting or fishing shall not be allowed for reasons of public safety, administration, the protection for nongame species and associated habitats, or public use and enjoyment.

(h) WITHDRAWALS.—Subject to valid existing rights, the Federal land described in subsections (a) and (e)(1) and any land or interest in land that is acquired by the United States in the Wilderness after the date of enactment of this Act is withdrawn from—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

SEC. 102. WHEELER PEAK WILDERNESS BOUNDARY MODIFICATION.

(a) IN GENERAL.—The boundary of the Wheeler Peak Wilderness in the State is modified as generally depicted in the Wilderness Map.

(b) WITHDRAWAL.—Subject to valid existing rights, any Federal land added to or excluded from the boundary of the Wheeler Peak Wilderness under subsection (a) is withdrawn from—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

SEC. 103. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this title.

TITLE II—LAND CONVEYANCES AND SALES.

SEC. 201. TOWN OF RED RIVER LAND CONVEYANCE.

(a) IN GENERAL.—Subject to the provisions of this section, the Secretary shall convey to the Town, without consideration and by quitclaim deed, all right, title, and interest of the United States in and to the 1 or more parcels of Federal land described in subsection (b) for which the Town submits a request to the Secretary by the date that is not later than 1 year after the date of enactment of this Act.

(b) DESCRIPTION OF LAND.—The parcels of Federal land referred to in subsection (a) are the parcels of National Forest System land (including any improvements to the land) in Taos County, New Mexico, that are identified as ''Parcel 1'', ''Parcel 2'', ''Parcel 3'', and ''Parcel 4'' on the Red River Conveyance Map.

(c) CONDITIONS.—The conveyance under subsection (a) shall be subject to—

(1) valid existing rights;

(2) public rights-of-way through ''Parcel 1'', ''Parcel 3'', and ''Parcel 4'';

(3) an administrative right-of-way through ''Parcel 2'' reserved to the United States; and

(4) such additional terms and conditions as the Secretary may require.

(d) USE OF LAND.—As a condition of the conveyance under subsection (a), the Town shall use—

(1) ''Parcel 1'' for a wastewater treatment plant;

(2) ''Parcel 2'' for a cemetery;

(3) ''Parcel ''3'' for a public park; and

(4) ''Parcel 4'' for a public road.

(e) REVERSION.—In the quitclaim deed to the Town under subsection (a), the Secretary shall provide that any parcel of Federal land conveyed to the Town under subsection (a) shall revert to the Secretary, at the election of the Secretary, if the parcel of Federal land is used for a purpose other than the purpose for which the parcel was conveyed, as required under subsection (d).

(f) SURVEY; ADMINISTRATIVE COSTS.—

(1) SURVEY.—The exact acreage and legal description of the National Forest System land conveyed under subsection (a) shall be determined by a survey approved by the Secretary.

(2) COSTS.—The Town shall pay the reasonable survey and other administrative costs associated with the conveyance.

SEC. 202. VILLAGE OF TAOS SKI VALLEY LAND CONVEYANCE.

(a) IN GENERAL.—Subject to the provisions of this section, the Secretary shall convey to the Village, without consideration and by quitclaim deed, all right, title, and interest of the United States in and to the parcel of Federal land described in subsection (b) for which the Village submits a request to the Secretary by the date that is not later than 1 year after the date of enactment of this Act.

(b) DESCRIPTION OF LAND.—The parcel of Federal land referred to in subsection (a) is the parcel comprising approximately 4.6 acres of National Forest System land (including any improvements to the land) in Taos County generally depicted as ''Parcel 1'' on the map entitled ''Village of Taos Ski Valley Town Site Act Proposal'' and dated April 19, 2012.

(c) CONDITIONS.—The conveyance under subsection (a) shall be subject to—

(1) valid existing rights;

(2) an administrative right-of-way through the parcel of Federal land described in subsection (b) reserved to the United States; and

(3) such additional terms and conditions as the Secretary may require.

(d) USE OF LAND.—As a condition of the conveyance under subsection (a), the Village shall use the parcel of Federal land described in subsection (b) for a wastewater treatment plant.

(e) REVERSION.—In the quitclaim deed to the Village, the Secretary shall provide that the parcel of Federal land conveyed to the Village under subsection (a) shall revert to the Secretary, at the election of the Secretary, if the parcel of Federal land is used for a purpose other than the purpose for which the parcel was conveyed, as described in subsection (d).

(f) SURVEY; ADMINISTRATIVE COSTS.—

(1) SURVEY.—The exact acreage and legal description of the National Forest System land conveyed under subsection (a) shall be determined by a survey approved by the Secretary.

(2) COSTS.—The Village shall pay the reasonable survey and other administrative costs associated with the conveyance.

SEC. 203. AUTHORIZATION OF SALE OF CERTAIN NATIONAL FOREST SYSTEM LAND.

(a) IN GENERAL.—Subject to the provisions of this section and in exchange for consideration in an amount that is equal to the fair

market value of the applicable parcel of National Forest System land, the Secretary may convey—

(1) to the holder of the permit numbered ''QUE302101'' for use of the parcel, the parcel of National Forest System land comprising approximately 0.2 acres that is generally depicted as ''Parcel 5'' on the Red River Conveyance Map; and

(2) to the owner of the private property adjacent to the parcel, the parcel of National Forest System land comprising approximately 0.1 acres that is generally depicted as ''Parcel 6'' on the Red River Conveyance Map.

(b) DISPOSITION OF PROCEEDS.—Any amounts received by the Secretary as consideration for a conveyance under subsection (a) shall be—

(1) deposited in the fund established under Public Law 90–171 (commonly known as the ''Sisk Act'') (16 U.S.C. 484a); and

(2) available to the Secretary, without further appropriation and until expended, for the acquisition of land or interests in land in the Carson National Forest.

(c) CONDITIONS.—The conveyance under subsection (a) shall be subject to—

(1) valid existing rights; and

(2) such additional terms and conditions as the Secretary may require.

(d) SURVEY; ADMINISTRATIVE COSTS.—

(1) SURVEY.—The exact acreage and legal description of the National Forest System land conveyed under subsection (a) shall be determined by a survey approved by the Secretary.

(2) COSTS.—The reasonable survey and other administrative costs associated with the conveyance shall be paid by the holder of the permit or the owner of the private property, as applicable.

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

S. 2474. A bill to improve the health of minority individuals, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. AKAKA. Mr. President, I am proud to once again introduce legislation addressing the health care disparities in racial and ethnic minority communities, the Health Equity and Accountability Act of 2012. I would like to thank my cosponsor, Senator INOUYE, along with a number of our colleagues in the House of Representatives, for all their support and contributions to this important legislation, and for raising awareness of this widespread problem.

While there are glaring health disparities based on racial and ethnic identity alone, they are further exacerbated by factors such as socioeconomics, geography, and sexual orientation and identity. Although the exact causes for the current state of health disparities in our country may be debatable, it is undeniable that ethnic, racial, geographic, and other minorities across the United States are plagued by disproportionately high rates of disease and experience a diminished quality of health care. Statistics paint a disturbing picture of minority health, consistently showing higher rates of illness and death for members of minority and marginalized groups.

For instance, HIV/AIDS has had a devastating impact on minorities in the U.S. In 2009, ethnic minorities accounted for over 70 percent of newly diagnosed cases of HIV. That year, nine out of ten babies born with HIV belonged to minority groups. The Office of Minority Health reported that, compared to Caucasians, Hispanic individuals are 3 times more likely to be diagnosed with AIDS; Native Americans are 1.4 times more likely; and Native Hawaiians and Pacific Islanders are 2.4 times more likely to be diagnosed with AIDS.

Cancer is the number one killer of Asian American Pacific Islanders and the second leading cause of death for most other racial and ethnic minorities in the United States. Cancer also affects African Americans at particularly alarming rates and has a disproportionate prevalence in the population of Hispanic women, who are 1.6 times more likely to be diagnosed with cervical cancer than non-Hispanic women. In addition, Native Americans are twice as likely as non-Hispanic whites to develop stomach or liver cancer.

The infant mortality rates for African Americans are one-and-a-half to 3 times higher than the rates for infants born to women of other races and ethnicities. Hispanic individuals are three times more likely to be diagnosed with AIDS than Caucasian individuals. As our nation continues to struggle with obesity, trends show increasingly high rates of obesity in minority groups, with young Mexican-American men under the age of 20 experiencing obesity at a rate of 25 percent of the population, while white men of the same age have a rate of just 15 percent.

Circulatory diseases are a growing problem in the Pacific region. These diseases not only lower patients' quality of life, but they are also very costly. Data from the Agency for Healthcare Research and Quality shows that eliminating preventable hospitalizations that are associated with lower incomes would save $6.7 billion in health care costs each year. However, the numbers alone do not capture the full extent of health disparities since there are additional issues with data collection and multiple factors often contribute to deaths.

In 2005, I introduced a similar piece of legislation, S. 1580, because many of the indigenous and ethnic minority communities across the United States and its territories lacked essential access to health care and suffered from certain key diseases at disproportionately high rates. The bill I am introducing today addresses many of the same issues and also takes into account the strong advances made by the Patient Protection and Affordable Care Act. In 2008, the landmark health care reform legislation laid the foundation to start reducing some of those health disparities. Senator INOUYE and I are introducing this legislation today to build on the work of the Affordable Care Act, and to advance the national discussion on how we can better achieve health equity.

While the Affordable Care Act expanded care in diverse communities across the country, such as Asian Americans, Native Hawaiians, and Pacific Islanders, it is important that we take further steps to ensure that all Americans, regardless of racial, ethnic, socioeconomic, physical, and geographic circumstances, have affordable access to high-quality health care. Because the causes of health care disparities are wide-ranging, the scope of this bill must be equally encompassing. Therefore, my bill focuses on two main strategies: first, encouraging research on diseases and conditions that disproportionately impact minority individuals; and second, improving access to effective care for minority communities.

We must make it easier to identify existing disparities through comprehensive data collection, ensure workforce diversity, target diseases that disproportionately affect minorities, and make culturally and linguistically appropriate health care services available to all.

We need more comprehensive data on the most significant health care problems experienced by minority individuals and the factors that play a role in how these diseases affect different communities. The more we know about the way populations are affected by disease, the better prepared health care professionals will be to create strategies to both treat and prevent each high-impact disease in specific communities. My bill will help to accomplish this by strengthening both data collection and the reporting of health data.

To complement our efforts in data collection, we must also target disease awareness education and effective preventative services towards communities with large populations of ethnic and racial minorities at high risk for certain diseases. Community-based programs as well as comprehensive disease-specific programs already in place are helping to ensure that the health needs of minority communities are being met. My legislation would revitalize efforts in community health and preventive services, which are the most cost-effective ways of providing care.

This bill builds upon the Affordable Care Act's historic investment in prevention and calls for resources to target communities striving to overcome negative social factors. This bill encourages these investments and focuses on preventing fatal diseases, which could save thousands of lives each year and lower health care costs.

Although prevention plays a critical role in finding ways to close disparities, we also have to invest in research to develop better treatment plans for diseases that disproportionately affect indigenous, racial, and ethnic minorities, and to ensure that currently underserved communities have access to care. My bill proposes focused approaches to combat a variety of diseases and conditions, including heart disease, cancer, diabetes, and HIV/

AIDS, which have a disparate impact on racial and ethnic minorities. This legislation also helps to provide affordable and culturally appropriate access to care in several ways.

My bill, the Health Equity and Accountability Act of 2012, includes proposals to remove significant barriers to health care coverage and access and maximize the positive impact of federal investments in health care in minority communities. For example, it would re-establish Medicaid eligibility for citizens of the Compact of Free Association nations living in the United States. This would greatly ease the financial burden on States like Hawaii and Arkansas, which have been forced to absorb the costs of providing health and social services, education, and public safety for Compact migrants in accordance with unfunded Federal mandates since 1996.

My bill would also make health care more affordable and improve access by providing a 100 percent Federal Medicaid Assistance Percentage, FMAP, for Native Hawaiians who receive health care from Federally Qualified Health Centers or the Native Hawaiian Health Care System. The increased FMAP will ensure that Native Hawaiians have access to the essential health services provided by community health centers and the Native Hawaiian Health Care System. These provisions would provide treatment for Native Hawaiians that is similar to that already provided to Native Alaskans through the Indian Health Service or tribal organizations.

This legislation will make it easier for minorities with cultural and language barriers to improve their health outcomes by enhancing language access services, making health literacy a priority in patient care, and making sure there is culturally competent care in the health care delivery system. My bill will support professionals who are well-equipped to provide quality health care that is culturally and linguistically appropriate. As a part of this effort, this legislation creates training opportunities for willing and competent minority candidates to enter the health care workforce.

The Health Equity and Accountability Act also seeks to ensure that communities of color benefit from the rapid advances in health information technology, or health IT. It also encourages new investments in health IT infrastructure, which will serve as the foundation for improving the quality, effectiveness, and efficiency for all Americans in our future health care system. Improvements in health IT and health IT infrastructure will also make it possible for rural communities to access mobile health services and other treatment and diagnostics that were previously unavailable.

Another vital service that my bill seeks to make more accessible is mental health care. The Affordable Care Act fundamentally improved services for individuals with mental health and addiction disorders. Despite the improvements, mental health treatment remains underutilized, especially by minorities, due to social stigma and cultural resistance. To develop access and encourage treatment, my bill incorporates culturally competent strategies to address mental and behavioral health problems affecting minority communities and authorizes investment in researching and treating these serious conditions.

However, we cannot simply put these provisions in place and believe that they will eliminate all health disparities. We must have accountability and regular evaluation of these programs to ensure they are being carried out as they were intended, and that they are meeting their goals. To that end, my bill strengthens oversight by the Department of Health and Human Services, requiring the Department to make regular scheduled reports to Congress on the impact of these initiatives to ensure that they are continuing to reduce health disparities.

April is National Minority Health Month, and as we work diligently to transform health care in America, it is essential that we strive to eliminate the health disparities that affect our minority groups. This bill would significantly improve the quality of life for indigenous people, ethnic and racial minorities, as well as other marginalized groups. I encourage my colleagues to support this legislation, and begin an open dialogue on how we can close the gap in health care across the country.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 440—RECOGNIZING THE HISTORIC SIGNIFICANCE OF THE MEXICAN HOLIDAY OF CINCO DE MAYO

Mr. UDALL of Colorado (for himself, Mr. CORNYN, Mr. MENENDEZ, Mr. BINGAMAN, Mr. REID, Mr. BENNET, Mr. AKAKA, Ms. STABENOW, Mrs. FEINSTEIN, and Mrs. HUTCHISON) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 440

Whereas May 5, or ''Cinco de Mayo'' in Spanish, is celebrated each year as a date of great importance by the Mexican and Mexican-American communities;

Whereas the Cinco de Mayo holiday commemorates May 5, 1862, the date on which Mexicans who were struggling for independence and freedom fought the Battle of Puebla;

Whereas Cinco de Mayo has become widely celebrated annually by nearly all Mexicans and Mexican-Americans, north and south of the United States-Mexico border;

Whereas the Battle of Puebla was but one of the many battles that the courageous Mexican people won in their long and brave struggle for independence and freedom;

Whereas the French army, confident that its battle-seasoned troops were far superior to the less-seasoned Mexican troops, expected little or no opposition from the Mexican army;

Whereas the French army, which had not experienced defeat against any of the finest troops of Europe in more than half a century, sustained a disastrous loss at the hands of an outnumbered and ill-equipped, but highly spirited and courageous, Mexican army;

Whereas, after 3 bloody assaults on Puebla in which more than 1,000 French soldiers lost their lives, the French troops were finally defeated and driven back by the outnumbered Mexican troops;

Whereas the courageous spirit that Mexican General Ignacio Zaragoza and his men displayed during that historic battle can never be forgotten;

Whereas many brave Mexicans willingly gave their lives for the causes of justice and freedom in the Battle of Puebla on Cinco de Mayo;

Whereas the sacrifice of the Mexican fighters was instrumental in keeping Mexico from falling under European domination while, in the United States, the Union Army battled Confederate forces in the Civil War;

Whereas Cinco de Mayo serves as a reminder that the foundation of the United States was built by people from many countries and diverse cultures who were willing to fight and die for freedom;

Whereas Cinco de Mayo also serves as a reminder of the close ties between the people of Mexico and the people of the United States;

Whereas, in a larger sense, Cinco de Mayo symbolizes the right of a free people to self-determination, just as Benito Juarez, the president of Mexico during the Battle of Puebla, once said, ''El respeto al derecho ajeno es la paz'' (''Respect for the rights of others is peace''); and

Whereas many people celebrate Cinco de Mayo during the entire week in which the date falls: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the historic struggle of the people of Mexico for independence and freedom, which Cinco de Mayo commemorates; and

(2) encourages the people of the United States to observe Cinco de Mayo with appropriate ceremonies and activities.

Mr. UDALL of Colorado. Mr. President, I rise with Senators CORNYN, MENENDEZ, BINGAMAN, REID, BENNET, STABENOW, AKAKA, FEINSTEIN, and HUTCHISON to submit a resolution commemorating Cinco de Mayo.

We all love Cinco de Mayo for the food and festivities that we have grown so accustomed to across the country. However, the day is also of great historical relevance, commemorating the Battle of Puebla, an unlikely Mexican military victory over the French in 1852. Since then, Cinco de Mayo has come to represent Mexican-Americans' many contributions to the United States. For many decades Coloradans and communities across the country have celebrated this day in a way that brings pride to the contributions of the Mexican-American community of our state.

The commemoration of Cinco de Mayo also highlights the courage that Mexican forces displayed on May 5, 1862, a courage that was welcomed by the Union Army as it battled Confederate forces in the American Civil War. The victory of the beleaguered force of Mexican troops at the Battle of Puebla was a setback for Napoleon's France

that weakened France's immense resources and limited its ability to meddle in America's Civil War. As Mexico sought to defend itself from European aggression, the Battle of Puebla is a reminder for us that the foundation of the United States was also built through fights in which the United States often found itself as the underdog. But through perseverance, the willingness to fight and die for freedom, and the contributions of a diverse cultural mix of Americans from across the globe, we have been made stronger. This is something we should celebrate about our country's history.

This day in history has become especially important in Colorado, where the contributions of many Mexican-American families can be seen throughout our communities. As in years past, towns throughout Colorado and our nation will celebrate with food, educational activities, music and dancing, and I encourage my fellow Coloradans to join in their communities' celebrations.

SENATE RESOLUTION 441—EXPRESSING SUPPORT FOR THE DESIGNATION OF MAY 2012 AS NATIONAL YOUTH TRAFFIC SAFETY MONTH

Mr. ROCKEFELLER (for himself, Mrs. HUTCHISON, Ms. KLOBUCHAR, Mr. PRYOR, and Mr. THUNE) submitted the following resolution; which was considered and agreed to:

S. RES. 441

Whereas motor vehicle crashes are the leading cause of death for youth in the United States;

Whereas thousands of youth are injured or die each year in motor vehicle crashes;

Whereas on average, 11 youths die each day in motor vehicle crashes;

Whereas on average, May through August is the deadliest period for youths on our nation's highways;

Whereas on average, 8 of the top 10 deadliest days for youths on our nation's highways were between May and August;

Whereas events such as prom and graduation, and the summer driving season, contribute to the risk of a motor vehicle crash due to an increase in the amount of time youth spend on the road and in celebratory activities;

Whereas it is essential to teach our youths that driving is a privilege and with that privilege comes risks and responsibilities;

Whereas this education is essential to preventing risky behaviors that can result in tragic crashes;

Whereas the National Organizations For Youth Safety (NOYS) established a national youth campaign and National Youth Traffic Safety Month to draw attention to the increased rate of motor vehicle crashes involving youth between May and August, to help enforce youth safe driving laws, and to support youth and community education on youth traffic safety; and

Whereas NOYS invites all youths, families, and communities to participate in National Youth Traffic Safety Month:

Now, therefore, be it

Resolved, That the Senate—

(1) expresses support for the designation of May 2012 as ''National Youth Traffic Safety Month'';

(2) supports youth traffic safety awareness; and

(3) encourages people across the United States to observe National Youth Traffic Safety Month with appropriate programs, activities, and ceremonies.

SENATE RESOLUTION 442—CELEBRATING THE 140TH ANNIVERSARY OF ARBOR DAY

Mr. JOHANNS (for himself and Mr. NELSON of Nebraska) submitted the following resolution; which was considered and agreed to:

S. RES. 442

Whereas Arbor Day was founded in Nebraska City, Nebraska on April 10, 1872, to recognize the importance of planting trees;

Whereas it is estimated that on the first Arbor Day, more than 1,000,000 trees were planted in the State of Nebraska alone;

Whereas Arbor Day is observed in all 50 States and across the world;

Whereas participating in Arbor Day activities promotes civic participation and highlights the importance of planting and caring for trees and vegetation;

Whereas those activities provide an opportunity to convey to future generations the value of land and stewardship;

Whereas National Arbor Day is observed on the last Friday of April each year; and

Whereas April 27, 2012, marks the 140th anniversary of Arbor Day: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes April 27, 2012, as National Arbor Day;

(2) celebrates the 140th anniversary of Arbor Day;

(3) supports the goals and ideals of Arbor Day; and

(4) encourages the people of United States to participate in Arbor Day activities.

SENATE RESOLUTION 443—HONORING THE LIFE AND LEGACY OF AUXILIARY BISHOP AGUSTIN ROMAN

Mr. NELSON of Florida (for himself, Mr. RUBIO, and Mr. MENENDEZ) submitted the following resolution; which was considered and agreed to:

S. RES. 443

Whereas Agustín Román was appointed auxiliary bishop of the Archdiocese of Miami, Florida in 1979, becoming the first Cuban to be appointed bishop in the United States;

Whereas Agustín Román was expelled from Cuba in 1961 by the regime of Fidel Castro, along with many other Roman Catholic priests;

Whereas Agustín Román ministered in Chile for 4 years before coming to Miami, Florida in 1966, where he quickly became a spiritual leader and advocate for the Cuban community in Miami, as well as for many other immigrant communities, including Haitian refugees;

Whereas Agustín Román was fluent in Latin, English, French, and Spanish, and served on the Bishops' Committee for Hispanic Affairs, worked as a hospital chaplain, and became episcopal vicar for the Spanish-speaking people of the Archdiocese of Miami;

Whereas Agustín Román was the son of humble Cuban peasants, which influenced his commitment to humility, tenacity, and unceasing devotion to his ministry in southern Florida;

Whereas Agustín Román was instrumental in the construction of the Shrine of Our Lady of Charity on Biscayne Bay, which serves as a monument to the patron saint of Cuba, the Virgin of Charity of Cobre, and attracts hundreds of thousands of visitors each year;

Whereas in 1980 Agustín Román served as a mediator during the Mariel boatlift incident, helping more than 100,000 Cubans flee the island and safely resettle in the United States;

Whereas Agustín Román helped negotiate a peaceful resolution to the 1987 riots of Mariel prisoner uprisings in Federal prisons, earning him national recognition for his compassion, gentility, and humble spirit;

Whereas after his retirement at the age of 75, Agustín Román remained active at the Shrine of Our Lady Charity, greeting visitors and responding to letters from fellow Cuban exiles; and

Whereas Agustín Román passed away on Wednesday, April 11, 2012: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes and honors the life of Agustín Román;

(2) recognizes and honors the spiritual leadership of Agustín Román and his dedication to freedom and faith;

(3) offers heartfelt condolences to the family, friends, and loved ones of Agustín Román; and

(4) in memory of Agustín Román, calls on the United States to continue policies that promote respect for the fundamental principles of religious freedom, democracy, and human rights in Cuba, in a manner consistent with the aspirations of the people of Cuba.

SENATE RESOLUTION 444—DESIGNATING THE WEEK OF MAY 1 THROUGH MAY 7, 2012, AS ''NATIONAL PHYSICAL EDUCATION AND SPORT WEEK''

Ms. KLOBUCHAR (for herself and Mr. THUNE) submitted the following resolution; which was considered and agreed to:

S. RES. 444

Whereas a decline in physical activity has contributed to the unprecedented epidemic of childhood obesity, which has more than tripled in the United States since 1980;

Whereas regular physical activity is necessary to support normal and healthy growth in children and is essential to the continued health and well-being of children;

Whereas according to the Centers for Disease Control, overweight adolescents have a 70- to 80-percent chance of becoming overweight adults, increasing their risk for chronic disease, disability, and death;

Whereas physical activity reduces the risk of heart disease, high blood pressure, diabetes, and certain types of cancers;

Whereas type 2 diabetes can no longer be referred to as ''late in life'' or ''adult onset'' diabetes because type 2 diabetes presently occurs in children as young as 10 years old;

Whereas the Physical Activity Guidelines for Americans issued by the Department of Health and Human Services recommend that children engage in at least 60 minutes of physical activity on most, and preferably all, days of the week;

Whereas according to the Centers for Disease Control, only 19 percent of high school students are meeting the goal of 60 minutes of physical activity each day;

Whereas children spend many of their waking hours at school and, as a result, need to be active during the school day to meet the recommendations of the Physical Activity Guidelines for Americans;

Whereas nationally, according to the Centers for Disease Control, 1 out of 4 children does not attend any school physical education classes, and fewer than 1 in 4 children get 20 minutes of vigorous activity every day;

Whereas teaching children about physical education and sports not only ensures that the children are physically active during the school day, but also educates the children on how to be physically active and the importance of physical activity;

Whereas according to a 2006 survey by the Department of Health and Human Services, 3.8 percent of elementary schools, 7.9 percent of middle schools, and 2.1 percent of high schools provide daily physical education (or an equivalent) for the entire school year, and 22 percent of schools do not require students to take any physical education courses at all;

Whereas according to that 2006 survey, 13.7 percent of elementary schools, 15.2 percent of middle schools, and 3.0 percent of high schools provide physical education (or an equivalent) at least 3 days per week for the entire school year for students in all grades in the school;

Whereas research shows that fit and active children are more likely to thrive academically;

Whereas increased time in physical education classes can help the attention, concentration, and achievement test scores of children;

Whereas participation in sports teams and physical activity clubs, often organized by the school and run outside of the regular school day, can improve grade point average, school attachment, educational aspirations, and the likelihood of graduation;

Whereas participation in sports and physical activity improves self-esteem and body image in children and adults;

Whereas children and youths who partake in physical activity and sports programs have increased motor skills, healthy lifestyles, social skills, a sense of fair play, strong teamwork skills, self-discipline, and avoidance of risky behaviors;

Whereas the social and environmental factors affecting children are in the control of the adults and the communities in which the children live, and therefore, the people of the United States share a collective responsibility in reversing the childhood obesity epidemic;

Whereas if efforts are made to intervene with unfit children to bring those children to physically fit levels, then there may also be a concomitant rise in the academic performance of those children; and

Whereas Congress strongly supports efforts to increase physical activity and participation of children and youth in sports: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of May 1 through May 7, 2012, as ''National Physical Education and Sport Week'';

(2) recognizes National Physical Education and Sport Week and the central role of physical education and sports in creating a healthy lifestyle for all children and youth;

(3) supports the implementation of local school wellness policies (as that term is described in section 9A of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758b)) that include ambitious goals for physical education, physical activity, and other activities that address the childhood obesity epidemic and promote child wellness; and

(4) encourages schools to offer physical education classes to students and work with community partners to provide opportunities and safe spaces for physical activities before and after school and during the summer months for all children and youth.

SENATE RESOLUTION 445—EXPRESSING SUPPORT FOR THE DESIGNATION OF MAY 1, 2012, AS ''SILVER STAR SERVICE BANNER DAY''

Mrs. MCCASKILL (for herself and Mr. BLUNT) submitted the following resolution; which was considered and agreed to:

S. RES. 445

Whereas the Senate has always honored the sacrifices made by the wounded and ill members of the Armed Forces;

Whereas the Silver Star Service Banner has come to represent the members of the Armed Forces and veterans who were wounded or became ill in combat in the wars fought by the United States;

Whereas the Silver Star Families of America was formed to help the American people remember the sacrifices made by the wounded and ill members of the Armed Forces by designing and manufacturing Silver Star Service Banners and Silver Star Flags for that purpose;

Whereas the sole mission of the Silver Star Families of America is to evoke memories of the sacrifices of members and veterans of the Armed Forces on behalf of the United States through the presence of a Silver Star Service Banner in a window or a Silver Star Flag flying;

Whereas the sacrifices of members and veterans of the Armed Forces on behalf of the United States should never be forgotten; and

Whereas May 1, 2012, is an appropriate date to designate as ''Silver Star Service Banner Day'': Now, therefore, be it

Resolved, That the Senate supports the designation of May 1, 2012, as ''Silver Star Service Banner Day'' and calls upon the people of the United States to observe the day with appropriate programs, ceremonies, and activities.

SENATE RESOLUTION 446—EXPRESSING THE SENSE OF THE SENATE THAT THE UNITED NATIONS AND OTHER INTERGOVERNMENTAL ORGANIZATIONS SHOULD NOT BE ALLOWED TO EXERCISE CONTROL OVER THE INTERNET

Mr. RUBIO (for himself, Mr. MCCAIN, Mr. JOHANNS, and Ms. AYOTTE) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 446

Whereas market-based policies and private sector leadership have given the Internet flexibility to evolve;

Whereas the position of the United States Government is and has been to advocate for the free flow of information, Internet freedom, and multi-stakeholder governance of the Internet internationally;

Whereas the current multi-stakeholder model of Internet governance has enabled the Internet to flourish and allowed the private sector, civil society, academia, and individual users to play an important role in charting the direction of the Internet;

Whereas, given the importance of the Internet to the global economy, it is essential that the underlying technical infrastructure of the Internet remain stable and secure;

Whereas the developing world deserves the benefits that the Internet provides, including access to knowledge, services, commerce, and communication, the accompanying benefits to economic development, education, health care, and social assembly, and the informed discussion that is the bedrock of democratic self-government;

Whereas the explosive and hugely beneficial growth of the Internet resulted not from increased government involvement but from the opening of the Internet to commerce and private sector innovation;

Whereas the governments of some countries that advocate radical change in the structure of Internet governance censor the information available to their citizens through the Internet, use the Internet to prevent democratization, and use the Internet as a tool of surveillance to curtail legitimate political discussion and dissent, and other countries operate telecommunications systems as state-controlled monopolies or highly regulated and highly taxed entities;

Whereas some countries that support transferring Internet governance to an entity affiliated with the United Nations, or to another intergovernmental organization, might seek to have such an entity or organization endorse policies of those countries that block access to information, stifle political dissent, and maintain outmoded communications structures; and

Whereas the structure and control of Internet governance has profound implications for democratization, free expression, competition and trade, access to information, privacy, security, and the protection of intellectual property, and the threat of some countries to take unilateral action that would fracture the root zone file would result in a less functional Internet with diminished benefits for all people: Now, therefore, be it

Resolved, That the Senate calls on the President—

(1) to continue to oppose any effort to transfer control of the Internet to the United Nations or any other intergovernmental organization;

(2) to recognize the need for, and pursue, a continuing and constructive dialogue with the international community on the future of Internet governance; and

(3) to advance the values of a free Internet in the broader trade and diplomatic efforts of the United States Government.

SENATE CONCURRENT RESOLUTION 42—SETTING FORTH THE CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2013, REVISING THE APPROPRIATE BUDGETARY LEVELS FOR FISCAL YEAR 2012, AND SETTING FORTH THE APPROPRIATE BUDGETARY LEVELS FOR FISCAL YEARS 2013 THROUGH 2022.

Mr. PAUL submitted the following concurrent resolution; which was placed on the calendar:

S. CON. RES. 42

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2013.

(a) DECLARATION.—Congress declares that this resolution is the concurrent resolution on the budget for fiscal year 2013 and that this resolution sets forth the appropriate budgetary levels for fiscal years 2013 through 2022.

(b) TABLE OF CONTENTS.—The table of contents for this concurrent resolution is as follows:

Sec. 1. Concurrent resolution on the budget for fiscal year 2013.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS
Sec. 101. Recommended levels and amounts.
Sec. 102. Social Security.
Sec. 103. Major functional categories.
TITLE II—RESERVE FUNDS
Sec. 201. Deficit-reduction reserve fund for the sale of unused or vacant Federal properties.
Sec. 202. Deficit-reduction reserve fund for selling excess Federal land.
Sec. 203. Deficit-reduction reserve fund for the repeal of Davis-Bacon prevailing wage laws.
Sec. 204. Deficit-reduction reserve fund for the reduction of purchasing and maintaining Federal vehicles.
Sec. 205. Deficit-reduction reserve fund for the sale of financial assets purchased through the Troubled Asset Relief Program.
TITLE III—BUDGET PROCESS
Subtitle A—Budget Enforcement
Sec. 301. Discretionary spending limits for fiscal years 2012 through 2022, program integrity initiatives, and other adjustments.
Sec. 302. Point of order against advance appropriations.
Sec. 303. Emergency legislation.
Sec. 304. Adjustments for the extension of certain current policies.
Subtitle B—Other Provisions
Sec. 311. Oversight of Government performance.
Sec. 312. Application and effect of changes in allocations and aggregates.
Sec. 313. Adjustments to reflect changes in concepts and definitions.
Sec. 314. Rescind unspent or unobligated balances after 36 months.
TITLE IV—RECONCILIATION
Sec. 401. Reconciliation in the Senate.
TITLE V—CONGRESSIONAL POLICY CHANGES
Sec. 501. Policy statement on social security.
Sec. 502. Policy statement on medicare.
Sec. 503. Policy statement on tax reform.
TITLE VI—SENSE OF CONGRESS
Sec. 601. Regulatory reform.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2012 through 2022:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2012: $1,896,000,000,000.
Fiscal year 2013: $1,615,000,000,000.
Fiscal year 2014: $1,740,000,000,000.
Fiscal year 2015: $2,261,000,000,000.
Fiscal year 2016: $2,406,000,000,000.
Fiscal year 2017: $2,651,000,000,000.
Fiscal year 2018: $2,965,000,000,000.
Fiscal year 2019: $3,186,000,000,000.
Fiscal year 2020: $3,419,000,000,000.
Fiscal year 2021: $3,663,000,000,000.
Fiscal year 2022: $3,822,000,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2012: −$23,000,000,000.
Fiscal year 2013: −$675,000,000,000.
Fiscal year 2014: −$845,000,000,000.
Fiscal year 2015: −$537,000,000,000.
Fiscal year 2016: −$559,000,000,000.
Fiscal year 2017: −$521,000,000,000.
Fiscal year 2018: −$365,000,000,000.
Fiscal year 2019: −$312,000,000,000.
Fiscal year 2020: −$257,000,000,000.
Fiscal year 2021: −$214,000,000,000.
Fiscal year 2022: −$263,000,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2012: $3,519,858,000,000.
Fiscal year 2013: $3,084,004,000,000.
Fiscal year 2014: $3,106,658,000,000.
Fiscal year 2015: $3,117,000,000,000.
Fiscal year 2016: $3,283,243,000,000.
Fiscal year 2017: $3,458,011,000,000.
Fiscal year 2018: $3,659,956,000,000.
Fiscal year 2019: $3,893,357,000,000.
Fiscal year 2020: $4,090,845,000,000.
Fiscal year 2021: $4,262,660,000,000.
Fiscal year 2022: $4,464,458,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2012: $3,565,725,000,000.
Fiscal year 2013: $3,109,085,000,000.
Fiscal year 2014: $3,098,368,000,000.
Fiscal year 2015: $3,092,240,000,000.
Fiscal year 2016: $3,256,795,000,000.
Fiscal year 2017: $3,408,942,000,000.
Fiscal year 2018: $3,594,222,000,000.
Fiscal year 2019: $3,842,333,000,000.
Fiscal year 2020: $4,027,530,000,000.
Fiscal year 2021: $4,208,224,000,000.
Fiscal year 2022: $4,417,978,000,000.

(4) DEFICITS.—For purposes of the enforcement of this resolution, the amounts of the deficits are as follows:

Fiscal year 2012: $1,043,000,000,000.
Fiscal year 2013: $795,000,000,000.
Fiscal year 2014: $631,000,000,000.
Fiscal year 2015: $62,000,000,000.
Fiscal year 2016: $31,000,000,000.
Fiscal year 2017: −$111,000,000,000.
Fiscal year 2018: −$285,000,000,000.
Fiscal year 2019: −$302,000,000,000.
Fiscal year 2020: −$395,000,000,000.
Fiscal year 2021: −$504,000,000,000.
Fiscal year 2022: −$501,000,000,000.

(5) PUBLIC DEBT.—Pursuant to section 301(a)(5) of the Congressional Budget Act of 1974, the appropriate levels of the public debt are as follows:

Fiscal year 2012: $11,368,000,000,000.
Fiscal year 2013: $12,197,000,000,000.
Fiscal year 2014: $12,912,000,000,000.
Fiscal year 2015: $13,084,000,000,000.
Fiscal year 2016: $13,230,000,000,000.
Fiscal year 2017: $13,147,000,000,000.
Fiscal year 2018: $12,912,000,000,000.
Fiscal year 2019: $12,631,000,000,000.
Fiscal year 2020: $12,261,000,000,000.
Fiscal year 2021: $11,787,000,000,000.
Fiscal year 2022: $11,328,000,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:

Fiscal year 2012: $11,242,000,000,000.
Fiscal year 2013: $12,089,000,000,000.
Fiscal year 2014: $12,812,000,000,000.
Fiscal year 2015: $12,966,000,000,000.
Fiscal year 2016: $13,076,000,000,000.
Fiscal year 2017: $13,017,000,000,000.
Fiscal year 2018: $12,784,000,000,000.
Fiscal year 2019: $12,534,000,000,000.
Fiscal year 2020: $12,191,000,000,000.
Fiscal year 2021: $11,739,000,000,000.
Fiscal year 2022: $11,290,000,000,000.

SEC. 102. SOCIAL SECURITY.

(a) SOCIAL SECURITY REVENUES.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of revenues of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2012: $627,000,000,000.
Fiscal year 2013: $698,000,000,000.
Fiscal year 2014: $728,000,000,000.
Fiscal year 2015: $770,000,000,000.
Fiscal year 2016: $819,000,000,000.
Fiscal year 2017: $868,000,000,000.
Fiscal year 2018: $914,000,000,000.
Fiscal year 2019: $958,000,000,000.
Fiscal year 2020: $1,004,000,000,000.
Fiscal year 2021: $1,049,000,000,000.
Fiscal year 2022: $1,096,000,000,000.

(b) SOCIAL SECURITY OUTLAYS.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2012: $770,420,000,000.
Fiscal year 2013: $813,569,000,000.
Fiscal year 2014: $857,048,000,000.
Fiscal year 2015: $901,705,000,000.
Fiscal year 2016: $950,000,000,000.
Fiscal year 2017: $1,004,219,000,000.
Fiscal year 2018: $1,063,321,000,000.
Fiscal year 2019: $1,127,719,000,000.
Fiscal year 2020: $1,197,313,000,000.
Fiscal year 2021: $1,269,310,000,000.
Fiscal year 2022: $1,345,264,000,000.

(c) SOCIAL SECURITY ADMINISTRATIVE EXPENSES.—In the Senate, the amounts of new budget authority and budget outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for administrative expenses are as follows:

Fiscal year 2012:
(A) New budget authority, $5,822,000,000.
(B) Outlays, $5,793,000,000.
Fiscal year 2013:
(A) New budget authority, $5,868,000,000.
(B) Outlays, $6,108,000,000.
Fiscal year 2014:
(A) New budget authority, $6,043,000,000.
(B) Outlays, $6,269,000,000.
Fiscal year 2015:
(A) New budget authority, $6,223,000,000.
(B) Outlays, $6,386,000,000.
Fiscal year 2016:
(A) New budget authority, $6,418,000,000.
(B) Outlays, $6,379,000,000.
Fiscal year 2017:
(A) New budget authority, $6,616,000,000.
(B) Outlays, $6,379,000,000.
Fiscal year 2018:
(A) New budget authority, $6,838,000,000.
(B) Outlays, $6,794,000,000.
Fiscal year 2019:
(A) New budget authority, $7,071,000,000.
(B) Outlays, $7,024,000,000.
Fiscal year 2020:
(A) New budget authority, $7,304,000,000.
(B) Outlays, $7,257,000,000.
Fiscal year 2021:
(A) New budget authority, $7,543,000,000.
(B) Outlays, $7,494,000,000.
Fiscal year 2022:
(A) New budget authority, $7,796,000,000.
(B) Outlays, $7,745,000,000.

SEC. 103. MAJOR FUNCTIONAL CATEGORIES.

Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2011 through 2021 for each major functional category are:

(1) National Defense (050):
Fiscal year 2012:
(A) New budget authority, $549,397,000,000.
(B) Outlays, $559,626,000,000.
Fiscal year 2013:
(A) New budget authority, $562,462,000,000.
(B) Outlays, $587,049,000,000.
Fiscal year 2014:
(A) New budget authority, $562,462,000,000.
(B) Outlays, $587,807,000,000.
Fiscal year 2015:
(A) New budget authority, $570,643,000,000.
(B) Outlays, $574,208,000,000.
Fiscal year 2016:
(A) New budget authority, $579,797,000,000.
(B) Outlays, $580,181,000,000.

Fiscal year 2017:
(A) New budget authority, $591,058,000,000.
(B) Outlays, $583,077,000,000.
Fiscal year 2018:
(A) New budget authority, $602,310,000,000.
(B) Outlays, $587,825,000,000.
Fiscal year 2019:
(A) New budget authority, $613,550,000,000.
(B) Outlays, $603,494,000,000.
Fiscal year 2020:
(A) New budget authority, $625,785,000,000.
(B) Outlays, $615,208,000,000.
Fiscal year 2021:
(A) New budget authority, $638,070,000,000.
(B) Outlays, $627,214,000,000.
Fiscal year 2022:
(A) New budget authority, $651,718,000,000.
(B) Outlays, $645,558,000,000.
(2) International Affairs (150):
Fiscal year 2012:
(A) New budget authority, $57,684,000,000.
(B) Outlays, $50,501,000,000.
Fiscal year 2013:
(A) New budget authority, $14,024,000,000.
(B) Outlays, $20,680,000,000.
Fiscal year 2014:
(A) New budget authority, $20,680,000,000.
(B) Outlays, $15,069,000,000.
Fiscal year 2015:
(A) New budget authority, $11,666,000,000.
(B) Outlays, $11,423,000,000.
Fiscal year 2016:
(A) New budget authority, $11,423,000,000.
(B) Outlays, $12,347,000,000.
Fiscal year 2017:
(A) New budget authority, $12,746,000,000.
(B) Outlays, $13,359,000,000.
Fiscal year 2018:
(A) New budget authority, $13,359,000,000.
(B) Outlays, $13,471,000,000.
Fiscal year 2019:
(A) New budget authority, $14,318,000,000.
(B) Outlays, $14,318,000,000.
Fiscal year 2020:
(A) New budget authority, $14,619,000,000.
(B) Outlays, $11,335,000,000.
Fiscal year 2021:
(A) New budget authority, $14,921,000,000.
(B) Outlays, $11,541,000,000.
Fiscal year 2022:
(A) New budget authority, $15,217,000,000.
(B) Outlays, $11,742,000,000.
(3) General Science, Space, and Technology (250):
Fiscal year 2012:
(A) New budget authority, $29,836,000,000.
(B) Outlays, $31,175,000,000.
Fiscal year 2013:
(A) New budget authority, $19,605,000,000.
(B) Outlays, $18,914,000,000.
Fiscal year 2014:
(A) New budget authority, $19,962,000,000.
(B) Outlays, $19,222,000,000.
Fiscal year 2015:
(A) New budget authority, $20,319,000,000.
(B) Outlays, $18,518,000,000.
Fiscal year 2016:
(A) New budget authority, $20,682,000,000.
(B) Outlays, $18,849,000,000.
Fiscal year 2017:
(A) New budget authority, $21,052,000,000.
(B) Outlays, $19,186,000,000.
Fiscal year 2018:
(A) New budget authority, $21,249,000,000.
(B) Outlays, $19,529,000,000.
Fiscal year 2019:
(A) New budget authority, $21,812,000,000.
(B) Outlays, $19,878,000,000.
Fiscal year 2020:
(A) New budget authority, $22,203,000,000.
(B) Outlays, $20,234,000,000.
Fiscal year 2021:
(A) New budget authority, $22,600,000,000.
(B) Outlays, $20,596,000,000.
Fiscal year 2022:
(A) New budget authority, $23,005,000,000.
(B) Outlays, $20,964,000,000.
(4) Energy (270):
Fiscal year 2012:
(A) New budget authority, $9,886,000,000.
(B) Outlays, $18,342,000,000.
Fiscal year 2013:
(A) New budget authority, $923,000,000.
(B) Outlays, $2,882,000,000.
Fiscal year 2014:
(A) New budget authority, $976,000,000.
(B) Outlays, $2,349,000,000.
Fiscal year 2015:
(A) New budget authority, $1,003,000,000.
(B) Outlays, $1,649,000,000.
Fiscal year 2016:
(A) New budget authority, $857,000,000.
(B) Outlays, $801,000,000.
Fiscal year 2017:
(A) New budget authority, $886,000,000.
(B) Outlays, $829,000,000.
Fiscal year 2018:
(A) New budget authority, $914,000,000.
(B) Outlays, $856,000,000.
Fiscal year 2019:
(A) New budget authority, $944,000,000.
(B) Outlays, $885,000,000.
Fiscal year 2020:
(A) New budget authority, $973,000,000.
(B) Outlays, $912,000,000.
Fiscal year 2021:
(A) New budget authority, $1,003,000,000.
(B) Outlays, $940,000,000.
Fiscal year 2022:
(A) New budget authority, $1,021,000,000.
(B) Outlays, $955,000,000.
(5) Natural Resources and Environment (300):
Fiscal year 2012:
(A) New budget authority, $37,109,000,000.
(B) Outlays, $42,242,000,000.
Fiscal year 2013:
(A) New budget authority, $24,206,000,000.
(B) Outlays, $23,864,000,000.
Fiscal year 2014:
(A) New budget authority, $23,864,000,000.
(B) Outlays, $23,928,000,000.
Fiscal year 2015:
(A) New budget authority, $24,441,000,000.
(B) Outlays, $22,864,000,000.
Fiscal year 2016:
(A) New budget authority, $24,912,000,000.
(B) Outlays, $23,178,000,000.
Fiscal year 2017:
(A) New budget authority, $25,401,000,000.
(B) Outlays, $23,571,000,000.
Fiscal year 2018:
(A) New budget authority, $26,392,000,000.
(B) Outlays, $24,430,000,000.
Fiscal year 2019:
(A) New budget authority, $26,745,000,000.
(B) Outlays, $24,747,000,000.
Fiscal year 2020:
(A) New budget authority, $27,636,000,000.
(B) Outlays, $25,441,000,000.
Fiscal year 2021:
(A) New budget authority, $27,558,000,000.
(B) Outlays, $25,561,000,000.
Fiscal year 2022:
(A) New budget authority, $27,904,000,000.
(B) Outlays, $25,787,000,000.
(6) Agriculture (350):
Fiscal year 2012:
(A) New budget authority, $22,686,000,000.
(B) Outlays, $19,646,000,000.
Fiscal year 2013:
(A) New budget authority, $20,143,000,000.
(B) Outlays, $22,255,000,000.
Fiscal year 2014:
(A) New budget authority, $20,600,000,000.
(B) Outlays, $19,523,000,000.
Fiscal year 2015:
(A) New budget authority, $20,545,000,000.
(B) Outlays, $20,545,000,000.
Fiscal year 2016:
(A) New budget authority, $20,567,000,000.
(B) Outlays, $19,628,000,000.
Fiscal year 2017:
(A) New budget authority, $20,518,000,000.
(B) Outlays, $19,549,000,000.
Fiscal year 2018:
(A) New budget authority, $20,811,000,000.
(B) Outlays, $19,765,000,000.
Fiscal year 2019:
(A) New budget authority, $21,010,000,000.
(B) Outlays, $19,990,000,000.
Fiscal year 2020:
(A) New budget authority, $21,275,000,000.
(B) Outlays, $20,266,000,000.
Fiscal year 2021:
(A) New budget authority, $21,560,000,000.
(B) Outlays, $20,514,000,000.
Fiscal year 2022:
(A) New budget authority, $21,631,000,000.
(B) Outlays, $20,583,000,000.
(7) Commerce and Housing Credit (370):
Fiscal year 2012:
(A) New budget authority, $42,288,000,000.
(B) Outlays, $42,685,000,000.
Fiscal year 2013:
(A) New budget authority, $12,386,000,000.
(B) Outlays, $11,996,000,000.
Fiscal year 2014:
(A) New budget authority, $12,332,000,000.
(B) Outlays, −$552,000,000.
Fiscal year 2015:
(A) New budget authority, $12,332,000,000.
(B) Outlays, −$1,240,000,000.
Fiscal year 2016:
(A) New budget authority, $11,997,000,000.
(B) Outlays, −$4,202,000,000.
Fiscal year 2017:
(A) New budget authority, $15,199,000,000.
(B) Outlays, −$4,255,000,000.
Fiscal year 2018:
(A) New budget authority, $15,864,000,000.
(B) Outlays, −$5,765,000,000.
Fiscal year 2019:
(A) New budget authority, $16,368,000,000.
(B) Outlays, $2,829,000,000.
Fiscal year 2020:
(A) New budget authority, $16,930,000,000.
(B) Outlays, $2,174,000,000.
Fiscal year 2021:
(A) New budget authority, $17,448,000,000.
(B) Outlays, $1,283,000,000.
Fiscal year 2022:
(A) New budget authority, $17,820,000,000.
(B) Outlays, $230,000,000.
(8) Transportation (400):
Fiscal year 2012:
(A) New budget authority, $88,325,000,000.
(B) Outlays, $91,171,000,000.
Fiscal year 2013:
(A) New budget authority, $77,499,000,000.
(B) Outlays, $80,200,000,000.
Fiscal year 2014:
(A) New budget authority, $76,644,000,000.
(B) Outlays, $80,149,000,000.
Fiscal year 2015:
(A) New budget authority, $77,240,000,000.
(B) Outlays, $81,869,000,000.
Fiscal year 2016:
(A) New budget authority, $78,217,000,000.
(B) Outlays, $83,149,000,000.
Fiscal year 2017:
(A) New budget authority, $79,069,000,000.
(B) Outlays, $84,439,000,000.
Fiscal year 2018:
(A) New budget authority, $79,014,000,000.
(B) Outlays, $83,270,000,000.
Fiscal year 2019:
(A) New budget authority, $80,669,000,000.
(B) Outlays, $84,969,000,000.
Fiscal year 2020:
(A) New budget authority, $81,266,000,000.
(B) Outlays, $85,940,000,000.
Fiscal year 2021:
(A) New budget authority, $81,783,000,000.
(B) Outlays, $87,078,000,000.
Fiscal year 2022:
(A) New budget authority, $82,635,000,000.
(B) Outlays, $88,495,000,000.
(9) Community and Regional Development (450):
Fiscal year 2012:
(A) New budget authority, $18,783,000,000.
(B) Outlays, $24,628,000,000.
Fiscal year 2013:

(A) New budget authority, $11,998,000,000.
(B) Outlays, $13,439,000,000.
Fiscal year 2014:
(A) New budget authority, $12,036,000,000.
(B) Outlays, $13,336,000,000.
Fiscal year 2015:
(A) New budget authority, $12,256,000,000.
(B) Outlays, $12,761,000,000.
Fiscal year 2016:
(A) New budget authority, $12,478,000,000.
(B) Outlays, $12,725,000,000.
Fiscal year 2017:
(A) New budget authority, $12,701,000,000.
(B) Outlays, $11,854,000,000.
Fiscal year 2018:
(A) New budget authority, $12,932,000,000.
(B) Outlays, $11,621,000,000.
Fiscal year 2019:
(A) New budget authority, $13,163,000,000.
(B) Outlays, $11,835,000,000.
Fiscal year 2020:
(A) New budget authority, $13,401,000,000.
(B) Outlays, $12,073,000,000.
Fiscal year 2021:
(A) New budget authority, $13,645,000,000.
(B) Outlays, $12,325,000,000.
Fiscal year 2022:
(A) New budget authority, $13,890,000,000.
(B) Outlays, $12,647,000,000.
(10) Education, Training, Employment, and Social Services (500):
Fiscal year 2012:
(A) New budget authority, $88,578,000,000.
(B) Outlays, $105,484,000,000.
Fiscal year 2013:
(A) New budget authority, $33,898,000,000.
(B) Outlays, $42,292,000,000.
Fiscal year 2014:
(A) New budget authority, $30,868,000,000.
(B) Outlays, $32,933,000,000.
Fiscal year 2015:
(A) New budget authority, $32,868,000,000.
(B) Outlays, $29,490,000,000.
Fiscal year 2016:
(A) New budget authority, $33,437,000,000.
(B) Outlays, $29,870,000,000.
Fiscal year 2017:
(A) New budget authority, $42,660,000,000.
(B) Outlays, $37,022,000,000.
Fiscal year 2018:
(A) New budget authority, $46,337,000,000.
(B) Outlays, $43,104,000,000.
Fiscal year 2019:
(A) New budget authority, $49,313,000,000.
(B) Outlays, $45,960,000,000.
Fiscal year 2020:
(A) New budget authority, $49,859,000,000.
(B) Outlays, $47,385,000,000.
Fiscal year 2021:
(A) New budget authority, $50,122,000,000.
(B) Outlays, $50,122,000,000.
Fiscal year 2022:
(A) New budget authority, $50,554,000,000.
(B) Outlays, $47,920,000,000.
(11) Health (550):
Fiscal year 2012:
(A) New budget authority, $357,821,000,000.
(B) Outlays, $358,737,000,000.
Fiscal year 2013:
(A) New budget authority, $338,159,000,000.
(B) Outlays, $334,163,000,000.
Fiscal year 2014:
(A) New budget authority, $348,397,000,000.
(B) Outlays, $338,935,000,000.
Fiscal year 2015:
(A) New budget authority, $359,620,000,000.
(B) Outlays, $357,023,000,000.
Fiscal year 2016:
(A) New budget authority, $365,157,000,000.
(B) Outlays, $364,094,000,000.
Fiscal year 2017:
(A) New budget authority, $374,943,000,000.
(B) Outlays, $373,308,000,000.
Fiscal year 2018:
(A) New budget authority, $385,894,000,000.
(B) Outlays, $381,726,000,000.
Fiscal year 2019:
(A) New budget authority, $397,015,000,000.
(B) Outlays, $392,850,000,000.
Fiscal year 2020:
(A) New budget authority, $417,710,000,000.
(B) Outlays, $403,283,000,000.
Fiscal year 2021:
(A) New budget authority, $419,586,000,000.
(B) Outlays, $415,086,000,000.
Fiscal year 2022:
(A) New budget authority, $431,913,000,000.
(B) Outlays, $427,453,000,000.
(12) Medicare (570):
Fiscal year 2012:
(A) New budget authority, $487,762,000,000.
(B) Outlays, $487,661,000,000.
Fiscal year 2013:
(A) New budget authority, $509,976,000,000.
(B) Outlays, $510,212,000,000.
Fiscal year 2014:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2015:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2016:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2017:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2018:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2019:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2020:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2021:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2022:
(A) New budget authority, $0.
(B) Outlays, $0.
(13) Income Security (600):
Fiscal year 2012:
(A) New budget authority, $534,107,000,000.
(B) Outlays, $533,175,000,000.
Fiscal year 2013:
(A) New budget authority, $355,125,000,000.
(B) Outlays, $347,966,000,000.
Fiscal year 2014:
(A) New budget authority, $362,716,000,000.
(B) Outlays, $355,966,000,000.
Fiscal year 2015:
(A) New budget authority, $362,163,000,000.
(B) Outlays, $357,163,000,000.
Fiscal year 2016:
(A) New budget authority, $369,163,000,000.
(B) Outlays, $369,695,000,000.
Fiscal year 2017:
(A) New budget authority, $368,254,000,000.
(B) Outlays, $364,817,000,000.
Fiscal year 2018:
(A) New budget authority, $371,087,000,000.
(B) Outlays, $636,453,000,000.
Fiscal year 2019:
(A) New budget authority, $385,838,000,000.
(B) Outlays, $383,743,000,000.
Fiscal year 2020:
(A) New budget authority, $396,715,000,000.
(B) Outlays, $395,180,000,000.
Fiscal year 2021:
(A) New budget authority, $408,219,000,000.
(B) Outlays, $407,134,000,000.
Fiscal year 2022:
(A) New budget authority, $422,855,000,000.
(B) Outlays, $427,176,000,000.
(14) Social Security (650):
Fiscal year 2012:
(A) New budget authority, $779,797,000,000.
(B) Outlays, $776,213,000,000.
Fiscal year 2013:
(A) New budget authority, $823,017,000,000.
(B) Outlays, $819,677,000,000.
Fiscal year 2014:
(A) New budget authority, $866,901,000,000.
(B) Outlays, $863,317,000,000.
Fiscal year 2015:
(A) New budget authority, $912,103,000,000.
(B) Outlays, $908,091,000,000.
Fiscal year 2016:
(A) New budget authority, $960,918,000,000.
(B) Outlays, $956,379,000,000.
Fiscal year 2017:
(A) New budget authority, $1,075,559,000,000.
(B) Outlays, $1,010,794,000,000.
Fiscal year 2018:
(A) New budget authority, $1,075,559,000,000.
(B) Outlays, $1,070,115,000,000.
Fiscal year 2019:
(A) New budget authority, $1,140,590,000,000.
(B) Outlays, $1,134,743,000,000.
Fiscal year 2020:
(A) New budget authority, $1,210,617,000,000.
(B) Outlays, $1,204,570,000,000.
Fiscal year 2021:
(A) New budget authority, $1,283,153,000,000.
(B) Outlays, $1,276,804,000,000.
Fiscal year 2022:
(A) New budget authority, $1,360,160,000,000.
(B) Outlays, $1,353,009,000,000.
(15) Veterans Benefits and Services (700):
Fiscal year 2012:
(A) New budget authority, $126,263,000,000.
(B) Outlays, $126,262,000,000.
Fiscal year 2013:
(A) New budget authority, $132,924,000,000.
(B) Outlays, $133,660,000,000.
Fiscal year 2014:
(A) New budget authority, $135,032,000,000.
(B) Outlays, $135,471,000,000.
Fiscal year 2015:
(A) New budget authority, $138,369,000,000.
(B) Outlays, $138,367,000,000.
Fiscal year 2016:
(A) New budget authority, $147,201,000,000.
(B) Outlays, $146,698,000,000.
Fiscal year 2017:
(A) New budget authority, $146,175,000,000.
(B) Outlays, $145,526,000,000.
Fiscal year 2018:
(A) New budget authority, $145,004,000,000.
(B) Outlays, $144,303,000,000.
Fiscal year 2019:
(A) New budget authority, $154,685,000,000.
(B) Outlays, $153,943,000,000.
Fiscal year 2020:
(A) New budget authority, $159,160,000,000.
(B) Outlays, $158,409,000,000.
Fiscal year 2021:
(A) New budget authority, $163,701,000,000.
(B) Outlays, $163,701,000,000.
Fiscal year 2022:
(A) New budget authority, $173,802,000,000.
(B) Outlays, $172,995,000,000.
(16) Administration of Justice (750):
Fiscal year 2012:
(A) New budget authority, $51,700,000,000.
(B) Outlays, $54,471,000,000.
Fiscal year 2013:
(A) New budget authority, $50,998,000,000.
(B) Outlays, $38,113,000,000.
Fiscal year 2014:
(A) New budget authority, $41,766,000,000.
(B) Outlays, $40,926,000,000.
Fiscal year 2015:
(A) New budget authority, $42,296,000,000.
(B) Outlays, $40,215,000,000.
Fiscal year 2016:
(A) New budget authority, $45,028,000,000.
(B) Outlays, $42,812,000,000.
Fiscal year 2017:
(A) New budget authority, $43,922,000,000.
(B) Outlays, $41,759,000,000.
Fiscal year 2018:
(A) New budget authority, $44,527,000,000.
(B) Outlays, $42,294,000,000.
Fiscal year 2019:
(A) New budget authority, $45,216,000,000.
(B) Outlays, $41,863,000,000.
Fiscal year 2020:
(A) New budget authority, $45,915,000,000.
(B) Outlays, $41,951,000,000.
Fiscal year 2021:
(A) New budget authority, $46,787,000,000.

(B) Outlays, $42,718,000,000.
Fiscal year 2022:
(A) New budget authority, $51,306,000,000.
(B) Outlays, $47,151,000,000.
(17) General Government (800):
Fiscal year 2012:
(A) New budget authority, $24,163,000,000,000.
(B) Outlays, $30,033,000,000.
Fiscal year 2013:
(A) New budget authority, $21,262,000,000.
(B) Outlays, $18,354,000,000.
Fiscal year 2014:
(A) New budget authority, $21,414,000,000.
(B) Outlays, $19,949,000,000.
Fiscal year 2015:
(A) New budget authority, $21,586,000,000.
(B) Outlays, $20,149,000,000.
Fiscal year 2016:
(A) New budget authority, $21,762,000,000.
(B) Outlays, $20,373,000,000.
Fiscal year 2017:
(A) New budget authority, $22,114,000,000.
(B) Outlays, $20,531,000,000.
Fiscal year 2018:
(A) New budget authority, $22,470,000,000.
(B) Outlays, $20,836,000,000.
Fiscal year 2019:
(A) New budget authority, $22,893,000,000.
(B) Outlays, $21,252,000,000.
Fiscal year 2020:
(A) New budget authority, $23,227,000,000.
(B) Outlays, $21,614,000,000.
Fiscal year 2021:
(A) New budget authority, $23,622,000,000.
(B) Outlays, $21,904,000,000.
Fiscal year 2022:
(A) New budget authority, $23,933,000,000.
(B) Outlays, $22,217,000,000.
(18) Net Interest (900):
Fiscal year 2012:
(A) New budget authority, $224,064,000,000.
(B) Outlays, $224,064,000,000.
Fiscal year 2013:
(A) New budget authority, $183,281,000,000.
(B) Outlays, $183,281,000,000.
Fiscal year 2014:
(A) New budget authority, $184,653,000,000.
(B) Outlays, $184,653,000,000.
Fiscal year 2015:
(A) New budget authority, $211,497,000,000.
(B) Outlays, $211,497,000,000.
Fiscal year 2016:
(A) New budget authority, $293,109,000,000.
(B) Outlays, $293,109,000,000.
Fiscal year 2017:
(A) New budget authority, $361,394,000,000.
(B) Outlays, $361,394,000,000.
Fiscal year 2018:
(A) New budget authority, $440,040,000,000.
(B) Outlays, $440,040,000,000.
Fiscal year 2019:
(A) New budget authority, $501,224,000,000.
(B) Outlays, $501,224,000,000.
Fiscal year 2020:
(A) New budget authority, $536,534,000,000.
(B) Outlays, $536,534,000,000.
Fiscal year 2021:
(A) New budget authority, $565,473,000,000.
(B) Outlays, $565,473,000,000.
Fiscal year 2022:
(A) New budget authority, −$588,933,000,000.
(B) Outlays, −$588,933,000,000.
(19) Allowances (920):
Fiscal year 2012
(A) New budget authority, −$45,400,000,000.
(B) Outlays, −$45,400,000,000.
Fiscal year 2013:
(A) New budget authority, −$57,358,000,000.
(B) Outlays, −$57,358,000,000.
Fiscal year 2014:
(A) New budget authority, −$71,118,000,000.
(B) Outlays, −$71,118,000,000.
Fiscal year 2015:
(A) New budget authority, −$79,148,000,000.
(B) Outlays, −$79,148,000,000.
Fiscal year 2016:
(A) New budget authority, −$92,742,000,000.
(B) Outlays, −$92,742,000,000.
Fiscal year 2017:
(A) New budget authority, −$91,236,000,000.
(B) Outlays, −$91,236,000,000.
Fiscal year 2018:
(A) New budget authority, −$86,010,000,000.
(B) Outlays, −$86,010,000,000.
Fiscal year 2019:
(A) New budget authority, −$56,114,000,000.
(B) Outlays, −$56,114,000,000.
Fiscal year 2020:
(A) New budget authority, −$58,063,000,000.
(B) Outlays, −$58,063,000,000.
Fiscal year 2021:
(A) New budget authority, −$58,990,000,000.
(B) Outlays, −$58,990,000,000.
Fiscal year 2022:
(A) New budget authority, −$55,589,000,000.
(B) Outlays, −$55,589,000,000.
(20) Undistributed Offsetting Receipts (950):
Fiscal year 2012:
(A) New budget authority, −$91,535,000,000.
(B) Outlays, −$91,535,000,000.
Fiscal year 2013:
(A) New budget authority, −$95,678,000,000.
(B) Outlays, −$95,678,000,000.
Fiscal year 2014:
(A) New budget authority, −$96,030,000,000.
(B) Outlays, −$96,030,000,000.
Fiscal year 2015:
(A) New budget authority, −$101,010,000,000.
(B) Outlays, −$101,010,000,000.
Fiscal year 2016:
(A) New budget authority, −$104,680,000,000.
(B) Outlays, −$104,680,000,000.
Fiscal year 2017:
(A) New budget authority, −$117,921,000,000.
(B) Outlays, −$117,921,000,000.
Fiscal year 2018:
(A) New budget authority, −$123,045,000,000.
(B) Outlays, −$123,045,000,000.
Fiscal year 2019:
(A) New budget authority, −$133,352,000,000.
(B) Outlays, −$133,352,000,000.
Fiscal year 2020:
(A) New budget authority, −$138,451,000,000.
(B) Outlays, −$138,451,000,000.
Fiscal year 2021:
(A) New budget authority, −$144,197,000,000.
(B) Outlays, −$144,197,000,000.
Fiscal year 2022:
(A) New budget authority, −$150,911,000,000.
(B) Outlays, −$150,911,000,000.
(21) Global War on Terrorism (970):
Fiscal year 2012:
(A) New budget authority, $126,544,000,000.
(B) Outlays, $126,544,000,000.
Fiscal year 2013:
(A) New budget authority, $50,000,000,000.
(B) Outlays, $50,000,000,000.
Fiscal year 2014:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2015:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2016:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2017:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2018:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2019:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2020:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2021:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2022:
(A) New budget authority, $0.
(B) Outlays, $0.
(22) Congressional Health Insurance for Seniors (990):
Fiscal year 2012:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2013:
(A) New budget authority, $3,125,000,000.
(B) Outlays, $3,125,000,000.
Fiscal year 2014:
(A) New budget authority, $539,435,000,000.
(B) Outlays, $532,135,000,000.
Fiscal year 2015:
(A) New budget authority, $466,210,000,000.
(B) Outlays, $468,810,000,000.
Fiscal year 2016:
(A) New budget authority, $494,278,000,000.
(B) Outlays, $494,278,000,000.
Fiscal year 2017:
(A) New budget authority, $513,342,000,000.
(B) Outlays, $511,342,000,000.
Fiscal year 2018:
(A) New budget authority, $544,406,000,000.
(B) Outlays, $542,406,000,000.
Fiscal year 2019:
(A) New budget authority, $577,470,000,000.
(B) Outlays, $575,470,000,000.
Fiscal year 2020:
(A) New budget authority, $623,534,000,000.
(B) Outlays, $623,534,000,000.
Fiscal year 2021:
(A) New budget authority, $666,598,000,000.
(B) Outlays, $664,598,000,000.
Fiscal year 2022:
(A) New budget authority, $712,662,000,000.
(B) Outlays, $710,662,000,000.

TITLE II—RESERVE FUNDS

SEC. 201. DEFICIT-REDUCTION RESERVE FUND FOR THE SALE OF UNUSED OR VACANT FEDERAL PROPERTIES.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by selling any unused or vacant Federal properties. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 202. DEFICIT-REDUCTION RESERVE FUND FOR SELLING EXCESS FEDERAL LAND.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by selling any excess Federal land. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 203. DEFICIT-REDUCTION RESERVE FUND FOR THE REPEAL OF DAVIS-BACON PREVAILING WAGE LAWS.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills,

joint resolutions, amendments, motions, or conference reports from savings achieved by repealing the Davis-Bacon prevailing wage laws. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 204. DEFICIT-REDUCTION RESERVE FUND FOR THE REDUCTION OF PURCHASING AND MAINTAINING FEDERAL VEHICLES.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by reducing the federal vehicles fleet. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 205. DEFICIT-REDUCTION RESERVE FUND FOR THE SALE OF FINANCIAL ASSETS PURCHASED THROUGH THE TROUBLED ASSET RELIEF PROGRAM.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by selling financial instruments and equity accumulated through the Troubled Asset Relief Program. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

TITLE III—BUDGET PROCESS

Subtitle A—Budget Enforcement

SEC. 301. DISCRETIONARY SPENDING LIMITS FOR FISCAL YEARS 2012 THROUGH 2022, PROGRAM INTEGRITY INITIATIVES, AND OTHER ADJUSTMENTS.

(a) SENATE POINT OF ORDER.—

(1) IN GENERAL.—Except as otherwise provided in this section, it shall not be in order in the Senate to consider any bill or joint resolution (or amendment, motion, or conference report on that bill or joint resolution) that would cause the discretionary spending limits in this section to be exceeded.

(2) SUPERMAJORITY WAIVER AND APPEALS.—

(A) WAIVER.—This subsection may be waived or suspended in the Senate only by the affirmative vote of two-thirds of the Members, duly chosen and sworn.

(B) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution. An affirmative vote of two-thirds of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(b) SENATE DISCRETIONARY SPENDING LIMITS.—In the Senate and as used in this section, the term ''discretionary spending limit'' means—

(1) for fiscal year 2012, $1,201,863,000,000 in new budget authority and $1,308,512,000,000 in outlays;

(2) for fiscal year 2013, $934,104,000,000 in new budget authority and $1,023,435,000,000 in outlays;

(3) for fiscal year 2014, $891,861,000,000 in new budget authority and $965,519,000,000 in outlays;

(4) for fiscal year 2015, $906,188,000,000 in new budget authority and $943,141,000,000 in outlays;

(5) for fiscal year 2016 $921,824,000,000 in new budget authority and $955,362,000,000 in outlays;

(6) for fiscal year 2017, $939,918,000,000 in new budget authority and $964,874,000,000 in outlays;

(7) for fiscal year 2018, $958,654,000,000 in new budget authority and $974,728,000,000 in outlays;

(8) for fiscal year 2019, $977,693,000,000 in new budget authority and $998,696,000,000 in outlays;

(9) for fiscal year 2020, $997,939,000,000 in new budget authority and $1,018,172,000,000 in outlays;

(10) for fiscal year 2021, $1,018,340,000,000 in new budget authority and $1,038,189,000,000 in outlays; and

(11) for fiscal year 2022, $1,040,081,000,000 in new budget authority and $1,064,838,000,000 in outlays;

as adjusted in conformance with the adjustment procedures in subsection (c).

(c) ADJUSTMENTS IN THE SENATE.—

(1) IN GENERAL.—After the reporting of a bill or joint resolution relating to any matter described in paragraph (2), or the offering of an amendment or motion thereto or the submission of a conference report thereon—

(A) the Chairman of the Committee on the Budget of the Senate may adjust the discretionary spending limits, budgetary aggregates, and allocations pursuant to section 302(a) of the Congressional Budget Act of 1974, by the amount of new budget authority in that measure for that purpose and the outlays flowing therefrom; and

(B) following any adjustment under subparagraph (A), the Committee on Appropriations of the Senate may report appropriately revised suballocations pursuant to section 302(b) of the Congressional Budget Act of 1974 to carry out this subsection.

(2) ADJUSTMENTS TO SUPPORT ONGOING OVERSEAS DEPLOYMENTS AND OTHER ACTIVITIES.—

(A) ADJUSTMENTS.—The Chairman of the Committee on the Budget of the Senate may adjust the discretionary spending limits, allocations to the Committee on Appropriations of the Senate, and aggregates for one or more—

(i) bills reported by the Committee on Appropriations of the Senate or passed by the House of Representatives;

(ii) joint resolutions or amendments reported by the Committee on Appropriations of the Senate;

(iii) amendments between the Houses received from the House of Representatives or Senate amendments offered by the authority of the Committee on Appropriations of the Senate; or

(iv) conference reports;

making appropriations for overseas deployments and other activities in the amounts specified in subparagraph (B).

(B) AMOUNTS SPECIFIED.—The amounts specified are—

(i) for fiscal year 2012, $126,544,000,000 in new budget authority and the outlays flowing therefrom;

(ii) for fiscal year 2013, $50,000,000,000 in new budget authority and the outlays flowing therefrom;

(iii) for fiscal year 2014, $0 in new budget authority and the outlays flowing therefrom;

(iv) for fiscal year 2015, $0 in new budget authority and the outlays flowing therefrom;

(v) for fiscal year 2016, $0 in new budget authority and the outlays flowing therefrom;

(vi) for fiscal year 2017, $0 in new budget authority and the outlays flowing therefrom;

(vii) for fiscal year 2018, $0 in new budget authority and the outlays flowing therefrom;

(viii) for fiscal year 2019, $0 in new budget authority and the outlays flowing therefrom;

(ix) for fiscal year 2020, $0 in new budget authority and the outlays flowing therefrom;

(x) for fiscal year 2021, $0 in new budget authority and the outlays flowing therefrom; and

(xi) for fiscal year 2022, $0 in new budget authority and the outlays flowing therefrom.

SEC. 302. POINT OF ORDER AGAINST ADVANCE APPROPRIATIONS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, or conference report that would provide an advance appropriation.

(b) DEFINITION.—In this section, the term ''advance appropriation'' means any new budget authority provided in a bill or joint resolution making appropriations for fiscal year 2013 that first becomes available for any fiscal year after 2012, or any new budget authority provided in a bill or joint resolution making general appropriations or continuing appropriations for fiscal year 2013, that first becomes available for any fiscal year after 2013.

SEC. 303. EMERGENCY LEGISLATION.

(a) AUTHORITY TO DESIGNATE.—In the Senate, with respect to a provision of direct spending or receipts legislation or appropriations for discretionary accounts that Congress designates as an emergency requirement in such measure, the amounts of new budget authority, outlays, and receipts in all fiscal years resulting from that provision shall be treated as an emergency requirement for the purpose of this section.

(b) EXEMPTION OF EMERGENCY PROVISIONS.—Any new budget authority, outlays, and receipts resulting from any provision designated as an emergency requirement, pursuant to this section, in any bill, joint resolution, amendment, or conference report shall not count for purposes of sections 302 and 311 of the Congressional Budget Act of 1974, section 201 of S. Con. Res. 21 (110th Congress) (relating to pay-as-you-go), section 311 of S. Con. Res. 70 (110th Congress) (relating to long-term deficits), and section 404 of S. Con. Res. 13 (111th Congress) (relating to short-term deficits), and section 301 of this resolution (relating to discretionary spending). Designated emergency provisions shall not count for the purpose of revising allocations, aggregates, or other levels pursuant to procedures established under section 301(b)(7) of the Congressional Budget Act of 1974 for deficit-neutral reserve funds and revising discretionary spending limits set pursuant to section 301 of this resolution.

(c) DESIGNATIONS.—If a provision of legislation is designated as an emergency requirement under this section, the committee report and any statement of managers accompanying that legislation shall include an explanation of the manner in which the provision meets the criteria in subsection (f).

(d) DEFINITIONS.—In this section, the terms ''direct spending'', ''receipts'', and ''appropriations for discretionary accounts'' mean any provision of a bill, joint resolution, amendment, motion, or conference report that affects direct spending, receipts, or appropriations as those terms have been defined and interpreted for purposes of the Balanced Budget and Emergency Deficit Control Act of 1985.

(e) POINT OF ORDER.—

(1) IN GENERAL.—When the Senate is considering a bill, resolution, amendment, motion, or conference report, if a point of order

is made by a Senator against an emergency designation in that measure, that provision making such a designation shall be stricken from the measure and may not be offered as an amendment from the floor.

(2) SUPERMAJORITY WAIVER AND APPEALS.—

(A) WAIVER.—Paragraph (1) may be waived or suspended in the Senate only by an affirmative vote of two-thirds of the Members, duly chosen and sworn.

(B) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(3) DEFINITION OF AN EMERGENCY DESIGNATION.—For purposes of paragraph (1), a provision shall be considered an emergency designation if it designates any item as an emergency requirement pursuant to this subsection.

(4) FORM OF THE POINT OF ORDER.—A point of order under paragraph (1) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

(5) CONFERENCE REPORTS.—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill, upon a point of order being made by any Senator pursuant to this section, and such point of order being sustained, such material contained in such conference report shall be deemed stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

(f) CRITERIA.—

(1) IN GENERAL.—For purposes of this section, any provision is an emergency requirement if the situation addressed by such provision is—

(A) necessary, essential, or vital (not merely useful or beneficial);

(B) sudden, quickly coming into being, and not building up over time;

(C) an urgent, pressing, and compelling need requiring immediate action;

(D) subject to subparagraph (B), unforeseen, unpredictable, and unanticipated; and

(E) not permanent, temporary in nature.

(2) UNFORESEEN.—An emergency that is part of an aggregate level of anticipated emergencies, particularly when normally estimated in advance, is not unforeseen.

(g) INAPPLICABILITY.—In the Senate, section 403 of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010, shall no longer apply.

SEC. 304. ADJUSTMENTS FOR THE EXTENSION OF CERTAIN CURRENT POLICIES.

(a) ADJUSTMENT.—For the purposes of determining points of order specified in subsection (b), the Chairman of the Committee on the Budget of the Senate may adjust the estimate of the budgetary effects of a bill, joint resolution, amendment, motion, or conference report that contains one or more provisions meeting the criteria of subsection (c) to exclude the amounts of qualifying budgetary effects.

(b) COVERED POINTS OF ORDER.—The Chairman of the Committee on the Budget of the Senate may make adjustments pursuant to this section for the following points of order only:

(1) Section 201 of S. Con. Res. 21 (110th Congress) (relating to pay-as-you-go).

(2) Section 311 of S. Con. Res. 70 (110th Congress) (relating to long-term deficits).

(3) Section 404 of S. Con. Res. 13 (111th Congress) (relating to short-term deficits).

(c) QUALIFYING LEGISLATION.—The Chairman of the Committee on the Budget of the Senate may make adjustments authorized under subsection (a) for legislation containing provisions that—

(1) amend or supersede the system for updating payments made under subsections 1848 (d) and (f) of the Social Security Act, consistent with section 7(c) of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111–139);

(2) amend the Internal Revenue Code of 1986, in order to establish a single, flat tax rate of 17 percent consistent with section 7(d) of the Statutory Pay-As-You-Go Act of 2010; and

(3) extend relief from the Alternative Minimum Tax for individuals under sections 55–59 of the Internal Revenue Code of 1986, consistent with section 7(e) of the Statutory Pay-As-You-Go Act of 2010.

(d) DEFINITION.—For the purposes of this section, the terms ''budgetary effects'' or ''effects'' mean the amount by which a provision changes direct spending or revenues relative to the baseline.

(e) SUNSET.—This section shall expire on December 31, 2012.

Subtitle B—Other Provisions

SEC. 311. OVERSIGHT OF GOVERNMENT PERFORMANCE.

In the Senate, all committees are directed to review programs and tax expenditures within their jurisdiction to identify waste, fraud, abuse or duplication, and increase the use of performance data to inform committee work. Committees are also directed to review the matters for congressional consideration identified on the Government Accountability Office's High Risk list reports. Based on these oversight efforts and performance reviews of programs within their jurisdiction, committees are directed to include recommendations for improved governmental performance in their annual views and estimates reports required under section 301(d) of the Congressional Budget Act of 1974 to the Committees on the Budget.

SEC. 312. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this resolution the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

SEC. 313. ADJUSTMENTS TO REFLECT CHANGES IN CONCEPTS AND DEFINITIONS.

Upon the enactment of a bill or joint resolution providing for a change in concepts or definitions, the Chairman of the Committee on the Budget of the Senate may make adjustments to the levels and allocations in this resolution in accordance with section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as in effect prior to September 30, 2002).

SEC. 314. RESCIND UNSPENT OR UNOBLIGATED BALANCES AFTER 36 MONTHS.

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this resolution shall require that any unobligated or unspent allocations be rescinded after 36 months.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments resulting from the required rescissions shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this resolution the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

TITLE IV—RECONCILIATION

SEC. 401. RECONCILIATION IN THE SENATE.

(a) SUBMISSION TO PROVIDE FOR THE REFORM OF MANDATORY SPENDING.—

(1) IN GENERAL.—Not later than September 1, 2012, the Senate committees named in paragraph (2) shall submit their recommendations to the Committee on the Budget of the United States Senate. After receiving those recommendations from the applicable committees of the Senate, the Committee on the Budget shall report to the Senate a reconciliation bill carrying out all such recommendations without substantive revision.

(2) INSTRUCTIONS.—

(A) COMMITTEE ON FOREIGN RELATIONS.—The Committee on Foreign Relations shall report changes in law within its jurisdiction sufficient to reduce direct spending by $2,864,000,000 for the period of fiscal years 2013 through 2022.

(B) COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION.—The Committee on Commerce, Science, and Transportation shall report changes in law within its jurisdiction sufficient to reduce direct spending outlays by $2,432,000,000 for the period of fiscal years 2013 through 2022.

(C) COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY.—The Committee on Agriculture, Nutrition, and Forestry shall report changes in law within its jurisdiction sufficient to reduce direct spending outlays by $6,100,000,000 for the period of fiscal years 2013 through 2022.

(D) COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS.—The Committee on Environment and Public Works shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by $3,422,000,000 for the period of fiscal years 2013 through 2022.

(E) COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS.—The Committee on Health, Education, Labor, and Pensions shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by $1,584,000,000,000 for the period of fiscal years 2013 through 2022.

(F) COMMITTEE ON FINANCE.—The Committee on Finance shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by

$3,473,634,000,000 for the period of fiscal years 2013 through 2022.

(G) COMMITTEE ON ENERGY AND NATURAL RESOURCES.—The Committee on Energy and Natural Resources shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by $7,818,000,000 for the period of fiscal years 2013 through 2022.

(b) SUBMISSION OF REVISED ALLOCATIONS.—Upon the submission to the Committee on the Budget of the Senate of a recommendation that has complied with its reconciliation instructions solely by virtue of section 310(c) of the Congressional Budget Act of 1974, the chairman of that committee may file with the Senate revised allocations under section 302(a) of such Act and revised functional levels and aggregates.

TITLE V—CONGRESSIONAL POLICY CHANGES

SEC. 501. POLICY STATEMENT ON SOCIAL SECURITY.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure the Social Security System achieves solvency over the 75 year window as follows:

(1) The legislation must modify the Primary Insurance Amount formula between 2018 and 2055 to gradually reduce benefits on a progressive basis for works with career-average earnings above the 40th percentile of new retired workers.

(2) The normal retirement age will increase by 3 months each year starting with individuals reaching age 62 in 2017 and stopping with the normal retirement age reaches the age of 70 for individuals reaching the age of 62 in 2032.

(3) The earliest eligibility age will be increased by 3 months per year starting with individuals reaching age 62 in 2021 and will stop with the reaches age 64 for individuals reaching the age 62 in 2028 or later.

SEC. 502. POLICY STATEMENT ON MEDICARE.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure a reduction in the unfunded liabilities of Medicare as follows:

(1) Enrolls seniors in the same health care plan as Federal employees and Members of Congress, similar to the Federal Employee Health Benefits Plan (FEHBP).

(2) Beginning on January 1, 2014, the Director of the Office of Personnel Management shall ensure seniors currently enrolled or eligible for Medicare will have access to Congressional Health Care for Seniors Act.

(3) Prevents the Office of Personnel and Management from placing onerous new mandates on health insurance plans, but allows the agency to continue to enforce reasonable minimal stands for plans, ensure the plans are fiscally solvent, and enforces rules for consumer protections.

(4) The legislation must create a new ''high-risk pool'' for the highest cost patients, providing a direct reimbursement to health care plans that enroll the costliest 5 percent of patients.

(5) Ensures that every senior can afford the high-quality insurance offered by FEHBP, providing support for 75 percent of the total costs, providing additional premium assistance to those who cannot afford the remaining share.

(6) The legislation must increase the age of eligibility gradually over 20 years, increasing the age from 65 to 70, resulting in a 3-month increase per year.

(7) High-income seniors will be provided less premium support than low-income seniors.

SEC. 503. POLICY STATEMENT ON TAX REFORM.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure a tax reform that broadens the tax base, reduces tax complexity, includes a consumption-based income tax, and a globally competitive flat tax as follows:

(1) This concurrent resolution shall eliminate all tax brackets and have one standard flat tax rate of 17 percent on adjusted gross income. The individual tax code shall remove all credits and deductions, with exception to the mortgage interest deduction, offsetting these with a substantially higher standard deduction and personal exemption. The standard deduction for joint filers is $30,320, $19,350 for head of household, and $15,160 for single filers. The personal exemption amount is $6,530. This proposal eliminates the individual alternative minimum tax (AMT). The tax reform would repeal all tax on savings and investments, including capital gains, qualified and ordinary dividends, estate, gift, and interest saving taxes.

(2) This concurrent resolution shall eliminate all tax brackets and have one standard flat tax of 17 percent on adjusted gross income. The business tax code shall remove all credits and deductions, offsetting these with a lower tax rate and immediate expensing of all business inputs. Such inputs shall be determined by total revenue from the sale of good and services less purchases of inputs from other firms less wages, salaries, and pensions paid to workers less purchases of plant and equipment.

(3) The individuals and businesses would be subject to taxation on only those incomes that are produced or derived, as a territorial system in the United States. The aggregate taxes paid should provide the ability to fill out a tax return no larger than a postcard.

TITLE VI—SENSE OF CONGRESS

SEC. 601. REGULATORY REFORM.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure a regulatory reform as follows:

(1) APPLY REGULATORY ANALYSIS REQUIREMENTS TO INDEPENDENT AGENCIES.—It shall be the policy of Congress to pass into law a requirement for independent agencies to abide by the same regulatory analysis requirement as those required by executive branch agencies

(2) ADOPT THE REGULATIONS FROM THE EXECUTIVE IN NEED OF SCRUTINY ACT (REINS).—It shall be the of Congress to vote on the Executive In Need of Scrutiny Act, legislation that would require all regulations that impose a burden greater than $100 million in economic aggregate may not be implement as law unless Congress gives their consent by voting on the rule.

(3) SUNSET ALL REGULATIONS.—It shall be the policy of Congress that regulations imposed by the Federal Government shall automatically sunset every 2 years unless repromulgated by Congress.

(4) PROCESS REFORM.—It shall be the policy of Congress to implement regulatory process reform by instituting statutorily require regulatory impact analysis for all agencies, require the publication of regulatory impact analysis before the regulation is finalized, and ensure that not only are regulatory impact analysis conducted, but applied to the issued regulation or rulemaking.

(5) INCORPORATION OF FORMAL RULEMAKING FOR MAJOR RULES.—It shall be the policy of Congress to apply formal rulemaking procedures to all major regulations or those regulations that exceed $100,000,000 in aggregate economic costs.

SENATE CONCURRENT RESOLUTION 43—PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND AN ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

Mr. REID submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 43

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Thursday, April 26, 2012, through Sunday, May 6, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12 noon on Monday, May 7, 2012, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day through Friday, May 4, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, May 7, 2012, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2091. Ms. MURKOWSKI (for herself and Mr. BEGICH) submitted an amendment intended to be proposed by her to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table.

SA 2092. Ms. MURKOWSKI (for herself and Mr. BEGICH) submitted an amendment intended to be proposed by her to the bill S. 1925, supra; which was ordered to lie on the table.

SA 2093. Mr. REID (for Mr. LEAHY) proposed an amendment to the bill S. 1925, supra.

SA 2094. Ms. KLOBUCHAR submitted an amendment intended to be proposed to amendment SA 2093 proposed by Mr. REID (for Mr. LEAHY) to the bill S. 1925, supra.

SA 2095. Mrs. HUTCHISON (for herself, Mr. GRASSLEY, Mr. MCCONNELL, Mr. CORNYN, Mr. KYL, Mr. ALEXANDER, Mr. MORAN, Mr. CORKER, and Mr. JOHANNS) proposed an amendment to amendment SA 2093 proposed by Mr. REID (for Mr. LEAHY) to the bill S. 1925, supra.

SA 2096. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 1925, supra; which was ordered to lie on the table.

SA 2097. Mr. BLUMENTHAL (for himself and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 1925, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2091. Ms. MURKOWSKI (for herself and Mr. BEGICH) submitted an

amendment intended to be proposed by her to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

Beginning on page 364, strike line 3 and all that follows through page 377, line 17, and insert the following:

''(3) APPLICABILITY.—Nothing in this section—

''(A) creates or eliminates any Federal or State criminal jurisdiction over Indian country; or

''(B) affects the authority of the United States or any State government that has been delegated authority by the United States to investigate and prosecute a criminal violation in Indian country.

''(c) CRIMINAL CONDUCT.—A participating tribe may exercise special domestic violence criminal jurisdiction over a defendant for criminal conduct that falls into one or more of the following categories:

''(1) DOMESTIC VIOLENCE AND DATING VIOLENCE.—An act of domestic violence or dating violence that occurs in the Indian country of the participating tribe.

''(2) VIOLATIONS OF PROTECTION ORDERS.—An act that—

''(A) occurs in the Indian country of the participating tribe; and

''(B) violates the portion of a protection order that—

''(i) prohibits or provides protection against violent or threatening acts or harassment against, sexual violence against, contact or communication with, or physical proximity to, another person;

''(ii) was issued against the defendant;

''(iii) is enforceable by the participating tribe; and

''(iv) is consistent with section 2265(b) of title 18, United States Code.

''(d) DISMISSAL OF CERTAIN CASES.—

''(1) DEFINITION OF VICTIM.—In this subsection and with respect to a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction based on a criminal violation of a protection order, the term 'victim' means a person specifically protected by a protection order that the defendant allegedly violated.

''(2) NON-INDIAN VICTIMS AND DEFENDANTS.—In a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the case shall be dismissed if—

''(A) the defendant files a pretrial motion to dismiss on the grounds that the alleged offense did not involve an Indian; and

''(B) the participating tribe fails to prove that the defendant or an alleged victim is an Indian.

''(3) TIES TO INDIAN TRIBE.—In a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the case shall be dismissed if—

''(A) the defendant files a pretrial motion to dismiss on the grounds that the defendant and the alleged victim lack sufficient ties to the Indian tribe; and

''(B) the prosecuting tribe fails to prove that the defendant or an alleged victim—

''(i) resides in the Indian country of the participating tribe;

''(ii) is employed in the Indian country of the participating tribe; or

''(iii) is a spouse or intimate partner of a member of the participating tribe.

''(4) WAIVER.—A knowing and voluntary failure of a defendant to file a pretrial motion described in paragraph (2) or (3) shall be considered a waiver of the right to seek a dismissal under this subsection.

''(e) RIGHTS OF DEFENDANTS.—In a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the participating tribe shall provide to the defendant—

''(1) all applicable rights under this Act;

''(2) if a term of imprisonment of any length is imposed, all rights described in section 202(c); and

''(3) all other rights whose protection is necessary under the Constitution of the United States in order for Congress to recognize and affirm the inherent power of the participating tribe to exercise special domestic violence criminal jurisdiction over the defendant.

''(f) PETITIONS TO STAY DETENTION.—

''(1) IN GENERAL.—A person has filed a petition for a writ of habeas corpus in a court of the United States under section 203 may petition that court to stay further detention of that person by the participating tribe.

''(2) GRANT OF STAY.—A court shall grant a stay described in paragraph (1) if the court—

''(A) finds that there is a substantial likelihood that the habeas corpus petition will be granted; and

''(B) after giving each alleged victim in the matter an opportunity to be heard, finds by clear and convincing evidence that under conditions imposed by the court, the petitioner is not likely to flee or pose a danger to any person or the community if released.

''(g) GRANTS TO TRIBAL GOVERNMENTS.—The Attorney General may award grants to the governments of Indian tribes (or to authorized designees of those governments)—

''(1) to strengthen tribal criminal justice systems to assist Indian tribes in exercising special domestic violence criminal jurisdiction, including—

''(A) law enforcement (including the capacity of law enforcement or court personnel to enter information into and obtain information from national crime information databases);

''(B) prosecution;

''(C) trial and appellate courts;

''(D) probation systems;

''(E) detention and correctional facilities;

''(F) alternative rehabilitation centers;

''(G) culturally appropriate services and assistance for victims and their families; and

''(H) criminal codes and rules of criminal procedure, appellate procedure, and evidence;

''(2) to provide indigent criminal defendants with the effective assistance of licensed defense counsel, at no cost to the defendant, in criminal proceedings in which a participating tribe prosecutes a crime of domestic violence or dating violence or a criminal violation of a protection order;

''(3) to ensure that, in criminal proceedings in which a participating tribe exercises special domestic violence criminal jurisdiction, jurors are summoned, selected, and instructed in a manner consistent with all applicable requirements; and

''(4) to accord victims of domestic violence, dating violence, and violations of protection orders rights that are similar to the rights of a crime victim described in section 3771(a) of title 18, United States Code, consistent with tribal law and custom.

''(h) SUPPLEMENT, NOT SUPPLANT.—Amounts made available under this section shall supplement and not supplant any other Federal, State, tribal, or local government amounts made available to carry out activities described in this section.

''(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $5,000,000 for each of fiscal years 2012 through 2016 to carry out subsection (g) and to provide training, technical assistance, data collection, and evaluation of the criminal justice systems of participating tribes.''.

SEC. 905. TRIBAL PROTECTION ORDERS.

(a) IN GENERAL.—Section 2265 of title 18, United States Code, is amended by striking subsection (e) and inserting the following:

''(e) TRIBAL COURT JURISDICTION.—For purposes of this section, a court of an Indian tribe shall have full civil jurisdiction to issue and enforce protection orders involving any person, including the authority to enforce any orders through civil contempt proceedings, to exclude violators from Indian land, and to use other appropriate mechanisms, in matters arising anywhere in the Indian country of the Indian tribe (as defined in section 1151) or otherwise within the authority of the Indian tribe.''.

(b) APPLICABILITY.—Nothing in this Act, including an amendment made by this Act, alters or modifies the jurisdiction or authority of an Indian tribe in the State of Alaska under section 2265(e) of title 18, United States Code (as in effect on the day before the date of enactment of this Act).

SEC. 906. AMENDMENTS TO THE FEDERAL ASSAULT STATUTE.

(a) IN GENERAL.—Section 113 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

''(1) Assault with intent to commit murder or a violation of section 2241 or 2242, by a fine under this title, imprisonment for not more than 20 years, or both.'';

(B) in paragraph (2), by striking ''felony under chapter 109A'' and inserting ''violation of section 2241 or 2242'';

(C) in paragraph (3) by striking ''and without just cause or excuse,'';

(D) in paragraph (4), by striking ''six months'' and inserting ''1 year'';

(E) in paragraph (7)—

(i) by striking ''substantial bodily injury to an individual who has not attained the age of 16 years'' and inserting ''substantial bodily injury to a spouse or intimate partner, a dating partner, or an individual who has not attained the age of 16 years''; and

(ii) by striking ''fine'' and inserting ''a fine''; and

(F) by adding at the end the following:

''(8) Assault of a spouse, intimate partner, or dating partner by strangling, suffocating, or attempting to strangle or suffocate, by a fine under this title, imprisonment for not more than 10 years, or both.''; and

(2) in subsection (b)—

(A) by striking ''(b) As used in this subsection—'' and inserting the following:

''(b) DEFINITIONS.—In this section—'';

(B) in paragraph (1)(B), by striking ''and'' at the end;

(C) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

''(3) the terms 'dating partner' and 'spouse or intimate partner' have the meanings given those terms in section 2266;

''(4) the term 'strangling' means intentionally, knowingly, or recklessly impeding the normal breathing or circulation of the blood of a person by applying pressure to the throat or neck, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim; and

''(5) the term 'suffocating' means intentionally, knowingly, or recklessly impeding the normal breathing of a person by covering the mouth of the person, the nose of the person, or both, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim.''.

(b) INDIAN MAJOR CRIMES.—Section 1153(a) of title 18, United States Code, is amended by striking ''assault with intent to commit murder, assault with a dangerous weapon,

assault resulting in serious bodily injury (as defined in section 1365 of this title)'' and inserting ''a felony assault under section 113''.

(c) REPEAT OFFENDERS.—Section 2265A(b)(1)(B) of title 18, United States Code, is amended by inserting ''or tribal'' after ''State''.

SEC. 907. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST INDIAN WOMEN.

(a) IN GENERAL.—Section 904(a) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 3796gg–10 note) is amended—

(1) in paragraph (1)—

(A) by striking ''The National'' and inserting ''Not later than 2 years after the date of enactment of the Violence Against Women Reauthorization Act of 2011, the National''; and

(B) by inserting ''and in Native villages (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))'' before the period at the end;

(2) in paragraph (2)(A)—

(A) in clause (iv), by striking ''and'' at the end;

(B) in clause (v), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(vi) sex trafficking.'';

(3) in paragraph (4), by striking ''this Act'' and inserting ''the Violence Against Women Reauthorization Act of 2011''; and

(4) in paragraph (5), by striking ''this section $1,000,000 for each of fiscal years 2007 and 2008'' and inserting ''this subsection $1,000,000 for each of fiscal years 2012 and 2013''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 905(b)(2) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (28 U.S.C. 534 note) is amended by striking ''fiscal years 2007 through 2011'' and inserting ''fiscal years 2012 through 2016''.

SEC. 908. EFFECTIVE DATES; PILOT PROJECT.

(a) GENERAL EFFECTIVE DATE.—Except as provided in section 4 and subsection (b) of this section, the amendments made by this title shall take effect on the date of enactment of this Act.

(b) EFFECTIVE DATE FOR SPECIAL DOMESTIC-VIOLENCE CRIMINAL JURISDICTION.—

(1) IN GENERAL.—Except as provided in paragraph (2), subsections (b) through (e) of section 204 of Public Law 90–284 (as added by section 904) shall take effect on the date that is 2 years after the date of enactment of this Act.

(2) PILOT PROJECT.—

(A) IN GENERAL.—At any time during the 2-year period beginning on the date of enactment of this Act, an Indian tribe may ask the Attorney General to designate the tribe as a participating tribe under section 204(a) of Public Law 90–284 on an accelerated basis.

(B) PROCEDURE.—The Attorney General may grant a request under subparagraph (A) after coordinating with the Secretary of the Interior, consulting with affected Indian tribes, and concluding that the criminal justice system of the requesting tribe has adequate safeguards in place to protect defendants' rights, consistent with section 204 of Public Law 90–284.

(C) EFFECTIVE DATES FOR PILOT PROJECTS.—An Indian tribe designated as a participating tribe under this paragraph may commence exercising special domestic violence criminal jurisdiction pursuant to subsections (b) through (e) of section 204 of Public Law 90–284 on a date established by the Attorney General, after consultation with that Indian tribe, but in no event later than the date that is 2 years after the date of enactment of this Act.

SEC. 909. INDIAN LAW AND ORDER COMMISSION.

(a) IN GENERAL.—Section 15(f) of the Indian Law Enforcement Reform Act (25 U.S.C. 2812(f)) is amended by striking ''2 years'' and inserting ''3 years''.

(b) REPORT.—The Attorney General, in consultation with the Attorney General of the State of Alaska, the Commissioner of Public Safety of the State of Alaska, the Alaska Federation of Natives and Federally recognized Indian tribes in the State of Alaska, shall report to Congress not later than one year after enactment of this Act with respect to whether the Alaska Rural Justice and Law Enforcement Commission established under Section 112(a)(1) of the Consolidated Appropriations Act, 2004 should be continued and appropriations authorized for the continued work of the commission. The report may contain recommendations for legislation with respect to the scope of work and composition of the commission.

SEC. 910. LIMITATION.

Nothing in this Act or an amendment made by this Act limits, alters, expands, or diminishes the civil or criminal jurisdiction of the State of Alaska, any subdivision of the State of Alaska, or any Indian tribe in the State of Alaska.

SA 2092. Ms. MURKOWSKI (for herself and Mr. BEGICH) submitted an amendment intended to be proposed by her to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

Beginning on page 364, strike line 3 and all that follows through page 377, line 17, and insert the following:

''(3) APPLICABILITY.—Nothing in this section—

''(A) creates or eliminates any Federal or State criminal jurisdiction over Indian country; or

''(B) affects the authority of the United States or any State government that has been delegated authority by the United States to investigate and prosecute a criminal violation in Indian country.

''(c) CRIMINAL CONDUCT.—A participating tribe may exercise special domestic violence criminal jurisdiction over a defendant for criminal conduct that falls into one or more of the following categories:

''(1) DOMESTIC VIOLENCE AND DATING VIOLENCE.—An act of domestic violence or dating violence that occurs in the Indian country of the participating tribe.

''(2) VIOLATIONS OF PROTECTION ORDERS.—An act that—

''(A) occurs in the Indian country of the participating tribe; and

''(B) violates the portion of a protection order that—

''(i) prohibits or provides protection against violent or threatening acts or harassment against, sexual violence against, contact or communication with, or physical proximity to, another person;

''(ii) was issued against the defendant;

''(iii) is enforceable by the participating tribe; and

''(iv) is consistent with section 2265(b) of title 18, United States Code.

''(d) DISMISSAL OF CERTAIN CASES.—

''(1) DEFINITION OF VICTIM.—In this subsection and with respect to a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction based on a criminal violation of a protection order, the term 'victim' means a person specifically protected by a protection order that the defendant allegedly violated.

''(2) NON-INDIAN VICTIMS AND DEFENDANTS.—In a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the case shall be dismissed if—

''(A) the defendant files a pretrial motion to dismiss on the grounds that the alleged offense did not involve an Indian; and

''(B) the participating tribe fails to prove that the defendant or an alleged victim is an Indian.

''(3) TIES TO INDIAN TRIBE.—In a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the case shall be dismissed if—

''(A) the defendant files a pretrial motion to dismiss on the grounds that the defendant and the alleged victim lack sufficient ties to the Indian tribe; and

''(B) the prosecuting tribe fails to prove that the defendant or an alleged victim—

''(i) resides in the Indian country of the participating tribe;

''(ii) is employed in the Indian country of the participating tribe; or

''(iii) is a spouse or intimate partner of a member of the participating tribe.

''(4) WAIVER.—A knowing and voluntary failure of a defendant to file a pretrial motion described in paragraph (2) or (3) shall be considered a waiver of the right to seek a dismissal under this subsection.

''(e) RIGHTS OF DEFENDANTS.—In a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the participating tribe shall provide to the defendant—

''(1) all applicable rights under this Act;

''(2) if a term of imprisonment of any length is imposed, all rights described in section 202(c); and

''(3) all other rights whose protection is necessary under the Constitution of the United States in order for Congress to recognize and affirm the inherent power of the participating tribe to exercise special domestic violence criminal jurisdiction over the defendant.

''(f) PETITIONS TO STAY DETENTION.—

''(1) IN GENERAL.—A person has filed a petition for a writ of habeas corpus in a court of the United States under section 203 may petition that court to stay further detention of that person by the participating tribe.

''(2) GRANT OF STAY.—A court shall grant a stay described in paragraph (1) if the court—

''(A) finds that there is a substantial likelihood that the habeas corpus petition will be granted; and

''(B) after giving each alleged victim in the matter an opportunity to be heard, finds by clear and convincing evidence that under conditions imposed by the court, the petitioner is not likely to flee or pose a danger to any person or the community if released.

''(g) GRANTS TO TRIBAL GOVERNMENTS.—The Attorney General may award grants to the governments of Indian tribes (or to authorized designees of those governments)—

''(1) to strengthen tribal criminal justice systems to assist Indian tribes in exercising special domestic violence criminal jurisdiction, including—

''(A) law enforcement (including the capacity of law enforcement or court personnel to enter information into and obtain information from national crime information databases);

''(B) prosecution;

''(C) trial and appellate courts;

''(D) probation systems;

''(E) detention and correctional facilities;

''(F) alternative rehabilitation centers;

''(G) culturally appropriate services and assistance for victims and their families; and

''(H) criminal codes and rules of criminal procedure, appellate procedure, and evidence;

''(2) to provide indigent criminal defendants with the effective assistance of licensed defense counsel, at no cost to the defendant, in criminal proceedings in which a participating tribe prosecutes a crime of domestic

violence or dating violence or a criminal violation of a protection order;

''(3) to ensure that, in criminal proceedings in which a participating tribe exercises special domestic violence criminal jurisdiction, jurors are summoned, selected, and instructed in a manner consistent with all applicable requirements; and

''(4) to accord victims of domestic violence, dating violence, and violations of protection orders rights that are similar to the rights of a crime victim described in section 3771(a) of title 18, United States Code, consistent with tribal law and custom.

''(h) SUPPLEMENT, NOT SUPPLANT.—Amounts made available under this section shall supplement and not supplant any other Federal, State, tribal, or local government amounts made available to carry out activities described in this section.

''(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $5,000,000 for each of fiscal years 2012 through 2016 to carry out subsection (g) and to provide training, technical assistance, data collection, and evaluation of the criminal justice systems of participating tribes.''.

SEC. 905. TRIBAL PROTECTION ORDERS.

(a) IN GENERAL.—Section 2265 of title 18, United States Code, is amended by striking subsection (e) and inserting the following:

''(e) TRIBAL COURT JURISDICTION.—For purposes of this section, a court of an Indian tribe shall have full civil jurisdiction to issue and enforce protection orders involving any person, including the authority to enforce any orders through civil contempt proceedings, to exclude violators from Indian land, and to use other appropriate mechanisms, in matters arising anywhere in the Indian country of the Indian tribe (as defined in section 1151) or otherwise within the authority of the Indian tribe.''.

(b) APPLICABILITY.—Nothing in this Act, including an amendment made by this Act, alters or modifies the jurisdiction or authority of an Indian tribe in the State of Alaska under section 2265(e) of title 18, United States Code (as in effect on the day before the date of enactment of this Act).

SEC. 906. AMENDMENTS TO THE FEDERAL ASSAULT STATUTE.

(a) IN GENERAL.—Section 113 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

''(1) Assault with intent to commit murder or a violation of section 2241 or 2242, by a fine under this title, imprisonment for not more than 20 years, or both.'';

(B) in paragraph (2), by striking ''felony under chapter 109A'' and inserting ''violation of section 2241 or 2242'';

(C) in paragraph (3) by striking ''and without just cause or excuse,'';

(D) in paragraph (4), by striking ''six months'' and inserting ''1 year'';

(E) in paragraph (7)—

(i) by striking ''substantial bodily injury to an individual who has not attained the age of 16 years'' and inserting ''substantial bodily injury to a spouse or intimate partner, a dating partner, or an individual who has not attained the age of 16 years''; and

(ii) by striking ''fine'' and inserting ''a fine''; and

(F) by adding at the end the following:

''(8) Assault of a spouse, intimate partner, or dating partner by strangling, suffocating, or attempting to strangle or suffocate, by a fine under this title, imprisonment for not more than 10 years, or both.''; and

(2) in subsection (b)—

(A) by striking ''(b) As used in this subsection—'' and inserting the following:

''(b) DEFINITIONS.—In this section—'';

(B) in paragraph (1)(B), by striking ''and'' at the end;

(C) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

''(3) the terms 'dating partner' and 'spouse or intimate partner' have the meanings given those terms in section 2266;

''(4) the term 'strangling' means intentionally, knowingly, or recklessly impeding the normal breathing or circulation of the blood of a person by applying pressure to the throat or neck, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim; and

''(5) the term 'suffocating' means intentionally, knowingly, or recklessly impeding the normal breathing of a person by covering the mouth of the person, the nose of the person, or both, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim.''.

(b) INDIAN MAJOR CRIMES.—Section 1153(a) of title 18, United States Code, is amended by striking ''assault with intent to commit murder, assault with a dangerous weapon, assault resulting in serious bodily injury (as defined in section 1365 of this title)'' and inserting ''a felony assault under section 113''.

(c) REPEAT OFFENDERS.—Section 2265A(b)(1)(B) of title 18, United States Code, is amended by inserting ''or tribal'' after ''State''.

SEC. 907. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST INDIAN WOMEN.

(a) IN GENERAL.—Section 904(a) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 3796gg–10 note) is amended—

(1) in paragraph (1)—

(A) by striking ''The National'' and inserting ''Not later than 2 years after the date of enactment of the Violence Against Women Reauthorization Act of 2011, the National''; and

(B) by inserting ''and in Native villages (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))'' before the period at the end;

(2) in paragraph (2)(A)—

(A) in clause (iv), by striking ''and'' at the end;

(B) in clause (v), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(vi) sex trafficking.'';

(3) in paragraph (4), by striking ''this Act'' and inserting ''the Violence Against Women Reauthorization Act of 2011''; and

(4) in paragraph (5), by striking ''this section $1,000,000 for each of fiscal years 2007 and 2008'' and inserting ''this subsection $1,000,000 for each of fiscal years 2012 and 2013''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 905(b)(2) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (28 U.S.C. 534 note) is amended by striking ''fiscal years 2007 through 2011'' and inserting ''fiscal years 2012 through 2016''.

SEC. 908. EFFECTIVE DATES; PILOT PROJECT.

(a) GENERAL EFFECTIVE DATE.—Except as provided in section 4 and subsection (b) of this section, the amendments made by this title shall take effect on the date of enactment of this Act.

(b) EFFECTIVE DATE FOR SPECIAL DOMESTIC-VIOLENCE CRIMINAL JURISDICTION.—

(1) IN GENERAL.—Except as provided in paragraph (2), subsections (b) through (e) of section 204 of Public Law 90–284 (as added by section 904) shall take effect on the date that is 2 years after the date of enactment of this Act.

(2) PILOT PROJECT.—

(A) IN GENERAL.—At any time during the 2-year period beginning on the date of enactment of this Act, an Indian tribe may ask the Attorney General to designate the tribe as a participating tribe under section 204(a) of Public Law 90–284 on an accelerated basis.

(B) PROCEDURE.—The Attorney General may grant a request under subparagraph (A) after coordinating with the Secretary of the Interior, consulting with affected Indian tribes, and concluding that the criminal justice system of the requesting tribe has adequate safeguards in place to protect defendants' rights, consistent with section 204 of Public Law 90–284.

(C) EFFECTIVE DATES FOR PILOT PROJECTS.—An Indian tribe designated as a participating tribe under this paragraph may commence exercising special domestic violence criminal jurisdiction pursuant to subsections (b) through (e) of section 204 of Public Law 90–284 on a date established by the Attorney General, after consultation with that Indian tribe, but in no event later than the date that is 2 years after the date of enactment of this Act.

SEC. 909. INDIAN LAW AND ORDER COMMISSION.

(a) IN GENERAL.—Section 15(f) of the Indian Law Enforcement Reform Act (25 U.S.C. 2812(f)) is amended by striking ''2 years'' and inserting ''3 years''.

(b) REPORT.—The Attorney General, in consultation with the Attorney General of the State of Alaska, the Commissioner of Public Safety of the State of Alaska, the Alaska Federation of Natives and Federally recognized Indian tribes in the State of Alaska, shall report to Congress not later than one year after enactment of this Act with respect to whether the Alaska Rural Justice and Law Enforcement Commission established under Section 112(a)(1) of the Consolidated Appropriations Act, 2004 should be continued and appropriations authorized for the continued work of the commission. The report may contain recommendations for legislation with respect to the scope of work and composition of the commission.

SEC. 910. LIMITATION.

Nothing in this Act or an amendment made by this Act limits, alters, expands, or diminishes the civil or criminal jurisdiction of the State of Alaska, any subdivision of the State of Alaska, or any Indian tribe in the State of Alaska.

SA 2093. Mr. REID (for Mr. LEAHY) proposed an amendment to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Violence Against Women Reauthorization Act of 2011''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. Universal definitions and grant conditions.
Sec. 4. Effective date.
TITLE I—ENHANCING JUDICIAL AND LAW ENFORCEMENT TOOLS TO COMBAT VIOLENCE AGAINST WOMEN
Sec. 101. Stop grants.
Sec. 102. Grants to encourage arrest policies and enforcement of protection orders.
Sec. 103. Legal assistance for victims.
Sec. 104. Consolidation of grants to support families in the justice system.
Sec. 105. Sex offender management.
Sec. 106. Court-appointed special advocate program.

Sec. 107. Criminal provision relating to stalking, including cyberstalking.
Sec. 108. Outreach and services to underserved populations grant.
Sec. 109. Culturally specific services grant.
TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING
Sec. 201. Sexual assault services program.
Sec. 202. Rural domestic violence, dating violence, sexual assault, stalking, and child abuse enforcement assistance.
Sec. 203. Training and services to end violence against women with disabilities grants.
Sec. 204. Enhanced training and services to end abuse in later life.
TITLE III—SERVICES, PROTECTION, AND JUSTICE FOR YOUNG VICTIMS OF VIOLENCE
Sec. 301. Rape prevention and education grant.
Sec. 302. Creating hope through outreach, options, services, and education for children and youth.
Sec. 303. Grants to combat violent crimes on campuses.
Sec. 304. Campus sexual violence, domestic violence, dating violence, and stalking education and prevention.
TITLE IV—VIOLENCE REDUCTION PRACTICES
Sec. 401. Study conducted by the centers for disease control and prevention.
Sec. 402. Saving money and reducing tragedies through prevention grants.
TITLE V—STRENGTHENING THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING
Sec. 501. Consolidation of grants to strengthen the healthcare system's response to domestic violence, dating violence, sexual assault, and stalking.
TITLE VI—SAFE HOMES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING
Sec. 601. Housing protections for victims of domestic violence, dating violence, sexual assault, and stalking.
Sec. 602. Transitional housing assistance grants for victims of domestic violence, dating violence, sexual assault, and stalking.
Sec. 603. Addressing the housing needs of victims of domestic violence, dating violence, sexual assault, and stalking.
TITLE VII—ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE
Sec. 701. National Resource Center on Workplace Responses to assist victims of domestic and sexual violence.
TITLE VIII—PROTECTION OF BATTERED IMMIGRANTS
Sec. 801. U nonimmigrant definition.
Sec. 802. Annual report on immigration applications made by victims of abuse.
Sec. 803. Protection for children of VAWA self-petitioners.
Sec. 804. Public charge.
Sec. 805. Requirements applicable to U visas.
Sec. 806. Hardship waivers.
Sec. 807. Protections for a fiancée or fiancé of a citizen.
Sec. 808. Regulation of international marriage brokers.
Sec. 809. Eligibility of crime and trafficking victims in the Commonwealth of the Northern Mariana Islands to adjust status.
Sec. 810. Diversity immigrant visa petition fee.
Sec. 811. Budgetary effects.
Sec. 812. Disclosure of information for national security purposes.
TITLE IX—SAFETY FOR INDIAN WOMEN
Sec. 901. Grants to Indian tribal governments.
Sec. 902. Grants to Indian tribal coalitions.
Sec. 903. Consultation.
Sec. 904. Tribal jurisdiction over crimes of domestic violence.
Sec. 905. Tribal protection orders.
Sec. 906. Amendments to the Federal assault statute.
Sec. 907. Analysis and research on violence against Indian women.
Sec. 908. Effective dates; pilot project.
Sec. 909. Indian law and order commission; Report on the Alaska Rural Justice and Law Enforcement Commission.
Sec. 910. Limitation.
TITLE X—OTHER MATTERS
Sec. 1001. Criminal provisions relating to sexual abuse.
Sec. 1002. Sexual abuse in custodial settings.
Sec. 1003. Anonymous online harassment.
Sec. 1004. Stalker database.
Sec. 1005. Federal victim assistants reauthorization.
Sec. 1006. Child abuse training programs for judicial personnel and practitioners reauthorization.
Sec. 1007. Mandatory minimum sentence.
Sec. 1008. Removal of drunk drivers.

SEC. 3. UNIVERSAL DEFINITIONS AND GRANT CONDITIONS.

(a) DEFINITIONS.—Subsection (a) of section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)) is amended—

(1) by redesignating—

(A) paragraph (1) as paragraph (2);

(B) paragraph (2) as paragraph (3);

(C) paragraphs (3) and (4) as paragraphs (4) and (5), respectively;

(D) paragraphs (6) through (9) as paragraphs (8) through (11), respectively;

(E) paragraphs (10) through (16) as paragraphs (13) through (19), respectively;

(F) paragraph (18) as paragraph (20);

(G) paragraphs (19) and (20) as paragraphs (23) and (24), respectively;

(H) paragraphs (21) through (23) as paragraphs (26) through (28), respectively;

(I) paragraphs (24) through (33) as paragraphs (30) through (39), respectively;

(J) paragraphs (34) and (35) as paragraphs (43) and (44); and

(K) paragraph (37) as paragraph (45);

(2) by inserting before paragraph (2), as redesignated, the following:

''(1) ALASKA NATIVE VILLAGE.—The term 'Alaska Native village' has the same meaning given such term in the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).'';

(3) in paragraph (3), as redesignated, by striking ''serious harm.'' and inserting ''serious harm to an unemancipated minor.'';

(4) in paragraph (4), as redesignated, by striking ''The term'' through ''that—'' and inserting ''The term 'community-based organization' means a nonprofit, nongovernmental, or tribal organization that serves a specific geographic community that—'';

(5) by striking paragraph (5), as in effect before the amendments made by this subsection;

(6) by inserting after paragraph (7), as redesignated, the following:

''(6) CULTURALLY SPECIFIC SERVICES.—The term 'culturally specific services' means community-based services that include culturally relevant and linguistically specific services and resources to culturally specific communities.

''(7) CULTURALLY SPECIFIC.—The term 'culturally specific' means primarily directed toward racial and ethnic minority groups (as defined in section 1707(g) of the Public Health Service Act (42 U.S.C. 300u–6(g)).'';

(7) in paragraph (8), as redesignated, by inserting ''or intimate partner'' after ''former spouse'' and ''as a spouse'';

(8) by inserting after paragraph (11), as redesignated, the following:

''(12) HOMELESS.—The term 'homeless' has the meaning provided in 42 U.S.C. 14043e–2(6).'';

(9) in paragraph (18), as redesignated, by inserting ''or Village Public Safety Officers'' after ''government victim service programs;

(10) in paragraph (21), as redesignated, by inserting at the end the following:

''Intake or referral, by itself, does not constitute legal assistance.'';

(11) by striking paragraph (17), as in effect before the amendments made by this subsection;

(12) by amending paragraph (20), as redesignated, to read as follows:

''(20) PERSONALLY IDENTIFYING INFORMATION OR PERSONAL INFORMATION.—The term 'personally identifying information' or 'personal information' means individually identifying information for or about an individual including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, regardless of whether the information is encoded, encrypted, hashed, or otherwise protected, including—

''(A) a first and last name;

''(B) a home or other physical address;

''(C) contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number);

''(D) a social security number, driver license number, passport number, or student identification number; and

''(E) any other information, including date of birth, racial or ethnic background, or religious affiliation, that would serve to identify any individual.'';

(13) by inserting after paragraph (20), as redesignated, the following:

''(21) POPULATION SPECIFIC ORGANIZATION.—The term 'population specific organization' means a nonprofit, nongovernmental organization that primarily serves members of a specific underserved population and has demonstrated experience and expertise providing targeted services to members of that specific underserved population.

''(22) POPULATION SPECIFIC SERVICES.—The term 'population specific services' means victim-centered services that address the safety, health, economic, legal, housing, workplace, immigration, confidentiality, or other needs of victims of domestic violence, dating violence, sexual assault, or stalking, and that are designed primarily for and are targeted to a specific underserved population.'';

(14) in paragraph (23), as redesignated, by striking ''services'' and inserting ''assistance'';

(15) by inserting after paragraph (24), as redesignated, the following:

''(25) RAPE CRISIS CENTER.—The term 'rape crisis center' means a nonprofit, nongovernmental, or tribal organization, or governmental entity in a State other than a Territory that provides intervention and related assistance, as specified in 42 U.S.C. 14043g(b)(2)(C), to victims of sexual assault without regard to their age. In the case of a governmental entity, the entity may not be

part of the criminal justice system (such as a law enforcement agency) and must be able to offer a comparable level of confidentiality as a nonprofit entity that provides similar victim services.'';

(16) in paragraph (26), as redesignated—

(A) in subparagraph (A), by striking ''or'' after the semicolon;

(B) in subparagraph (B), by striking the period and inserting ''; or''; and

(C) by inserting at the end the following:

''(C) any federally recognized Indian tribe.'';

(17) in paragraph (27), as redesignated—

(A) by striking ''52'' and inserting ''57''; and

(B) by striking ''150,000'' and inserting ''250,000'';

(18) by striking paragraph (28), as redesignated, and inserting the following:

''(28) SEXUAL ASSAULT.—The term 'sexual assault' means any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.'';

(19) by inserting after paragraph (28), as redesignated, the following:

''(29) SEX TRAFFICKING.—The term 'sex trafficking' means any conduct proscribed by 18 U.S.C. 1591, whether or not the conduct occurs in interstate or foreign commerce or within the special maritime and territorial jurisdiction of the United States.'';

(20) by striking paragraph (35), as redesignated, and inserting the following:

''(35) TRIBAL COALITION.—The term 'tribal coalition' means an established nonprofit, nongovernmental Indian organization, Alaska Native organization, or a Native Hawaiian organization that—

''(A) provides education, support, and technical assistance to member Indian service providers in a manner that enables those member providers to establish and maintain culturally appropriate services, including shelter and rape crisis services, designed to assist Indian women and the dependents of those women who are victims of domestic violence, dating violence, sexual assault, and stalking; and

''(B) is comprised of board and general members that are representative of—

''(i) the member service providers described in subparagraph (A); and

''(ii) the tribal communities in which the services are being provided;'';

(21) by amending paragraph (39), as redesignated, to read as follows:

''(39) UNDERSERVED POPULATIONS.—The term 'underserved populations' means populations who face barriers in accessing and using victim services, and includes populations underserved because of geographic location, religion, sexual orientation, gender identity, underserved racial and ethnic populations, populations underserved because of special needs (such as language barriers, disabilities, alienage status, or age), and any other population determined to be underserved by the Attorney General or by the Secretary of Health and Human Services, as appropriate.'';

(22) by inserting after paragraph (39), as redesignated, the following:

''(40) UNIT OF LOCAL GOVERNMENT.—The term 'unit of local government' means any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State.'';

(23) by striking paragraph (36), as in effect before the amendments made by this subsection, and inserting the following:

''(41) VICTIM SERVICES OR SERVICES.—The terms 'victim services' and 'services' means services provided to victims of domestic violence, dating violence, sexual assault, or stalking, including telephonic or web-based hotlines, legal advocacy, economic advocacy, emergency and transitional shelter, accompaniment and advocacy through medical, civil or criminal justice, immigration, and social support systems, crisis intervention, short-term individual and group support services, information and referrals, culturally specific services, population specific services, and other related supportive services.

''(42) VICTIM SERVICE PROVIDER.—The term 'victim service provider' means a nonprofit, nongovernmental or tribal organization or rape crisis center, including a State or tribal coalition, that assists or advocates for domestic violence, dating violence, sexual assault, or stalking victims, including domestic violence shelters, faith-based organizations, and other organizations, with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.''; and

(24) by striking paragraph (43), as redesignated, and inserting the following:

''(43) YOUTH.—The term 'youth' means a person who is 11 to 24 years old.''.

(b) GRANTS CONDITIONS.—Subsection (b) of section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (B), by striking clauses (i) and (ii) and inserting the following:

''(i) disclose, reveal, or release any personally identifying information or individual information collected in connection with services requested, utilized, or denied through grantees' and subgrantees' programs, regardless of whether the information has been encoded, encrypted, hashed, or otherwise protected; or

''(ii) disclose, reveal, or release individual client information without the informed, written, reasonably time-limited consent of the person (or in the case of an unemancipated minor, the minor and the parent or guardian or in the case of legal incapacity, a court-appointed guardian) about whom information is sought, whether for this program or any other Federal, State, tribal, or territorial grant program, except that consent for release may not be given by the abuser of the minor, incapacitated person, or the abuser of the other parent of the minor.

If a minor or a person with a legally appointed guardian is permitted by law to receive services without the parent's or guardian's consent, the minor or person with a guardian may release information without additional consent.'';

(B) by amending subparagraph (D), to read as follows:

''(D) INFORMATION SHARING.—

''(i) Grantees and subgrantees may share—

''(I) nonpersonally identifying data in the aggregate regarding services to their clients and nonpersonally identifying demographic information in order to comply with Federal, State, tribal, or territorial reporting, evaluation, or data collection requirements;

''(II) court-generated information and law enforcement-generated information contained in secure, governmental registries for protection order enforcement purposes; and

''(III) law enforcement-generated and prosecution-generated information necessary for law enforcement and prosecution purposes.

''(ii) In no circumstances may—

''(I) an adult, youth, or child victim of domestic violence, dating violence, sexual assault, or stalking be required to provide a consent to release his or her personally identifying information as a condition of eligibility for the services provided by the grantee or subgrantee;

''(II) any personally identifying information be shared in order to comply with Federal, tribal, or State reporting, evaluation, or data collection requirements, whether for this program or any other Federal, tribal, or State grant program.'';

(C) by redesignating subparagraph (E) as subparagraph (F);

(D) by inserting after subparagraph (D) the following:

''(E) STATUTORILY MANDATED REPORTS OF ABUSE OR NEGLECT.—Nothing in this section prohibits a grantee or subgrantee from reporting suspected abuse or neglect, as those terms are defined and specifically mandated by the State or tribe involved.''; and

(E) by inserting after subparagraph (F), as redesignated, the following:

''(G) CONFIDENTIALITY ASSESSMENT AND ASSURANCES.—Grantees and subgrantees must document their compliance with the confidentiality and privacy provisions required under this section.'';

(2) by striking paragraph (3) and inserting the following:

''(3) APPROVED ACTIVITIES.—In carrying out the activities under this title, grantees and subgrantees may collaborate with or provide information to Federal, State, local, tribal, and territorial public officials and agencies to develop and implement policies and develop and promote State, local, or tribal legislation or model codes designed to reduce or eliminate domestic violence, dating violence, sexual assault, and stalking.'';

(3) in paragraph (7), by inserting at the end the following:

''Final reports of such evaluations shall be made available to the public via the agency's website.''; and

(4) by inserting after paragraph (11) the following:

''(12) DELIVERY OF LEGAL ASSISTANCE.—Any grantee or subgrantee providing legal assistance with funds awarded under this title shall comply with the eligibility requirements in section 1201(d) of the Violence Against Women Act of 2000 (42 U.S.C. 3796gg–6(d)).

''(13) CIVIL RIGHTS.—

''(A) NONDISCRIMINATION.—No person in the United States shall, on the basis of actual or perceived race, color, religion, national origin, sex, gender identity (as defined in paragraph 249(c)(4) of title 18, United States Code), sexual orientation, or disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under the Violence Against Women Act of 1994 (title IV of Public Law 103–322; 108 Stat. 1902), the Violence Against Women Act of 2000 (division B of Public Law 106–386; 114 Stat. 1491), the Violence Against Women and Department of Justice Reauthorization Act of 2005 (title IX of Public Law 109–162; 119 Stat. 3080), the Violence Against Women Reauthorization Act of 2011, and any other program or activity funded in whole or in part with funds appropriated for grants, cooperative agreements, and other assistance administered by the Office on Violence Against Women.

''(B) EXCEPTION.—If sex segregation or sex-specific programming is necessary to the essential operation of a program, nothing in this paragraph shall prevent any such program or activity from consideration of an individual's sex. In such circumstances, grantees may meet the requirements of this paragraph by providing comparable services to individuals who cannot be provided with the sex-segregated or sex-specific programming.

''(C) DISCRIMINATION.—The authority of the Attorney General and the Office of Justice Programs to enforce this paragraph shall be the same as it is under section 3789d of title 42, United States Code.

''(D) CONSTRUCTION.—Nothing contained in this paragraph shall be construed, interpreted, or applied to supplant, displace, preempt, or otherwise diminish the responsibilities and liabilities under other State or Federal civil rights law, whether statutory or common.

''(14) CLARIFICATION OF VICTIM SERVICES AND LEGAL ASSISTANCE.—Victim services and legal assistance under this title also include services and assistance to victims of domestic violence, dating violence, sexual assault, or stalking who are also victims of severe forms of trafficking in persons as defined by section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

''(15) CONFERRAL.—

''(A) IN GENERAL.—The Office on Violence Against Women shall establish a biennial conferral process with State and tribal coalitions and technical assistance providers who receive funding through grants administered by the Office on Violence Against Women and authorized by this Act, and other key stakeholders.

''(B) AREAS COVERED.—The areas of conferral under this paragraph shall include—

''(i) the administration of grants;

''(ii) unmet needs;

''(iii) promising practices in the field; and

''(iv) emerging trends.

''(C) INITIAL CONFERRAL.—The first conferral shall be initiated not later than 6 months after the date of enactment of the Violence Against Women Reauthorization Act of 2011.

''(D) REPORT.—Not later than 90 days after the conclusion of each conferral period, the Office on Violence Against Women shall publish a comprehensive report that—

''(i) summarizes the issues presented during conferral and what, if any, policies it intends to implement to address those issues;

''(ii) is made available to the public on the Office on Violence Against Women's website and submitted to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives.

''(16) ACCOUNTABILITY.—All grants awarded by the Attorney General under this Act shall be subject to the following accountability provisions:

''(A) AUDIT REQUIREMENT.—

''(i) IN GENERAL.—Beginning in the first fiscal year beginning after the date of the enactment of this Act, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this Act to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

''(ii) DEFINITION.—In this paragraph, the term 'unresolved audit finding' means a finding in the final audit report of the Inspector General of the Department of Justice that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.

''(iii) MANDATORY EXCLUSION.—A recipient of grant funds under this Act that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this Act during the following 2 fiscal years.

''(iv) PRIORITY.—In awarding grants under this Act, the Attorney General shall give priority to eligible entities that did not have an unresolved audit finding during the 3 fiscal years prior to submitting an application for a grant under this Act.

''(v) REIMBURSEMENT.—If an entity is awarded grant funds under this Act during the 2-fiscal-year period in which the entity is barred from receiving grants under paragraph (2), the Attorney General shall—

''(I) deposit an amount equal to the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

''(II) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

''(B) NONPROFIT ORGANIZATION REQUIREMENTS.—

''(i) DEFINITION.—For purposes of this paragraph and the grant programs described in this Act, the term 'nonprofit organization' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

''(ii) PROHIBITION.—The Attorney General may not award a grant under any grant program described in this Act to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

''(iii) DISCLOSURE.—Each nonprofit organization that is awarded a grant under a grant program described in this Act and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subsection available for public inspection.

''(C) CONFERENCE EXPENDITURES.—

''(i) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this Act may be used by the Attorney General, or by any individual or organization awarded discretionary funds through a cooperative agreement under this Act, to host or support any expenditure for conferences that uses more than $20,000 in Department funds, unless the Deputy Attorney General or such Assistant Attorney Generals, Directors, or principal deputies as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host a conference.

''(ii) WRITTEN APPROVAL.—Written approval under clause (i) shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audiovisual equipment, honoraria for speakers, and any entertainment.

''(iii) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all approved conference expenditures referenced in this paragraph.

''(D) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of the enactment of this Act, the Attorney General shall submit, to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives, an annual certification that—

''(i) all audits issued by the Office of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

''(ii) all mandatory exclusions required under subparagraph (A)(iii) have been issued;

''(iii) all reimbursements required under subparagraph (A)(v) have been made; and

''(iv) includes a list of any grant recipients excluded under subparagraph (A) from the previous year.''.

SEC. 4. EFFECTIVE DATE.

Except as otherwise specifically provided in this Act, the provisions of titles I, II, III, IV, VII, and sections 3, 602, 901, and 902 of this Act shall not take effect until the beginning of the fiscal year following the date of enactment of this Act.

TITLE I—ENHANCING JUDICIAL AND LAW ENFORCEMENT TOOLS TO COMBAT VIOLENCE AGAINST WOMEN

SEC. 101. STOP GRANTS.

Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended—

(1) in section 1001(a)(18) (42 U.S.C. 3793(a)(18)), by striking ''$225,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$222,000,000 for each of fiscal years 2012 through 2016'';

(2) in section 2001(b) (42 U.S.C. 3796gg(b))—

(A) in the matter preceding paragraph (1)—

(i) by striking ''equipment'' and inserting ''resources''; and

(ii) by inserting ''for the protection and safety of victims,'' after ''women,'';

(B) in paragraph (1), by striking ''sexual assault'' and all that follows through ''dating violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking, including the appropriate use of nonimmigrant status under subparagraphs (T) and (U) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a))'';

(C) in paragraph (2), by striking ''sexual assault and domestic violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking'';

(D) in paragraph (3), by striking ''sexual assault and domestic violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking, as well as the appropriate treatment of victims'';

(E) in paragraph (4)—

(i) by striking ''sexual assault and domestic violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking''; and

(ii) by inserting '', classifying,'' after ''identifying'';

(F) in paragraph (5)—

(i) by inserting ''and legal assistance'' after ''victim services'';

(ii) by striking ''domestic violence and dating violence'' and inserting ''domestic violence, dating violence, and stalking''; and

(iii) by striking ''sexual assault and domestic violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking'';

(G) by striking paragraph (6) and redesignating paragraphs (7) through (14) as paragraphs (6) through (13), respectively;

(H) in paragraph (6), as redesignated by subparagraph (G), by striking ''sexual assault and domestic violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking'';

(I) in paragraph (7), as redesignated by subparagraph (G), by striking ''and dating violence'' and inserting ''dating violence, and stalking'';

(J) in paragraph (9), as redesignated by subparagraph (G), by striking ''domestic violence or sexual assault'' and inserting '' domestic violence, dating violence, sexual assault, or stalking'';

(K) in paragraph (12), as redesignated by subparagraph (G)—

(i) in subparagraph (A), by striking ''triage protocols to ensure that dangerous or potentially lethal cases are identified and

prioritized'' and inserting ''the use of evidence-based indicators to assess the risk of domestic and dating violence homicide and prioritize dangerous or potentially lethal cases''; and

(ii) by striking ''and'' at the end;

(L) in paragraph (13), as redesignated by subparagraph (G)—

(i) by striking ''to provide'' and inserting ''providing'';

(ii) by striking ''nonprofit nongovernmental'';

(iii) by striking the comma after ''local governments'';

(iv) in the matter following subparagraph (C), by striking ''paragraph (14)'' and inserting ''paragraph (13)''; and

(v) by striking the period at the end and inserting a semicolon; and

(M) by inserting after paragraph (13), as redesignated by subparagraph (G), the following:

''(14) developing and promoting State, local, or tribal legislation and policies that enhance best practices for responding to domestic violence, dating violence, sexual assault, and stalking;

''(15) developing, implementing, or enhancing Sexual Assault Response Teams, or other similar coordinated community responses to sexual assault;

''(16) developing and strengthening policies, protocols, best practices, and training for law enforcement agencies and prosecutors relating to the investigation and prosecution of sexual assault cases and the appropriate treatment of victims;

''(17) developing, enlarging, or strengthening programs addressing sexual assault against men, women, and youth in correctional and detention settings;

''(18) identifying and conducting inventories of backlogs of sexual assault evidence collection kits and developing protocols and policies for responding to and addressing such backlogs, including protocols and policies for notifying and involving victims;

''(19) developing, enlarging, or strengthening programs and projects to provide services and responses targeting male and female victims of domestic violence, dating violence, sexual assault, or stalking, whose ability to access traditional services and responses is affected by their sexual orientation or gender identity, as defined in section 249(c) of title 18, United States Code; and

''(20) developing, enhancing, or strengthening prevention and educational programming to address domestic violence, dating violence, sexual assault, or stalking, with not more than 5 percent of the amount allocated to a State to be used for this purpose.'';

(3) in section 2007 (42 U.S.C. 3796gg–1)—

(A) in subsection (a), by striking ''nonprofit nongovernmental victim service programs'' and inserting ''victim service providers'';

(B) in subsection (b)(6), by striking ''(not including populations of Indian tribes)'';

(C) in subsection (c)—

(i) by striking paragraph (2) and inserting the following:

''(2) grantees and subgrantees shall develop a plan for implementation and shall consult and coordinate with—

''(A) the State sexual assault coalition;

''(B) the State domestic violence coalition;

''(C) the law enforcement entities within the State;

''(D) prosecution offices;

''(E) State and local courts;

''(F) Tribal governments in those States with State or federally recognized Indian tribes;

''(G) representatives from underserved populations, including culturally specific populations;

''(H) victim service providers;

''(I) population specific organizations; and

''(J) other entities that the State or the Attorney General identifies as needed for the planning process;'';

(ii) by redesignating paragraph (3) as paragraph (4);

(iii) by inserting after paragraph (2), as amended by clause (i), the following:

''(3) grantees shall coordinate the State implementation plan described in paragraph (2) with the State plans described in section 307 of the Family Violence Prevention and Services Act (42 U.S.C. 10407) and the programs described in section 1404 of the Victims of Crime Act of 1984 (42 U.S.C. 10603) and section 393A of the Public Health Service Act (42 U.S.C. 280b–1b).'';

(iv) in paragraph (4), as redesignated by clause (ii)—

(I) in subparagraph (A), by striking ''and not less than 25 percent shall be allocated for prosecutors'';

(II) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D);

(III) by inserting after subparagraph (A), the following:

''(B) not less than 25 percent shall be allocated for prosecutors;''; and

(IV) in subparagraph (D) as redesignated by subclause (II) by striking ''for'' and inserting ''to''; and

(v) by adding at the end the following:

''(5) not later than 2 years after the date of enactment of this Act, and every year thereafter, not less than 20 percent of the total amount granted to a State under this subchapter shall be allocated for programs or projects in 2 or more allocations listed in paragraph (4) that meaningfully address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship.'';

(D) by striking subsection (d) and inserting the following:

''(d) APPLICATION REQUIREMENTS.—An application for a grant under this section shall include—

''(1) the certifications of qualification required under subsection (c);

''(2) proof of compliance with the requirements for the payment of forensic medical exams and judicial notification, described in section 2010;

''(3) proof of compliance with the requirements for paying fees and costs relating to domestic violence and protection order cases, described in section 2011 of this title;

''(4) proof of compliance with the requirements prohibiting polygraph examinations of victims of sexual assault, described in section 2013 of this title;

''(5) an implementation plan required under subsection (i); and

''(6) any other documentation that the Attorney General may require.'';

(E) in subsection (e)—

(i) in paragraph (2)—

(I) in subparagraph (A), by striking ''domestic violence and sexual assault'' and inserting ''domestic violence, dating violence, sexual assault, and stalking''; and

(II) in subparagraph (D), by striking ''linguistically and''; and

(ii) by adding at the end the following:

''(3) CONDITIONS.—In disbursing grants under this part, the Attorney General may impose reasonable conditions on grant awards to ensure that the States meet statutory, regulatory, and other program requirements.'';

(F) in subsection (f), by striking the period at the end and inserting '', except that, for purposes of this subsection, the costs of the projects for victim services or tribes for which there is an exemption under section 40002(b)(1) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)(1)) shall not count toward the total costs of the projects.''; and

(G) by adding at the end the following:

''(i) IMPLEMENTATION PLANS.—A State applying for a grant under this part shall—

''(1) develop an implementation plan in consultation with the entities listed in subsection (c)(2), that identifies how the State will use the funds awarded under this part, including how the State will meet the requirements of subsection (c)(5); and

''(2) submit to the Attorney General—

''(A) the implementation plan developed under paragraph (1);

''(B) documentation from each member of the planning committee as to their participation in the planning process;

''(C) documentation from the prosecution, law enforcement, court, and victim services programs to be assisted, describing—

''(i) the need for the grant funds;

''(ii) the intended use of the grant funds;

''(iii) the expected result of the grant funds; and

''(iv) the demographic characteristics of the populations to be served, including age, disability, race, ethnicity, and language background;

''(D) a description of how the State will ensure that any subgrantees will consult with victim service providers during the course of developing their grant applications in order to ensure that the proposed activities are designed to promote the safety, confidentiality, and economic independence of victims;

''(E) demographic data on the distribution of underserved populations within the State and a description of how the State will meet the needs of underserved populations, including the minimum allocation for population specific services required under subsection (c)(4)(C);

''(F) a description of how the State plans to meet the regulations issued pursuant to subsection (e)(2);

''(G) goals and objectives for reducing domestic violence-related homicides within the State; and

''(H) any other information requested by the Attorney General.

''(j) REALLOCATION OF FUNDS.—A State may use any returned or remaining funds for any authorized purpose under this part if—

''(1) funds from a subgrant awarded under this part are returned to the State; or

''(2) the State does not receive sufficient eligible applications to award the full funding within the allocations in subsection (c)(4)'';

(4) in section 2010 (42 U.S.C. 3796gg–4)—

(A) in subsection (a), by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—A State, Indian tribal government, or unit of local government shall not be entitled to funds under this subchapter unless the State, Indian tribal government, unit of local government, or another governmental entity—

''(A) incurs the full out-of-pocket cost of forensic medical exams described in subsection (b) for victims of sexual assault; and

''(B) coordinates with health care providers in the region to notify victims of sexual assault of the availability of rape exams at no cost to the victims.'';

(B) in subsection (b)—

(i) in paragraph (1), by inserting ''or'' after the semicolon;

(ii) in paragraph (2), by striking ''; or'' and inserting a period; and

(iii) by striking paragraph (3); and

(C) by amending subsection (d) to read as follows:

''(d) NONCOOPERATION.—

''(1) IN GENERAL.—To be in compliance with this section, a State, Indian tribal government, or unit of local government shall comply with subsection (b) without regard to whether the victim participates in the criminal justice system or cooperates with law enforcement.

''(2) COMPLIANCE PERIOD.—States, territories, and Indian tribal governments shall have 3 years from the date of enactment of this Act to come into compliance with this section.''; and

(5) in section 2011(a)(1) (42 U.S.C. 3796gg–5(a)(1))—

(A) by inserting ''modification, enforcement, dismissal, withdrawal'' after ''registration,'' each place it appears;

(B) by inserting '', dating violence, sexual assault, or stalking'' after ''felony domestic violence''; and

(C) by striking ''victim of domestic violence'' and all that follows through ''sexual assault'' and inserting ''victim of domestic violence, dating violence, sexual assault, or stalking''.

SEC. 102. GRANTS TO ENCOURAGE ARREST POLICIES AND ENFORCEMENT OF PROTECTION ORDERS.

(a) IN GENERAL.—Part U of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh et seq.) is amended—

(1) in section 2101 (42 U.S.C. 3796hh)—

(A) in subsection (b)—

(i) in the matter preceding paragraph (1), by striking ''States,'' and all that follows through ''units of local government'' and inserting ''grantees'';

(ii) in paragraph (1), by inserting ''and enforcement of protection orders across State and tribal lines'' before the period;

(iii) in paragraph (2), by striking ''and training in police departments to improve tracking of cases'' and inserting ''data collection systems, and training in police departments to improve tracking of cases and classification of complaints'';

(iv) in paragraph (4), by inserting ''and provide the appropriate training and education about domestic violence, dating violence, sexual assault, and stalking'' after ''computer tracking systems'';

(v) in paragraph (5), by inserting ''and other victim services'' after ''legal advocacy service programs'';

(vi) in paragraph (6), by striking ''judges'' and inserting ''Federal, State, tribal, territorial, and local judges, courts, and court-based and court-related personnel'';

(vii) in paragraph (8), by striking ''and sexual assault'' and inserting ''dating violence, sexual assault, and stalking'';

(viii) in paragraph (10), by striking ''nonprofit, non-governmental victim services organizations,'' and inserting ''victim service providers, staff from population specific organizations,''; and

(ix) by adding at the end the following:

''(14) To develop and implement training programs for prosecutors and other prosecution-related personnel regarding best practices to ensure offender accountability, victim safety, and victim consultation in cases involving domestic violence, dating violence, sexual assault, and stalking.

''(15) To develop or strengthen policies, protocols, and training for law enforcement, prosecutors, and the judiciary in recognizing, investigating, and prosecuting instances of domestic violence, dating violence, sexual assault, and stalking against immigrant victims, including the appropriate use of applications for nonimmigrant status under subparagraphs (T) and (U) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)).

''(16) To develop and promote State, local, or tribal legislation and policies that enhance best practices for responding to the crimes of domestic violence, dating violence, sexual assault, and stalking, including the appropriate treatment of victims.

''(17) To develop, implement, or enhance sexual assault nurse examiner programs or sexual assault forensic examiner programs, including the hiring and training of such examiners.

''(18) To develop, implement, or enhance Sexual Assault Response Teams or similar coordinated community responses to sexual assault.

''(19) To develop and strengthen policies, protocols, and training for law enforcement officers and prosecutors regarding the investigation and prosecution of sexual assault cases and the appropriate treatment of victims.

''(20) To provide human immunodeficiency virus testing programs, counseling, and prophylaxis for victims of sexual assault.

''(21) To identify and inventory backlogs of sexual assault evidence collection kits and to develop protocols for responding to and addressing such backlogs, including policies and protocols for notifying and involving victims.

''(22) To develop multidisciplinary high-risk teams focusing on reducing domestic violence and dating violence homicides by—

''(A) using evidence-based indicators to assess the risk of homicide and link high-risk victims to immediate crisis intervention services;

''(B) identifying and managing high-risk offenders; and

''(C) providing ongoing victim advocacy and referrals to comprehensive services including legal, housing, health care, and economic assistance.'';

(B) in subsection (c)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by inserting ''except for a court,'' before ''certify''; and

(II) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), and adjusting the margin accordingly;

(ii) in paragraph (2), by inserting ''except for a court,'' before ''demonstrate'';

(iii) in paragraph (3)—

(I) by striking ''spouses'' each place it appears and inserting ''parties''; and

(II) by striking ''spouse'' and inserting ''party'';

(iv) in paragraph (4)—

(I) by inserting '', dating violence, sexual assault, or stalking'' after ''felony domestic violence'';

(II) by inserting ''modification, enforcement, dismissal,'' after ''registration,'' each place it appears;

(III) by inserting ''dating violence,'' after ''victim of domestic violence,''; and

(IV) by striking ''and'' at the end;

(v) in paragraph (5)—

(I) in the matter preceding subparagraph (A), by striking '', not later than 3 years after January 5, 2006'';

(II) by inserting '', trial of, or sentencing for'' after ''investigation of'' each place it appears;

(III) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), and adjusting the margin accordingly;

(IV) in clause (ii), as redesignated by subclause (III) of this clause, by striking ''subparagraph (A)'' and inserting ''clause (i)''; and

(V) by striking the period at the end and inserting ''; and'';

(vi) by redesignating paragraphs (1) through (5), as amended by this subparagraph, as subparagraphs (A) through (E), respectively;

(vii) in the matter preceding subparagraph (A), as redesignated by clause (v) of this subparagraph—

(I) by striking the comma that immediately follows another comma; and

(II) by striking ''grantees are States'' and inserting the following: ''grantees are—

''(1) States''; and

(viii) by adding at the end the following:

''(2) a State, tribal, or territorial domestic violence or sexual assault coalition or a victim service provider that partners with a State, Indian tribal government, or unit of local government that certifies that the State, Indian tribal government, or unit of local government meets the requirements under paragraph (1).'';

(C) in subsection (d)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by inserting '', policy,'' after ''law''; and

(II) in subparagraph (A), by inserting ''and the defendant is in custody or has been served with the information or indictment'' before the semicolon; and

(ii) in paragraph (2), by striking ''it'' and inserting ''its''; and

(D) by adding at the end the following:

''(f) ALLOCATION FOR TRIBAL COALITIONS.—Of the amounts appropriated for purposes of this part for each fiscal year, not less than 5 percent shall be available for grants under section 2001 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg).

''(g) ALLOCATION FOR SEXUAL ASSAULT.—Of the amounts appropriated for purposes of this part for each fiscal year, not less than 25 percent shall be available for projects that address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship.''; and

(2) in section 2102(a) (42 U.S.C. 3796hh–1(a))—

(A) in paragraph (1), by inserting ''court,'' after ''tribal government,''; and

(B) in paragraph (4), by striking ''nonprofit, private sexual assault and domestic violence programs'' and inserting ''victim service providers and, as appropriate, population specific organizations''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 1001(a)(19) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(19)) is amended—

(1) by striking ''$75,000,000'' and all that follows through ''2011.'' and inserting ''$73,000,000 for each of fiscal years 2012 through 2016.''; and

(2) by striking the period that immediately follows another period.

SEC. 103. LEGAL ASSISTANCE FOR VICTIMS.

Section 1201 of the Violence Against Women Act of 2000 (42 U.S.C. 3796gg–6) is amended—

(1) in subsection (a)—

(A) in the first sentence, by striking ''arising as a consequence of'' and inserting ''relating to or arising out of''; and

(B) in the second sentence, by inserting ''or arising out of'' after ''relating to'';

(2) in subsection (b)—

(A) in the heading, by inserting ''AND GRANT CONDITIONS'' after ''DEFINITIONS''; and

(B) by inserting ''and grant conditions'' after ''definitions'';

(3) in subsection (c)—

(A) in paragraph (1), by striking ''victims services organizations'' and inserting ''victim service providers''; and

(B) by striking paragraph (3) and inserting the following:

''(3) to implement, expand, and establish efforts and projects to provide competent, supervised pro bono legal assistance for victims of domestic violence, dating violence, sexual assault, or stalking, except that not more than 10 percent of the funds awarded under this section may be used for the purpose described in this paragraph.'';

(4) in subsection (d)—

(A) in paragraph (1), by striking ''this section has completed'' and all that follows and inserting the following: ''this section—''

''(A) has demonstrated expertise in providing legal assistance to victims of domestic violence, dating violence, sexual assault, or stalking in the targeted population; or

''(B)(i) is partnered with an entity or person that has demonstrated expertise described in subparagraph (A); and

''(ii) has completed, or will complete, training in connection with domestic violence, dating violence, stalking, or sexual assault and related legal issues, including training on evidence-based risk factors for domestic and dating violence homicide;''; and

(B) in paragraph (2), by striking ''stalking organization'' and inserting ''stalking victim service provider''; and

(5) in subsection (f) in paragraph (1), by striking ''this section'' and all that follows and inserting the following: ''this section $57,000,000 for each of fiscal years 2012 through 2016.''.

SEC. 104. CONSOLIDATION OF GRANTS TO SUPPORT FAMILIES IN THE JUSTICE SYSTEM.

(a) IN GENERAL.—Title III of division B of the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386; 114 Stat. 1509) is amended by striking the section preceding section 1302 (42 U.S.C. 10420), as amended by section 306 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162; 119 Stat. 316), and inserting the following:

''SEC. 1301. GRANTS TO SUPPORT FAMILIES IN THE JUSTICE SYSTEM.

''(a) IN GENERAL.—The Attorney General may make grants to States, units of local government, courts (including juvenile courts), Indian tribal governments, nonprofit organizations, legal services providers, and victim services providers to improve the response of all aspects of the civil and criminal justice system to families with a history of domestic violence, dating violence, sexual assault, or stalking, or in cases involving allegations of child sexual abuse.

''(b) USE OF FUNDS.—A grant under this section may be used to—

''(1) provide supervised visitation and safe visitation exchange of children and youth by and between parents in situations involving domestic violence, dating violence, child sexual abuse, sexual assault, or stalking;

''(2) develop and promote State, local, and tribal legislation, policies, and best practices for improving civil and criminal court functions, responses, practices, and procedures in cases involving a history of domestic violence or sexual assault, or in cases involving allegations of child sexual abuse, including cases in which the victim proceeds pro se;

''(3) educate court-based and court-related personnel and court-appointed personnel (including custody evaluators and guardians ad litem) and child protective services workers on the dynamics of domestic violence, dating violence, sexual assault, and stalking, including information on perpetrator behavior, evidence-based risk factors for domestic and dating violence homicide, and on issues relating to the needs of victims, including safety, security, privacy, and confidentiality, including cases in which the victim proceeds pro se;

''(4) provide appropriate resources in juvenile court matters to respond to dating violence, domestic violence, sexual assault (including child sexual abuse), and stalking and ensure necessary services dealing with the health and mental health of victims are available;

''(5) enable courts or court-based or court-related programs to develop or enhance—

''(A) court infrastructure (such as specialized courts, consolidated courts, dockets, intake centers, or interpreter services);

''(B) community-based initiatives within the court system (such as court watch programs, victim assistants, pro se victim assistance programs, or community-based supplementary services);

''(C) offender management, monitoring, and accountability programs;

''(D) safe and confidential information-storage and information-sharing databases within and between court systems;

''(E) education and outreach programs to improve community access, including enhanced access for underserved populations; and

''(F) other projects likely to improve court responses to domestic violence, dating violence, sexual assault, and stalking;

''(6) provide civil legal assistance and advocacy services, including legal information and resources in cases in which the victim proceeds pro se, to—

''(A) victims of domestic violence; and

''(B) nonoffending parents in matters—

''(i) that involve allegations of child sexual abuse;

''(ii) that relate to family matters, including civil protection orders, custody, and divorce; and

''(iii) in which the other parent is represented by counsel;

''(7) collect data and provide training and technical assistance, including developing State, local, and tribal model codes and policies, to improve the capacity of grantees and communities to address the civil justice needs of victims of domestic violence, dating violence, sexual assault, and stalking who have legal representation, who are proceeding pro se, or who are proceeding with the assistance of a legal advocate; and

''(8) to improve training and education to assist judges, judicial personnel, attorneys, child welfare personnel, and legal advocates in the civil justice system.

''(c) CONSIDERATIONS.—

''(1) IN GENERAL.—In making grants for purposes described in paragraphs (1) through (7) of subsection (b), the Attorney General shall consider—

''(A) the number of families to be served by the proposed programs and services;

''(B) the extent to which the proposed programs and services serve underserved populations;

''(C) the extent to which the applicant demonstrates cooperation and collaboration with nonprofit, nongovernmental entities in the local community with demonstrated histories of effective work on domestic violence, dating violence, sexual assault, or stalking, including State or tribal domestic violence coalitions, State or tribal sexual assault coalitions, local shelters, and programs for domestic violence and sexual assault victims; and

''(D) the extent to which the applicant demonstrates coordination and collaboration with State, tribal, and local court systems, including mechanisms for communication and referral.

''(2) OTHER GRANTS.—In making grants under subsection (b)(8) the Attorney General shall take into account the extent to which the grantee has expertise addressing the judicial system's handling of family violence, child custody, child abuse and neglect, adoption, foster care, supervised visitation, divorce, and parentage.

''(d) APPLICANT REQUIREMENTS.—The Attorney General may make a grant under this section to an applicant that—

''(1) demonstrates expertise in the areas of domestic violence, dating violence, sexual assault, stalking, or child sexual abuse, as appropriate;

''(2) ensures that any fees charged to individuals for use of supervised visitation programs and services are based on the income of those individuals, unless otherwise provided by court order;

''(3) for a court-based program, certifies that victims of domestic violence, dating violence, sexual assault, or stalking are not charged fees or any other costs related to the filing, petitioning, modifying, issuance, registration, enforcement, withdrawal, or dismissal of matters relating to the domestic violence, dating violence, sexual assault, or stalking;

''(4) demonstrates that adequate security measures, including adequate facilities, procedures, and personnel capable of preventing violence, and adequate standards are, or will be, in place (including the development of protocols or policies to ensure that confidential information is not shared with courts, law enforcement agencies, or child welfare agencies unless necessary to ensure the safety of any child or adult using the services of a program funded under this section), if the applicant proposes to operate supervised visitation programs and services or safe visitation exchange;

''(5) certifies that the organizational policies of the applicant do not require mediation or counseling involving offenders and victims being physically present in the same place, in cases where domestic violence, dating violence, sexual assault, or stalking is alleged;

''(6) certifies that any person providing legal assistance through a program funded under this section has completed or will complete training on domestic violence, dating violence, sexual assault, and stalking, including child sexual abuse, and related legal issues; and

''(7) certifies that any person providing custody evaluation or guardian ad litem services through a program funded under this section has completed or will complete training developed with input from and in collaboration with a tribal, State, territorial, or local domestic violence, dating violence, sexual assault, or stalking victim service provider or coalition on the dynamics of domestic violence and sexual assault, including child sexual abuse, that includes training on how to review evidence of past abuse and the use of evidenced-based theories to make recommendations on custody and visitation.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $22,000,000 for each of fiscal years 2012 through 2016. Amounts appropriated pursuant to this subsection shall remain available until expended.

''(f) ALLOTMENT FOR INDIAN TRIBES.—

''(1) IN GENERAL.—Not less than 10 percent of the total amount available under this section for each fiscal year shall be available for grants under the program authorized by section 3796gg–10 of this title.

''(2) APPLICABILITY OF PART.—The requirements of this section shall not apply to funds allocated for the program described in paragraph (1).''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Subtitle J of the Violence Against Women Act of 1994 (42 U.S.C. 14043 et seq.) is repealed.

SEC. 105. SEX OFFENDER MANAGEMENT.

Section 40152(c) of the Violence Against Women Act of 1994 (42 U.S.C. 13941) is amended by striking ''$5,000,000'' and all that follows and inserting ''$5,000,000 for each of fiscal years 2012 through 2016.''.

SEC. 106. COURT-APPOINTED SPECIAL ADVOCATE PROGRAM.

Subtitle B of title II of the Crime Control Act of 1990 (42 U.S.C. 13011 et seq.) is amended—

(1) in section 216 (42 U.S.C. 13012), by striking ''January 1, 2010'' and inserting ''January 1, 2015'';

(2) in section 217 (42 U.S.C. 13013)—

(A) by striking ''Code of Ethics'' in section (c)(2) and inserting ''Standards for Programs''; and

(B) by adding at the end the following:

''(e) REPORTING.—An organization that receives a grant under this section for a fiscal year shall submit to the Administrator a report regarding the use of the grant for the fiscal year, including a discussion of outcome performance measures (which shall be established by the Administrator) to determine the effectiveness of the programs of the organization in meeting the needs of children in the child welfare system.''; and

(3) in section 219(a) (42 U.S.C. 13014(a)), by striking ''fiscal years 2007 through 2011'' and inserting ''fiscal years 2012 through 2016''.

SEC. 107. CRIMINAL PROVISION RELATING TO STALKING, INCLUDING CYBERSTALKING.

(a) INTERSTATE DOMESTIC VIOLENCE.—Section 2261(a)(1) of title 18, United States Code, is amended—

(1) by inserting ''is present'' after ''Indian Country or''; and

(2) by inserting ''or presence'' after ''as a result of such travel'';

(b) STALKING.—Section 2261A of title 18, United States Code, is amended to read as follows:

''§ 2261A. Stalking

''Whoever—

''(1) travels in interstate or foreign commerce or is present within the special maritime and territorial jurisdiction of the United States, or enters or leaves Indian country, with the intent to kill, injure, harass, intimidate, or place under surveillance with intent to kill, injure, harass, or intimidate another person, and in the course of, or as a result of, such travel or presence engages in conduct that—

''(A) places that person in reasonable fear of the death of, or serious bodily injury to—

''(i) that person;

''(ii) an immediate family member (as defined in section 115) of that person; or

''(iii) a spouse or intimate partner of that person; or

''(B) causes, attempts to cause, or would be reasonably expected to cause substantial emotional distress to a person described in clause (i), (ii), or (iii) of subparagraph (A); or

''(2) with the intent to kill, injure, harass, intimidate, or place under surveillance with intent to kill, injure, harass, or intimidate another person, uses the mail, any interactive computer service or electronic communication service or electronic communication system of interstate commerce, or any other facility of interstate or foreign commerce to engage in a course of conduct that—

''(A) places that person in reasonable fear of the death of or serious bodily injury to a person described in clause (i), (ii), or (iii) of paragraph (1)(A); or

''(B) causes, attempts to cause, or would be reasonably expected to cause substantial emotional distress to a person described in clause (i), (ii), or (iii) of paragraph (1)(A),

shall be punished as provided in section 2261(b) of this title.''.

(c) INTERSTATE VIOLATION OF PROTECTION ORDER.—Section 2262(a)(2) of title 18, United States Code, is amended by inserting ''is present'' after ''Indian Country or''.

SEC. 108. OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS GRANT.

Section 120 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045) is amended to read as follows:

''SEC. 120. GRANTS FOR OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS.

''(a) GRANTS AUTHORIZED.—

''(1) IN GENERAL.—Of the amounts appropriated under the grant programs identified in paragraph (2), the Attorney General shall take 2 percent of such appropriated amounts and combine them to award grants to eligible entities described in subsection (b) of this section to develop and implement outreach strategies targeted at adult or youth victims of domestic violence, dating violence, sexual assault, or stalking in underserved populations and to provide victim services to meet the needs of adult and youth victims of domestic violence, dating violence, sexual assault, and stalking in underserved populations. The requirements of the grant programs identified in paragraph (2) shall not apply to this grant program.

''(2) PROGRAMS COVERED.—The programs covered by paragraph (1) are the programs carried out under the following provisions:

''(A) Section 2001 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Combat Violent Crimes Against Women).

''(B) Section 2101 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program).

''(b) ELIGIBLE ENTITIES.—Eligible entities under this section are—

''(1) population specific organizations that have demonstrated experience and expertise in providing population specific services in the relevant underserved communities, or population specific organizations working in partnership with a victim service provider or domestic violence or sexual assault coalition;

''(2) victim service providers offering population specific services for a specific underserved population; or

''(3) victim service providers working in partnership with a national, State, tribal, or local organization that has demonstrated experience and expertise in providing population specific services in the relevant underserved population.

''(c) PLANNING GRANTS.—The Attorney General may use up to 25 percent of funds available under this section to make one-time planning grants to eligible entities to support the planning and development of specially designed and targeted programs for adult and youth victims in one or more underserved populations, including—

''(1) identifying, building and strengthening partnerships with potential collaborators within underserved populations, Federal, State, tribal, territorial or local government entities, and public and private organizations;

''(2) conducting a needs assessment of the community and the targeted underserved population or populations to determine what the barriers are to service access and what factors contribute to those barriers, using input from the targeted underserved population or populations;

''(3) identifying promising prevention, outreach and intervention strategies for victims from a targeted underserved population or populations; and

''(4) developing a plan, with the input of the targeted underserved population or populations, for implementing prevention, outreach and intervention strategies to address the barriers to accessing services, promoting community engagement in the prevention of domestic violence, dating violence, sexual assault, and stalking within the targeted underserved populations, and evaluating the program.

''(d) IMPLEMENTATION GRANTS.—The Attorney General shall make grants to eligible entities for the purpose of providing or enhancing population specific outreach and services to adult and youth victims in one or more underserved populations, including—

''(1) working with Federal, State, tribal, territorial and local governments, agencies, and organizations to develop or enhance population specific services;

''(2) strengthening the capacity of underserved populations to provide population specific services;

''(3) strengthening the capacity of traditional victim service providers to provide population specific services;

''(4) strengthening the effectiveness of criminal and civil justice interventions by providing training for law enforcement, prosecutors, judges and other court personnel on domestic violence, dating violence, sexual assault, or stalking in underserved populations; or

''(5) working in cooperation with an underserved population to develop and implement outreach, education, prevention, and intervention strategies that highlight available resources and the specific issues faced by victims of domestic violence, dating violence, sexual assault, or stalking from underserved populations.

''(e) APPLICATION.—An eligible entity desiring a grant under this section shall submit an application to the Director of the Office on Violence Against Women at such time, in such form, and in such manner as the Director may prescribe.

''(f) REPORTS.—Each eligible entity receiving a grant under this section shall submit to the Director of the Office on Violence Against Women a report that describes the activities carried out with grant funds.

''(g) AUTHORIZATION OF APPROPRIATIONS.—In addition to the funds identified in subsection (a)(1), there are authorized to be appropriated to carry out this section $2,000,000 for each of fiscal years 2012 through 2016.

''(h) DEFINITIONS AND GRANT CONDITIONS.—In this section the definitions and grant conditions in section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925) shall apply.''.

SEC. 109. CULTURALLY SPECIFIC SERVICES GRANT.

Section 121 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045a) is amended—

(1) in the section heading, by striking ''**AND LINGUISTICALLY**'';

(2) by striking ''and linguistically'' each place it appears;

(3) by striking ''and linguistic'' each place it appears;

(4) by striking subsection (a)(2) and inserting:

''(2) PROGRAMS COVERED.—The programs covered by paragraph (1) are the programs carried out under the following provisions:

''(A) Section 2101 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Encourage Arrest Policies and Enforcement of Protection Orders).

''(B) Section 14201 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg–6) (Legal Assistance for Victims).

''(C) Section 40295 of the Violence Against Women Act of 1994 (42 U.S.C. 13971) (Rural Domestic Violence, Dating Violence, Sexual Assault, Stalking, and Child Abuse Enforcement Assistance).

''(D) Section 40802 of the Violence Against Women Act of 1994 (42 U.S.C. 14041a) (Enhanced Training and Services to End Violence Against Women Later in Life).

''(E) Section 1402 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg–7) (Education, Training, and Enhanced Services to End Violence Against and Abuse of Women with Disabilities).''; and

(5) in subsection (g), by striking ''linguistic and''.

TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 201. SEXUAL ASSAULT SERVICES PROGRAM.

(a) GRANTS TO STATES AND TERRITORIES.—Section 41601(b) of the Violence Against Women Act of 1994 (42 U.S.C. 14043g(b)) is amended—

(1) in paragraph (1), by striking ''other programs'' and all that follows and inserting ''other nongovernmental or tribal programs and projects to assist individuals who have been victimized by sexual assault, without regard to the age of the individual.'';

(2) in paragraph (2)—

(A) in subparagraph (B), by inserting ''or tribal programs and activities'' after ''nongovernmental organizations''; and

(B) in subparagraph (C)(v), by striking ''linguistically and''; and

(3) in paragraph (4)—

(A) by inserting ''(including the District of Columbia and Puerto Rico)'' after ''The Attorney General shall allocate to each State'';

(B) by striking ''the District of Columbia, Puerto Rico,'' after ''Guam'';

(C) by striking ''0.125 percent'' and inserting ''0.25 percent''; and

(D) by striking ''The District of Columbia shall be treated as a territory for purposes of calculating its allocation under the preceding formula.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 41601(f)(1) of the Violence Against Women Act of 1994 (42 U.S.C. 14043g(f)(1)) is amended by striking ''$50,000,000 to remain available until expended for each of the fiscal years 2007 through 2011'' and inserting ''$40,000,000 to remain available until expended for each of fiscal years 2012 through 2016''.

SEC. 202. RURAL DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, STALKING, AND CHILD ABUSE ENFORCEMENT ASSISTANCE.

Section 40295 of the Violence Against Women Act of 1994 (42 U.S.C. 13971) is amended—

(1) in subsection (a)(1)(H), by inserting '', including sexual assault forensic examiners'' before the semicolon;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking ''victim advocacy groups'' and inserting ''victim service providers''; and

(ii) by inserting '', including developing multidisciplinary teams focusing on high risk cases with the goal of preventing domestic and dating violence homicides'' before the semicolon;

(B) in paragraph (2)—

(i) by striking ''and other long- and short-term assistance'' and inserting ''legal assistance, and other long-term and short-term victim and population specific services''; and

(ii) by striking ''and'' at the end;

(C) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(4) developing, enlarging, or strengthening programs addressing sexual assault, including sexual assault forensic examiner programs, Sexual Assault Response Teams, law enforcement training, and programs addressing rape kit backlogs.

''(5) developing programs and strategies that focus on the specific needs of victims of domestic violence, dating violence, sexual assault, and stalking who reside in remote rural and geographically isolated areas, including addressing the challenges posed by the lack of access to shelters and victims services, and limited law enforcement resources and training, and providing training and resources to Community Health Aides involved in the delivery of Indian Health Service programs.''; and

(3) in subsection (e)(1), by striking ''$55,000,000 for each of the fiscal years 2007 through 2011'' and inserting ''$50,000,000 for each of fiscal years 2012 through 2016''.

SEC. 203. TRAINING AND SERVICES TO END VIOLENCE AGAINST WOMEN WITH DISABILITIES GRANTS.

Section 1402 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg–7) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by inserting ''(including using evidence-based indicators to assess the risk of domestic and dating violence homicide)'' after ''risk reduction'';

(B) in paragraph (4), by striking ''victim service organizations'' and inserting ''victim service providers''; and

(C) in paragraph (5), by striking ''victim services organizations'' and inserting ''victim service providers'';

(2) in subsection (c)(1)(D), by striking ''nonprofit and nongovernmental victim services organization, such as a State'' and inserting ''victim service provider, such as a State or tribal''; and

(3) in subsection (e), by striking ''$10,000,000 for each of the fiscal years 2007 through 2011'' and inserting ''$9,000,000 for each of fiscal years 2012 through 2016''.

SEC. 204. ENHANCED TRAINING AND SERVICES TO END ABUSE IN LATER LIFE.

(a) IN GENERAL.—Subtitle H of the Violence Against Women Act of 1994 (42 U.S.C. 14041 et seq.) is amended to read as follows:

"Subtitle H—Enhanced Training and Services to End Abuse Later in Life

"SEC. 40801. ENHANCED TRAINING AND SERVICES TO END ABUSE IN LATER LIFE.

''(a) DEFINITIONS.—In this section—

''(1) the term 'exploitation' has the meaning given the term in section 2011 of the Social Security Act (42 U.S.C. 1397j);

''(2) the term 'later life', relating to an individual, means the individual is 50 years of age or older; and

''(3) the term 'neglect' means the failure of a caregiver or fiduciary to provide the goods or services that are necessary to maintain the health or safety of an individual in later life.

''(b) GRANT PROGRAM.—

''(1) GRANTS AUTHORIZED.—The Attorney General may make grants to eligible entities to carry out the activities described in paragraph (2).

''(2) MANDATORY AND PERMISSIBLE ACTIVITIES.—

''(A) MANDATORY ACTIVITIES.—An eligible entity receiving a grant under this section shall use the funds received under the grant to—

''(i) provide training programs to assist law enforcement agencies, prosecutors, agencies of States or units of local government, population specific organizations, victim service providers, victim advocates, and relevant officers in Federal, tribal, State, territorial, and local courts in recognizing and addressing instances of elder abuse;

''(ii) provide or enhance services for victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect;

''(iii) establish or support multidisciplinary collaborative community responses to victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect; and

''(iv) conduct cross-training for law enforcement agencies, prosecutors, agencies of States or units of local government, attorneys, health care providers, population specific organizations, faith-based advocates, victim service providers, and courts to better serve victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect.

''(B) PERMISSIBLE ACTIVITIES.—An eligible entity receiving a grant under this section may use the funds received under the grant to—

''(i) provide training programs to assist attorneys, health care providers, faith-based leaders, or other community-based organizations in recognizing and addressing instances of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect; or

''(ii) conduct outreach activities and awareness campaigns to ensure that victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect receive appropriate assistance.

''(C) WAIVER.—The Attorney General may waive 1 or more of the activities described in subparagraph (A) upon making a determination that the activity would duplicate services available in the community.

''(D) LIMITATION.—An eligible entity receiving a grant under this section may use not more than 10 percent of the total funds received under the grant for an activity described in subparagraph (B)(ii).

''(3) ELIGIBLE ENTITIES.—An entity shall be eligible to receive a grant under this section if—

''(A) the entity is—

''(i) a State;

''(ii) a unit of local government;

''(iii) a tribal government or tribal organization;

''(iv) a population specific organization with demonstrated experience in assisting individuals over 50 years of age;

''(v) a victim service provider with demonstrated experience in addressing domestic violence, dating violence, sexual assault, and stalking; or

''(vi) a State, tribal, or territorial domestic violence or sexual assault coalition; and

''(B) the entity demonstrates that it is part of a multidisciplinary partnership that includes, at a minimum—

''(i) a law enforcement agency;

''(ii) a prosecutor's office;

''(iii) a victim service provider; and

''(iv) a nonprofit program or government agency with demonstrated experience in assisting individuals in later life;

''(4) UNDERSERVED POPULATIONS.—In making grants under this section, the Attorney General shall give priority to proposals providing services to culturally specific and underserved populations.

''(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $9,000,000 for each of fiscal years 2012 through 2016.''.

TITLE III—SERVICES, PROTECTION, AND JUSTICE FOR YOUNG VICTIMS OF VIOLENCE

SEC. 301. RAPE PREVENTION AND EDUCATION GRANT.

Section 393A of the Public Health Service Act (42 U.S.C. 280b–1b) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting '', territorial or tribal'' after ''crisis centers, State''; and

(B) in paragraph (6), by inserting ''and alcohol'' after ''about drugs''; and

(2) in subsection (c)—

(A) in paragraph (1), by striking ''$80,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$50,000,000 for each of fiscal years 2012 through 2016''; and

(B) by adding at the end the following:

''(3) BASELINE FUNDING FOR STATES, THE DISTRICT OF COLUMBIA, AND PUERTO RICO.—A minimum allocation of $150,000 shall be awarded in each fiscal year for each of the States, the District of Columbia, and Puerto Rico. A minimum allocation of $35,000 shall be awarded in each fiscal year for each Territory. Any unused or remaining funds shall be allotted to each State, the District of Columbia, and Puerto Rico on the basis of population.''.

SEC. 302. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH.

Subtitle L of the Violence Against Women Act of 1994 is amended by striking sections 41201 through 41204 (42 U.S.C. 14043c through 14043c–3) and inserting the following:

''SEC. 41201. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH ('CHOOSE CHILDREN & YOUTH').

''(a) GRANTS AUTHORIZED.—The Attorney General, working in collaboration with the Secretary of Health and Human Services and the Secretary of Education, shall award grants to enhance the safety of youth and children who are victims of, or exposed to, domestic violence, dating violence, sexual assault, or stalking and prevent future violence.

''(b) PROGRAM PURPOSES.—Funds provided under this section may be used for the following program purpose areas:

''(1) SERVICES TO ADVOCATE FOR AND RESPOND TO YOUTH.—To develop, expand, and strengthen victim-centered interventions and services that target youth who are victims of domestic violence, dating violence, sexual assault, and stalking. Services may include victim services, counseling, advocacy, mentoring, educational support, transportation, legal assistance in civil, criminal and administrative matters, such as family law cases, housing cases, child welfare proceedings, campus administrative proceedings, and civil protection order proceedings, services to address the co-occurrence of sex trafficking, population-specific services, and other activities that support youth in finding safety, stability, and justice and in addressing the emotional, cognitive, and physical effects of trauma. Funds may be used to—

''(A) assess and analyze currently available services for youth victims of domestic violence, dating violence, sexual assault, and stalking, determining relevant barriers to such services in a particular locality, and developing a community protocol to address such problems collaboratively;

''(B) develop and implement policies, practices, and procedures to effectively respond to domestic violence, dating violence, sexual assault, or stalking against youth; or

''(C) provide technical assistance and training to enhance the ability of school personnel, victim service providers, child protective service workers, staff of law enforcement agencies, prosecutors, court personnel, individuals who work in after school programs, medical personnel, social workers, mental health personnel, and workers in other programs that serve children and youth to improve their ability to appropriately respond to the needs of children and youth who are victims of domestic violence, dating violence, sexual assault, and stalking, and to properly refer such children, youth, and their families to appropriate services.

''(2) SUPPORTING YOUTH THROUGH EDUCATION AND PROTECTION.—To enable middle schools, high schools, and institutions of higher education to—

''(A) provide training to school personnel, including healthcare providers and security personnel, on the needs of students who are victims of domestic violence, dating violence, sexual assault, or stalking;

''(B) develop and implement prevention and intervention policies in middle and high schools, including appropriate responses to, and identification and referral procedures for, students who are experiencing or perpetrating domestic violence, dating violence, sexual assault, or stalking, and procedures for handling the requirements of court protective orders issued to or against students;

''(C) provide support services for student victims of domestic violence, dating violence, sexual assault or stalking, such as a resource person who is either on-site or on-call;

''(D) implement developmentally appropriate educational programming for students regarding domestic violence, dating violence, sexual assault, and stalking and the impact of such violence on youth; or

''(E) develop strategies to increase identification, support, referrals, and prevention programming for youth who are at high risk of domestic violence, dating violence, sexual assault, or stalking.

''(c) ELIGIBLE APPLICANTS.—

''(1) IN GENERAL.—To be eligible to receive a grant under this section, an entity shall be—

''(A) a victim service provider, tribal nonprofit, or population-specific or community-based organization with a demonstrated history of effective work addressing the needs of youth who are, including runaway or homeless youth affected by, victims of domestic violence, dating violence, sexual assault, or stalking;

''(B) a victim service provider that is partnered with an entity that has a demonstrated history of effective work addressing the needs of youth; or

''(C) a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents' Education Act of 1978, a group of schools, a school district, or an institution of higher education.

''(2) PARTNERSHIPS.—

''(A) EDUCATION.—To be eligible to receive a grant for the purposes described in subsection (b)(2), an entity described in paragraph (1) shall be partnered with a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents' Education Act of 1978, a group of schools, a school district, or an institution of higher education.

''(B) OTHER PARTNERSHIPS.—All applicants under this section are encouraged to work in partnership with organizations and agencies that work with the relevant population. Such entities may include—

''(i) a State, tribe, unit of local government, or territory;

''(ii) a population specific or community-based organization;

''(iii) batterer intervention programs or sex offender treatment programs with specialized knowledge and experience working with youth offenders; or

''(iv) any other agencies or nonprofit, nongovernmental organizations with the capacity to provide effective assistance to the adult, youth, and child victims served by the partnership.

''(d) GRANTEE REQUIREMENTS.—Applicants for grants under this section shall establish and implement policies, practices, and procedures that—

''(1) require and include appropriate referral systems for child and youth victims;

''(2) protect the confidentiality and privacy of child and youth victim information, particularly in the context of parental or third party involvement and consent, mandatory reporting duties, and working with other service providers all with priority on victim safety and autonomy; and

''(3) ensure that all individuals providing intervention or prevention programming to children or youth through a program funded under this section have completed, or will complete, sufficient training in connection with domestic violence, dating violence, sexual assault and stalking.

''(e) DEFINITIONS AND GRANT CONDITIONS.—In this section, the definitions and grant conditions provided for in section 40002 shall apply.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $15,000,000 for each of fiscal years 2012 through 2016.

''(g) ALLOTMENT.—

''(1) IN GENERAL.—Not less than 50 percent of the total amount appropriated under this section for each fiscal year shall be used for the purposes described in subsection (b)(1).

''(2) INDIAN TRIBES.—Not less than 10 percent of the total amount appropriated under this section for each fiscal year shall be made available for grants under the program authorized by section 2015 of the Omnibus Crime Control and Safe Streets Act of 1968. The requirements of this section shall not apply to funds allocated under this paragraph.

''(h) PRIORITY.—The Attorney General shall prioritize grant applications under this section that coordinate with prevention programs in the community.''.

SEC. 303. GRANTS TO COMBAT VIOLENT CRIMES ON CAMPUSES.

Section 304 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045b) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ''stalking on campuses, and'' and inserting ''stalking on campuses,'';

(ii) by striking ''crimes against women on'' and inserting ''crimes on''; and

(iii) by inserting '', and to develop and strengthen prevention education and awareness programs'' before the period; and

(B) in paragraph (2), by striking ''$500,000'' and inserting ''$300,000'';

(2) in subsection (b)—

(A) in paragraph (2)—

(i) by inserting '', strengthen,'' after ''To develop''; and

(ii) by inserting ''including the use of technology to commit these crimes,'' after ''sexual assault and stalking,'';

(B) in paragraph (4)—

(i) by inserting ''and population specific services'' after ''strengthen victim services programs'';

(ii) by striking ''entities carrying out'' and all that follows through ''stalking victim services programs'' and inserting ''victim service providers''; and

(iii) by inserting '', regardless of whether the services are provided by the institution or in coordination with community victim service providers'' before the period at the end; and

(C) by adding at the end the following:

''(9) To develop or adapt and provide developmental, culturally appropriate, and linguistically accessible print or electronic materials to address both prevention and intervention in domestic violence, dating violence, sexual violence, and stalking.

''(10) To develop or adapt population specific strategies and projects for victims of domestic violence, dating violence, sexual assault, and stalking from underserved populations on campus.'';

(3) in subsection (c)—

(A) in paragraph (2)—

(i) in subparagraph (B), by striking ''any non-profit'' and all that follows through ''victim services programs'' and inserting ''victim service providers'';

(ii) by redesignating subparagraphs (D) through (F) as subparagraphs (E) through (G), respectively; and

(iii) by inserting after subparagraph (C), the following:

''(D) describe how underserved populations in the campus community will be adequately served, including the provision of relevant population specific services;''; and

(B) in paragraph (3), by striking ''2007 through 2011'' and inserting ''2012 through 2016'';

(4) in subsection (d)—

(A) by redesignating paragraph (3) as paragraph (4); and

(B) by inserting after paragraph (2), the following:

''(3) GRANTEE MINIMUM REQUIREMENTS.—Each grantee shall comply with the following minimum requirements during the grant period:

''(A) The grantee shall create a coordinated community response including both organizations external to the institution and relevant divisions of the institution.

''(B) The grantee shall establish a mandatory prevention and education program on domestic violence, dating violence, sexual assault, and stalking for all incoming students.

''(C) The grantee shall train all campus law enforcement to respond effectively to domestic violence, dating violence, sexual assault, and stalking.

''(D) The grantee shall train all members of campus disciplinary boards to respond effectively to situations involving domestic violence, dating violence, sexual assault, or stalking.''; and

(5) in subsection (e), by striking ''there are'' and all that follows through the period and inserting ''there is authorized to be appropriated $12,000,000 for each of fiscal years 2012 through 2016.''.

SEC. 304. CAMPUS SEXUAL VIOLENCE, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING EDUCATION AND PREVENTION.

(a) IN GENERAL.—Section 485(f) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (C)(iii), by striking the period at the end and inserting '', when the victim of such crime elects or is unable to make such a report.''; and

(B) in subparagraph (F)—

(i) in clause (i)(VIII), by striking ''and'' after the semicolon;

(ii) in clause (ii)—

(I) by striking ''sexual orientation'' and inserting '' national origin, sexual orientation, gender identity,''; and

(II) by striking the period and inserting ''; and''; and

(iii) by adding at the end the following:

''(iii) of domestic violence, dating violence, and stalking incidents that were reported to campus security authorities or local police agencies.'';

(2) in paragraph (3), by inserting '', that withholds the names of victims as confidential,'' after ''that is timely'';

(3) in paragraph (6)(A)—

(A) by redesignating clauses (i), (ii), and (iii) as clauses (ii), (iii), and (iv), respectively;

(B) by inserting before clause (ii), as redesignated by subparagraph (A), the following:

''(i) The terms 'dating violence', 'domestic violence', and 'stalking' have the meaning given such terms in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).''; and

(C) by inserting after clause (iv), as redesignated by subparagraph (A), the following:

''(v) The term 'sexual assault' means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.'';

(4) in paragraph (7)—

(A) by striking ''paragraph (1)(F)'' and inserting ''clauses (i) and (ii) of paragraph (1)(F)''; and

(B) by inserting after ''Hate Crime Statistics Act.'' the following: ''For the offenses of domestic violence, dating violence, and stalking, such statistics shall be compiled in accordance with the definitions used in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).'';

(5) by striking paragraph (8) and inserting the following:

''(8)(A) Each institution of higher education participating in any program under this title and title IV of the Economic Opportunity Act of 1964, other than a foreign institution of higher education, shall develop and distribute as part of the report described in paragraph (1) a statement of policy regarding—

''(i) such institution's programs to prevent domestic violence, dating violence, sexual assault, and stalking; and

''(ii) the procedures that such institution will follow once an incident of domestic violence, dating violence, sexual assault, or stalking has been reported, including a statement of the standard of evidence that will be used during any institutional conduct proceeding arising from such a report.

''(B) The policy described in subparagraph (A) shall address the following areas:

''(i) Education programs to promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking, which shall include—

''(I) primary prevention and awareness programs for all incoming students and new employees, which shall include—

''(aa) a statement that the institution of higher education prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking;

''(bb) the definition of domestic violence, dating violence, sexual assault, and stalking in the applicable jurisdiction;

''(cc) the definition of consent, in reference to sexual activity, in the applicable jurisdiction;

''(dd) safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than such individual;

''(ee) information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks; and

''(ff) the information described in clauses (ii) through (vii); and

''(II) ongoing prevention and awareness campaigns for students and faculty, including information described in items (aa) through (ff) of subclause (I).

''(ii) Possible sanctions or protective measures that such institution may impose following a final determination of an institutional disciplinary procedure regarding rape, acquaintance rape, domestic violence, dating violence, sexual assault, or stalking.

''(iii) Procedures victims should follow if a sex offense, domestic violence, dating violence, sexual assault, or stalking has occurred, including information in writing about—

''(I) the importance of preserving evidence as may be necessary to the proof of criminal domestic violence, dating violence, sexual assault, or stalking, or in obtaining a protection order;

''(II) to whom the alleged offense should be reported;

''(III) options regarding law enforcement and campus authorities, including notification of the victim's option to—

''(aa) notify proper law enforcement authorities, including on-campus and local police;

''(bb) be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses; and

''(cc) decline to notify such authorities; and

''(IV) where applicable, the rights of victims and the institution's responsibilities regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

''(iv) Procedures for institutional disciplinary action in cases of alleged domestic violence, dating violence, sexual assault, or stalking, which shall include a clear statement that—

''(I) such proceedings shall—

''(aa) provide a prompt, fair, and impartial investigation and resolution; and

''(bb) be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability;

''(II) the accuser and the accused are entitled to the same opportunities to have others present during an institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice; and

''(III) both the accuser and the accused shall be simultaneously informed, in writing, of—

''(aa) the outcome of any institutional disciplinary proceeding that arises from an allegation of domestic violence, dating violence, sexual assault, or stalking;

''(bb) the institution's procedures for the accused and the victim to appeal the results of the institutional disciplinary proceeding;

''(cc) of any change to the results that occurs prior to the time that such results become final; and

''(dd) when such results become final.

''(v) Information about how the institution will protect the confidentiality of victims, including how publicly-available recordkeeping will be accomplished without the inclusion of identifying information about the victim, to the extent permissible by law.

''(vi) Written notification of students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, and other services available for victims both on-campus and in the community.

''(vii) Written notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations, if so requested by the victim and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

''(C) A student or employee who reports to an institution of higher education that the student or employee has been a victim of domestic violence, dating violence, sexual assault, or stalking, whether the offense occurred on or off campus, shall be provided with a written explanation of the student or

employee's rights and options, as described in clauses (ii) through (vii) of subparagraph (B).'';

(6) in paragraph (9), by striking ''The Secretary'' and inserting ''The Secretary, in consultation with the Attorney General of the United States,'';

(7) by striking paragraph (16) and inserting the following:

''(16)(A) The Secretary shall seek the advice and counsel of the Attorney General of the United States concerning the development, and dissemination to institutions of higher education, of best practices information about campus safety and emergencies.

''(B) The Secretary shall seek the advice and counsel of the Attorney General of the United States and the Secretary of Health and Human Services concerning the development, and dissemination to institutions of higher education, of best practices information about preventing and responding to incidents of domestic violence, dating violence, sexual assault, and stalking, including elements of institutional policies that have proven successful based on evidence-based outcome measurements.''; and

(8) by striking paragraph (17) and inserting the following:

''(17) No officer, employee, or agent of an institution participating in any program under this title shall retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision of this subsection.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect with respect to the annual security report under section 485(f)(1) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)(1)) prepared by an institution of higher education 1 calendar year after the date of enactment of this Act, and each subsequent calendar year.

TITLE IV—VIOLENCE REDUCTION PRACTICES

SEC. 401. STUDY CONDUCTED BY THE CENTERS FOR DISEASE CONTROL AND PREVENTION.

Section 402(c) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 280b–4(c)) is amended by striking ''$2,000,000 for each of the fiscal years 2007 through 2011'' and inserting ''$1,000,000 for each of the fiscal years 2012 through 2016''.

SEC. 402. SAVING MONEY AND REDUCING TRAGEDIES THROUGH PREVENTION GRANTS.

(a) SMART PREVENTION.—Section 41303 of the Violence Against Women Act of 1994 (42 U.S.C. 14043d–2) is amended to read as follows:

''SEC. 41303. SAVING MONEY AND REDUCING TRAGEDIES THROUGH PREVENTION (SMART PREVENTION).

''(a) GRANTS AUTHORIZED.—The Attorney General, in consultation with the Secretary of Health and Human Services and the Secretary of Education, is authorized to award grants for the purpose of preventing domestic violence, dating violence, sexual assault, and stalking by taking a comprehensive approach that focuses on youth, children exposed to violence, and men as leaders and influencers of social norms.

''(b) USE OF FUNDS.—Funds provided under this section may be used for the following purposes:

''(1) TEEN DATING VIOLENCE AWARENESS AND PREVENTION.—To develop, maintain, or enhance programs that change attitudes and behaviors around the acceptability of domestic violence, dating violence, sexual assault, and stalking and provide education and skills training to young individuals and individuals who influence young individuals. The prevention program may use evidence-based, evidence-informed, or innovative strategies and practices focused on youth. Such a program should include—

''(A) age and developmentally-appropriate education on domestic violence, dating violence, sexual assault, stalking, and sexual coercion, as well as healthy relationship skills, in school, in the community, or in health care settings;

''(B) community-based collaboration and training for those with influence on youth, such as parents, teachers, coaches, healthcare providers, faith-leaders, older teens, and mentors;

''(C) education and outreach to change environmental factors contributing to domestic violence, dating violence, sexual assault, and stalking; and

''(D) policy development targeted to prevention, including school-based policies and protocols.

''(2) CHILDREN EXPOSED TO VIOLENCE AND ABUSE.—To develop, maintain or enhance programs designed to prevent future incidents of domestic violence, dating violence, sexual assault, and stalking by preventing, reducing and responding to children's exposure to violence in the home. Such programs may include—

''(A) providing services for children exposed to domestic violence, dating violence, sexual assault or stalking, including direct counseling or advocacy, and support for the non-abusing parent; and

''(B) training and coordination for educational, after-school, and childcare programs on how to safely and confidentially identify children and families experiencing domestic violence, dating violence, sexual assault, or stalking and properly refer children exposed and their families to services and violence prevention programs.

''(3) ENGAGING MEN AS LEADERS AND ROLE MODELS.—To develop, maintain or enhance programs that work with men to prevent domestic violence, dating violence, sexual assault, and stalking by helping men to serve as role models and social influencers of other men and youth at the individual, school, community or statewide levels.

''(c) ELIGIBLE ENTITIES.—To be eligible to receive a grant under this section, an entity shall be—

''(1) a victim service provider, community-based organization, tribe or tribal organization, or other non-profit, nongovernmental organization that has a history of effective work preventing domestic violence, dating violence, sexual assault, or stalking and expertise in the specific area for which they are applying for funds; or

''(2) a partnership between a victim service provider, community-based organization, tribe or tribal organization, or other non-profit, nongovernmental organization that has a history of effective work preventing domestic violence, dating violence, sexual assault, or stalking and at least one of the following that has expertise in serving children exposed to domestic violence, dating violence, sexual assault, or stalking, youth domestic violence, dating violence, sexual assault, or stalking prevention, or engaging men to prevent domestic violence, dating violence, sexual assault, or stalking:

''(A) A public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents' Education Act of 1978, a group of schools, or a school district.

''(B) A local community-based organization, population-specific organization, or faith-based organization that has established expertise in providing services to youth.

''(C) A community-based organization, population-specific organization, university or health care clinic, faith-based organization, or other non-profit, nongovernmental organization with a demonstrated history of effective work addressing the needs of children exposed to domestic violence, dating violence, sexual assault, or stalking.

''(D) A nonprofit, nongovernmental entity providing services for runaway or homeless youth affected by domestic violence, dating violence, sexual assault, or stalking.

''(E) Healthcare entities eligible for reimbursement under title XVIII of the Social Security Act, including providers that target the special needs of children and youth.

''(F) Any other agencies, population-specific organizations, or nonprofit, nongovernmental organizations with the capacity to provide necessary expertise to meet the goals of the program; or

''(3) a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents' Education Act of 1978, a group of schools, a school district, or an institution of higher education.

''(d) GRANTEE REQUIREMENTS.—

''(1) IN GENERAL.—Applicants for grants under this section shall prepare and submit to the Director an application at such time, in such manner, and containing such information as the Director may require that demonstrates the capacity of the applicant and partnering organizations to undertake the project.

''(2) POLICIES AND PROCEDURES.—Applicants under this section shall establish and implement policies, practices, and procedures that—

''(A) include appropriate referral systems to direct any victim identified during program activities to highly qualified follow-up care;

''(B) protect the confidentiality and privacy of adult and youth victim information, particularly in the context of parental or third party involvement and consent, mandatory reporting duties, and working with other service providers;

''(C) ensure that all individuals providing prevention programming through a program funded under this section have completed or will complete sufficient training in connection with domestic violence, dating violence, sexual assault or stalking; and

''(D) document how prevention programs are coordinated with service programs in the community.

''(3) PREFERENCE.—In selecting grant recipients under this section, the Attorney General shall give preference to applicants that—

''(A) include outcome-based evaluation; and

''(B) identify any other community, school, or State-based efforts that are working on domestic violence, dating violence, sexual assault, or stalking prevention and explain how the grantee or partnership will add value, coordinate with other programs, and not duplicate existing efforts.

''(e) DEFINITIONS AND GRANT CONDITIONS.—In this section, the definitions and grant conditions provided for in section 40002 shall apply.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $15,000,000 for each of fiscal years 2012 through 2016. Amounts appropriated under this section may only be used for programs and activities described under this section.

''(g) ALLOTMENT.—

''(1) IN GENERAL.—Not less than 25 percent of the total amounts appropriated under this

section in each fiscal year shall be used for each set of purposes described in paragraphs (1), (2), and (3) of subsection (b).

''(2) INDIAN TRIBES.—Not less than 10 percent of the total amounts appropriated under this section in each fiscal year shall be made available for grants to Indian tribes or tribal organizations. If an insufficient number of applications are received from Indian tribes or tribal organizations, such funds shall be allotted to other population-specific programs.''.

(b) REPEALS.—The following provisions are repealed:

(1) Sections 41304 and 41305 of the Violence Against Women Act of 1994 (42 U.S.C. 14043d–3 and 14043d–4).

(2) Section 403 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045c).

TITLE V—STRENGTHENING THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 501. CONSOLIDATION OF GRANTS TO STRENGTHEN THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

(a) GRANTS.—Section 399P of the Public Health Service Act (42 U.S.C. 280g–4) is amended to read as follows:

''SEC. 399P. GRANTS TO STRENGTHEN THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

''(a) IN GENERAL.—The Secretary shall award grants for—

''(1) the development or enhancement and implementation of interdisciplinary training for health professionals, public health staff, and allied health professionals;

''(2) the development or enhancement and implementation of education programs for medical, nursing, dental, and other health profession students and residents to prevent and respond to domestic violence, dating violence, sexual assault, and stalking; and

''(3) the development or enhancement and implementation of comprehensive statewide strategies to improve the response of clinics, public health facilities, hospitals, and other health settings (including behavioral and mental health programs) to domestic violence, dating violence, sexual assault, and stalking.

''(b) USE OF FUNDS.—

''(1) REQUIRED USES.—Amounts provided under a grant under this section shall be used to—

''(A) fund interdisciplinary training and education programs under paragraphs (1) and (2) of subsection (a) that—

''(i) are designed to train medical, psychology, dental, social work, nursing, and other health profession students, interns, residents, fellows, or current health care providers to identify and provide health care services (including mental or behavioral health care services and referrals to appropriate community services) to individuals who are or who have been victims of domestic violence, dating violence, sexual assault, or stalking; and

''(ii) plan and develop culturally competent clinical training components for integration into approved internship, residency, and fellowship training or continuing medical or other health education training that address physical, mental, and behavioral health issues, including protective factors, related to domestic violence, dating violence, sexual assault, stalking, and other forms of violence and abuse, focus on reducing health disparities and preventing violence and abuse, and include the primacy of victim safety and confidentiality;

''(B) design and implement comprehensive strategies to improve the response of the health care system to domestic or sexual violence in clinical and public health settings, hospitals, clinics, and other health settings (including behavioral and mental health), under subsection (a)(3) through—

''(i) the implementation, dissemination, and evaluation of policies and procedures to guide health professionals and public health staff in identifying and responding to domestic violence, dating violence, sexual assault, and stalking, including strategies to ensure that health information is maintained in a manner that protects the patient's privacy and safety, and safely uses health information technology to improve documentation, identification, assessment, treatment, and follow-up care;

''(ii) the development of on-site access to services to address the safety, medical, and mental health needs of patients by increasing the capacity of existing health care professionals and public health staff to address domestic violence, dating violence, sexual assault, and stalking, or by contracting with or hiring domestic or sexual assault advocates to provide such services or to model other services appropriate to the geographic and cultural needs of a site;

''(iii) the development of measures and methods for the evaluation of the practice of identification, intervention, and documentation regarding victims of domestic violence, dating violence, sexual assault, and stalking, including the development and testing of quality improvement measurements, in accordance with the multi-stakeholder and quality measurement processes established under paragraphs (7) and (8) of section 1890(b) and section 1890A of the Social Security Act (42 U.S.C. 1395aaa(b)(7) and (8); 42 U.S.C. 1890A); and

''(iv) the provision of training and follow-up technical assistance to health care professionals, and public health staff, and allied health professionals to identify, assess, treat, and refer clients who are victims of domestic violence, dating violence, sexual assault, or stalking, including using tools and training materials already developed.

''(2) PERMISSIBLE USES.—

''(A) CHILD AND ELDER ABUSE.—To the extent consistent with the purpose of this section, a grantee may use amounts received under this section to address, as part of a comprehensive programmatic approach implemented under the grant, issues relating to child or elder abuse.

''(B) RURAL AREAS.—Grants funded under paragraphs (1) and (2) of subsection (a) may be used to offer to rural areas community-based training opportunities, which may include the use of distance learning networks and other available technologies needed to reach isolated rural areas, for medical, nursing, and other health profession students and residents on domestic violence, dating violence, sexual assault, stalking, and, as appropriate, other forms of violence and abuse.

''(C) OTHER USES.—Grants funded under subsection (a)(3) may be used for —

''(i) the development of training modules and policies that address the overlap of child abuse, domestic violence, dating violence, sexual assault, and stalking and elder abuse, as well as childhood exposure to domestic and sexual violence;

''(ii) the development, expansion, and implementation of sexual assault forensic medical examination or sexual assault nurse examiner programs;

''(iii) the inclusion of the health effects of lifetime exposure to violence and abuse as well as related protective factors and behavioral risk factors in health professional training schools including medical, dental, nursing, social work, and mental and behavioral health curricula, and allied health service training courses; or

''(iv) the integration of knowledge of domestic violence, dating violence, sexual assault, and stalking into health care accreditation and professional licensing examinations, such as medical, dental, social work, and nursing boards, and where appropriate, other allied health exams.

''(c) REQUIREMENTS FOR GRANTEES.—

''(1) CONFIDENTIALITY AND SAFETY.—

''(A) IN GENERAL.—Grantees under this section shall ensure that all programs developed with grant funds address issues of confidentiality and patient safety and comply with applicable confidentiality and nondisclosure requirements under section 40002(b)(2) of the Violence Against Women Act of 1994 and the Family Violence Prevention and Services Act, and that faculty and staff associated with delivering educational components are fully trained in procedures that will protect the immediate and ongoing security and confidentiality of the patients, patient records, and staff. Such grantees shall consult entities with demonstrated expertise in the confidentiality and safety needs of victims of domestic violence, dating violence, sexual assault, and stalking on the development and adequacy of confidentially and security procedures, and provide documentation of such consultation.

''(B) ADVANCE NOTICE OF INFORMATION DISCLOSURE.—Grantees under this section shall provide to patients advance notice about any circumstances under which information may be disclosed, such as mandatory reporting laws, and shall give patients the option to receive information and referrals without affirmatively disclosing abuse.

''(2) LIMITATION ON ADMINISTRATIVE EXPENSES.—A grantee shall use not more than 10 percent of the amounts received under a grant under this section for administrative expenses.

''(3) APPLICATION.—

''(A) PREFERENCE.—In selecting grant recipients under this section, the Secretary shall give preference to applicants based on the strength of their evaluation strategies, with priority given to outcome based evaluations.

''(B) SUBSECTION (A)(1) AND (2) GRANTEES.—Applications for grants under paragraphs (1) and (2) of subsection (a) shall include—

''(i) documentation that the applicant represents a team of entities working collaboratively to strengthen the response of the health care system to domestic violence, dating violence, sexual assault, or stalking, and which includes at least one of each of—

''(I) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or other health field;

''(II) a health care facility or system; or

''(III) a government or nonprofit entity with a history of effective work in the fields of domestic violence, dating violence, sexual assault, or stalking; and

''(ii) strategies for the dissemination and sharing of curricula and other educational materials developed under the grant, if any, with other interested health professions schools and national resource repositories for materials on domestic violence, dating violence, sexual assault, and stalking.

''(C) SUBSECTION (A)(3) GRANTEES.—An entity desiring a grant under subsection (a)(3) shall submit an application to the Secretary at such time, in such a manner, and containing such information and assurances as the Secretary may require, including—

''(i) documentation that all training, education, screening, assessment, services, treatment, and any other approach to patient care will be informed by an understanding of violence and abuse victimization and trauma-specific approaches that will be

integrated into prevention, intervention, and treatment activities;

''(ii) strategies for the development and implementation of policies to prevent and address domestic violence, dating violence, sexual assault, and stalking over the lifespan in health care settings;

''(iii) a plan for consulting with State and tribal domestic violence or sexual assault coalitions, national nonprofit victim advocacy organizations, State or tribal law enforcement task forces (where appropriate), and population specific organizations with demonstrated expertise in domestic violence, dating violence, sexual assault, or stalking;

''(iv) with respect to an application for a grant under which the grantee will have contact with patients, a plan, developed in collaboration with local victim service providers, to respond appropriately to and make correct referrals for individuals who disclose that they are victims of domestic violence, dating violence, sexual assault, stalking, or other types of violence, and documentation provided by the grantee of an ongoing collaborative relationship with a local victim service provider; and

''(v) with respect to an application for a grant proposing to fund a program described in subsection (b)(2)(C)(ii), a certification that any sexual assault forensic medical examination and sexual assault nurse examiner programs supported with such grant funds will adhere to the guidelines set forth by the Attorney General.

''(d) ELIGIBLE ENTITIES.—

''(1) IN GENERAL.—To be eligible to receive funding under paragraph (1) or (2) of subsection (a), an entity shall be—

''(A) a nonprofit organization with a history of effective work in the field of training health professionals with an understanding of, and clinical skills pertinent to, domestic violence, dating violence, sexual assault, or stalking, and lifetime exposure to violence and abuse;

''(B) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or allied health;

''(C) a health care provider membership or professional organization, or a health care system; or

''(D) a State, tribal, territorial, or local entity.

''(2) SUBSECTION (A)(3) GRANTEES.—To be eligible to receive funding under subsection (a)(3), an entity shall be—

''(A) a State department (or other division) of health, a State, tribal, or territorial domestic violence or sexual assault coalition or victim service provider, or any other nonprofit, nongovernmental organization with a history of effective work in the fields of domestic violence, dating violence, sexual assault, or stalking, and health care, including physical or mental health care; or

''(B) a local victim service provider, a local department (or other division) of health, a local health clinic, hospital, or health system, or any other community-based organization with a history of effective work in the field of domestic violence, dating violence, sexual assault, or stalking and health care, including physical or mental health care.

''(e) TECHNICAL ASSISTANCE.—

''(1) IN GENERAL.—Of the funds made available to carry out this section for any fiscal year, the Secretary may make grants or enter into contracts to provide technical assistance with respect to the planning, development, and operation of any program, activity or service carried out pursuant to this section. Not more than 8 percent of the funds appropriated under this section in each fiscal year may be used to fund technical assistance under this subsection.

''(2) AVAILABILITY OF MATERIALS.—The Secretary shall make publicly available materials developed by grantees under this section, including materials on training, best practices, and research and evaluation.

''(3) REPORTING.—The Secretary shall publish a biennial report on—

''(A) the distribution of funds under this section; and

''(B) the programs and activities supported by such funds.

''(f) RESEARCH AND EVALUATION.—

''(1) IN GENERAL.—Of the funds made available to carry out this section for any fiscal year, the Secretary may use not more than 20 percent to make a grant or enter into a contract for research and evaluation of—

''(A) grants awarded under this section; and

''(B) other training for health professionals and effective interventions in the health care setting that prevent domestic violence, dating violence, and sexual assault across the lifespan, prevent the health effects of such violence, and improve the safety and health of individuals who are currently being victimized.

''(2) RESEARCH.—Research authorized in paragraph (1) may include—

''(A) research on the effects of domestic violence, dating violence, sexual assault, and childhood exposure to domestic, dating or sexual violence on health behaviors, health conditions, and health status of individuals, families, and populations, including underserved populations;

''(B) research to determine effective health care interventions to respond to and prevent domestic violence, dating violence, sexual assault, and stalking;

''(C) research on the impact of domestic, dating and sexual violence, childhood exposure to such violence, and stalking on the health care system, health care utilization, health care costs, and health status; and

''(D) research on the impact of adverse childhood experiences on adult experience with domestic violence, dating violence, sexual assault, stalking, and adult health outcomes, including how to reduce or prevent the impact of adverse childhood experiences through the health care setting.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $10,000,000 for each of fiscal years 2012 through 2016.

''(h) DEFINITIONS.—Except as otherwise provided herein, the definitions provided for in section 40002 of the Violence Against Women Act of 1994 shall apply to this section.''.

(b) REPEALS.—The following provisions are repealed:

(1) Section 40297 of the Violence Against Women Act of 1994 (42 U.S.C. 13973).

(2) Section 758 of the Public Health Service Act (42 U.S.C. 294h).

TITLE VI—SAFE HOMES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 601. HOUSING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

(a) AMENDMENT.—Subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e et seq.) is amended—

(1) by inserting after the subtitle heading the following:

''CHAPTER 1—GRANT PROGRAMS'';

(2) in section 41402 (42 U.S.C. 14043e–1), in the matter preceding paragraph (1), by striking ''subtitle'' and inserting ''chapter'';

(3) in section 41403 (42 U.S.C. 14043e–2), in the matter preceding paragraph (1), by striking ''subtitle'' and inserting ''chapter''; and

(4) by adding at the end the following:

''CHAPTER 2—HOUSING RIGHTS

''SEC. 41411. HOUSING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

''(a) DEFINITIONS.—In this chapter:

''(1) AFFILIATED INDIVIDUAL.—The term 'affiliated individual' means, with respect to an individual—

''(A) a spouse, parent, brother, sister, or child of that individual, or an individual to whom that individual stands in loco parentis; or

''(B) any individual, tenant, or lawful occupant living in the household of that individual.

''(2) APPROPRIATE AGENCY.—The term 'appropriate agency' means, with respect to a covered housing program, the Executive department (as defined in section 101 of title 5, United States Code) that carries out the covered housing program.

''(3) COVERED HOUSING PROGRAM.—The term 'covered housing program' means—

''(A) the program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q);

''(B) the program under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013);

''(C) the program under subtitle D of title VIII of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12901 et seq.);

''(D) the program under subtitle A of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360 et seq.);

''(E) the program under subtitle A of title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12741 et seq.);

''(F) the program under paragraph (3) of section 221(d) of the National Housing Act (12 U.S.C. 1715l(d)) that bears interest at a rate determined under the proviso under paragraph (5) of such section 221(d);

''(G) the program under section 236 of the National Housing Act (12 U.S.C. 1715z–1);

''(H) the programs under sections 6 and 8 of the United States Housing Act of 1937 (42 U.S.C. 1437d and 1437f);

''(I) rural housing assistance provided under sections 514, 515, 516, 533, and 538 of the Housing Act of 1949 (42 U.S.C. 1484, 1485, 1486, 1490m, and 1490p–2); and

''(J) the low income housing tax credit program under section 42 of the Internal Revenue Code of 1986.

''(b) PROHIBITED BASIS FOR DENIAL OR TERMINATION OF ASSISTANCE OR EVICTION.—

''(1) IN GENERAL.—An applicant for or tenant of housing assisted under a covered housing program may not be denied admission to, denied assistance under, terminated from participation in, or evicted from the housing on the basis that the applicant or tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, if the applicant or tenant otherwise qualifies for admission, assistance, participation, or occupancy.

''(2) CONSTRUCTION OF LEASE TERMS.—An incident of actual or threatened domestic violence, dating violence, sexual assault, or stalking shall not be construed as—

''(A) a serious or repeated violation of a lease for housing assisted under a covered housing program by the victim or threatened victim of such incident; or

''(B) good cause for terminating the assistance, tenancy, or occupancy rights to housing assisted under a covered housing program of the victim or threatened victim of such incident.

''(3) TERMINATION ON THE BASIS OF CRIMINAL ACTIVITY.—

''(A) DENIAL OF ASSISTANCE, TENANCY, AND OCCUPANCY RIGHTS PROHIBITED.—No person may deny assistance, tenancy, or occupancy rights to housing assisted under a covered housing program to a tenant solely on the

basis of criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking that is engaged in by a member of the household of the tenant or any guest or other person under the control of the tenant, if the tenant or an affiliated individual of the tenant is the victim or threatened victim of such domestic violence, dating violence, sexual assault, or stalking.

''(B) BIFURCATION.—

''(i) IN GENERAL.—Notwithstanding subparagraph (A), a public housing agency or owner or manager of housing assisted under a covered housing program may bifurcate a lease for the housing in order to evict, remove, or terminate assistance to any individual who is a tenant or lawful occupant of the housing and who engages in criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking against an affiliated individual or other individual, without evicting, removing, terminating assistance to, or otherwise penalizing a victim of such criminal activity who is also a tenant or lawful occupant of the housing.

''(ii) EFFECT OF EVICTION ON OTHER TENANTS.—If public housing agency or owner or manager of housing assisted under a covered housing program evicts, removes, or terminates assistance to an individual under clause (i), and the individual is the sole tenant eligible to receive assistance under a covered housing program, the public housing agency or owner or manager of housing assisted under the covered housing program shall provide any remaining tenant an opportunity to establish eligibility for the covered housing program. If a tenant described in the preceding sentence cannot establish eligibility, the public housing agency or owner or manager of the housing shall provide the tenant a reasonable time, as determined by the appropriate agency, to find new housing or to establish eligibility for housing under another covered housing program.

''(C) RULES OF CONSTRUCTION.—Nothing in subparagraph (A) shall be construed—

''(i) to limit the authority of a public housing agency or owner or manager of housing assisted under a covered housing program, when notified of a court order, to comply with a court order with respect to—

''(I) the rights of access to or control of property, including civil protection orders issued to protect a victim of domestic violence, dating violence, sexual assault, or stalking; or

''(II) the distribution or possession of property among members of a household in a case;

''(ii) to limit any otherwise available authority of a public housing agency or owner or manager of housing assisted under a covered housing program to evict or terminate assistance to a tenant for any violation of a lease not premised on the act of violence in question against the tenant or an affiliated person of the tenant, if the public housing agency or owner or manager does not subject an individual who is or has been a victim of domestic violence, dating violence, or stalking to a more demanding standard than other tenants in determining whether to evict or terminate;

''(iii) to limit the authority to terminate assistance to a tenant or evict a tenant from housing assisted under a covered housing program if a public housing agency or owner or manager of the housing can demonstrate that an actual and imminent threat to other tenants or individuals employed at or providing service to the property would be present if the assistance is not terminated or the tenant is not evicted; or

''(iv) to supersede any provision of any Federal, State, or local law that provides greater protection than this section for victims of domestic violence, dating violence, sexual assault, or stalking.

''(c) DOCUMENTATION.—

''(1) REQUEST FOR DOCUMENTATION.—If an applicant for, or tenant of, housing assisted under a covered housing program represents to a public housing agency or owner or manager of the housing that the individual is entitled to protection under subsection (b), the public housing agency or owner or manager may request, in writing, that the applicant or tenant submit to the public housing agency or owner or manager a form of documentation described in paragraph (3).

''(2) FAILURE TO PROVIDE CERTIFICATION.—

''(A) IN GENERAL.—If an applicant or tenant does not provide the documentation requested under paragraph (1) within 14 business days after the tenant receives a request in writing for such certification from a public housing agency or owner or manager of housing assisted under a covered housing program, nothing in this chapter may be construed to limit the authority of the public housing agency or owner or manager to—

''(i) deny admission by the applicant or tenant to the covered program;

''(ii) deny assistance under the covered program to the applicant or tenant;

''(iii) terminate the participation of the applicant or tenant in the covered program; or

''(iv) evict the applicant, the tenant, or a lawful occupant that commits violations of a lease.

''(B) EXTENSION.—A public housing agency or owner or manager of housing may extend the 14-day deadline under subparagraph (A) at its discretion.

''(3) FORM OF DOCUMENTATION.—A form of documentation described in this paragraph is—

''(A) a certification form approved by the appropriate agency that—

''(i) states that an applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking;

''(ii) states that the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection under subsection (b) meets the requirements under subsection (b); and

''(iii) includes the name of the individual who committed the domestic violence, dating violence, sexual assault, or stalking, if the name is known and safe to provide;

''(B) a document that—

''(i) is signed by—

''(I) an employee, agent, or volunteer of a victim service provider, an attorney, a medical professional, or a mental health professional from whom an applicant or tenant has sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of the abuse; and

''(II) the applicant or tenant; and

''(ii) states under penalty of perjury that the individual described in clause (i)(I) believes that the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection under subsection (b) meets the requirements under subsection (b);

''(C) a record of a Federal, State, tribal, territorial, or local law enforcement agency, court, or administrative agency; or

''(D) at the discretion of a public housing agency or owner or manager of housing assisted under a covered housing program, a statement or other evidence provided by an applicant or tenant.

''(4) CONFIDENTIALITY.—Any information submitted to a public housing agency or owner or manager under this subsection, including the fact that an individual is a victim of domestic violence, dating violence, sexual assault, or stalking shall be maintained in confidence by the public housing agency or owner or manager and may not be entered into any shared database or disclosed to any other entity or individual, except to the extent that the disclosure is—

''(A) requested or consented to by the individual in writing;

''(B) required for use in an eviction proceeding under subsection (b); or

''(C) otherwise required by applicable law.

''(5) DOCUMENTATION NOT REQUIRED.—Nothing in this subsection shall be construed to require a public housing agency or owner or manager of housing assisted under a covered housing program to request that an individual submit documentation of the status of the individual as a victim of domestic violence, dating violence, sexual assault, or stalking.

''(6) COMPLIANCE NOT SUFFICIENT TO CONSTITUTE EVIDENCE OF UNREASONABLE ACT.—Compliance with subsection (b) by a public housing agency or owner or manager of housing assisted under a covered housing program based on documentation received under this subsection, shall not be sufficient to constitute evidence of an unreasonable act or omission by the public housing agency or owner or manager or an employee or agent of the public housing agency or owner or manager. Nothing in this paragraph shall be construed to limit the liability of a public housing agency or owner or manager of housing assisted under a covered housing program for failure to comply with subsection (b).

''(7) RESPONSE TO CONFLICTING CERTIFICATION.—If a public housing agency or owner or manager of housing assisted under a covered housing program receives documentation under this subsection that contains conflicting information, the public housing agency or owner or manager may require an applicant or tenant to submit third-party documentation, as described in subparagraph (B), (C), or (D) of paragraph (3).

''(8) PREEMPTION.—Nothing in this subsection shall be construed to supersede any provision of any Federal, State, or local law that provides greater protection than this subsection for victims of domestic violence, dating violence, sexual assault, or stalking.

''(d) NOTIFICATION.—

''(1) DEVELOPMENT.—The Secretary of Housing and Urban Development shall develop a notice of the rights of individuals under this section, including the right to confidentiality and the limits thereof.

''(2) PROVISION.—Each public housing agency or owner or manager of housing assisted under a covered housing program shall provide the notice developed under paragraph (1), together with the form described in subsection (c)(3)(A), to an applicant for or tenants of housing assisted under a covered housing program—

''(A) at the time the applicant is denied residency in a dwelling unit assisted under the covered housing program;

''(B) at the time the individual is admitted to a dwelling unit assisted under the covered housing program;

''(C) with any notification of eviction or notification of termination of assistance; and

''(D) in multiple languages, consistent with guidance issued by the Secretary of Housing and Urban Development in accordance with Executive Order 13166 (42 U.S.C. 2000d–1 note; relating to access to services for persons with limited English proficiency).

''(e) EMERGENCY TRANSFERS.—Each appropriate agency shall adopt a model emergency transfer plan for use by public housing agencies and owners or managers of housing assisted under covered housing programs that—

''(1) allows tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to transfer to another

available and safe dwelling unit assisted under a covered housing program if—

''(A) the tenant expressly requests the transfer; and

''(B)(i) the tenant reasonably believes that the tenant is threatened with imminent harm from further violence if the tenant remains within the same dwelling unit assisted under a covered housing program; or

''(ii) in the case of a tenant who is a victim of sexual assault, the sexual assault occurred on the premises during the 90 day period preceding the request for transfer; and

''(2) incorporates reasonable confidentiality measures to ensure that the public housing agency or owner or manager does not disclose the location of the dwelling unit of a tenant to a person that commits an act of domestic violence, dating violence, sexual assault, or stalking against the tenant.

''(f) POLICIES AND PROCEDURES FOR EMERGENCY TRANSFER.—The Secretary of Housing and Urban Development shall establish policies and procedures under which a victim requesting an emergency transfer under subsection (e) may receive, subject to the availability of tenant protection vouchers, assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)).

''(g) IMPLEMENTATION.—The appropriate agency with respect to each covered housing program shall implement this section, as this section applies to the covered housing program.''.

(b) CONFORMING AMENDMENTS.—

(1) SECTION 6.—Section 6 of the United States Housing Act of 1937 (42 U.S.C. 1437d) is amended—

(A) in subsection (c)—

(i) by striking paragraph (3); and

(ii) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively;

(B) in subsection (l)—

(i) in paragraph (5), by striking '', and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of the victim of such violence''; and

(ii) in paragraph (6), by striking ''; except that'' and all that follows through ''stalking.''; and

(C) by striking subsection (u).

(2) SECTION 8.—Section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) is amended—

(A) in subsection (c), by striking paragraph (9);

(B) in subsection (d)(1)—

(i) in subparagraph (A), by striking ''and that an applicant or participant is or has been a victim of domestic violence, dating violence, or stalking is not an appropriate basis for denial of program assistance or for denial of admission if the applicant otherwise qualifies for assistance or admission''; and

(ii) in subparagraph (B)—

(I) in clause (ii), by striking '', and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of the victim of such violence''; and

(II) in clause (iii), by striking '', except that:'' and all that follows through ''stalking.'';

(C) in subsection (f)—

(i) in paragraph (6), by adding ''and'' at the end;

(ii) in paragraph (7), by striking the semicolon at the end and inserting a period; and

(iii) by striking paragraphs (8), (9), (10), and (11);

(D) in subsection (o)—

(i) in paragraph (6)(B), by striking the last sentence;

(ii) in paragraph (7)—

(I) in subparagraph (C), by striking ''and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking shall not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and shall not be good cause for terminating the tenancy or occupancy rights of the victim of such violence''; and

(II) in subparagraph (D), by striking ''; except that'' and all that follows through ''stalking.''; and

(iii) by striking paragraph (20); and

(E) by striking subsection (ee).

(3) RULE OF CONSTRUCTION.—Nothing in this Act, or the amendments made by this Act, shall be construed—

(A) to limit the rights or remedies available to any person under section 6 or 8 of the United States Housing Act of 1937 (42 U.S.C. 1437d and 1437f), as in effect on the day before the date of enactment of this Act;

(B) to limit any right, remedy, or procedure otherwise available under any provision of part 5, 91, 880, 882, 883, 884, 886, 891, 903, 960, 966, 982, or 983 of title 24, Code of Federal Regulations, that—

(i) was issued under the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162; 119 Stat. 2960) or an amendment made by that Act; and

(ii) provides greater protection for victims of domestic violence, dating violence, sexual assault, and stalking than this Act; or

(C) to disqualify an owner, manager, or other individual from participating in or receiving the benefits of the low income housing tax credit program under section 42 of the Internal Revenue Code of 1986 because of noncompliance with the provisions of this Act.

SEC. 602. TRANSITIONAL HOUSING ASSISTANCE GRANTS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

Chapter 11 of subtitle B of the Violence Against Women Act of 1994 (42 U.S.C. 13975 et seq.) is amended—

(1) in the chapter heading, by striking ''**CHILD VICTIMS OF DOMESTIC VIOLENCE, STALKING, OR SEXUAL ASSAULT**'' and inserting ''**VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING**''; and

(2) in section 40299 (42 U.S.C. 13975)—

(A) in the header, by striking ''**CHILD VICTIMS OF DOMESTIC VIOLENCE, STALKING, OR SEXUAL ASSAULT**'' and inserting ''**VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING**'';

(B) in subsection (a)(1), by striking ''fleeing'';

(C) in subsection (b)(3)—

(i) in subparagraph (A), by striking '' and'' at the end;

(ii) by redesignating subparagraph (B) as subparagraph (C);

(iii) by inserting after subparagraph (A) the following:

''(B) secure employment, including obtaining employment counseling, occupational training, job retention counseling, and counseling concerning re-entry in to the workforce; and''; and

(iv) in subparagraph (C), as redesignated by clause (ii), by striking '' employment counseling,''; and

(D) in subsection (g)—

(i) in paragraph (1), by striking ''$40,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$35,000,000 for each of fiscal years 2012 through 2016''; and

(ii) in paragraph (3)—

(I) in subparagraph (A), by striking ''eligible'' and inserting ''qualified''; and

(II) by adding at the end the following:

''(D) QUALIFIED APPLICATION DEFINED.—In this paragraph, the term 'qualified application' means an application that—

''(i) has been submitted by an eligible applicant;

''(ii) does not propose any activities that may compromise victim safety, including—

''(I) background checks of victims; or

''(II) clinical evaluations to determine eligibility for services;

''(iii) reflects an understanding of the dynamics of domestic violence, dating violence, sexual assault, or stalking; and

''(iv) does not propose prohibited activities, including mandatory services for victims.''.

SEC. 603. ADDRESSING THE HOUSING NEEDS OF VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

Subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e et seq.) is amended—

(1) in section 41404(i) (42 U.S.C. 14043e–3(i)), by striking ''$10,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$4,000,000 for each of fiscal years 2012 through 2016''; and

(2) in section 41405(g) (42 U.S.C. 14043e–4(g)), by striking ''$10,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$4,000,000 for each of fiscal years 2012 through 2016''.

TITLE VII—ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE

SEC. 701. NATIONAL RESOURCE CENTER ON WORKPLACE RESPONSES TO ASSIST VICTIMS OF DOMESTIC AND SEXUAL VIOLENCE.

Section 41501(e) of the Violence Against Women Act of 1994 (42 U.S.C. 14043f(e)) is amended by striking ''fiscal years 2007 through 2011'' and inserting ''fiscal years 2012 through 2016''.

TITLE VIII—PROTECTION OF BATTERED IMMIGRANTS

SEC. 801. U NONIMMIGRANT DEFINITION.

Section 101(a)(15)(U)(iii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)(iii)) is amended by inserting ''stalking;'' after ''sexual exploitation;''.

SEC. 802. ANNUAL REPORT ON IMMIGRATION APPLICATIONS MADE BY VICTIMS OF ABUSE.

Not later than December 1, 2012, and annually thereafter, the Secretary of Homeland Security shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that includes the following:

(1) The number of aliens who—

(A) submitted an application for nonimmigrant status under paragraph (15)(T)(i), (15)(U)(i), or (51) of section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)) during the preceding fiscal year;

(B) were granted such nonimmigrant status during such fiscal year; or

(C) were denied such nonimmigrant status during such fiscal year.

(2) The mean amount of time and median amount of time to adjudicate an application for such nonimmigrant status during such fiscal year.

(3) The mean amount of time and median amount of time between the receipt of an application for such nonimmigrant status and the issuance of work authorization to an eligible applicant during the preceding fiscal year.

(4) The number of aliens granted continued presence in the United States under section 107(c)(3) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)(3)) during the preceding fiscal year.

(5) A description of any actions being taken to reduce the adjudication and processing time, while ensuring the safe and competent processing, of an application described in paragraph (1) or a request for continued presence referred to in paragraph (4).

SEC. 803. PROTECTION FOR CHILDREN OF VAWA SELF-PETITIONERS.

Section 204(l)(2) of the Immigration and Nationality Act (8 U.S.C. 1154(l)(2)) is amended—

(1) in subparagraph (E), by striking ''or'' at the end;

(2) by redesignating subparagraph (F) as subparagraph (G); and

(3) by inserting after subparagraph (E) the following:

''(F) a child of an alien who filed a pending or approved petition for classification or application for adjustment of status or other benefit specified in section 101(a)(51) as a VAWA self-petitioner; or''.

SEC. 804. PUBLIC CHARGE.

Section 212(a)(4) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(4)) is amended by adding at the end the following:

''(E) SPECIAL RULE FOR QUALIFIED ALIEN VICTIMS.—Subparagraphs (A), (B), and (C) shall not apply to an alien who—

''(i) is a VAWA self-petitioner;

''(ii) is an applicant for, or is granted, nonimmigrant status under section 101(a)(15)(U); or

''(iii) is a qualified alien described in section 431(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641(c)).''.

SEC. 805. REQUIREMENTS APPLICABLE TO U VISAS.

(a) RECAPTURE OF UNUSED U VISAS.—Section 214(p)(2) of the Immigration and Nationality Act (8 U.S.C. 1184(p)(2)) is amended by—

(1) in subparagraph (A), by striking ''The number'' and inserting ''Except as provided in subparagraph (C), the number''; and

(2) by adding at the end the following:

''(C) Beginning in fiscal year 2012, if the numerical limitation set forth in subparagraph (A) is reached before the end of the fiscal year, up to 5,000 additional visas, of the aggregate number of visas that were available and not issued to nonimmigrants described in section 101(a)(15)(U) in fiscal years 2006 through 2011, may be issued until the end of the fiscal year.''.

(3) SUNSET DATE.—The amendments made by paragraphs (1) and (2) are repealed on the date on which the aggregate number of visas that were available and not issued in fiscal years 2006 through 2011 have been issued pursuant to section 214(p)(2)(C) of the Immigration and Nationality Act.

(b) AGE DETERMINATIONS.—Section 214(p) of the Immigration and Nationality Act (8 U.S.C. 1184(p)) is amended by adding at the end the following:

''(7) AGE DETERMINATIONS.—

''(A) CHILDREN.—An unmarried alien who seeks to accompany, or follow to join, a parent granted status under section 101(a)(15)(U)(i), and who was under 21 years of age on the date on which such parent petitioned for such status, shall continue to be classified as a child for purposes of section 101(a)(15)(U)(ii), if the alien attains 21 years of age after such parent's petition was filed but while it was pending.

''(B) PRINCIPAL ALIENS.—An alien described in clause (i) of section 101(a)(15)(U) shall continue to be treated as an alien described in clause (ii)(I) of such section if the alien attains 21 years of age after the alien's application for status under such clause (i) is filed but while it is pending.''.

SEC. 806. HARDSHIP WAIVERS.

(a) IN GENERAL.—Section 216(c)(4) of the Immigration and Nationality Act (8 U.S.C. 1186a(c)(4)) is amended—

(1) in subparagraph (A), by striking the comma at the end and inserting a semicolon;

(2) in subparagraph (B), by striking ''(1), or'' and inserting ''(1); or'';

(3) in subparagraph (C), by striking the period at the end and inserting a semicolon and ''or''; and

(4) by inserting after subparagraph (C) the following:

''(D) the alien meets the requirements under section 204(a)(1)(A)(iii)(II)(aa)(BB) and following the marriage ceremony was battered by or subject to extreme cruelty perpetrated by the alien's intended spouse and was not at fault in failing to meet the requirements of paragraph (1).''.

(b) TECHNICAL CORRECTIONS.—Section 216(c)(4) of the Immigration and Nationality Act (8 U.S.C. 1186a(c)(4)), as amended by subsection (a), is further amended—

(1) in the matter preceding subparagraph (A), by striking ''The Attorney General, in the Attorney General's'' and inserting ''The Secretary of Homeland Security, in the Secretary's''; and

(2) in the undesignated paragraph at the end—

(A) in the first sentence, by striking ''Attorney General'' and inserting ''Secretary of Homeland Security'';

(B) in the second sentence, by striking ''Attorney General'' and inserting ''Secretary'';

(C) in the third sentence, by striking ''Attorney General.'' and inserting ''Secretary.''; and

(D) in the fourth sentence, by striking ''Attorney General'' and inserting ''Secretary''.

SEC. 807. PROTECTIONS FOR A FIANCÉE OR FIANCÉ OF A CITIZEN.

(a) IN GENERAL.—Section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) is amended—

(1) in subsection (d)—

(A) in paragraph (1), by striking ''crime.'' and inserting ''crime described in paragraph (3)(B) and information on any permanent protection or restraining order issued against the petitioner related to any specified crime described in paragraph (3)(B)(i).'';

(B) in paragraph (2)(A), in the matter preceding clause (i)—

(i) by striking ''a consular officer'' and inserting ''the Secretary of Homeland Security''; and

(ii) by striking ''the officer'' and inserting ''the Secretary''; and

(C) in paragraph (3)(B)(i), by striking ''abuse, and stalking.'' and inserting ''abuse, stalking, or an attempt to commit any such crime.''; and

(2) in subsection (r)—

(A) in paragraph (1), by striking ''crime.'' and inserting ''crime described in paragraph (5)(B) and information on any permanent protection or restraining order issued against the petitioner related to any specified crime described in subsection (5)(B)(i).''; and

(B) by amending paragraph (4)(B)(ii) to read as follows:

''(ii) To notify the beneficiary as required by clause (i), the Secretary of Homeland Security shall provide such notice to the Secretary of State for inclusion in the mailing to the beneficiary described in section 833(a)(5)(A)(i) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(a)(5)(A)(i)).''; and

(3) in paragraph (5)(B)(i), by striking ''abuse, and stalking.'' and inserting ''abuse, stalking, or an attempt to commit any such crime.''.

(b) PROVISION OF INFORMATION TO K NONIMMIGRANTS.—Section 833 of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a) is amended—

(1) in subsection (a)(5)(A)—

(A) in clause (iii)—

(i) by striking ''State any'' and inserting ''State, for inclusion in the mailing described in clause (i), any''; and

(ii) by striking the last sentence; and

(B) by adding at the end the following:

''(iv) The Secretary of Homeland Security shall conduct a background check of the National Crime Information Center's Protection Order Database on each petitioner for a visa under subsection (d) or (r) of section 214 of the Immigration and Nationality Act (8 U.S.C. 1184). Any appropriate information obtained from such background check—

''(I) shall accompany the criminal background information provided by the Secretary of Homeland Security to the Secretary of State and shared by the Secretary of State with a beneficiary of a petition referred to in clause (iii); and

''(II) shall not be used or disclosed for any other purpose unless expressly authorized by law.

''(v) The Secretary of Homeland Security shall create a cover sheet or other mechanism to accompany the information required to be provided to an applicant for a visa under subsection (d) or (r) of section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) by clauses (i) through (iv) of this paragraph or by clauses (i) and (ii) of subsection (r)(4)(B) of such section 214, that calls to the applicant's attention—

''(I) whether the petitioner disclosed a protection order, a restraining order, or criminal history information on the visa petition;

''(II) the criminal background information and information about any protection order obtained by the Secretary of Homeland Security regarding the petitioner in the course of adjudicating the petition; and

''(III) whether the information the petitioner disclosed on the visa petition regarding any previous petitions filed under subsection (d) or (r) of such section 214 is consistent with the information in the multiple visa tracking database of the Department of Homeland Security, as described in subsection (r)(4)(A) of such section 214.''; and

(2) in subsection (b)(1)(A), by striking ''or'' after ''orders'' and inserting ''and''.

SEC. 808. REGULATION OF INTERNATIONAL MARRIAGE BROKERS.

(a) IMPLEMENTATION OF THE INTERNATIONAL MARRIAGE BROKER ACT OF 2005.—

(1) FINDINGS.—Congress finds the following:

(A) The International Marriage Broker Act of 2005 (subtitle D of Public Law 109–162; 119 Stat. 3066) has not been fully implemented with regard to investigating and prosecuting violations of the law, and for other purposes.

(B) Six years after Congress enacted the International Marriage Broker Act of 2005 to regulate the activities of the hundreds of for-profit international marriage brokers operating in the United States, the Attorney General has not determined which component of the Department of Justice will investigate and prosecute violations of such Act.

(2) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Attorney General shall submit to Congress a report that includes the following:

(A) The name of the component of the Department of Justice responsible for investigating and prosecuting violations of the International Marriage Broker Act of 2005 (subtitle D of Public Law 109–162; 119 Stat. 3066) and the amendments made by this Act.

(B) A description of the policies and procedures of the Attorney General for consultation with the Secretary of Homeland Security and the Secretary of State in investigating and prosecuting such violations.

(b) TECHNICAL CORRECTION.—Section 833(a)(2)(H) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(a)(2)(H)) is amended by striking ''Federal and State sex offender public registries'' and inserting ''the National Sex Offender Public Website''.

(c) REGULATION OF INTERNATIONAL MARRIAGE BROKERS.—Section 833(d) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(d)) is amended—

(1) by amending paragraph (1) to read as follows:

''(1) PROHIBITION ON MARKETING OF OR TO CHILDREN.—

''(A) IN GENERAL.—An international marriage broker shall not provide any individual or entity with the personal contact information, photograph, or general information about the background or interests of any individual under the age of 18.

''(B) COMPLIANCE.—To comply with the requirements of subparagraph (A), an international marriage broker shall—

''(i) obtain a valid copy of each foreign national client's birth certificate or other proof of age document issued by an appropriate government entity;

''(ii) indicate on such certificate or document the date it was received by the international marriage broker;

''(iii) retain the original of such certificate or document for 7 years after such date of receipt; and

''(iv) produce such certificate or document upon request to an appropriate authority charged with the enforcement of this paragraph.'';

(2) in paragraph (2)—

(A) in subparagraph (A)(i)—

(i) in the heading, by striking ''REGISTRIES.—'' and inserting ''WEBSITE.—''; and

(ii) by striking ''Registry or State sex offender public registry,'' and inserting ''Website,''; and

(B) in subparagraph (B)(ii), by striking ''or stalking.'' and inserting ''stalking, or an attempt to commit any such crime.'';

(3) in paragraph (3)—

(A) in subparagraph (A)—

(i) in clause (i), by striking ''Registry, or of the relevant State sex offender public registry for any State not yet participating in the National Sex Offender Public Registry, in which the United States client has resided during the previous 20 years,'' and inserting ''Website''; and

(ii) in clause (iii)(II), by striking ''background information collected by the international marriage broker under paragraph (2)(B);'' and inserting ''signed certification and accompanying documentation or attestation regarding the background information collected under paragraph (2)(B);''; and

(B) by striking subparagraph (C);

(4) in paragraph (5)—

(A) in subparagraph (A)(ii), by striking ''A penalty may be imposed under clause (i) by the Attorney General only'' and inserting ''At the discretion of the Attorney General, a penalty may be imposed under clause (i) either by a Federal judge, or by the Attorney General'';

(B) by amending subparagraph (B) to read as follows:

''(B) FEDERAL CRIMINAL PENALTIES.—

''(i) FAILURE OF INTERNATIONAL MARRIAGE BROKERS TO COMPLY WITH OBLIGATIONS.—Except as provided in clause (ii), an international marriage broker that, in circumstances in or affecting interstate or foreign commerce, or within the special maritime and territorial jurisdiction of the United States—

''(I) except as provided in subclause (II), violates (or attempts to violate) paragraph (1), (2), (3), or (4) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 1 year, or both; or

''(II) knowingly violates or attempts to violate paragraphs (1), (2), (3), or (4) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 5 years, or both.

''(ii) MISUSE OF INFORMATION.—A person who knowingly discloses, uses, or causes to be used any information obtained by an international marriage broker as a result of a requirement under paragraph (2) or (3) for any purpose other than the disclosures required under paragraph (3) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 1 year, or both.

''(iii) FRAUDULENT FAILURES OF UNITED STATES CLIENTS TO MAKE REQUIRED SELF-DISCLOSURES.—A person who knowingly and with intent to defraud another person outside the United States in order to recruit, solicit, entice, or induce that other person into entering a dating or matrimonial relationship, makes false or fraudulent representations regarding the disclosures described in clause (i), (ii), (iii), or (iv) of subsection (d)(2)(B), including by failing to make any such disclosures, shall be fined in accordance with title 18, United States Code, imprisoned for not more than 1 year, or both.

''(iv) RELATIONSHIP TO OTHER PENALTIES.—The penalties provided in clauses (i), (ii), and (iii) are in addition to any other civil or criminal liability under Federal or State law to which a person may be subject for the misuse of information, including misuse to threaten, intimidate, or harass any individual.

''(v) CONSTRUCTION.—Nothing in this paragraph or paragraph (3) or (4) may be construed to prevent the disclosure of information to law enforcement or pursuant to a court order.''; and

(C) in subparagraph (C), by striking the period at the end and inserting ''including equitable remedies.'';

(5) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively; and

(6) by inserting after paragraph (5) the following:

''(6) ENFORCEMENT.—

''(A) AUTHORITY.—The Attorney General shall be responsible for the enforcement of the provisions of this section, including the prosecution of civil and criminal penalties provided for by this section.

''(B) CONSULTATION.—The Attorney General shall consult with the Director of the Office on Violence Against Women of the Department of Justice to develop policies and public education designed to promote enforcement of this section.''.

(d) GAO STUDY AND REPORT.—Section 833(f) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(f)) is amended—

(1) in the subsection heading, by striking ''STUDY AND REPORT.—'' and inserting ''STUDIES AND REPORTS.—''; and

(2) by adding at the end the following:

''(4) CONTINUING IMPACT STUDY AND REPORT.—

''(A) STUDY.—The Comptroller General shall conduct a study on the continuing impact of the implementation of this section and of section of 214 of the Immigration and Nationality Act (8 U.S.C. 1184) on the process for granting K nonimmigrant visas, including specifically a study of the items described in subparagraphs (A) through (E) of paragraph (1).

''(B) REPORT.—Not later than 2 years after the date of the enactment of the Violence Against Women Reauthorization Act of 2011, the Comptroller General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report setting forth the results of the study conducted under subparagraph (A).

''(C) DATA COLLECTION.—The Attorney General, the Secretary of Homeland Security, and the Secretary of State shall collect and maintain the data necessary for the Comptroller General to conduct the study required by paragraph (1)(A).''.

SEC. 809. ELIGIBILITY OF CRIME AND TRAFFICKING VICTIMS IN THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS TO ADJUST STATUS.

Section 705(c) of the Consolidated Natural Resources Act of 2008 (Public Law 110–229; 48 U.S.C. 1806 note), is amended by striking ''except that,'' and all that follows through the end, and inserting the following: ''except that—

''(1) for the purpose of determining whether an alien lawfully admitted for permanent residence (as defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20)) has abandoned or lost such status by reason of absence from the United States, such alien's presence in the Commonwealth, before, on or after November 28, 2009, shall be considered to be presence in the United States; and

''(2) for the purpose of determining whether an alien whose application for status under subparagraph (T) or (U) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) was granted is subsequently eligible for adjustment under subsection (l) or (m) of section 245 of such Act (8 U.S.C. 1255), such alien's physical presence in the Commonwealth before, on, or after November 28, 2009, and subsequent to the grant of the application, shall be considered as equivalent to presence in the United States pursuant to a nonimmigrant admission in such status.''.

SEC. 810. DIVERSITY IMMIGRANT VISA PETITION FEE.

(a) REQUIREMENT FOR FEE.—Section 204(a)(1)(I) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(I)) is amended by adding at the end the following:

''(iv) Each petition filed under this subparagraph shall include a petition fee in the amount of $30.''.

(b) DEPOSIT OF FEE.—

(1) IN GENERAL.—For purposes of fees collected pursuant to clause (iv) of section 204(a)(1)(I) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(I)), as added by subsection (a), a portion of such funds shall be transferred to and deposited in the Federal Old-Age and Survivors Trust Fund and the Federal Disability Insurance Trust Fund established under section 201 of the Social Security Act (42 U.S.C. 401) (referred to in this section as the ''Trust Funds''), at such times and in such manner as is determined appropriate by the Secretary of the Treasury, in such amounts as are equal to the increases in disbursements from the Trust Funds by reason of the application of section 805(a).

(2) REMAINDER.—To the extent the total amount collected pursuant to clause (iv) of section 204(a)(1)(I) of the Immigration and Nationality Act exceeds the total amount transferred to the Trust Funds pursuant to paragraph (1), such excess amount shall not be available for obligation and shall be deposited, in its entirety, in the general fund of the Treasury.

(c) SUNSET OF FEES.—The fees collected pursuant to clause (iv) of section 204(a)(1)(I) of the Immigration and Nationality Act (8

U.S.C. 1154(a)(1)(I)), as added by subsection (a), shall apply only to petitions filed before December 31, 2015.

SEC. 811. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SEC. 812. DISCLOSURE OF INFORMATION FOR NATIONAL SECURITY PURPOSES.

(a) INFORMATION SHARING.—Section 384(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(b)) is amended—

(1) in paragraph (1)—

(A) by inserting ''Secretary of Homeland Security or the'' before ''Attorney General may''; and

(B) by inserting ''Secretary's or the'' before ''Attorney General's discretion'';

(2) in paragraph (2)—

(A) by inserting ''Secretary of Homeland Security or the'' before ''Attorney General may'';

(B) by inserting ''Secretary or the'' before ''Attorney General for''; and

(C) by inserting ''in a manner that protects the confidentiality of such information'' after ''law enforcement purpose'';

(3) in paragraph (5), by striking ''Attorney General is'' and inserting ''Secretary of Homeland Security and the Attorney General are''; and

(4) by adding at the end a new paragraph as follows:

''(8) Notwithstanding subsection (a)(2), the Secretary of Homeland Security, the Secretary of State, or the Attorney General may provide in the discretion of either such Secretary or the Attorney General for the disclosure of information to national security officials to be used solely for a national security purpose in a manner that protects the confidentiality of such information.''.

(b) GUIDELINES.—Section 384(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(d)) is amended—

(1) by inserting '', Secretary of State,'' after ''The Attorney General'';

(2) by inserting '', Department of State,'' after ''Department of Justice''; and

(3) by inserting ''and severe forms of trafficking in persons or criminal activity listed in section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(u))'' after ''domestic violence''.

(c) IMPLEMENTATION.—Not later than 180 days after the date of the enactment of this Act, the Attorney General, the Secretary of State, and Secretary of Homeland Security shall provide the guidance required by section 384(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(d)), consistent with the amendments made by subsections (a) and (b).

(d) CLERICAL AMENDMENT.—Section 384(a)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1986 is amended by striking ''241(a)(2)'' in the matter following subparagraph (F) and inserting ''237(a)(2)''.

TITLE IX—SAFETY FOR INDIAN WOMEN

SEC. 901. GRANTS TO INDIAN TRIBAL GOVERNMENTS.

Section 2015(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–10(a)) is amended—

(1) in paragraph (2), by inserting ''sex trafficking,'' after ''sexual assault,'';

(2) in paragraph (4), by inserting ''sex trafficking,'' after ''sexual assault,'';

(3) in paragraph (5), by striking ''and stalking'' and all that follows and inserting ''sexual assault, sex trafficking, and stalking;'';

(4) in paragraph (7)—

(A) by inserting ''sex trafficking,'' after ''sexual assault,'' each place it appears; and

(B) by striking ''and'' at the end;

(5) in paragraph (8)—

(A) by inserting ''sex trafficking,'' after ''stalking,''; and

(B) by striking the period at the end and inserting a semicolon; and

(6) by adding at the end the following:

''(9) provide services to address the needs of youth who are victims of domestic violence, dating violence, sexual assault, sex trafficking, or stalking and the needs of youth and children exposed to domestic violence, dating violence, sexual assault, or stalking, including support for the non-abusing parent or the caretaker of the youth or child; and

''(10) develop and promote legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, sex trafficking, and stalking.''.

SEC. 902. GRANTS TO INDIAN TRIBAL COALITIONS.

Section 2001 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg) is amended by striking subsection (d) and inserting the following:

''(d) TRIBAL COALITION GRANTS.—

''(1) PURPOSE.—The Attorney General shall award a grant to tribal coalitions for purposes of—

''(A) increasing awareness of domestic violence and sexual assault against Indian women;

''(B) enhancing the response to violence against Indian women at the Federal, State, and tribal levels;

''(C) identifying and providing technical assistance to coalition membership and tribal communities to enhance access to essential services to Indian women victimized by domestic and sexual violence, including sex trafficking; and

''(D) assisting Indian tribes in developing and promoting State, local, and tribal legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, sex trafficking, and stalking.

''(2) GRANTS.—The Attorney General shall award grants on an annual basis under paragraph (1) to—

''(A) each tribal coalition that—

''(i) meets the criteria of a tribal coalition under section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a));

''(ii) is recognized by the Office on Violence Against Women; and

''(iii) provides services to Indian tribes; and

''(B) organizations that propose to incorporate and operate a tribal coalition in areas where Indian tribes are located but no tribal coalition exists.

''(3) USE OF AMOUNTS.—For each of fiscal years 2012 through 2016, of the amounts appropriated to carry out this subsection—

''(A) not more than 10 percent shall be made available to organizations described in paragraph (2)(B), provided that 1 or more organizations determined by the Attorney General to be qualified apply;

''(B) not less than 90 percent shall be made available to tribal coalitions described in paragraph (2)(A), which amounts shall be distributed equally among each eligible tribal coalition for the applicable fiscal year

''(4) ELIGIBILITY FOR OTHER GRANTS.—Receipt of an award under this subsection by a tribal coalition shall not preclude the tribal coalition from receiving additional grants under this title to carry out the purposes described in paragraph (1).

''(5) MULTIPLE PURPOSE APPLICATIONS.—Nothing in this subsection prohibits any tribal coalition or organization described in paragraph (2) from applying for funding to address sexual assault or domestic violence needs in the same application.''.

SEC. 903. CONSULTATION.

Section 903 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045d) is amended—

(1) in subsection (a)—

(A) by striking ''and the Violence Against Women Act of 2000'' and inserting '', the Violence Against Women Act of 2000''; and

(B) by inserting '', and the Violence Against Women Reauthorization Act of 2011'' before the period at the end;

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''Secretary of the Department of Health and Human Services'' and inserting ''Secretary of Health and Human Services, the Secretary of the Interior,''; and

(B) in paragraph (2), by striking ''and stalking'' and inserting ''stalking, and sex trafficking''; and

(3) by adding at the end the following:

''(c) ANNUAL REPORT.—The Attorney General shall submit to Congress an annual report on the annual consultations required under subsection (a) that—

''(1) contains the recommendations made under subsection (b) by Indian tribes during the year covered by the report;

''(2) describes actions taken during the year covered by the report to respond to recommendations made under subsection (b) during the year or a previous year; and

''(3) describes how the Attorney General will work in coordination and collaboration with Indian tribes, the Secretary of Health and Human Services, and the Secretary of the Interior to address the recommendations made under subsection (b).

''(d) NOTICE.—Not later than 120 days before the date of a consultation under subsection (a), the Attorney General shall notify tribal leaders of the date, time, and location of the consultation.''.

SEC. 904. TRIBAL JURISDICTION OVER CRIMES OF DOMESTIC VIOLENCE.

Title II of Public Law 90–284 (25 U.S.C. 1301 et seq.) (commonly known as the ''Indian Civil Rights Act of 1968'') is amended by adding at the end the following:

''SEC. 204. TRIBAL JURISDICTION OVER CRIMES OF DOMESTIC VIOLENCE.

''(a) DEFINITIONS.—In this section:

''(1) DATING VIOLENCE.—The term 'dating violence' means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, as determined by the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

''(2) DOMESTIC VIOLENCE.—The term 'domestic violence' means violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, or by a person similarly situated to a spouse of the victim under the domestic- or family- violence laws of an Indian tribe that has jurisdiction over the Indian country where the violence occurs.

''(3) INDIAN COUNTRY.—The term 'Indian country' has the meaning given the term in section 1151 of title 18, United States Code.

''(4) PARTICIPATING TRIBE.—The term 'participating tribe' means an Indian tribe that

elects to exercise special domestic violence criminal jurisdiction over the Indian country of that Indian tribe.

''(5) PROTECTION ORDER.—The term 'protection order'—

''(A) means any injunction, restraining order, or other order issued by a civil or criminal court for the purpose of preventing violent or threatening acts or harassment against, sexual violence against, contact or communication with, or physical proximity to, another person; and

''(B) includes any temporary or final order issued by a civil or criminal court, whether obtained by filing an independent action or as a pendent lite order in another proceeding, if the civil or criminal order was issued in response to a complaint, petition, or motion filed by or on behalf of a person seeking protection.

''(6) SPECIAL DOMESTIC VIOLENCE CRIMINAL JURISDICTION.—The term 'special domestic violence criminal jurisdiction' means the criminal jurisdiction that a participating tribe may exercise under this section but could not otherwise exercise.

''(7) SPOUSE OR INTIMATE PARTNER.—The term 'spouse or intimate partner' has the meaning given the term in section 2266 of title 18, United States Code.

''(b) NATURE OF THE CRIMINAL JURISDICTION.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, in addition to all powers of self-government recognized and affirmed by sections 201 and 203, the powers of self-government of a participating tribe include the inherent power of that tribe, which is hereby recognized and affirmed, to exercise special domestic violence criminal jurisdiction over all persons.

''(2) CONCURRENT JURISDICTION.—The exercise of special domestic violence criminal jurisdiction by a participating tribe shall be concurrent with the jurisdiction of the United States, of a State, or of both.

''(3) APPLICABILITY.—Nothing in this section—

''(A) creates or eliminates any Federal or State criminal jurisdiction over Indian country; or

''(B) affects the authority of the United States or any State government that has been delegated authority by the United States to investigate and prosecute a criminal violation in Indian country.

''(4) EXCEPTIONS.—

''(A) VICTIM AND DEFENDANT ARE BOTH NON-INDIANS.—

''(i) IN GENERAL.—A participating tribe may not exercise special domestic violence criminal jurisdiction over an alleged offense if neither the defendant nor the alleged victim is an Indian.

''(ii) DEFINITION OF VICTIM.—In this subparagraph and with respect to a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction based on a violation of a protection order, the term 'victim' means a person specifically protected by a protection order that the defendant allegedly violated.

''(B) DEFENDANT LACKS TIES TO THE INDIAN TRIBE.—A participating tribe may exercise special domestic violence criminal jurisdiction over a defendant only if the defendant—

''(i) resides in the Indian country of the participating tribe;

''(ii) is employed in the Indian country of the participating tribe; or

''(iii) is a spouse, intimate partner, or dating partner of—

''(I) a member of the participating tribe; or

''(II) an Indian who resides in the Indian country of the participating tribe.

''(c) CRIMINAL CONDUCT.—A participating tribe may exercise special domestic violence criminal jurisdiction over a defendant for criminal conduct that falls into one or more of the following categories:

''(1) DOMESTIC VIOLENCE AND DATING VIOLENCE.—An act of domestic violence or dating violence that occurs in the Indian country of the participating tribe.

''(2) VIOLATIONS OF PROTECTION ORDERS.—An act that—

''(A) occurs in the Indian country of the participating tribe; and

''(B) violates the portion of a protection order that—

''(i) prohibits or provides protection against violent or threatening acts or harassment against, sexual violence against, contact or communication with, or physical proximity to, another person;

''(ii) was issued against the defendant;

''(iii) is enforceable by the participating tribe; and

''(iv) is consistent with section 2265(b) of title 18, United States Code.

''(d) RIGHTS OF DEFENDANTS.—In a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the participating tribe shall provide to the defendant—

''(1) all applicable rights under this Act;

''(2) if a term of imprisonment of any length may be imposed, all rights described in section 202(c);

''(3) the right to a trial by an impartial jury that is drawn from sources that—

''(A) reflect a fair cross section of the community; and

''(B) do not systematically exclude any distinctive group in the community, including non-Indians; and

''(4) all other rights whose protection is necessary under the Constitution of the United States in order for Congress to recognize and affirm the inherent power of the participating tribe to exercise special domestic violence criminal jurisdiction over the defendant.

''(e) PETITIONS TO STAY DETENTION.—

''(1) IN GENERAL.—A person who has filed a petition for a writ of habeas corpus in a court of the United States under section 203 may petition that court to stay further detention of that person by the participating tribe.

''(2) GRANT OF STAY.—A court shall grant a stay described in paragraph (1) if the court—

''(A) finds that there is a substantial likelihood that the habeas corpus petition will be granted; and

''(B) after giving each alleged victim in the matter an opportunity to be heard, finds by clear and convincing evidence that under conditions imposed by the court, the petitioner is not likely to flee or pose a danger to any person or the community if released.

''(3) NOTICE.—An Indian tribe that has ordered the detention of any person has a duty to timely notify such person of his rights and privileges under this subsection and under section 203.

''(f) GRANTS TO TRIBAL GOVERNMENTS.—The Attorney General may award grants to the governments of Indian tribes (or to authorized designees of those governments)—

''(1) to strengthen tribal criminal justice systems to assist Indian tribes in exercising special domestic violence criminal jurisdiction, including—

''(A) law enforcement (including the capacity of law enforcement or court personnel to enter information into and obtain information from national crime information databases);

''(B) prosecution;

''(C) trial and appellate courts;

''(D) probation systems;

''(E) detention and correctional facilities;

''(F) alternative rehabilitation centers;

''(G) culturally appropriate services and assistance for victims and their families; and

''(H) criminal codes and rules of criminal procedure, appellate procedure, and evidence;

''(2) to provide indigent criminal defendants with the effective assistance of licensed defense counsel, at no cost to the defendant, in criminal proceedings in which a participating tribe prosecutes a crime of domestic violence or dating violence or a criminal violation of a protection order;

''(3) to ensure that, in criminal proceedings in which a participating tribe exercises special domestic violence criminal jurisdiction, jurors are summoned, selected, and instructed in a manner consistent with all applicable requirements; and

''(4) to accord victims of domestic violence, dating violence, and violations of protection orders rights that are similar to the rights of a crime victim described in section 3771(a) of title 18, United States Code, consistent with tribal law and custom.

''(g) SUPPLEMENT, NOT SUPPLANT.—Amounts made available under this section shall supplement and not supplant any other Federal, State, tribal, or local government amounts made available to carry out activities described in this section.

''(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $5,000,000 for each of fiscal years 2012 through 2016 to carry out subsection (f) and to provide training, technical assistance, data collection, and evaluation of the criminal justice systems of participating tribes.''.

SEC. 905. TRIBAL PROTECTION ORDERS.

(a) IN GENERAL.—Section 2265 of title 18, United States Code, is amended by striking subsection (e) and inserting the following:

''(e) TRIBAL COURT JURISDICTION.—For purposes of this section, a court of an Indian tribe shall have full civil jurisdiction to issue and enforce protection orders involving any person, including the authority to enforce any orders through civil contempt proceedings, to exclude violators from Indian land, and to use other appropriate mechanisms, in matters arising anywhere in the Indian country of the Indian tribe (as defined in section 1151) or otherwise within the authority of the Indian tribe.''.

(b) APPLICABILITY.—Nothing in this Act, including an amendment made by this Act, alters or modifies the jurisdiction or authority of an Indian tribe in the State of Alaska under section 2265(e) of title 18, United States Code (as in effect on the day before the date of enactment of this Act).

SEC. 906. AMENDMENTS TO THE FEDERAL ASSAULT STATUTE.

(a) IN GENERAL.—Section 113 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

''(1) Assault with intent to commit murder or a violation of section 2241 or 2242, by a fine under this title, imprisonment for not more than 20 years, or both.'';

(B) in paragraph (2), by striking ''felony under chapter 109A'' and inserting ''violation of section 2241 or 2242'';

(C) in paragraph (3) by striking ''and without just cause or excuse,'';

(D) in paragraph (4), by striking ''six months'' and inserting ''1 year'';

(E) in paragraph (7)—

(i) by striking ''substantial bodily injury to an individual who has not attained the age of 16 years'' and inserting ''substantial bodily injury to a spouse or intimate partner, a dating partner, or an individual who has not attained the age of 16 years''; and

(ii) by striking ''fine'' and inserting ''a fine''; and

(F) by adding at the end the following:

''(8) Assault of a spouse, intimate partner, or dating partner by strangling, suffocating,

or attempting to strangle or suffocate, by a fine under this title, imprisonment for not more than 10 years, or both.''; and

(2) in subsection (b)—

(A) by striking ''(b) As used in this subsection—'' and inserting the following:

''(b) DEFINITIONS.—In this section—'';

(B) in paragraph (1)(B), by striking ''and'' at the end;

(C) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

''(3) the terms 'dating partner' and 'spouse or intimate partner' have the meanings given those terms in section 2266;

''(4) the term 'strangling' means intentionally, knowingly, or recklessly impeding the normal breathing or circulation of the blood of a person by applying pressure to the throat or neck, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim; and

''(5) the term 'suffocating' means intentionally, knowingly, or recklessly impeding the normal breathing of a person by covering the mouth of the person, the nose of the person, or both, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim.''.

(b) INDIAN MAJOR CRIMES.—Section 1153(a) of title 18, United States Code, is amended by striking ''assault with intent to commit murder, assault with a dangerous weapon, assault resulting in serious bodily injury (as defined in section 1365 of this title)'' and inserting ''a felony assault under section 113''.

(c) REPEAT OFFENDERS.—Section 2265A(b)(1)(B) of title 18, United States Code, is amended by inserting ''or tribal'' after ''State''.

SEC. 907. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST INDIAN WOMEN.

(a) IN GENERAL.—Section 904(a) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 3796gg–10 note) is amended—

(1) in paragraph (1)—

(A) by striking ''The National'' and inserting ''Not later than 2 years after the date of enactment of the Violence Against Women Reauthorization Act of 2011, the National''; and

(B) by inserting ''and in Native villages (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))'' before the period at the end;

(2) in paragraph (2)(A)—

(A) in clause (iv), by striking ''and'' at the end;

(B) in clause (v), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(vi) sex trafficking.'';

(3) in paragraph (4), by striking ''this Act'' and inserting ''the Violence Against Women Reauthorization Act of 2011''; and

(4) in paragraph (5), by striking ''this section $1,000,000 for each of fiscal years 2007 and 2008'' and inserting ''this subsection $1,000,000 for each of fiscal years 2012 and 2013''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 905(b)(2) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (28 U.S.C. 534 note) is amended by striking ''fiscal years 2007 through 2011'' and inserting ''fiscal years 2012 through 2016''.

SEC. 908. EFFECTIVE DATES; PILOT PROJECT.

(a) GENERAL EFFECTIVE DATE.—Except as provided in section 4 and subsection (b) of this section, the amendments made by this title shall take effect on the date of enactment of this Act.

(b) EFFECTIVE DATE FOR SPECIAL DOMESTIC-VIOLENCE CRIMINAL JURISDICTION.—

(1) IN GENERAL.—Except as provided in paragraph (2), subsections (b) through (d) of section 204 of Public Law 90–284 (as added by section 904) shall take effect on the date that is 2 years after the date of enactment of this Act.

(2) PILOT PROJECT.—

(A) IN GENERAL.—At any time during the 2-year period beginning on the date of enactment of this Act, an Indian tribe may ask the Attorney General to designate the tribe as a participating tribe under section 204(a) of Public Law 90–284 on an accelerated basis.

(B) PROCEDURE.—The Attorney General may grant a request under subparagraph (A) after coordinating with the Secretary of the Interior, consulting with affected Indian tribes, and concluding that the criminal justice system of the requesting tribe has adequate safeguards in place to protect defendants' rights, consistent with section 204 of Public Law 90–284.

(C) EFFECTIVE DATES FOR PILOT PROJECTS.—An Indian tribe designated as a participating tribe under this paragraph may commence exercising special domestic violence criminal jurisdiction pursuant to subsections (b) through (d) of section 204 of Public Law 90–284 on a date established by the Attorney General, after consultation with that Indian tribe, but in no event later than the date that is 2 years after the date of enactment of this Act.

SEC. 909. INDIAN LAW AND ORDER COMMISSION; REPORT ON THE ALASKA RURAL JUSTICE AND LAW ENFORCEMENT COMMISSION.

(a) IN GENERAL.—Section 15(f) of the Indian Law Enforcement Reform Act (25 U.S.C. 2812(f)) is amended by striking ''2 years'' and inserting ''3 years''.

(b) REPORT.—The Attorney General, in consultation with the Attorney General of the State of Alaska, the Commissioner of Public Safety of the State of Alaska, the Alaska Federation of Natives and Federally recognized Indian tribes in the State of Alaska, shall report to Congress not later than one year after enactment of this Act with respect to whether the Alaska Rural Justice and Law Enforcement Commission established under Section 112(a)(1) of the Consolidated Appropriations Act, 2004 should be continued and appropriations authorized for the continued work of the commission. The report may contain recommendations for legislation with respect to the scope of work and composition of the commission.

SEC. 910. LIMITATION.

Nothing in this Act or any amendment made by this Act limits, alters, expands, or diminishes the civil or criminal jurisdiction of the State of Alaska, any subdivision of the State of Alaska, or any Indian tribe in the State of Alaska.

TITLE X—OTHER MATTERS

SEC. 1001. CRIMINAL PROVISIONS RELATING TO SEXUAL ABUSE.

(a) SEXUAL ABUSE OF A MINOR OR WARD.—Section 2243(b) of title 18, United States Code, is amended to read as follows:

''(b) OF A WARD.—

''(1) OFFENSES.—

''(A) IN GENERAL.—It shall be unlawful for any person to knowingly engage, or knowingly attempt to engage, in a sexual act with another person who is—

''(i) in official detention or under official supervision or other official control of, the United States—

''(I) during or after arrest;

''(II) after release pretrial;

''(III) while on bail, probation, supervised release, or parole;

''(IV) after release following a finding of juvenile delinquency; or

''(V) after release pending any further judicial proceedings;

''(ii) under the professional custodial, supervisory, or disciplinary control or authority of the person engaging or attempting to engage in the sexual act; and

''(iii) at the time of the sexual act—

''(I) in the special maritime and territorial jurisdiction of the United States;

''(II) in a Federal prison, or in any prison, institution, or facility in which persons are held in custody by direction of, or pursuant to a contract or agreement with, the United States; or

''(III) under supervision or other control by the United States, or by direction of, or pursuant to a contract or agreement with, the United States.

''(B) SEXUAL CONTACT.—It shall be unlawful for any person to knowingly engage in sexual contact with, or cause sexual contact by, another person, if to do so would violate subparagraph (A) had the sexual contact been a sexual act.

''(2) PENALTIES.—

''(A) IN GENERAL.—A person that violates paragraph (1)(A) shall—

''(i) be fined under this title, imprisoned for not more than 15 years, or both; and

''(ii) if, in the course of committing the violation of paragraph (1), the person engages in conduct that would constitute an offense under section 2241 or 2242 if committed in the special maritime and territorial jurisdiction of the United States, be subject to the penalties provided for under section 2241 or 2242, respectively.

''(B) SEXUAL CONTACT.—A person that violates paragraph (1)(B) shall be fined under this title, imprisoned for not more than 2 years, or both.''.

(b) PENALTIES FOR SEXUAL ABUSE.—

(1) IN GENERAL.—Chapter 13 of title 18, United States Code, is amended by adding at the end the following:

''§ 250. Penalties for sexual abuse

''(a) OFFENSE.—It shall be unlawful for any person, in the course of committing an offense under this chapter or under section 901 of the Fair Housing Act (42 U.S.C. 3631) to engage in conduct that would constitute an offense under chapter 109A if committed in the special maritime and territorial jurisdiction of the United States.

''(b) PENALTIES.—A person that violates subsection (a) shall be subject to the penalties under the provision of chapter 109A that would have been violated if the conduct was committed in the special maritime and territorial jurisdiction of the United States, unless a greater penalty is otherwise authorized by law.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 13 of title 18, United States Code, is amended by adding at the end the following:

''250. Penalties for sexual abuse.''.

SEC. 1002. SEXUAL ABUSE IN CUSTODIAL SETTINGS.

(a) SUITS BY PRISONERS.—Section 7(e) of the Civil Rights of Institutionalized Persons Act (42 U.S.C. 1997e(e)) is amended by inserting before the period at the end the following: ''or the commission of a sexual act (as defined in section 2246 of title 18, United States Code)''.

(b) UNITED STATES AS DEFENDANT.—Section 1346(b)(2) of title 28, United States Code, is amended by inserting before the period at the end the following: ''or the commission of a sexual act (as defined in section 2246 of title 18)''.

(c) ADOPTION AND EFFECT OF NATIONAL STANDARDS.—Section 8 of the Prison Rape Elimination Act of 2003 (42 U.S.C. 15607) is amended—

(1) by redesignating subsection (c) as subsection (e); and

(2) by inserting after subsection (b) the following:

''(c) APPLICABILITY TO DETENTION FACILITIES OPERATED BY THE DEPARTMENT OF HOMELAND SECURITY.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2011, the Secretary of Homeland Security shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of aliens detained for a violation of the immigrations laws of the United States.

''(2) APPLICABILITY.—The standards adopted under paragraph (1) shall apply to detention facilities operated by the Department of Homeland Security and to detention facilities operated under contract with the Department.

''(3) COMPLIANCE.—The Secretary of Homeland Security shall—

''(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

''(B) include the results of the assessments in performance evaluations of facilities completed by the Department of Homeland Security.

''(4) CONSIDERATIONS.—In adopting standards under paragraph (1), the Secretary of Homeland Security shall give due consideration to the recommended national standards provided by the Commission under section 7(e).

''(5) DEFINITION.—As used in this section, the term 'detention facilities operated under contract with the Department' includes, but is not limited to contract detention facilities and detention facilities operated through an intergovernmental service agreement with the Department of Homeland Security.

''(d) APPLICABILITY TO CUSTODIAL FACILITIES OPERATED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2011, the Secretary of Health and Human Services shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of unaccompanied alien children (as defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))).

''(2) APPLICABILITY.—The standards adopted under paragraph (1) shall apply to facilities operated by the Department of Health and Human Services and to facilities operated under contract with the Department.

''(3) COMPLIANCE.—The Secretary of Health and Human Services shall—

''(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

''(B) include the results of the assessments in performance evaluations of facilities completed by the Department of Health and Human Services.

''(4) CONSIDERATIONS.—In adopting standards under paragraph (1), the Secretary of Health and Human Services shall give due consideration to the recommended national standards provided by the Commission under section 7(e).''.

SEC. 1003. ANONYMOUS ONLINE HARASSMENT.

Section 223(a)(1) of the Communications Act of 1934 (47 U.S.C. 223(a)(1)) is amended—

(1) in subparagraph (A), in the undesignated matter following clause (ii), by striking ''annoy,'';

(2) in subparagraph (C)—

(A) by striking ''annoy,''; and

(B) by striking ''harass any person at the called number or who receives the communication'' and inserting ''harass any specific person''; and

(3) in subparagraph (E), by striking ''harass any person at the called number or who receives the communication'' and inserting ''harass any specific person''.

SEC. 1004. STALKER DATABASE.

Section 40603 of the Violence Against Women Act of 1994 (42 U.S.C. 14032) is amended by striking ''$3,000,000'' and all that follows and inserting ''$3,000,000 for fiscal years 2012 through 2016.''.

SEC. 1005. FEDERAL VICTIM ASSISTANTS REAUTHORIZATION.

Section 40114 of the Violence Against Women Act of 1994 (Public Law 103–322; 108 Stat. 1910) is amended by striking ''fiscal years 2007 through 2011'' and inserting ''fiscal years 2012 through 2016''.

SEC. 1006. CHILD ABUSE TRAINING PROGRAMS FOR JUDICIAL PERSONNEL AND PRACTITIONERS REAUTHORIZATION.

Subtitle C of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13024) is amended in subsection (a) by striking ''$2,300,000'' and all that follows and inserting ''$2,300,000 for each of fiscal years 2012 through 2016.''.

SEC. 1007. MANDATORY MINIMUM SENTENCE.

Section 2241(a) of title 18, United States Code, is amended in the undesignated matter following paragraph (2), by striking ''any term of years or life'' and inserting ''not less than 5 years or imprisoned for life''.

SEC. 1008. REMOVAL OF DRUNK DRIVERS.

(a) IN GENERAL.—Section 101(a)(43)(F) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)(F)) is amended by striking ''for which the term of imprisonment'' and inserting '', including a third drunk driving conviction, regardless of the States in which the convictions occurred or whether the offenses are classified as misdemeanors or felonies under State or Federal law, for which the term of imprisonment is''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall—

(1) take effect on the date of the enactment of this Act; and

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SA 2094. Ms. KLOBUCHAR submitted an amendment intended to be proposed to amendment SA 2093 proposed by Mr. REID (for Mr. LEAHY) to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; as follows:

At the appropriate place, insert the following:

SEC. ___. DEBBIE SMITH GRANTS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.

Section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135) is amended—

(1) in subsection (a), by adding at the end the following:

''(6) To conduct an audit consistent with subsection (n) of the samples of sexual assault evidence that are in the possession of the State or unit of local government and are awaiting testing.

''(7) To ensure that the collection and processing of DNA evidence from crimes, including sexual assault and other serious violent crimes, is carried out in an appropriate and timely manner.

''(8) To ensure effective communication among emergency response providers, law enforcement personnel, prosecutors, courts, defense counsel, crime laboratory personnel, and crime victims regarding the status of crime scene evidence to be tested.'';

(2) in subsection (c)(3)(B)—

(A) by striking ''2014'' and inserting ''2017''; and

(B) by striking ''40'' and inserting ''70'';

(3) by striking subsection (j) and inserting the following:

''(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Attorney General for grants under this section $151,000,000 for each of fiscal years 2013 through 2017.''; and

(4) by adding at the end the following:

''(n) USE OF FUNDS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.—

''(1) ELIGIBILITY.—The Attorney General may award a grant under this section to a State or unit of local government for the purpose described in subsection (a)(6) only if the State or unit of local government—

''(A) submits a plan for performing the audit of samples described in such subsection; and

''(B) includes in such plan a good-faith estimate of the number of such samples.

''(2) GRANT CONDITIONS.—A State or unit of local government receiving a grant for the purpose described in subsection (a)(6) shall, not later than 1 year after receiving such grant, complete the audit described in paragraph (1)(A) in accordance with the plan submitted under such paragraph.

''(3) EXTENSION OF INITIAL DEADLINE.—The Attorney General may grant an extension of the deadline under paragraph (2)(A) to a State or unit of local government that demonstrates that more time is required for compliance with such paragraph.

''(4) DEFINITIONS.—In this subsection:

''(A) AWAITING TESTING.—The term 'awaiting testing' means, with respect to a sample of sexual assault evidence, that—

''(i) the sample has been collected and is in the possession of a State or unit of local government;

''(ii) DNA and other appropriate forensic analyses have not been performed on such sample; and

''(iii) the sample is related to a criminal case or investigation in which final disposition has not yet been reached.

''(B) POSSESSION.—

''(i) IN GENERAL.—The term 'possession', used with respect to possession of a sample of sexual assault evidence by a State or unit of local government, includes possession by an individual who is acting as an agent of the State or unit of local government for the collection of the sample.

''(ii) RULE OF CONSTRUCTION.—Nothing in clause (i) shall be construed to create or amend any Federal rights or privileges for non-governmental vendor laboratories described in regulations promulgated under section 210303 of the DNA Identification Act of 1994 (42 U.S.C. 14131).

''(o) DEVELOPMENT OF PROTOCOLS AND PRACTICES.—

''(1) PROTOCOLS AND PRACTICES.—Not later than 18 months after the date of enactment of the Violence Against Women Reauthorization Act of 2011 the Director of the National Institute of Justice, in consultation with Federal, State, and local government laboratories and law enforcement agencies, shall develop and publish a description of protocols and practices the Director considers appropriate for the accurate, timely, and effective collection and processing of DNA evidence, including protocols and practices specific to sexual assault cases, which shall address appropriate steps in the investigation of cases that might involve DNA evidence.

''(2) TECHNICAL ASSISTANCE AND TRAINING.—The Director shall make available technical assistance and training to support States and units of local government in adopting and implementing the protocols and practices developed under paragraph (1) on and after the date on which the protocols and practices are published.

''(3) DEFINITION OF BACKLOG FOR DNA CASE WORK.—The Director shall develop and publish a definition of the term 'backlog for

DNA case work' for purposes of this section—

''(A) taking into consideration the different stages at which a backlog may develop, including the investigation and prosecution of a crime by law enforcement personnel, prosecutors, and others, and the laboratory analysis of crime scene samples; and

''(B) which may include different criteria or thresholds for the different stages.''.

SA 2095. Mrs. HUTCHISON (for herself, Mr. GRASSLEY, Mr. MCCONNELL, Mr. CORNYN, Mr. KYL, Mr. ALEXANDER, Mr. MORAN, Mr. CORKER, and Mr. JOHANNS) proposed an amendment to amendment SA 2093 proposed by Mr. REID (for Mr. LEAHY) to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Violence Against Women Reauthorization Act of 2012''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. Universal definitions and grant conditions.

TITLE I—ENHANCING JUDICIAL AND LAW ENFORCEMENT TOOLS TO COMBAT VIOLENCE AGAINST VICTIMS

Sec. 101. Stop grants.
Sec. 102. Grants to encourage accountability policies and enforcement of protection orders.
Sec. 103. Legal assistance for victims.
Sec. 104. Consolidation of grants to support families in the justice system.
Sec. 105. Sex offender management.
Sec. 106. Court-appointed special advocate program.
Sec. 107. Criminal provision relating to stalking, including cyberstalking.
Sec. 108. Outreach and services to underserved populations grant.
Sec. 109. Culturally specific services grant.
Sec. 110. Reauthorization of child abuse training programs for judicial personnel and practitioners.
Sec. 111. Offset of restitution and other State judicial debts against income tax refund.

TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

Sec. 201. Sexual assault services program.
Sec. 202. Rural domestic violence, dating violence, sexual assault, stalking, and child abuse enforcement assistance.
Sec. 203. Training and services to end violence against women with disabilities grants.
Sec. 204. Grant for training and services to end violence against women in later life.

TITLE III—SERVICES, PROTECTION, AND JUSTICE FOR YOUNG VICTIMS OF VIOLENCE

Sec. 301. Rape prevention education grant.
Sec. 302. Creating hope through outreach, options, services, and education for children and youth.
Sec. 303. Grants to combat violent crimes on campuses.
Sec. 304. Campus sexual violence, domestic violence, dating violence, and stalking education and prevention.

TITLE IV—VIOLENCE REDUCTION PRACTICES

Sec. 401. Study conducted by the centers for disease control and prevention.
Sec. 402. Saving money and reducing tragedies through prevention grants.

TITLE V—STRENGTHENING THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

Sec. 501. Consolidation of grants to strengthen the healthcare system's response to domestic violence, dating violence, sexual assault, and stalking.

TITLE VI—SAFE HOMES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

Sec. 601. Housing protections for victims of domestic violence, dating violence, sexual assault, and stalking.
Sec. 602. Transitional housing assistance grants for victims of domestic violence, dating violence, sexual assault, and stalking.
Sec. 603. Addressing the housing needs of victims of domestic violence, dating violence, sexual assault, and stalking.

TITLE VII—ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE

Sec. 701. National Resource Center on Workplace Responses to assist victims of domestic and sexual violence.

TITLE VIII—IMMIGRATION PROVISIONS

Sec. 801. Application of special rule for battered spouse or child.
Sec. 802. Clarification of the requirements applicable to U visas.
Sec. 803. Protections for a fiancée or fiancé of a citizen.
Sec. 804. Regulation of international marriage brokers.
Sec. 805. GAO report.
Sec. 806. Disclosure of information for national security purposes.

TITLE IX—SAFETY FOR INDIAN WOMEN

Sec. 901. Grants to Indian tribal governments.
Sec. 902. Grants to Indian tribal coalitions.
Sec. 903. Consultation.
Sec. 904. Amendments to the Federal assault statute.
Sec. 905. Analysis and research on violence against Indian women.
Sec. 906. Effective date.
Sec. 907. Tribal protection orders.
Sec. 908. Alaska Rural Justice and Law Enforcement Commission.

TITLE X—VIOLENT CRIME AGAINST WOMEN

Sec. 1001. Criminal provisions relating to sexual abuse.
Sec. 1002. Sexual abuse in custodial settings.
Sec. 1003. Report on compliance with the DNA Fingerprint Act of 2005.
Sec. 1004. Reducing the rape kit backlog.
Sec. 1005. Report on capacity utilization.
Sec. 1006. Mandatory minimum sentence for aggravated sexual abuse.
Sec. 1007. Removal of drunk drivers.
Sec. 1008. Enhanced penalties for interstate domestic violence resulting in death, life-threatening bodily injury, permanent disfigurement, and serious bodily injury.
Sec. 1009. Finding Fugitive Sex Offenders Act.
Sec. 1010. Minimum penalties for the possession of child pornography.
Sec. 1011. Audit of Office for Victims of Crime.

TITLE XI—THE SAFER ACT

Sec. 1101. Short title.
Sec. 1102. Debbie Smith grants for auditing sexual assault evidence backlogs.
Sec. 1103. Sexual Assault Forensic Evidence Registry.
Sec. 1104. Reports to Congress.

SEC. 3. UNIVERSAL DEFINITIONS AND GRANT CONDITIONS.

(a) DEFINITIONS.—Subsection (a) of section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)) is amended—

(1) by redesignating—

(A) paragraph (1) as paragraph (2);

(B) paragraph (2) as paragraph (4);

(C) paragraphs (3) through (5) as paragraphs (5) through (7), respectively;

(D) paragraphs (6) through (9) as paragraphs (8) through (11), respectively;

(E) paragraphs (10) through (16) as paragraphs (14) through (20), respectively;

(F) paragraph (18) as paragraph (23);

(G) paragraphs (19) and (20) as paragraphs (25) and (26), respectively;

(H) paragraphs (21) and (22) as paragraphs (28) and (29), respectively;

(I) paragraphs (23) through (33) as paragraphs (31) through (41), respectively;

(J) paragraphs (34) and (35) as paragraphs (43) and (44); and

(K) paragraph (37) as paragraph (47);

(2) by inserting before paragraph (2), as redesignated, the following:

''(1) ALASKA NATIVE VILLAGE.—The term 'Alaska Native village' has the same meaning given such term in the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).'';

(3) by inserting after paragraph (2), as redesignated, the following:

''(2) CHILD.—The term 'child' means a person who is under 11 years of age.'';

(4) in paragraph (4), as redesignated, by striking ''serious harm.'' and inserting ''serious harm to unemancipated minor.'';

(5) in paragraph (5), as redesignated, by striking ''The term'' through ''that—'' and inserting ''The term 'community-based organization' means a nonprofit, nongovernmental, or tribal organization that serves a specific geographic community that—'';

(6) by inserting after paragraph (7), as redesignated, the following:

''(8) CULTURALLY SPECIFIC SERVICES.—The term 'culturally specific services' means community-based services that offer culturally relevant and linguistically specific services and resources to culturally specific communities.

''(9) CULTURALLY SPECIFIC.—The term 'culturally specific' means primarily directed toward racial and ethnic minority groups (as defined in section 1707(g) of the Public Health Service Act (42 U.S.C. 300–u–6(g)).'';

(7) in paragraph (10), as redesignated, by inserting ''or intimate partner'' after ''former spouse'' and ''as a spouse'';

(8) by inserting after paragraph (13), as redesignated, the following:

''(14) HOMELESS.—The term 'homeless' has the meaning provided in 42 U.S.C. 14043e–2(6).'';

(9) in paragraph (18), as redesignated, by inserting ''or Village Public Safety Officers'' after ''government victim service programs'';

(10) in paragraph (21), as redesignated, by inserting at the end the following:

''Intake or referral, by itself, does not constitute legal assistance.'';

(11) by striking paragraph (17), as in effect before the amendments made by this subsection;

(12) by amending paragraph (22), as redesignated, to read as follows:

''(22) PERSONALLY IDENTIFYING INFORMATION OR PERSONAL INFORMATION.—The term 'personally identifying information' or 'personal information' means individually identifying information for or about an individual including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, regardless of whether the information is encoded, encrypted, hashed, or otherwise protected, including—

''(A) a first and last name;

''(B) a home or other physical address;

''(C) contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number);

''(D) a social security number, driver license number, passport number, or student identification number; and

''(E) any other information, including date of birth, racial or ethnic background, or religious affiliation, that would serve to identify any individual.'';

(13) by inserting after paragraph (22), as redesignated, the following:

''(23) POPULATION SPECIFIC ORGANIZATION.—The term 'population specific organization' means a nonprofit, nongovernmental organization that primarily serves members of a specific underserved population and has demonstrated experience and expertise providing targeted services to members of that specific underserved population.

''(24) POPULATION SPECIFIC SERVICES.—The term 'population specific services' means victim-centered services that address the safety, health, economic, legal, housing, workplace, immigration, confidentiality, or other needs of victims of domestic violence, dating violence, sexual assault, or stalking, and that are designed primarily for and are targeted to a specific underserved population.'';

(14) in paragraph (25), as redesignated, by striking ''services'' and inserting ''assistance'';

(15) in paragraph (26), as redesignated, by striking ''52'' and inserting ''57'';

(16) by inserting after paragraph (26), as redesignated, the following:

''(27) RAPE CRISIS CENTER.—The term 'rape crisis center' means a nonprofit, nongovernmental, or tribal organization, or governmental entity in a State other than a Territory that provides intervention and related assistance, as specified in 42 U.S.C. 14043g(b)(2)(C), to victims of sexual assault without regard to their age. In the case of a governmental entity, the entity may not be part of the criminal justice system (such as a law enforcement agency) and must be able to offer a comparable level of confidentiality as a nonprofit entity that provides similar victim services.'';

(17) in paragraph (28), as redesignated—

(A) in subparagraph (A), by striking ''or'' after the semicolon;

(B) in subparagraph (B), by striking the period and inserting ''; or''; and

(C) by inserting at the end the following:

''(C) any federally recognized Indian tribe.'';

(18) in paragraph (29), as redesignated, by striking ''150,000'' and inserting ''250,000'';

(19) by inserting after paragraph (29), as redesignated, the following:

''(30) SEX TRAFFICKING.—The term 'sex trafficking' means any conduct proscribed by 18 U.S.C. 1591, whether or not the conduct occurs in interstate or foreign commerce or within the special maritime and territorial jurisdiction of the United States.'';

(20) by striking paragraph (31), as redesignated, and inserting the following:

''(31) SEXUAL ASSAULT.—The term 'sexual assault' means any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.'';

(21) by amending paragraph (41), as redesignated, to read as follows:

''(41) UNDERSERVED POPULATIONS.—The term 'underserved populations' means populations who face barriers in accessing and using victim services, and includes populations underserved because of geographic location, underserved racial and ethnic populations, populations underserved because of special needs (such as language barriers, disabilities, alienage status, or age), and any other population determined to be underserved by the Attorney General or by the Secretary of Health and Human Services, as appropriate.'';

(22) by inserting after paragraph (41), as redesignated, the following:

''(42) UNIT OF LOCAL GOVERNMENT.—The term 'unit of local government' means any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State.'';

(23) by striking paragraph (36), as in effect before the amendments made by this subsection, and inserting the following:

''(45) VICTIM SERVICES OR SERVICES.—The terms 'victim services' and 'services' mean services provided to victims of domestic violence, dating violence, sexual assault, or stalking, including telephonic or web-based hotlines, legal advocacy, economic advocacy, emergency and transitional shelter, accompaniment and advocacy through medical, civil or criminal justice, immigration, and social support systems, crisis intervention, short-term individual and group support services, information and referrals, culturally specific services, population specific services, and other related supportive services.

''(46) VICTIM SERVICE PROVIDER.—The term 'victim service provider' means a nonprofit, nongovernmental or tribal organization or rape crisis center, including a State or tribal coalition, that assists domestic violence, dating violence, sexual assault, or stalking victims, including domestic violence shelters, faith-based organizations, and other organizations, with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.''; and

(24) by striking paragraph (47), as redesignated, and inserting the following:

''(47) YOUTH.—The term 'youth' means a person who is 11 to 20 years old.''.

(b) GRANTS CONDITIONS.—Subsection (b) of section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (B), by striking clauses (i) and (ii) and inserting the following:

''(i) disclose, reveal, or release any personally identifying information or individual information collected in connection with services requested, utilized, or denied through grantees' and subgrantees' programs, regardless of whether the information has been encoded, encrypted, hashed, or otherwise protected; or

''(ii) disclose, reveal, or release individual client information without the informed, written, reasonably time-limited consent of the person (or in the case of an unemancipated minor, the minor and the parent or guardian or in the case of legal incapacity, a court-appointed guardian) about whom information is sought, whether for this program or any other Federal, State, tribal, or territorial grant program, except that consent for release may not be given by the abuser of the minor, incapacitated person, or the abuser of the other parent of the minor.

If a minor or a person with a legally appointed guardian is permitted by law to receive services without the parent's or guardian's consent, the minor or person with a guardian may release information without additional consent.'';

(B) by amending subparagraph (D), to read as follows:

''(D) INFORMATION SHARING.—

''(i) Grantees and subgrantees may share—

''(I) nonpersonally identifying data in the aggregate regarding services to their clients and nonpersonally identifying demographic information in order to comply with Federal, State, tribal, or territorial reporting, evaluation, or data collection requirements;

''(II) court-generated information and law enforcement-generated information contained in secure, governmental registries for protection order enforcement purposes; and

''(III) law enforcement-generated and prosecution-generated information necessary for law enforcement, intelligence, national security, or prosecution purposes.

''(ii) In no circumstances may—

''(I) an adult, youth, or child victim of domestic violence, dating violence, sexual assault, or stalking be required to provide a consent to release his or her personally identifying information as a condition of eligibility for the services provided by the grantee or subgrantee;

''(II) any personally identifying information be shared in order to comply with Federal, tribal, or State reporting, evaluation, or data collection requirements, whether for this program or any other Federal, tribal, or State grant program.'';

(C) by redesignating subparagraph (E) as subparagraph (F);

(D) by inserting after subparagraph (D) the following:

''(E) STATUTORILY MANDATED REPORTS OF ABUSE OR NEGLECT.—Nothing in this section prohibits a grantee or subgrantee from reporting suspected abuse or neglect, as those terms are defined by law, where specifically mandated by the State or tribe involved.''; and

(E) by inserting after subparagraph (F), as redesignated, the following:

''(G) CONFIDENTIALITY ASSESSMENT AND ASSURANCES.—Grantees and subgrantees must document their compliance with the confidentiality and privacy provisions required under this section.'';

(2) by striking paragraph (3) and inserting the following:

''(3) APPROVED ACTIVITIES.—In carrying out the activities under this title, grantees and subgrantees may collaborate with, or provide information to Federal, State, local, tribal, and territorial public officials and agencies to develop and implement policies and develop and promote State, local, or tribal legislation or model codes designed to reduce or eliminate domestic violence, dating violence, sexual assault, and stalking.'';

(3) in paragraph (7), by inserting at the end the following:

''Final reports of such evaluations shall be made available to the public via the agency's website.''; and

(4) by inserting after paragraph (11) the following:

''(12) DELIVERY OF LEGAL ASSISTANCE.—Any grantee or subgrantee providing legal assistance with funds awarded under this title shall comply with the eligibility requirements in section 1201(d) of the Violence Against Women Act of 2000 (42 U.S.C. 3796gg–6(d)).

''(13) CIVIL RIGHTS.—

''(A) NONDISCRIMINATION.—No person in the United States shall on the basis of actual or perceived race, color, religion, national origin, sex, or disability be excluded from participation in, be denied the benefits of, or be

subjected to discrimination under any program or activity funded in whole or in part with funds made available under the Violence Against Women Act of 1994 (title IV of Public Law 103–322; 108 Stat. 1902), the Violence Against Women Act of 2000 (division B of Public Law 106–386; 114 Stat. 1491), the Violence Against Women and Department of Justice Reauthorization Act of 2005 (title IX of Public Law 109–162; 119 Stat. 3080), the Violence Against Women Reauthorization Act of 2011, and any other program or activity funded in whole or in part with funds appropriated for grants, cooperative agreements, and other assistance administered by the Office on Violence Against Women.

''(B) EXCEPTION.—If gender segregation or gender-specific programming is necessary to the essential operation of a program, nothing in this paragraph shall prevent any such program or activity from consideration of an individual's gender. In such circumstances, alternative reasonable accommodations are sufficient to meet the requirements of this paragraph.

''(C) DISCRIMINATION.—The provisions of paragraphs (2) through (4) of section 809(c) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3789d(c)) apply to violations of subparagraph (A).

''(D) CONSTRUCTION.—Nothing contained in this paragraph shall be construed, interpreted, or applied to supplant, displace, preempt, or otherwise diminish the responsibilities and liabilities under other State or Federal civil rights law, whether statutory or common.

''(14) CLARIFICATION OF VICTIM SERVICES AND LEGAL ASSISTANCE.—Victim services and legal assistance provided under this title may include services and assistance to victims of domestic violence, dating violence, sexual assault, or stalking who are also victims of severe forms of trafficking in persons as defined by section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

''(15) ACCOUNTABILITY.—All grants awarded by the Attorney General that are authorized under this Act shall be subject to the following accountability provisions:

''(A) AUDIT REQUIREMENT.—Beginning in fiscal year 2013 , and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct an audit of not fewer than 10 percent of all recipients of grants under this Act to prevent waste, fraud, and abuse of funds by grantees.

''(B) MANDATORY EXCLUSION.—A recipient of grant funds under this Act that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this Act during the 2 fiscal years beginning after the 12-month period described in subparagraph (E).

''(C) PRIORITY.—In awarding grants under this Act, the Attorney General shall give priority to eligible entities that, during the 3 fiscal years before submitting an application for a grant under this Act, did not have an unresolved audit finding showing a violation in the terms or conditions of a Department of Justice grant program.

''(D) REIMBURSEMENT.—If an entity is awarded grant funds under this Act during the 2-fiscal-year period in which the entity is barred from receiving grants under subparagraph (B), the Attorney General shall—

''(i) deposit an amount equal to the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

''(ii) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

''(E) UNRESOLVED AUDIT FINDING DEFINED.—In this paragraph, the term 'unresolved audit finding' means an audit report finding, statement, or recommendation that the grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within a 12-month period beginning on the date of an initial notification of the finding or recommendation.

''(F) NONPROFIT ORGANIZATION REQUIREMENTS.—

''(i) DEFINITION.—For purposes of this section and the grant programs described in this Act, the term 'nonprofit organization' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

''(ii) PROHIBITION.—The Attorney General shall not award a grant under any grant program described in this Act to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

''(iii) DISCLOSURE.—Each nonprofit organization that is awarded a grant under a grant program described in this Act and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees, and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subsection available for public inspection.

''(G) ADMINISTRATIVE EXPENSES.—Unless otherwise explicitly provided in authorizing legislation, not more than 7.5 percent of the amounts authorized to be appropriated under this Act may be used by the Attorney General for salaries and administrative expenses of the Department of Justice.

''(H) CONFERENCE EXPENDITURES.—

''(i) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice, or Department of Health and Human Services under this Act may be used by the Attorney General, the Secretary of Health and Human Services, or by any individual or organization awarded funds under this Act, to host or support any expenditure for conferences, unless in the case of the Department of Justice, the Deputy Attorney General or the appropriate Assistant Attorney General, or in the case of the Department of Health and Human Services the Deputy Secretary, provides prior written authorization that the funds may be expended to host a conference.

''(ii) WRITTEN APPROVAL.—Written approval under clause (i) may not be delegated and shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audio/visual equipment, honoraria for speakers, and any entertainment.

''(iii) REPORT.—The Deputy Attorney General and Deputy Secretary shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all conference expenditures approved and denied.

''(I) PROHIBITION ON LOBBYING ACTIVITY.—

''(i) IN GENERAL.—Amounts authorized to be appropriated under this Act may not be utilized by any grant recipient to—

''(I) lobby any representative of the Department of Justice regarding the award of grant funding; or

''(II) lobby any representative of a Federal, State, local, or tribal government regarding the award of grant funding.

''(ii) PENALTY.—If the Attorney General determines that any recipient of a grant under this Act has violated clause (i), the Attorney General shall—

''(I) require the grant recipient to repay the grant in full; and

''(II) prohibit the grant recipient from receiving another grant under this Act for not less than 5 years.

''(J) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of the enactment of this Act, the Assistant Attorney General for the Office of Justice Programs, the Director of the Office on Violence Against Women, and the Deputy Secretary for Health and Human Services shall submit to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives an annual certification that—

''(i) all audits issued by the Office of the Inspector General under subparagraph (A) have been completed and reviewed by the Assistant Attorney General for the Office of Justice Programs;

''(ii) all mandatory exclusions required under subparagraph (B) have been issued;

''(iii) all reimbursements required under subparagraph (D) have been made; and

''(iv) includes a list of any grant recipients excluded under subparagraph (B) from the previous year.''.

TITLE I—ENHANCING JUDICIAL AND LAW ENFORCEMENT TOOLS TO COMBAT VIOLENCE AGAINST VICTIMS

SEC. 101. STOP GRANTS.

Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended—

(1) in section 1001(a)(18) (42 U.S.C. 3793(a)(18)), by striking ''$225,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$222,000,000 for each of fiscal years 2012 through 2016'';

(2) in section 2001 (42 U.S.C. 3796gg), by striking ''against women'' each place that term appears and inserting ''against victims'';

(3) in section 2001(b) (42 U.S.C. 3796gg(b)), as amended by paragraph (2)—

(A) in the matter preceding paragraph (1)—

(i) by striking ''equipment'' and inserting ''resources''; and

(ii) by inserting ''for the protection and safety of victims,'' before ''and specifically,'';

(B) in paragraph (1), by striking ''sexual assault'' and all that follows through ''dating violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking'';

(C) in paragraph (2), by striking ''sexual assault and domestic violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking'';

(D) in paragraph (3), by striking ''sexual assault and domestic violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking, as well as the appropriate treatment of victims'';

(E) in paragraph (4)—

(i) by striking ''sexual assault and domestic violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking''; and

(ii) by inserting '', classifying,'' after ''identifying'';

(F) in paragraph (5)—

(i) by inserting ''and legal assistance'' after ''victim services'';

(ii) by striking ''domestic violence and dating violence'' and inserting ''domestic violence, dating violence, and stalking'';

(iii) by striking ''sexual assault and domestic violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking''; and

(iv) by striking ''including crimes'' and all that follows and inserting ''including crimes of domestic violence, dating violence, sexual assault, and stalking;'';

(G) by striking paragraph (6) and redesignating paragraphs (7) through (14) as paragraphs (6) through (13), respectively;

(H) in paragraph (6), as redesignated by subparagraph (G), by striking ''sexual assault and domestic violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking'';

(I) in paragraph (7), as redesignated by subparagraph (G), by striking ''and dating violence'' and inserting ''dating violence, and stalking'';

(J) in paragraph (9), as redesignated by subparagraph (G), by striking ''domestic violence or sexual assault'' and inserting ''domestic violence, dating violence, sexual assault, or stalking'';

(K) in paragraph (12), as redesignated by subparagraph (G)—

(i) in subparagraph (A), by striking ''triage protocols to ensure that dangerous or potentially lethal cases are identified and prioritized'' and inserting ''the use of evidence-based indicators to assess the risk of domestic and dating violence homicide and prioritize dangerous or potentially lethal cases''; and

(ii) by striking ''and'' at the end;

(L) in paragraph (13), as redesignated by subparagraph (G)—

(i) by striking ''to provide'' and inserting ''providing'';

(ii) by striking ''nonprofit nongovernmental'';

(iii) by striking the comma after ''local governments''; and

(iv) by striking the period at the end and inserting a semicolon;

(M) by inserting after paragraph (13), as redesignated by subparagraph (G), the following:

''(14) developing and promoting State, local, or tribal legislation and policies that enhance best practices for responding to domestic violence, dating violence, sexual assault, and stalking;

''(15) developing, implementing, or enhancing Sexual Assault Response Teams, or other similar coordinated community responses to sexual assault;

''(16) developing and strengthening policies, protocols, best practices, and training for law enforcement agencies and prosecutors relating to the investigation and prosecution of sexual assault cases and the appropriate treatment of victims;

''(17) developing, enlarging, or strengthening programs addressing sexual assault against men, women, and youth in correctional and detention settings;

''(18) identifying and conducting inventories of backlogs of sexual assault evidence collection kits and developing protocols and policies for responding to and addressing such backlogs, including protocols and policies for notifying and involving victims; and

''(19) developing, enhancing, or strengthening prevention and educational programming to address domestic violence, dating violence, sexual assault, or stalking, with not more than 5 percent of the amount allocated to a State to be used for this purpose.''; and

(N) in the flush text at the end, by striking ''paragraph (14)'' and inserting ''paragraph (13)'';

(4) in section 2007 (42 U.S.C. 3796gg–1)—

(A) in subsection (a), by striking ''nonprofit nongovernmental victim service programs'' and inserting ''victim service providers'';

(B) in subsection (b)(6), by striking ''(not including populations of Indian tribes)'';

(C) in subsection (c)—

(i) by striking paragraph (2) and inserting the following:

''(2) grantees and subgrantees shall develop a plan for implementation and may consult and coordinate with—

''(A) the State sexual assault coalition;

''(B) the State domestic violence coalition;

''(C) the law enforcement entities within the State;

''(D) prosecution offices;

''(E) State and local courts;

''(F) Tribal governments in those States with State or federally recognized Indian tribes;

''(G) representatives from underserved populations;

''(H) victim service providers;

''(I) population specific organizations; and

''(J) other entities that the State or the Attorney General identifies as needed for the planning process;'';

(ii) by striking paragraph (4);

(iii) by redesignating paragraph (3) as paragraph (4);

(iv) by inserting after paragraph (2), as amended by clause (i), the following:

''(3) grantees shall coordinate the State implementation plan described in paragraph (2) with the State plans described in section 307 of the Family Violence Prevention and Services Act (42 U.S.C. 10407) and the plans described in the Victims of Crime Act of 1984 (42 U.S.C. 10601 et seq.) and section 393A of the Public Health Service Act (42 U.S.C. 280b–1b).'';

(v) in paragraph (4), as redesignated by clause (ii)—

(I) in subparagraph (A), by striking ''and not less than 25 percent shall be allocated for prosecutors'';

(II) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D);

(III) by inserting after subparagraph (A), the following:

''(B) not less than 25 percent shall be allocated for prosecutors;'';

(IV) in subparagraph (C), as redesignated by subclause (II), by striking ''culturally specific community based'' and inserting ''population specific''; and

(V) in subparagraph (D) as redesignated by subclause (II) by striking ''for'' and inserting ''to''; and

(vi) by adding at the end the following:

''(5) not later than 2 years after the date of enactment of this Act, and every year thereafter, not less than 30 percent of the total amount granted to a State under this part shall be allocated for programs or projects that meaningfully address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship.'';

(D) by striking subsection (d) and inserting the following:

''(d) APPLICATION REQUIREMENTS.—An application for a grant under this section shall include—

''(1) the certifications of qualification required under subsection (c);

''(2) proof of compliance with the requirements for the payment of forensic medical exams and judicial notification, described in section 2010;

''(3) proof of compliance with the requirements for paying fees and costs relating to domestic violence and protection order cases, described in section 2011 of this title;

''(4) proof of compliance with the requirements prohibiting polygraph examinations of victims of sexual assault, described in section 2013 of this title;

''(5) an implementation plan required under subsection (i); and

''(6) any other documentation that the Attorney General may require.'';

(E) in subsection (e)—

(i) in paragraph (2)—

(I) in subparagraph (A), by striking ''domestic violence and sexual assault'' and inserting ''domestic violence, dating violence, sexual assault, and stalking''; and

(II) in subparagraph (D), by striking ''linguistically and culturally'' and inserting ''population''; and

(ii) by adding at the end the following:

''(3) CONDITIONS.—In disbursing grants under this part, the Attorney General may impose reasonable conditions on grant awards to ensure that the States meet statutory, regulatory, and other programs requirements.'';

(F) in subsection (f), by striking the period at the end and inserting '', except that, for purposes of this subsection, the costs of the projects for victim services or tribes for which there is an exemption under section 40002(b)(1) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)(1)) shall not count toward the total costs of the projects.''; and

(G) by adding at the end the following:

''(i) IMPLEMENTATION PLANS.—A State applying for a grant under this part shall—

''(1) develop an implementation plan in consultation with the entities listed in subsection (c)(2), that identifies how the State will use the funds awarded under this part; and

''(2) submit to the Attorney General—

''(A) the implementation plan developed under paragraph (1);

''(B) documentation from each member of the planning committee as to their participation in the planning process;

''(C) documentation from the prosecution, law enforcement, court, and victim services programs to be assisted, describing—

''(i) the need for the grant funds;

''(ii) the intended use of the grant funds;

''(iii) the expected result of the grant funds; and

''(iv) the demographic characteristics of the populations to be served, including age, disability, race, ethnicity, and language background;

''(D) a description of how the State will ensure that any subgrantees will consult with victim service providers during the course of developing their grant applications in order to ensure that the proposed activities are designed to promote the safety, confidentiality, and economic independence of victims;

''(E) demographic data on the distribution of underserved populations within the State and a description of how the State will meet the needs of underserved populations, including the minimum allocation for population specific services required under subsection (c)(4)(C);

''(F) a description of how the State plans to meet the requirements of subsection (c)(5);

''(G) goals and objectives for reducing domestic violence-related homicides within the State; and

''(H) any other information requested by the Attorney General.'';

(5) in section 2010 (42 U.S.C. 3796gg–4)—

(A) in subsection (a), by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—A State, Indian tribal government, or unit of local government shall not be entitled to funds under this part unless the State, Indian tribal government, unit of local government, or another governmental entity—

''(A) incurs the full out-of-pocket cost of forensic medical exams described in subsection (b) for victims of sexual assault; and

''(B) coordinates with health care providers in the region to notify victims of sexual assault of the availability of rape exams at no cost to the victims.'';

(B) in subsection (b)—

(i) in paragraph (1), by inserting ''or'' after the semicolon;

(ii) in paragraph (2), by striking ''; or'' and inserting a period; and

(iii) by striking paragraph (3);

(C) in subsection (c), by striking '', except that such funds'' and all that follows and inserting a period; and

(D) by amended subsection (d) to read as follows:

''(d) NONCOOPERATION.—

''(1) IN GENERAL.—To be in compliance with this section, a State, Indian tribal government, or unit of local government shall comply with subsection (b) without regard to whether the victim participates in the criminal justice system or cooperates with law enforcement.

''(2) COMPLIANCE PERIOD.—States, territories, and Indian tribal governments shall have 3 years from the date of enactment of this Act to come into compliance with this subsection.''; and

(6) in section 2011(a)(1) (42 U.S.C. 3796gg–5(a)(1))—

(A) by inserting ''modification, enforcement, dismissal,'' after ''registration,'' each place it appears; and

(B) by striking ''domestic violence'' and all that follows through ''sexual assault'' and inserting ''domestic violence, dating violence, sexual assault, or stalking''.

SEC. 102. GRANTS TO ENCOURAGE ACCOUNTABILITY POLICIES AND ENFORCEMENT OF PROTECTION ORDERS.

(a) IN GENERAL.—Part U of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh et seq.) is amended—

(1) in section 2101 (42 U.S.C. 3796hh)—

(A) in subsection (b)—

(i) in the matter preceding paragraph (1), by striking ''States,'' and all that follows through ''units of local government'' and inserting ''grantees'';

(ii) in paragraph (1), by inserting ''and enforcement of protection orders across State and tribal lines but not policies that mandate the arrest of an individual by law enforcement in responding to an incident of domestic violence in the absence of probable cause'' before the period;

(iii) in paragraph (2), by striking ''and training in police departments to improve tracking of cases'' and inserting ''data collection systems, and training in police departments to improve tracking of cases and classification of complaints'';

(iv) in paragraph (4), by inserting ''and provide the appropriate training and education about domestic violence, dating violence, sexual assault, and stalking'' after ''computer tracking systems'';

(v) in paragraph (5), by inserting ''and other victim services'' after ''legal advocacy service programs'';

(vi) in paragraph (6), by striking ''judges'' and inserting ''Federal, State, tribal, territorial, and local judges, courts, and court-based and court-related personnel'';

(vii) in paragraph (8), by striking ''and sexual assault'' and inserting ''dating violence, sexual assault, and stalking'';

(viii) in paragraph (10), by striking ''nonprofit, non-governmental victim services organizations,'' and inserting ''victim service providers, population specific organizations,''; and

(ix) by adding at the end the following:

''(14) To develop and implement training programs for prosecutors and other prosecution-related personnel regarding best practices to ensure offender accountability, victim safety, and victim consultation in cases involving domestic violence, dating violence, sexual assault, and stalking.

''(15) To develop or strengthen policies, protocols, and training for law enforcement officers, prosecutors, and the judiciary in recognizing, investigating, and prosecuting instances of domestic violence, dating violence, sexual assault, and stalking.

''(16) To develop and promote State, local, or tribal legislation and policies that enhance best practices for responding to the crimes of domestic violence, dating violence, sexual assault, and stalking, including the appropriate treatment of victims.

''(17) To develop, implement, or enhance sexual assault nurse examiner programs or sexual assault forensic examiner programs, including the hiring and training of such examiners.

''(18) To develop, implement, or enhance Sexual Assault Response Teams or similar coordinated community responses to sexual assault.

''(19) To develop and strengthen policies, protocols, and training for law enforcement officers and prosecutors regarding the investigation and prosecution of sexual assault cases and the appropriate treatment of victims.

''(20) To provide human immunodeficiency virus testing programs, counseling, and prophylaxis for victims of sexual assault.

''(21) To identify and inventory backlogs of sexual assault evidence collection kits and to develop protocols for responding to and addressing such backlogs, including policies and protocols for notifying and involving victims.

''(22) To develop multidisciplinary high-risk teams focusing on reducing domestic violence and dating violence homicides by—

''(A) using evidence-based indicators to assess the risk of homicide and link high-risk victims to immediate crisis intervention services;

''(B) identifying and managing high-risk offenders; and

''(C) providing ongoing victim advocacy and referrals to comprehensive services including legal, housing, health care, and economic assistance.'';

(B) in subsection (c)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by inserting ''except for a court,'' before ''certify''; and

(II) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), and adjusting the margin accordingly;

(ii) in paragraph (2), by inserting ''except for a court,'' before ''demonstrate'';

(iii) in paragraph (4)—

(I) by inserting ''modification, enforcement, dismissal,'' after ''registration,'' each place it appears;

(II) by inserting ''dating violence,'' after ''domestic violence,''; and

(III) by striking ''and'' at the end;

(iv) in paragraph (5)—

(I) in the matter preceding subparagraph (A), by striking '', not later than 3 years after the date of enactment of this section,'';

(II) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), and adjusting the margin accordingly;

(III) in clause (ii), as redesignated by subclause (III) of this clause, by striking ''subparagraph (A)'' and inserting ''clause (i)''; and

(IV) by striking the period at the end and inserting ''; and'';

(v) by redesignating paragraphs (1) through (5), as amended by this subparagraph, as subparagraphs (A) through (E), respectively;

(vi) in the matter preceding subparagraph (A), as redesignated by clause (v) of this subparagraph—

(I) by striking the comma that immediately follows another comma; and

(II) by striking ''grantees are States'' and inserting the following: ''grantees are—

''(1) States''; and

(vii) by adding at the end the following:

''(2) a State, tribal, or territorial domestic violence or sexual assault coalition or a victim service provider that partners with a State, Indian tribal government, or unit of local government that certifies that the State, Indian tribal government, or unit of local government meets the requirements under paragraph (1).'';

(C) in subsection (d)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by inserting '', policy,'' after ''law''; and

(II) in subparagraph (A), by inserting ''and the defendant is in custody or has been served with the information or indictment'' before the semicolon; and

(ii) in paragraph (2), by striking ''it'' and inserting ''its''; and

(D) by adding at the end the following:

''(f) ALLOCATION FOR SEXUAL ASSAULT.—Of the amounts appropriated for purposes of this part for each fiscal year, not less than 30 percent shall be available for projects that address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship.''; and

(2) in section 2102(a) (42 U.S.C. 3796hh–1(a))—

(A) in paragraph (1), by inserting ''court,'' after ''tribal government,''; and

(B) in paragraph (4), by striking ''nonprofit, private sexual assault and domestic violence programs'' and inserting ''victim service providers and, as appropriate, population specific organizations''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 1001(a)(19) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(19)) is amended—

(1) by striking ''$75,000,000'' and all that follows through ''2011.'' and inserting ''$73,000,000 for each of fiscal years 2012 through 2016.''; and

(2) by striking the period that immediately follows another period.

SEC. 103. LEGAL ASSISTANCE FOR VICTIMS.

Section 1201 of the Violence Against Women Act of 2000 (42 U.S.C. 3796gg–6) is amended—

(1) in subsection (a)—

(A) in the first sentence, by striking ''arising as a consequence of'' and inserting ''relating to or arising out of''; and

(B) in the second sentence, by inserting ''or arising out of'' after ''relating to'';

(2) in subsection (b)—

(A) in the heading, by inserting ''AND GRANT CONDITIONS'' after ''DEFINITIONS''; and

(B) by inserting ''and grant conditions'' after ''definitions'';

(3) in subsection (c)—

(A) in paragraph (1), by striking ''victims services organizations'' and inserting ''victim service providers''; and

(B) by striking paragraph (3) and inserting the following:

''(3) to implement, expand, and establish efforts and projects to provide competent, supervised pro bono legal assistance for victims of domestic violence, dating violence, sexual assault, or stalking, except that not more than 10 percent of the funds awarded under this section may be used for the purpose described in this paragraph.'';

(4) in subsection (d)—

(A) in paragraph (1), by striking ''this section has completed'' and all that follows and inserting the following: ''this section—''

''(A) has demonstrated expertise in providing legal assistance or advocacy to victims of domestic violence, dating violence,

sexual assault, or stalking in the targeted population; or

''(B)(i) is partnered with an entity or person that has demonstrated expertise described in subparagraph (A); and

''(ii) has completed, or will complete, training in connection with domestic violence, dating violence, stalking, or sexual assault and related legal issues, including training on evidence-based risk factors for domestic and dating violence homicide;''; and

(B) in paragraph (2), by striking ''stalking organization'' and inserting ''stalking victim service provider''; and

(5) in subsection (f)(1), by striking ''this section'' and all that follows and inserting the following: ''this section $57,000,000 for each of fiscal years 2012 through 2016.''.

SEC. 104. CONSOLIDATION OF GRANTS TO SUPPORT FAMILIES IN THE JUSTICE SYSTEM.

(a) IN GENERAL.—Title III of division B of the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386; 114 Stat. 1509) is amended by striking the section preceding section 1302 (42 U.S.C. 10420), as amended by section 306 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162; 119 Stat. 316), and inserting the following:

''SEC. 1301. COURT TRAINING AND SUPERVISED VISITATION IMPROVEMENTS.

''(a) IN GENERAL.—The Attorney General may make grants to States, units of local government, courts (including juvenile courts), Indian tribal governments, nonprofit organizations, legal services providers, and victim services providers to improve the response of all aspects of the civil and criminal justice system to families with a history of domestic violence, dating violence, sexual assault, or stalking, or in cases involving allegations of child sexual abuse.

''(b) USE OF FUNDS.—A grant under this section may be used to—

''(1) provide supervised visitation and safe visitation exchange of children and youth by and between parents in situations involving domestic violence, dating violence, child sexual abuse, sexual assault, or stalking;

''(2) develop and promote State, local, and tribal legislation, policies, and best practices for improving civil and criminal court functions, responses, practices, and procedures in cases involving a history of domestic violence or sexual assault, or in cases involving allegations of child sexual abuse, including cases in which the victim proceeds pro se;

''(3) educate court-based and court-related personnel (including custody evaluators and guardians ad litem) and child protective services workers on the dynamics of domestic violence, dating violence, sexual assault, and stalking, including information on perpetrator behavior, evidence-based risk factors for domestic and dating violence homicide, and on issues relating to the needs of victims, including safety, security, privacy, and confidentiality, including cases in which the victim proceeds pro se;

''(4) provide appropriate resources in juvenile court matters to respond to dating violence, domestic violence, sexual assault (including child sexual abuse), and stalking and ensure necessary services dealing with the health and mental health of victims are available;

''(5) enable courts or court-based or court-related programs to develop or enhance—

''(A) court infrastructure (such as specialized courts, consolidated courts, dockets, intake centers, or interpreter services);

''(B) community-based initiatives within the court system (such as court watch programs, victim assistants, pro se victim assistance programs, or community-based supplementary services);

''(C) offender management, monitoring, and accountability programs;

''(D) safe and confidential information-storage and information-sharing databases within and between court systems;

''(E) education and outreach programs to improve community access, including enhanced access for underserved populations; and

''(F) other projects likely to improve court responses to domestic violence, dating violence, sexual assault, and stalking;

''(6) collect data and provide training and technical assistance, including developing State, local, and tribal model codes and policies, to improve the capacity of grantees and communities to address the civil justice needs of victims of domestic violence, dating violence, sexual assault, and stalking who have legal representation, who are proceeding pro se, or are proceeding with the assistance of a legal advocate; and

''(7) to improve training and education to assist judges, judicial personnel, attorneys, child welfare personnel, and legal advocates in the civil justice system.

''(c) CONSIDERATIONS.—

''(1) IN GENERAL.—In making grants for purposes described in paragraphs (1) through (6) of subsection (b), the Attorney General shall consider—

''(A) the number of families to be served by the proposed programs and services;

''(B) the extent to which the proposed programs and services serve underserved populations;

''(C) the extent to which the applicant demonstrates cooperation and collaboration with nonprofit, nongovernmental entities in the local community with demonstrated histories of effective work on domestic violence, dating violence, sexual assault, or stalking, including State or tribal domestic violence coalitions, State or tribal sexual assault coalitions, local shelters, and programs for domestic violence and sexual assault victims; and

''(D) the extent to which the applicant demonstrates coordination and collaboration with State, tribal, and local court systems, including mechanisms for communication and referral.

''(2) OTHER GRANTS.—In making grants under subsection (b)(8) the Attorney General shall take into account the extent to which the grantee has expertise addressing the judicial system's handling of family violence, child custody, child abuse and neglect, adoption, foster care, supervised visitation, divorce, and parentage.

''(d) APPLICANT REQUIREMENTS.—The Attorney General may make a grant under this section to an applicant that—

''(1) demonstrates expertise in the areas of domestic violence, dating violence, sexual assault, stalking, or child sexual abuse, as appropriate;

''(2) ensures that any fees charged to individuals for use of supervised visitation programs and services are based on the income of those individuals, unless otherwise provided by court order;

''(3) demonstrates that adequate security measures, including adequate facilities, procedures, and personnel capable of preventing violence, and adequate standards are, or will be, in place (including the development of protocols or policies to ensure that confidential information is not shared with courts, law enforcement agencies, or child welfare agencies unless necessary to ensure the safety of any child or adult using the services of a program funded under this section), if the applicant proposes to operate supervised visitation programs and services or safe visitation exchange;

''(4) certifies that the organizational policies of the applicant do not require mediation or counseling involving offenders and victims being physically present in the same place, in cases where domestic violence, dating violence, sexual assault, or stalking is alleged;

''(5) certifies that any person providing legal assistance through a program funded under this section has completed or will complete training on domestic violence, dating violence, sexual assault, and stalking, including child sexual abuse, and related legal issues; and

''(6) certifies that any person providing custody evaluation or guardian ad litem services through a program funded under this section has completed or will complete training developed with input from and in collaboration with a tribal, State, territorial, or local domestic violence, dating violence, sexual assault, or stalking organization or coalition on the dynamics of domestic violence and sexual assault, including child sexual abuse, that includes training on how to review evidence of past abuse and the use of evidenced-based theories to make recommendations on custody and visitation.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $22,000,000 for each of fiscal years 2012 through 2016. Amounts appropriated pursuant to this subsection shall remain available until expended.

''(f) ALLOTMENT FOR INDIAN TRIBES.—

''(1) IN GENERAL.—Not less than 10 percent of the total amount available under this section for each fiscal year shall be available for grants under the program authorized by section 3796gg–10 of this title.

''(2) APPLICABILITY OF PART.—The requirements of this section shall not apply to funds allocated for the program described in paragraph (1).''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Subtitle J of the Violence Against Women Act of 1994 (42 U.S.C. 14043 et seq.) is repealed.

SEC. 105. SEX OFFENDER MANAGEMENT.

Section 40152(c) of the Violence Against Women Act of 1994 (42 U.S.C. 13941) is amended by striking ''$5,000,000'' and all that follows and inserting ''$5,000,000 for each of fiscal years 2012 through 2016.''.

SEC. 106. COURT-APPOINTED SPECIAL ADVOCATE PROGRAM.

Subtitle B of title II of the Crime Control Act of 1990 (42 U.S.C. 13011 et seq.) is amended—

(1) in section 216 (42 U.S.C. 13012), by striking ''January 1, 2010'' and inserting ''January 1, 2015'';

(2) in section 217 (42 U.S.C. 13013)—

(A) by striking ''Code of Ethics'' in section (c)(2) and inserting ''Standards for Programs''; and

(B) by adding at the end the following:

''(e) REPORTING.—An organization that receives a grant under this section for a fiscal year shall submit to the Administrator a report regarding the use of the grant for the fiscal year, including a discussion of outcome performance measures (which shall be established by the Administrator) to determine the effectiveness of the programs of the organization in meeting the needs of children in the child welfare system.''; and

(3) in section 219(a) (42 U.S.C. 13014(a)), by striking ''fiscal years 2007 through 2011'' and inserting ''fiscal years 2012 through 2016''.

SEC. 107. CRIMINAL PROVISION RELATING TO STALKING, INCLUDING CYBERSTALKING.

Section 2261A of title 18, United States Code, is amended to read as follows:

''§ 2261A. Stalking

''Whoever—

''(1) travels in interstate or foreign commerce or is present within the special maritime and territorial jurisdiction of the United States, or enters or leaves Indian country, with the intent to kill, injure, harass, intimidate, or place under surveillance with intent to kill, injure, harass, or intimidate another person, and in the course of, or as a result of, such travel or presence engages in conduct that—

''(A) places that person in reasonable fear of the death of, or serious bodily injury to—

''(i) that person;

''(ii) an immediate family member (as defined in section 115) of that person; or

''(iii) a spouse or intimate partner of that person; or

''(B) causes, attempts to cause, or would be reasonably expected to cause substantial emotional distress to a person described in clause (i), (ii), or (iii) of subparagraph (A); or

''(2) with the intent to kill, injure, harass, intimidate, or place under surveillance with intent to kill, injure, harass, or intimidate another person, uses the mail, any interactive computer service or electronic communication service or electronic communication system of interstate commerce, or any other facility of interstate or foreign commerce to engage in a course of conduct that—

''(A) places that person in reasonable fear of the death of or serious bodily injury to a person described in clause (i), (ii), or (iii) of paragraph (1)(A); or

''(B) causes, attempts to cause, or would be reasonably expected to cause substantial emotional distress to a person described in clause (i), (ii), or (iii) of paragraph (1)(A),

shall be punished as provided in section 2261(b) of this title.''.

SEC. 108. OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS GRANT.

Section 120 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045) is amended to read as follows:

''SEC. 120. GRANTS FOR OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS.

''(a) GRANTS AUTHORIZED.—

''(1) IN GENERAL.—Of the amounts appropriated under the grant programs identified in paragraph (2), the Attorney General shall take 2 percent of such appropriated amounts and combine them to award grants to eligible entities described in subsection (b) of this section to develop and implement outreach strategies targeted at adult, or youth, victims of domestic violence, dating violence, sexual assault, or stalking in underserved populations and to provide victim services to meet the needs of adult and youth victims of domestic violence, dating violence, sexual assault, and stalking in underserved populations. The requirements of the grant programs identified in paragraph (3) shall not apply to this grant program.

''(2) PROGRAMS COVERED.—The programs covered by paragraph (2) are the programs carried out under the following provisions:

''(A) Section 2001 of the Omnibus Crime Control and Safe Streets Act of 1968 (STOP Grants).

''(B) Section 2101 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Encourage Accountability Policies).

''(b) ELIGIBLE ENTITIES.—Eligible entities under this section are—

''(1) population specific organizations that have demonstrated experience and expertise in providing population specific services in the relevant underserved communities or population specific organizations working in partnership with a victim service provider or domestic violence or sexual assault coalition;

''(2) victim service providers offering population specific services for a specific underserved population; or

''(3) victim service providers working in partnership with a national, State, or local organization that has demonstrated experience and expertise in providing population specific services in the relevant underserved population.

''(c) PLANNING GRANTS.—The Attorney General may use up to 20 percent of funds available under this section to make one-time planning grants to eligible entities to support the planning and development of specially designed and targeted programs for adult and youth victims in one or more underserved populations, including—

''(1) identifying, building and strengthening partnerships with potential collaborators within underserved populations, Federal, State, tribal, territorial or local government entities, and public and private organizations;

''(2) conducting a needs assessment of the community and the targeted underserved population or populations to determine what the barriers are to service access and what factors contribute to those barriers, using input from the targeted underserved population or populations;

''(3) identifying promising prevention, outreach and intervention strategies for victims from a targeted underserved population or populations; and

''(4) developing a plan, with the input of the targeted underserved population or populations, for implementing prevention, outreach and intervention strategies to address the barriers to accessing services, promoting community engagement in the prevention of domestic violence, dating violence, sexual assault, and stalking within the targeted underserved populations, and evaluating the program.

''(d) IMPLEMENTATION GRANTS.—The Attorney General shall make grants to eligible entities for the purpose of providing or enhancing population specific outreach and services to adult and youth victims in one or more underserved populations, including—

''(1) working with Federal, State, tribal, territorial and local governments, agencies, and organizations to develop or enhance population specific victim services;

''(2) strengthening the capacity of underserved populations to provide population specific victim services;

''(3) strengthening the capacity of traditional victim service providers to provide population specific services;

''(4) strengthening the effectiveness of criminal and civil justice interventions by providing training for law enforcement, prosecutors, judges and other court personnel on domestic violence, dating violence, sexual assault, or stalking in underserved populations; or

''(5) working in cooperation with an underserved population to develop and implement outreach, education, prevention, and intervention strategies that highlight available resources and the specific issues faced by victims of domestic violence, dating violence, sexual assault, or stalking from underserved populations.

''(e) APPLICATION.—An eligible entity desiring a grant under this section shall submit an application to the Director of the Office on Violence Against Women at such time, in such form, and in such manner as the Director may prescribe.

''(f) REPORTS.—Each eligible entity receiving a grant under this section shall submit to the Director of the Office on Violence Against Women a report that describes the activities carried out with grant funds.

''(g) AUTHORIZATION OF APPROPRIATIONS.—In addition to the funds identified in subsection (a)(1), there are authorized to be appropriated to carry out this section $2,000,000 for each of fiscal years 2012 through 2016.

''(h) DEFINITIONS AND GRANT CONDITIONS.—In this section the definitions and grant conditions in section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925) shall apply.''.

SEC. 109. CULTURALLY SPECIFIC SERVICES GRANT.

Section 121 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045a) is amended—

(1) in the section heading, by striking ''and linguistically'';

(2) by striking ''and linguistically'' each place it appears;

(3) by striking ''and linguistic'' each place it appears;

(4) by striking subsection (a)(2) and inserting:

''(2) PROGRAMS COVERED.—The programs covered by paragraph (1) are the programs carried out under the following provisions:

''(A) Section 2101 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Encourage Accountability Policies and Enforcement of Protection Orders).

''(B) Section 1401 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg–6) (Legal Assistance for Victims).

''(C) Section 40295 of the Violence Against Women Act of 1994 (42 U.S.C. 13971) (Rural Domestic Violence, Dating Violence, Sexual Assault, Stalking, and Child Abuse Enforcement Assistance).

''(D) Section 40802a of the Violence Against Women Act of 1994 (42 U.S.C. 14041a) (Enhanced Training and Services to End Violence Against Women Later in Life).

''(E) Section 1402 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg–7) (Education, Training, and Enhanced Services to End Violence Against and Abuse of Women with Disabilities).''; and

(5) in subsection (g), by striking ''linguistic and''.

SEC. 110. REAUTHORIZATION OF CHILD ABUSE TRAINING PROGRAMS FOR JUDICIAL PERSONNEL AND PRACTITIONERS.

Section 224(a) of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13024(a)) is amended by striking ''$2,300,000'' and all that follows and inserting ''$2,300,000 for each of fiscal years 2012 through 2016.''.

SEC. 111. OFFSET OF RESTITUTION AND OTHER STATE JUDICIAL DEBTS AGAINST INCOME TAX REFUND.

(a) IN GENERAL.—Section 6402 of the Internal Revenue Code of 1986 (relating to authority to make credits or refunds) is amended—

(1) by redesignating subsections (g) through (l) as subsections (h) through (m), respectively; and

(2) by inserting after subsection (f) the following:

''(g) COLLECTION OF PAST-DUE, LEGALLY ENFORCEABLE RESTITUTION AND OTHER STATE JUDICIAL DEBTS.—

''(1) IN GENERAL.—In any State which wishes to collect past-due, legally enforceable State judicial debts, the chief justice of the State's highest court shall designate a single State entity to communicate judicial debt information to the Secretary. In making such designation, the chief justice of the State's highest court shall select, whenever practicable, a relevant State official or agency responsible under State law for collecting the State's income tax or other statewide excise at the time of the designation. Upon receiving notice from a State designated entity that a named person owes a past-due, legally enforceable State judicial debt to or in such State, the Secretary shall, under such conditions as may be prescribed by the Secretary—

''(A) reduce the amount of any overpayment payable to such person by the amount of such State judicial debt;

''(B) pay the amount by which such overpayment is reduced under subparagraph (A) to such State designated entity and notify such State designated entity of such person's name, taxpayer identification number, address, and the amount collected; and

''(C) notify the person making such overpayment that the overpayment has been reduced by an amount necessary to satisfy a past-due, legally enforceable State judicial debt.

If an offset is made pursuant to a joint return, the notice under subparagraph (B) shall include the names, taxpayer identification numbers, and addresses of each person filing such return.

''(2) PRIORITIES FOR OFFSET.—Any overpayment by a person shall be reduced pursuant to this subsection—

''(A) after such overpayment is reduced pursuant to—

''(i) subsection (a) with respect to any liability for any internal revenue tax on the part of the person who made the overpayment;

''(ii) subsection (c) with respect to past-due support;

''(iii) subsection (d) with respect to any past-due, legally enforceable debt owed to a Federal agency; and

''(iv) subsection (e) with respect to any past-due, legally enforceable State income tax obligations; and

''(B) before such overpayment is credited to the future liability for any Federal internal revenue tax of such person pursuant to subsection (b).

If the Secretary receives notice from 1 or more State designated entities of more than 1 debt subject to paragraph (1) that is owed by such person to such State agency or State judicial branch, any overpayment by such person shall be applied against such debts in the order in which such debts accrued.

''(3) NOTICE; CONSIDERATION OF EVIDENCE.—Rules similar to the rules of subsection (e)(4) shall apply with respect to debts under this subsection.

''(4) PAST-DUE, LEGALLY ENFORCEABLE STATE JUDICIAL DEBT.—

''(A) IN GENERAL.—For purposes of this subsection, the term 'past-due, legally enforceable State judicial debt' means a debt—

''(i) which resulted from a judgment or sentence rendered by any court or tribunal of competent jurisdiction which—

''(I) handles criminal or traffic cases in the State; and

''(II) has determined an amount of State judicial debt to be due; and

''(ii) which resulted from a State judicial debt which has been assessed and is past-due but not collected.

''(B) STATE JUDICIAL DEBT.—For purposes of this paragraph, the term 'State judicial debt' includes court costs, fees, fines, assessments, restitution to victims of crime, and other monies resulting from a judgment or sentence rendered by any court or tribunal of competent jurisdiction handling criminal or traffic cases in the State.

''(5) REGULATIONS.—The Secretary shall issue regulations prescribing the time and manner in which State designated entities must submit notices of past-due, legally enforceable State judicial debts and the necessary information that must be contained in or accompany such notices. The regulations shall specify the types of State judicial monies and the minimum amount of debt to which the reduction procedure established by paragraph (1) may be applied. The regulations shall require State designated entities to pay a fee to reimburse the Secretary for the cost of applying such procedure. Any fee paid to the Secretary pursuant to the preceding sentence shall be used to reimburse appropriations which bore all or part of the cost of applying such procedure.

''(6) ERRONEOUS PAYMENT TO STATE.—Any State designated entity receiving notice from the Secretary that an erroneous payment has been made to such State designated entity under paragraph (1) shall pay promptly to the Secretary, in accordance with such regulations as the Secretary may prescribe, an amount equal to the amount of such erroneous payment (without regard to whether any other amounts payable to such State designated entity under such paragraph have been paid to such State designated entity).''.

(b) DISCLOSURE OF RETURN INFORMATION.—Section 6103(l)(10) of the Internal Revenue Code of 1986 (relating to disclosure of certain information to agencies requesting a reduction under subsection (c), (d), (e), or (f) of section 6402) is amended by striking ''or (f)'' each place it appears in the text and heading and inserting ''(f), or (g)''.

(c) CONFORMING AMENDMENTS.—

(1) Section 6402(a) of the Internal Revenue Code of 1986 is amended by striking ''and (f)'' and inserting ''(f), and (g),''.

(2) Paragraph (2) of section 6402(d) of such Code is amended by striking ''subsections (e) and (f)'' and inserting ''subsections (e), (f), and (g)''.

(3) Paragraph (3)(B) of section 6402(e) of such Code is amended to read as follows:

''(B) before such overpayment is—

''(i) reduced pursuant to subsection (g) with respect to past-due, legally enforceable State judicial debts, and

''(ii) credited to the future liability for any Federal internal revenue tax of such person pursuant to subsection (b).''.

(4) Section 6402(h) of such Code, as so redesignated, is amended by striking ''or (f)'' and inserting ''(f), or (g)''.

(5) Section 6402(j) of such Code, as so redesignated, is amended by striking ''or (f)'' and inserting ''(f), or (g)''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to refunds payable for taxable years beginning after December 31, 2011.

TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 201. SEXUAL ASSAULT SERVICES PROGRAM.

(a) GRANTS TO STATES AND TERRITORIES.—Section 41601(b) of the Violence Against Women Act of 1994 (42 U.S.C. 14043g(b)) is amended—

(1) in paragraph (1)—

(A) by striking ''governmental and nongovernmental''; and

(B) by striking ''other programs'' and all that follows and inserting ''other nongovernmental or tribal programs and projects to assist individuals who have been victimized by sexual assault, without regard to the age of the individual.''; and

(2) in paragraph (2)—

(A) in subparagraph (B), by striking ''nonprofit, nongovernmental organizations for programs and activities'' and inserting ''nongovernmental or tribal programs and activities''; and

(B) in subparagraph (C)(v), by striking ''linguistically and''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 41601(f)(1) of the Violence Against Women Act of 1994 (42 U.S.C. 14043g(f)(1)) is amended by striking ''$50,000,000 to remain available until expended for each of the fiscal years 2007 through 2011'' and inserting ''$40,000,000 to remain available until expended for each of fiscal years 2012 through 2016''.

SEC. 202. RURAL DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, STALKING, AND CHILD ABUSE ENFORCEMENT ASSISTANCE.

Section 40295 of the Violence Against Women Act of 1994 (42 U.S.C. 13971) is amended—

(1) in subsection (a)(1)(H), by inserting '', including sexual assault forensic examiners'' before the semicolon;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking ''victim advocacy groups'' and inserting ''victim service providers''; and

(ii) by inserting '', including developing multidisciplinary teams focusing on high risk cases with the goal of preventing domestic and dating violence homicides'' before the semicolon;

(B) in paragraph (2)—

(i) by striking ''and other long- and short-term assistance'' and inserting ''legal assistance, and other long-term and short-term victim and population specific services''; and

(ii) by striking ''and'' at the end;

(C) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(4) developing, enlarging, or strengthening programs addressing sexual assault, including sexual assault forensic examiner programs, Sexual Assault Response Teams, law enforcement training, and programs addressing rape kit backlogs.''; and

(3) in subsection (e)(1), by striking ''$55,000,000 for each of the fiscal years 2007 through 2011'' and inserting ''$50,000,000 for each of fiscal years 2012 through 2016''.

SEC. 203. TRAINING AND SERVICES TO END VIOLENCE AGAINST WOMEN WITH DISABILITIES GRANTS.

Section 1402 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg–7) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by inserting ''(including using evidence-based indicators to assess the risk of domestic and dating violence homicide)'' after ''risk reduction'';

(B) in paragraph (4), by striking ''victim service organizations'' and inserting ''victim service providers''; and

(C) in paragraph (5), by striking ''victim services organizations'' and inserting ''victim service providers'';

(2) in subsection (c)(1)(D), by striking ''nonprofit and nongovernmental victim services organization, such as a State'' and inserting ''victim service provider, such as a State or tribal''; and

(3) in subsection (e), by striking ''$10,000,000 for each of the fiscal years 2007 through 2011'' and inserting ''$9,000,000 for each of fiscal years 2012 through 2016''.

SEC. 204. GRANT FOR TRAINING AND SERVICES TO END VIOLENCE AGAINST WOMEN IN LATER LIFE.

Section 40802 of the Violence Against Women Act of 1994 (42 U.S.C. 14041a) is amended to read as follows:

''SEC. 40802. GRANT FOR TRAINING AND SERVICES TO END VIOLENCE AGAINST WOMEN IN LATER LIFE.

''(a) DEFINITIONS.—In this section—

''(1) the term 'eligible entity' means an entity that—

''(A) is—

''(i) a State;

''(ii) a unit of local government;

''(iii) a tribal government or tribal organization;

''(iv) a population specific organization with demonstrated experience in assisting individuals in later life;

''(v) a victim service provider; or

''(vi) a State, tribal, or territorial domestic violence or sexual assault coalition; and

''(B) is partnered with—

''(i) a law enforcement agency;

''(ii) an office of a prosecutor;

''(iii) a victim service provider; or

''(iv) a nonprofit program or government agency with demonstrated experience in assisting individuals in later life;

''(2) the term 'exploitation' means domestic violence, dating violence, sexual assault, or stalking;

''(3) the term 'later life', relating to an individual, means the individual is 60 years of age or older; and

''(4) the term 'neglect' means the failure of a caregiver or fiduciary to provide the goods or services that are necessary to maintain the health or safety of an individual in later life.

''(b) GRANT PROGRAM.—

''(1) GRANTS AUTHORIZED.—The Attorney General may make grants to eligible entities to carry out the activities described in paragraph (2).

''(2) MANDATORY AND PERMISSIBLE ACTIVITIES.—

''(A) MANDATORY ACTIVITIES.—An eligible entity receiving a grant under this section shall use the funds received under the grant to—

''(i) provide training programs to assist law enforcement agencies, prosecutors, agencies of States or units of local government, population specific organizations, victim service providers, victim advocates, and relevant officers in Federal, tribal, State, territorial, and local courts in recognizing and addressing instances of elder abuse;

''(ii) provide or enhance services for victims of elder abuse;

''(iii) establish or support multidisciplinary collaborative community responses to victims of elder abuse; and

''(iv) conduct cross-training for law enforcement agencies, prosecutors, agencies of States or units of local government, attorneys, health care providers, population specific organizations, faith-based advocates, victim service providers, and courts to better serve victims of elder abuse.

''(B) PERMISSIBLE ACTIVITIES.—An eligible entity receiving a grant under this section may use not more than 10 percent of the funds received under the grant to—

''(i) provide training programs to assist attorneys, health care providers, faith-based leaders, or other community-based organizations in recognizing and addressing instances of elder abuse; or

''(ii) conduct outreach activities and awareness campaigns to ensure that victims of elder abuse receive appropriate assistance.

''(3) UNDERSERVED POPULATIONS.—In making grants under this section, the Attorney General shall give priority to proposals providing culturally specific or population specific services.

''(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $9,000,000 for each of fiscal years 2012 through 2016.''.

TITLE III—SERVICES, PROTECTION, AND JUSTICE FOR YOUNG VICTIMS OF VIOLENCE

SEC. 301. RAPE PREVENTION EDUCATION GRANT.

Section 393A of the Public Health Service Act (42 U.S.C. 280b–1b) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting '', territorial or tribal'' after ''crisis centers, State''; and

(B) in paragraph (6), by inserting ''and alcohol'' after ''about drugs''; and

(2) in subsection (c)(1), by striking ''$80,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$50,000,000 for each of fiscal years 2012 through 2016''.

SEC. 302. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH.

(a) IN GENERAL.—Subtitle L of the Violence Against Women Act of 1994 is amended by striking sections 41201 through 41204 (42 U.S.C. 14043c through 14043c–3) and inserting the following:

''SEC. 41201. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH ('CHOOSE CHILDREN & YOUTH').

''(a) GRANTS AUTHORIZED.—The Attorney General, working in collaboration with the Secretary of Health and Human Services and the Secretary of Education, shall award grants to enhance the safety of youth and children who are victims of, or exposed to, domestic violence, dating violence, sexual assault, or stalking and prevent future violence.

''(b) PROGRAM PURPOSES.—Funds provided under this section may be used for the following program purpose areas:

''(1) SERVICES TO ADVOCATE FOR AND RESPOND TO YOUTH.—To develop, expand, and strengthen victim-centered interventions and services that target youth who are victims of domestic violence, dating violence, sexual assault, and stalking. Services may include victim services, counseling, advocacy, mentoring, educational support, transportation, legal assistance in civil, criminal and administrative matters, such as family law cases, housing cases, child welfare proceedings, campus administrative proceedings, and civil protection order proceedings, services to address the co-occurrence of sex trafficking, population-specific services, and other activities that support youth in finding safety, stability, and justice and in addressing the emotional, cognitive, and physical effects of trauma. Funds may be used to—

''(A) assess and analyze currently available services for youth victims of domestic violence, dating violence, sexual assault, and stalking, determining relevant barriers to such services in a particular locality, and developing a community protocol to address such problems collaboratively;

''(B) develop and implement policies, practices, and procedures to effectively respond to domestic violence, dating violence, sexual assault, or stalking against youth; or

''(C) provide technical assistance and training to enhance the ability of school personnel, victim service providers, child protective service workers, staff of law enforcement agencies, prosecutors, court personnel, individuals who work in after school programs, medical personnel, social workers, mental health personnel, and workers in other programs that serve children and youth to improve their ability to appropriately respond to the needs of children and youth who are victims of domestic violence, dating violence, sexual assault, stalking, as well as runaway and homeless youth, and to properly refer such children, youth, and their families to appropriate services.

''(2) SUPPORTING YOUTH THROUGH EDUCATION AND PROTECTION.—To enable middle schools, high schools, and institutions of higher education to—

''(A) provide training to school personnel, including healthcare providers and security personnel, on the needs of students who are victims of domestic violence, dating violence, sexual assault, or stalking;

''(B) develop and implement prevention and intervention policies in middle and high schools, including appropriate responses to, and identification and referral procedures for, students who are experiencing or perpetrating domestic violence, dating violence, sexual assault, or stalking, and procedures for handling the requirements of court protective orders issued to or against students;

''(C) provide support services for student victims of domestic violence, dating violence, sexual assault or stalking, such as a resource person who is either on-site or on-call;

''(D) provide scientifically valid educational programming for students regarding domestic violence, dating violence, sexual assault, and stalking that is produced by accredited entities; or

''(E) develop strategies to increase identification, support, referrals, and prevention programming for youth who are at high risk of domestic violence, dating violence, sexual assault, or stalking.

''(c) ELIGIBLE APPLICANTS.—

''(1) IN GENERAL.—To be eligible to receive a grant under this section, an entity shall be—

''(A) a victim service provider, tribal nonprofit, or population-specific or community-based organization with a demonstrated history of effective work addressing the needs of youth, including runaway or homeless youth, who are victims of domestic violence, dating violence, sexual assault, or stalking; or

''(B) a victim service provider that is partnered with an entity that has a demonstrated history of effective work addressing the needs of youth.

''(2) PARTNERSHIPS.—

''(A) EDUCATION.—To be eligible to receive a grant for the purposes described in subsection (b)(2), an entity described in paragraph (1) shall be partnered with a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents' Education Act of 1978, a group of schools, a school district, or an institution of higher education.

''(B) OTHER PARTNERSHIPS.—All applicants under this section are encouraged to work in partnership with organizations and agencies that work with the relevant population. Such entities may include—

''(i) a State, tribe, unit of local government, or territory;

''(ii) a population specific or community-based organization;

''(iii) batterer intervention programs or sex offender treatment programs with specialized knowledge and experience working with youth offenders; or

''(iv) any other agencies or nonprofit, nongovernmental organizations with the capacity to provide effective assistance to the adult, youth, and child victims served by the partnership.

''(d) GRANTEE REQUIREMENTS.—Applicants for grants under this section shall establish and implement policies, practices, and procedures that—

''(1) require and include appropriate referral systems for child and youth victims;

''(2) protect the confidentiality and privacy of child and youth victim information, particularly in the context of parental or third party involvement and consent, mandatory reporting duties, and working with other service providers all with priority on victim safety and autonomy; and

''(3) ensure that all individuals providing intervention or prevention programming to children or youth through a program funded under this section have completed, or will complete, sufficient training in connection with domestic violence, dating violence, sexual assault, and stalking.

''(e) DEFINITIONS AND GRANT CONDITIONS.—In this section, the definitions and grant conditions provided for in section 40002 shall apply.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $15,000,000 for each of fiscal years 2012 through 2016.

''(g) ALLOTMENT.—

''(1) IN GENERAL.—Not less than 50 percent of the total amount appropriated under this section for each fiscal year shall be used for the purposes described in subsection (b)(1).

''(2) INDIAN TRIBES.—Not less than 10 percent of the total amount appropriated under this section for each fiscal year shall be made available for grants under the program authorized by section 2015 of the Omnibus Crime Control and Safe Streets Act of 1968.

''(h) PRIORITY.—The Attorney General shall prioritize grant applications under this section that coordinate with prevention programs in the community.''.

(b) VAWA GRANT REQUIREMENTS.—Section 40002(b) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)) is amended by adding at the end the following:

''(12) REQUIREMENT FOR SCIENTIFICALLY VALID PROGRAMS.—All grant funds made available by this Act shall be used to provide scientifically valid educational programming, training, public awareness communications regarding domestic violence, dating violence, sexual assault, and stalking that is produced by accredited entities, as appropriate.''.

SEC. 303. GRANTS TO COMBAT VIOLENT CRIMES ON CAMPUSES.

Section 304 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045b) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ''stalking on campuses, and'' and inserting ''stalking on campuses,'';

(ii) by striking ''crimes against women on'' and inserting ''crimes on''; and

(iii) by inserting '', and to develop and strengthen prevention education and awareness programs'' before the period; and

(B) in paragraph (2), by striking ''$500,000'' and inserting ''$300,000'';

(2) in subsection (b)—

(A) in paragraph (2)—

(i) by inserting '', strengthen,'' after ''To develop''; and

(ii) by inserting ''including the use of technology to commit these crimes,'' after ''sexual assault and stalking,'';

(B) in paragraph (4)—

(i) by inserting ''and population specific services'' after ''strengthen victim services programs'';

(ii) by striking ''entities carrying out'' and all that follows through ''stalking victim services programs'' and inserting ''victim service providers''; and

(iii) by inserting '', regardless of whether the services are provided by the institution or in coordination with community victim service providers'' before the period at the end; and

(C) by adding at the end the following:

''(9) To provide scientifically valid educational programming for students regarding domestic violence, dating violence, sexual assault, and stalking that is produced by accredited entities.

''(10) To develop or adapt population specific strategies and projects for victims of domestic violence, dating violence, sexual assault, and stalking from underserved populations on campus.'';

(3) in subsection (c)—

(A) in paragraph (2)—

(i) in subparagraph (B), by striking ''any non-profit'' and all that follows through ''victim services programs'' and inserting ''victim service providers'';

(ii) by redesignating subparagraphs (D) through (F) as subparagraphs (E) through (G), respectively; and

(iii) by inserting after subparagraph (C), the following:

''(D) describe how underserved populations in the campus community will be adequately served, including the provision of relevant population specific services;''; and

(B) in paragraph (3), by striking ''2007 through 2011'' and inserting ''2012 through 2016'';

(4) in subsection (d)—

(A) by redesignating paragraph (3) as paragraph (4); and

(B) by inserting after paragraph (2), the following:

''(3) GRANTEE MINIMUM REQUIREMENTS.—Each grantee shall comply with the following minimum requirements during the grant period:

''(A) The grantee shall create a coordinated community response including both organizations external to the institution and relevant divisions of the institution.

''(B) The grantee shall establish a mandatory prevention and education program on domestic violence, dating violence, sexual assault, and stalking for all incoming students.

''(C) The grantee shall train all campus law enforcement to respond effectively to domestic violence, dating violence, sexual assault, and stalking.

''(D) The grantee shall train all members of campus disciplinary boards to respond effectively to situations involving domestic violence, dating violence, sexual assault, or stalking.''; and

(5) in subsection (e), by striking ''there are'' and all that follows through the period and inserting ''there is authorized to be appropriated $12,000,000 for each of fiscal years 2012 through 2016.''.

SEC. 304. CAMPUS SEXUAL VIOLENCE, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING EDUCATION AND PREVENTION.

(a) IN GENERAL.—Section 485(f) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)) is amended—

(1) in paragraph (1)(F)—

(A) in clause (i)(VIII), by striking ''and'' after the semicolon;

(B) in clause (ii)—

(i) by striking ''sexual orientation'' and inserting ''national origin, sexual orientation,''; and

(ii) by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(iii) of domestic violence, dating violence, and stalking incidents that were reported to campus security authorities or local police agencies.'';

(2) in paragraph (3), by inserting '', that withholds the names of victims as confidential,'' after ''that is timely'';

(3) in paragraph (6)(A)—

(A) by redesignating clauses (i), (ii), and (iii) as clauses (ii), (iii), and (iv), respectively;

(B) by inserting before clause (ii), as redesignated by subparagraph (A), the following:

''(i) The terms 'dating violence', 'domestic violence', and 'stalking' have the meaning given such terms in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).''; and

(C) by inserting after clause (iv), as redesignated by subparagraph (A), the following:

''(v) The term 'sexual assault' means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.'';

(4) in paragraph (7)—

(A) by striking ''paragraph (1)(F)'' and inserting ''clauses (i) and (ii) of paragraph (1)(F)''; and

(B) by inserting after ''Hate Crime Statistics Act.'' the following: ''For the offenses of domestic violence, dating violence, and stalking, such statistics shall be compiled in accordance with the definitions used in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).'';

(5) by striking paragraph (8) and inserting the following:

''(8)(A) Each institution of higher education participating in any program under this title and title IV of the Economic Opportunity Act of 1964, other than a foreign institution of higher education, shall develop and distribute as part of the report described in paragraph (1) a statement of policy regarding—

''(i) such institution's programs to prevent domestic violence, dating violence, sexual assault, and stalking; and

''(ii) the procedures that such institution will follow once an incident of domestic violence, dating violence, sexual assault, or stalking has been reported.

''(B) The policy described in subparagraph (A) shall address the following areas:

''(i) Possible sanctions or protective measures that such institution may impose following a final determination of an institutional disciplinary procedure regarding rape, acquaintance rape, domestic violence, dating violence, sexual assault, or stalking.

''(ii) Procedures victims should follow if a sex offense, domestic violence, dating violence, sexual assault, or stalking has occurred, including information in writing about—

''(I) the importance of preserving evidence as may be necessary to the proof of criminal domestic violence, dating violence, sexual assault, or stalking, or in obtaining a protection order;

''(II) to whom the alleged offense should be reported;

''(III) options regarding law enforcement and campus authorities, including notification of the victim's option to—

''(aa) notify proper law enforcement authorities, including on-campus and local police;

''(bb) be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses; and

''(cc) decline to notify such authorities; and

''(IV) where applicable, the rights of victims and the institution's responsibilities regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

''(iii) Information about how the institution will protect the confidentiality of victims, including how publicly-available recordkeeping will be accomplished without the inclusion of identifying information about the victim, to the extent permissible by law.

''(iv) Notification of students about existing counseling, health, mental health, victim advocacy, legal assistance, and other services available for victims both on-campus and in the community.

''(v) Notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations, if so requested by the victim and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

''(C) A student or employee who reports to an institution of higher education that the student or employee has been a victim of domestic violence, dating violence, sexual assault, or stalking, whether the offense occurred on or off campus, shall be provided with a written explanation of the student or employee's rights and options, as described

in clauses (ii) through (vii) of subparagraph (B).'';

(6) in paragraph (9), by striking ''The Secretary'' and inserting ''The Secretary, in consultation with the Attorney General of the United States,'';

(7) by striking paragraph (16) and inserting the following:

''(16)(A) The Secretary shall seek the advice and counsel of the Attorney General of the United States concerning the development, and dissemination to institutions of higher education, of best practices information about campus safety and emergencies.

''(B) The Secretary shall seek the advice and counsel of the Attorney General of the United States and the Secretary of Health and Human Services concerning the development, and dissemination to institutions of higher education, of best practices information about preventing and responding to incidents of domestic violence, dating violence, sexual assault, and stalking, including elements of institutional policies that have proven successful based on evidence-based outcome measurements.''; and

(8) by striking paragraph (17) and inserting the following:

''(17) No officer, employee, or agent of an institution participating in any program under this title shall retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision of this subsection.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect with respect to the annual security report under section 485(f)(1) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)(1)) prepared by an institution of higher education 1 calendar year after the date of enactment of this Act, and each subsequent calendar year.

TITLE IV—VIOLENCE REDUCTION PRACTICES

SEC. 401. STUDY CONDUCTED BY THE CENTERS FOR DISEASE CONTROL AND PREVENTION.

Section 402(c) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 280b–4(c)) is amended by striking ''$2,000,000 for each of the fiscal years 2007 through 2011'' and inserting ''$500,000 for each of fiscal years 2012 through 2016''.

SEC. 402. SAVING MONEY AND REDUCING TRAGEDIES THROUGH PREVENTION GRANTS.

(a) SMART PREVENTION.—Section 41303 of the Violence Against Women Act of 1994 (42 U.S.C. 14043d–2) is amended to read as follows:

''SEC. 41303. SAVING MONEY AND REDUCING TRAGEDIES THROUGH PREVENTION (SMART PREVENTION).

''(a) GRANTS AUTHORIZED.—The Attorney General, in consultation with the Secretary of Health and Human Services and the Secretary of Education, is authorized to award grants for the purpose of preventing domestic violence, dating violence, sexual assault, and stalking by taking a comprehensive approach that focuses on youth, children exposed to violence, and men as leaders and influencers of social norms.

''(b) USE OF FUNDS.—Funds provided under this section may be used for the following purposes:

''(1) TEEN DATING VIOLENCE AWARENESS AND PREVENTION.—To develop, maintain, or enhance programs that change attitudes and behaviors around the acceptability of domestic violence, dating violence, sexual assault, and stalking and provide education and skills training to young individuals and individuals who influence young individuals. The prevention program may use evidence-based, evidence-informed, or innovative strategies and practices focused on youth. Such a program should include—

''(A) scientifically valid age appropriate education that is produced by accredited entities on domestic violence, dating violence, sexual assault, stalking, and sexual coercion, as well as healthy relationship skills, in school, in the community, or in health care settings;

''(B) community-based collaboration and training for those with influence on youth, such as parents, teachers, coaches, healthcare providers, faith-leaders, older teens, and mentors;

''(C) education and outreach to change environmental factors contributing to domestic violence, dating violence, sexual assault, and stalking; and

''(D) policy development targeted to prevention, including school-based policies and protocols.

''(2) CHILDREN EXPOSED TO VIOLENCE AND ABUSE.—To develop, maintain or enhance programs designed to prevent future incidents of domestic violence, dating violence, sexual assault, and stalking by preventing, reducing and responding to children's exposure to violence in the home. Such programs may include—

''(A) providing services for children exposed to domestic violence, dating violence, sexual assault or stalking, including direct counseling or advocacy, and support for the non-abusing parent; and

''(B) training and coordination for educational, after-school, and childcare programs on how to safely and confidentially identify children and families experiencing domestic violence, dating violence, sexual assault, or stalking and properly refer children exposed and their families to services and violence prevention programs.

''(c) ELIGIBLE ENTITIES.—To be an eligible to receive a grant under this section, an entity shall be—

''(1) a victim service provider, community-based organization, tribe or tribal organization, or other non-profit, nongovernmental organization that has a history of effective work preventing domestic violence, dating violence, sexual assault, or stalking and expertise in the specific area for which they are applying for funds; or

''(2) a partnership between a victim service provider, community-based organization, tribe or tribal organization, or other non-profit, nongovernmental organization that has a history of effective work preventing domestic violence, dating violence, sexual assault, or stalking and at least one of the following:

''(A) A public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents' Education Act of 1978, a group of schools, or a school district.

''(B) A local community-based organization, population-specific organization, or faith-based organization that has established expertise in providing services to youth.

''(C) A community-based organization, population-specific organization, university or health care clinic, faith-based organization, or other non-profit, nongovernmental organization.

''(D) A nonprofit, nongovernmental entity providing services for runaway or homeless youth affected by domestic violence, dating violence, sexual assault, or stalking.

''(E) Healthcare entities eligible for reimbursement under title XVIII of the Social Security Act, including providers that target the special needs of children and youth.

''(F) Any other agencies, population-specific organizations, or nonprofit, nongovernmental organizations with the capacity to provide necessary expertise to meet the goals of the program.

''(d) GRANTEE REQUIREMENTS.—

''(1) IN GENERAL.—Applicants for grants under this section shall prepare and submit to the Director an application at such time, in such manner, and containing such information as the Director may require that demonstrates the capacity of the applicant and partnering organizations to undertake the project.

''(2) POLICIES AND PROCEDURES.—Applicants under this section shall establish and implement policies, practices, and procedures that—

''(A) include appropriate referral systems to direct any victim identified during program activities to highly qualified follow-up care;

''(B) protect the confidentiality and privacy of adult and youth victim information, particularly in the context of parental or third party involvement and consent, mandatory reporting duties, and working with other service providers;

''(C) ensure that all individuals providing prevention programming through a program funded under this section have completed or will complete sufficient training in connection with domestic violence, dating violence, sexual assault or stalking; and

''(D) document how prevention programs are coordinated with service programs in the community.

''(3) PREFERENCE.—In selecting grant recipients under this section, the Attorney General shall give preference to applicants that—

''(A) include outcome-based evaluation; and

''(B) identify any other community, school, or State-based efforts that are working on domestic violence, dating violence, sexual assault, or stalking prevention and explain how the grantee or partnership will add value, coordinate with other programs, and not duplicate existing efforts.

''(e) DEFINITIONS AND GRANT CONDITIONS.—In this section, the definitions and grant conditions provided for in section 40002 shall apply.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $15,000,000 for each of fiscal years 2012 through 2016.

''(g) ALLOTMENT.—

''(1) IN GENERAL.—Not less than 25 percent of the total amounts appropriated under this section in each fiscal year shall be used for each set of purposes described in paragraphs (1), (2), and (3) of subsection (a).

''(2) INDIAN TRIBES.—Not less than 10 percent of the total amounts appropriated under this section in each fiscal year shall be made available for grants to Indian tribes or tribal organizations.''.

(b) REPEALS.—The following provisions are repealed:

(1) Sections 41304 and 41305 of the Violence Against Women Act of 1994 (42 U.S.C. 14043d–3 and 14043d–4).

(2) Section 403 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045c).

TITLE V—STRENGTHENING THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 501. CONSOLIDATION OF GRANTS TO STRENGTHEN THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

(a) GRANTS.—Section 399P of the Public Health Service Act (42 U.S.C. 280g–4) is amended to read as follows:

"SEC. 399P. GRANTS TO STRENGTHEN THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

''(a) IN GENERAL.—The Secretary shall award grants for—

''(1) the development or enhancement and implementation of interdisciplinary training for health professionals, public health staff, and allied health professionals;

''(2) the development or enhancement and implementation of education programs for medical, nursing, dental, and other health profession students and residents to prevent and respond to domestic violence, dating violence, sexual assault, and stalking; and

''(3) the development or enhancement and implementation of comprehensive statewide strategies to improve the response of clinics, public health facilities, hospitals, and other health settings (including behavioral and mental health programs) to domestic violence, dating violence, sexual assault, and stalking.

''(b) USE OF FUNDS.—

''(1) REQUIRED USES.—Amounts provided under a grant under this section shall be used to—

''(A) fund interdisciplinary training and education programs under paragraphs (1) and (2) of subsection (a) that—

''(i) are designed to train medical, psychology, dental, social work, nursing, and other health profession students, interns, residents, fellows, or current health care providers to identify and provide health care services (including mental or behavioral health care services and referrals to appropriate community services) to individuals who are or who have been victims of domestic violence, dating violence, sexual assault, or stalking; and

''(ii) plan and develop culturally competent clinical training components for integration into approved internship, residency, and fellowship training or continuing medical or other health education training that address physical, mental, and behavioral health issues, including protective factors, related to domestic violence, dating violence, sexual assault, stalking, and other forms of violence and abuse, focus on reducing health disparities and preventing violence and abuse, and include the primacy of victim safety and confidentiality;

''(B) design and implement comprehensive strategies to improve the response of the health care system to domestic or sexual violence in clinical and public health settings, hospitals, clinics, and other health settings (including behavioral and mental health), under subsection (a)(3) through—

''(i) the implementation, dissemination, and evaluation of policies and procedures to guide health professionals and public health staff in identifying and responding to domestic violence, dating violence, sexual assault, and stalking, including strategies to ensure that health information is maintained in a manner that protects the patient's privacy and safety, and safely uses health information technology to improve documentation, identification, assessment, treatment, and follow-up care;

''(ii) the development of on-site access to services to address the safety, medical, and mental health needs of patients by increasing the capacity of existing health care professionals and public health staff to address domestic violence, dating violence, sexual assault, and stalking, or by contracting with or hiring domestic or sexual assault advocates to provide such services or to model other services appropriate to the geographic and cultural needs of a site;

''(iii) the development of measures and methods for the evaluation of the practice of identification, intervention, and documentation regarding victims of domestic violence, dating violence, sexual assault, and stalking, including the development and testing of quality improvement measurements; and

''(iv) the provision of training and follow-up technical assistance to health care professionals, and public health staff, and allied health professionals to identify, assess, treat, and refer clients who are victims of domestic violence, dating violence, sexual assault, or stalking, including using tools and training materials already developed.

''(2) PERMISSIBLE USES.—

''(A) CHILD AND ELDER ABUSE.—To the extent consistent with the purpose of this section, a grantee may use amounts received under this section to address, as part of a comprehensive programmatic approach implemented under the grant, issues relating to child or elder abuse.

''(B) RURAL AREAS.—Grants funded under paragraphs (1) and (2) of subsection (a) may be used to offer to rural areas community-based training opportunities, which may include the use of distance learning networks and other available technologies needed to reach isolated rural areas, for medical, nursing, and other health profession students and residents on domestic violence, dating violence, sexual assault, stalking, and, as appropriate, other forms of violence and abuse.

''(C) OTHER USES.—Grants funded under subsection (a)(3) may be used for—

''(i) the development of training modules and policies that address the overlap of child abuse, domestic violence, dating violence, sexual assault, and stalking and elder abuse, as well as childhood exposure to domestic and sexual violence;

''(ii) the development, expansion, and implementation of sexual assault forensic medical examination or sexual assault nurse examiner programs;

''(iii) the inclusion of the health effects of lifetime exposure to violence and abuse as well as related protective factors and behavioral risk factors in health professional training schools including medical, dental, nursing, social work, and mental and behavioral health curricula, and allied health service training courses; or

''(iv) the integration of knowledge of domestic violence, dating violence, sexual assault, and stalking into health care accreditation and professional licensing examinations, such as medical, dental, social work, and nursing boards, and where appropriate, other allied health exams.

''(c) REQUIREMENTS FOR GRANTEES.—

''(1) CONFIDENTIALITY AND SAFETY.—

''(A) IN GENERAL.—Grantees under this section shall ensure that all programs developed with grant funds address issues of confidentiality and patient safety and comply with applicable confidentiality and nondisclosure requirements under section 40002(b)(2) of the Violence Against Women Act of 1994 and the Family Violence Prevention and Services Act, and that faculty and staff associated with delivering educational components are fully trained in procedures that will protect the immediate and ongoing security and confidentiality of the patients, patient records, and staff. Such grantees shall consult entities with demonstrated expertise in the confidentiality and safety needs of victims of domestic violence, dating violence, sexual assault, and stalking on the development and adequacy of confidentially and security procedures, and provide documentation of such consultation.

''(B) ADVANCE NOTICE OF INFORMATION DISCLOSURE.—Grantees under this section shall provide to patients advance notice about any circumstances under which information may be disclosed, such as mandatory reporting laws, and shall give patients the option to receive information and referrals without affirmatively disclosing abuse.

''(2) LIMITATION ON ADMINISTRATIVE EXPENSES.—A grantee shall use not more than 10 percent of the amounts received under a grant under this section for administrative expenses.

''(3) APPLICATION.—

''(A) PREFERENCE.—In selecting grant recipients under this section, the Secretary shall give preference to applicants based on the strength of their evaluation strategies, with priority given to outcome based evaluations.

''(B) SUBSECTION (a)(1) AND (2) GRANTEES.—Applications for grants under paragraphs (1) and (2) of subsection (a) shall include—

''(i) documentation that the applicant represents a team of entities working collaboratively to strengthen the response of the health care system to domestic violence, dating violence, sexual assault, or stalking, and which includes at least one of each of—

''(I) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or other health field;

''(II) a health care facility or system; or

''(III) a government or nonprofit entity with a history of effective work in the fields of domestic violence, dating violence, sexual assault, or stalking; and

''(ii) strategies for the dissemination and sharing of curricula and other educational materials developed under the grant, if any, with other interested health professions schools and national resource repositories for materials on domestic violence, dating violence, sexual assault, and stalking.

''(C) SUBSECTION (a)(3) GRANTEES.—An entity desiring a grant under subsection (a)(3) shall submit an application to the Secretary at such time, in such a manner, and containing such information and assurances as the Secretary may require, including—

''(i) documentation that all training, education, screening, assessment, services, treatment, and any other approach to patient care will be informed by an understanding of violence and abuse victimization and trauma-specific approaches that will be integrated into prevention, intervention, and treatment activities;

''(ii) strategies for the development and implementation of policies to prevent and address domestic violence, dating violence, sexual assault, and stalking over the lifespan in health care settings;

''(iii) a plan for consulting with State and tribal domestic violence or sexual assault coalitions, national nonprofit victim advocacy organizations, State or tribal law enforcement task forces (where appropriate), and population specific organizations with demonstrated expertise in domestic violence, dating violence, sexual assault, or stalking;

''(iv) with respect to an application for a grant under which the grantee will have contact with patients, a plan, developed in collaboration with local victim service providers, to respond appropriately to and make correct referrals for individuals who disclose that they are victims of domestic violence, dating violence, sexual assault, stalking, or other types of violence, and documentation provided by the grantee of an ongoing collaborative relationship with a local victim service provider; and

''(v) with respect to an application for a grant proposing to fund a program described in subsection (b)(2)(C)(ii), a certification that any sexual assault forensic medical examination and sexual assault nurse examiner programs supported with such grant funds will adhere to the guidelines set forth by the Attorney General.

''(d) ELIGIBLE ENTITIES.—

''(1) IN GENERAL.—To be eligible to receive funding under paragraph (1) or (2) of subsection (a), an entity shall be—

''(A) a nonprofit organization with a history of effective work in the field of training health professionals with an understanding of, and clinical skills pertinent to, domestic violence, dating violence, sexual assault, or stalking, and lifetime exposure to violence and abuse;

''(B) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or allied health;

''(C) a health care provider membership or professional organization, or a health care system; or

''(D) a State, tribal, territorial, or local entity.

''(2) SUBSECTION (a)(3) GRANTEES.—To be eligible to receive funding under subsection (a)(3), an entity shall be—

''(A) a State department (or other division) of health, a State, tribal, or territorial domestic violence or sexual assault coalition or victim service provider, or any other nonprofit, nongovernmental organization with a history of effective work in the fields of domestic violence, dating violence, sexual assault, or stalking, and health care, including physical or mental health care; or

''(B) a local victim service provider, a local department (or other division) of health, a local health clinic, hospital, or health system, or any other community-based organization with a history of effective work in the field of domestic violence, dating violence, sexual assault, or stalking and health care, including physical or mental health care.

''(e) TECHNICAL ASSISTANCE.—

''(1) IN GENERAL.—Of the funds made available to carry out this section for any fiscal year, the Secretary may make grants or enter into contracts to provide technical assistance with respect to the planning, development, and operation of any program, activity or service carried out pursuant to this section. Not more than 8 percent of the funds appropriated under this section in each fiscal year may be used to fund technical assistance under this subsection.

''(2) AVAILABILITY OF MATERIALS.—The Secretary shall make publicly available materials developed by grantees under this section, including materials on training, best practices, and research and evaluation.

''(3) REPORTING.—The Secretary shall publish a biennial report on—

''(A) the distribution of funds under this section; and

''(B) the programs and activities supported by such funds.

''(f) RESEARCH AND EVALUATION.—

''(1) IN GENERAL.—Of the funds made available to carry out this section for any fiscal year, the Secretary may use not more than 20 percent to make a grant or enter into a contract for research and evaluation of—

''(A) grants awarded under this section; and

''(B) other training for health professionals and effective interventions in the health care setting that prevent domestic violence, dating violence, and sexual assault across the lifespan, prevent the health effects of such violence, and improve the safety and health of individuals who are currently being victimized.

''(2) RESEARCH.—Research authorized in paragraph (1) may include—

''(A) research on the effects of domestic violence, dating violence, sexual assault, and childhood exposure to domestic, dating or sexual violence on health behaviors, health conditions, and health status of individuals, families, and populations, including underserved populations;

''(B) research to determine effective health care interventions to respond to and prevent domestic violence, dating violence, sexual assault, and stalking;

''(C) research on the impact of domestic, dating and sexual violence, childhood exposure to such violence, and stalking on the health care system, health care utilization, health care costs, and health status; and

''(D) research on the impact of adverse childhood experiences on adult experience with domestic violence, dating violence, sexual assault, stalking, and adult health outcomes, including how to reduce or prevent the impact of adverse childhood experiences through the health care setting.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2012 through 2016.

''(h) DEFINITIONS.—Except as otherwise provided herein, the definitions provided for in section 40002 of the Violence Against Women Act of 1994 shall apply to this section.''.

(b) REPEALS.—The following provisions are repealed:

(1) Section 40297 of the Violence Against Women Act of 1994 (42 U.S.C. 13973).

(2) Section 758 of the Public Health Service Act (42 U.S.C. 294h).

TITLE VI—SAFE HOMES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 601. HOUSING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

(a) AMENDMENT.—Subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e et seq.) is amended—

(1) by inserting after the subtitle heading the following:

''CHAPTER 1—GRANT PROGRAMS'';

(2) in section 41402 (42 U.S.C. 14043e–1), in the matter preceding paragraph (1), by striking ''subtitle'' and inserting ''chapter'';

(3) in section 41403 (42 U.S.C. 14043e–2), in the matter preceding paragraph (1), by striking ''subtitle'' and inserting ''chapter''; and

(4) by adding at the end the following:

''CHAPTER 2—HOUSING RIGHTS

''SEC. 41411. HOUSING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

''(a) DEFINITIONS.—In this chapter:

''(1) AFFILIATED INDIVIDUAL.—The term 'affiliated individual' means, with respect to an individual—

''(A) a spouse, parent, brother, sister, or child of that individual, or an individual to whom that individual stands in loco parentis; or

''(B) any individual, tenant, or lawful occupant living in the household of that individual.

''(2) APPROPRIATE AGENCY.—The term 'appropriate agency' means, with respect to a covered housing program, the Executive department (as defined in section 101 of title 5, United States Code) that carries out the covered housing program.

''(3) COVERED HOUSING PROGRAM.—The term 'covered housing program' means—

''(A) the program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q);

''(B) the program under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013);

''(C) the program under subtitle D of title VIII of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12901 et seq.);

''(D) the program under subtitle A of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360 et seq.);

''(E) the program under subtitle A of title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12741 et seq.);

''(F) the program under paragraph (3) of section 221(d) of the National Housing Act (12 U.S.C. 1715l(d)) that bears interest at a rate determined under the proviso under paragraph (5) of such section 221(d);

''(G) the program under section 236 of the National Housing Act (12 U.S.C. 1715z–1);

''(H) the programs under sections 6 and 8 of the United States Housing Act of 1937 (42 U.S.C. 1437d and 1437f);

''(I) rural housing assistance provided under sections 514, 515, 516, 533, and 538 of the Housing Act of 1949 (42 U.S.C. 1484, 1485, 1486, 1490m, and 1490p–2); and

''(J) the low income housing tax credit program under section 42 of the Internal Revenue Code of 1986.

''(b) PROHIBITED BASIS FOR DENIAL OR TERMINATION OF ASSISTANCE OR EVICTION.—

''(1) IN GENERAL.—An applicant for or tenant of housing assisted under a covered housing program may not be denied admission to, denied assistance under, terminated from participation in, or evicted from the housing on the basis that the applicant or tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, if the applicant or tenant otherwise qualifies for admission, assistance, participation, or occupancy.

''(2) CONSTRUCTION OF LEASE TERMS.—An incident of actual or threatened domestic violence, dating violence, sexual assault, or stalking shall not be construed as—

''(A) a serious or repeated violation of a lease for housing assisted under a covered housing program by the victim or threatened victim of such incident; or

''(B) good cause for terminating the assistance, tenancy, or occupancy rights to housing assisted under a covered housing program of the victim or threatened victim of such incident.

''(3) TERMINATION ON THE BASIS OF CRIMINAL ACTIVITY.—

''(A) DENIAL OF ASSISTANCE, TENANCY, AND OCCUPANCY RIGHTS PROHIBITED.—No person may deny assistance, tenancy, or occupancy rights to housing assisted under a covered housing program to a tenant solely on the basis of criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking that is engaged in by a member of the household of the tenant or any guest or other person under the control of the tenant, if the tenant or an affiliated individual of the tenant is the victim or threatened victim of such domestic violence, dating violence, sexual assault, or stalking.

''(B) BIFURCATION.—

''(i) IN GENERAL.—Notwithstanding subparagraph (A), a public housing agency or owner or manager of housing assisted under a covered housing program may bifurcate a lease for the housing in order to evict, remove, or terminate assistance to any individual who is a tenant or lawful occupant of the housing and who engages in criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking against an affiliated individual or other individual, without evicting, removing, terminating assistance to, or otherwise penalizing a victim of such criminal activity who is also a tenant or lawful occupant of the housing.

''(ii) EFFECT OF EVICTION ON OTHER TENANTS.—If public housing agency or owner or manager of housing assisted under a covered housing program evicts, removes, or terminates assistance to an individual under clause (i), and the individual is the sole tenant eligible to receive assistance under a covered housing program, the public housing agency or owner or manager of housing assisted under the covered housing program shall provide any remaining tenant an opportunity to establish eligibility for the covered

housing program. If a tenant described in the preceding sentence cannot establish eligibility, the public housing agency or owner or manager of the housing shall provide the tenant a reasonable time, as determined by the appropriate agency, to find new housing or to establish eligibility for housing under another covered housing program.

''(C) RULES OF CONSTRUCTION.—Nothing in subparagraph (A) shall be construed—

''(i) to limit the authority of a public housing agency or owner or manager of housing assisted under a covered housing program, when notified of a court order, to comply with a court order with respect to—

''(I) the rights of access to or control of property, including civil protection orders issued to protect a victim of domestic violence, dating violence, sexual assault, or stalking; or

''(II) the distribution or possession of property among members of a household in a case;

''(ii) to limit any otherwise available authority of a public housing agency or owner or manager of housing assisted under a covered housing program to evict or terminate assistance to a tenant for any violation of a lease not premised on the act of violence in question against the tenant or an affiliated person of the tenant, if the public housing agency or owner or manager does not subject an individual who is or has been a victim of domestic violence, dating violence, or stalking to a more demanding standard than other tenants in determining whether to evict or terminate;

''(iii) to limit the authority to terminate assistance to a tenant or evict a tenant from housing assisted under a covered housing program if a public housing agency or owner or manager of the housing can demonstrate that an actual and imminent threat to other tenants or individuals employed at or providing service to the property would be present if the assistance is not terminated or the tenant is not evicted; or

''(iv) to supersede any provision of any Federal, State, or local law that provides greater protection than this section for victims of domestic violence, dating violence, sexual assault, or stalking.

''(c) DOCUMENTATION.—

''(1) REQUEST FOR DOCUMENTATION.—If an applicant for, or tenant of, housing assisted under a covered housing program represents to a public housing agency or owner or manager of the housing that the individual is entitled to protection under subsection (b), the public housing agency or owner or manager may request, in writing, that the applicant or tenant submit to the public housing agency or owner or manager a form of documentation described in paragraph (3).

''(2) FAILURE TO PROVIDE CERTIFICATION.—

''(A) IN GENERAL.—If an applicant or tenant does not provide the documentation requested under paragraph (1) within 14 business days after the tenant receives a request in writing for such certification from a public housing agency or owner or manager of housing assisted under a covered housing program, nothing in this chapter may be construed to limit the authority of the public housing agency or owner or manager to—

''(i) deny admission by the applicant or tenant to the covered program;

''(ii) deny assistance under the covered program to the applicant or tenant;

''(iii) terminate the participation of the applicant or tenant in the covered program; or

''(iv) evict the applicant, the tenant, or a lawful occupant that commits violations of a lease.

''(B) EXTENSION.—A public housing agency or owner or manager of housing may extend the 14-day deadline under subparagraph (A) at its discretion.

''(3) FORM OF DOCUMENTATION.—A form of documentation described in this paragraph is—

''(A) a certification form approved by the appropriate agency that—

''(i) states that an applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking;

''(ii) states that the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection under subsection (b) meets the requirements under subsection (b); and

''(iii) includes the name of the individual who committed the domestic violence, dating violence, sexual assault, or stalking, if the name is known and safe to provide;

''(B) a document that—

''(i) is signed by—

''(I) an employee, agent, or volunteer of a victim service provider, an attorney, a medical professional, or a mental health professional from whom an applicant or tenant has sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of the abuse; and

''(II) the applicant or tenant; and

''(ii) states under penalty of perjury that the individual described in clause (i)(I) believes that the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection under subsection (b) meets the requirements under subsection (b);

''(C) a record of a Federal, State, tribal, territorial, or local law enforcement agency, court, or administrative agency; or

''(D) at the discretion of a public housing agency or owner or manager of housing assisted under a covered housing program, a statement or other evidence provided by an applicant or tenant.

''(4) CONFIDENTIALITY.—Any information submitted to a public housing agency or owner or manager under this subsection, including the fact that an individual is a victim of domestic violence, dating violence, sexual assault, or stalking shall be maintained in confidence by the public housing agency or owner or manager and may not be entered into any shared database or disclosed to any other entity or individual, except to the extent that the disclosure is—

''(A) requested or consented to by the individual in writing;

''(B) required for use in an eviction proceeding under subsection (b); or

''(C) otherwise required by applicable law.

''(5) DOCUMENTATION NOT REQUIRED.—Nothing in this subsection shall be construed to require a public housing agency or owner or manager of housing assisted under a covered housing program to request that an individual submit documentation of the status of the individual as a victim of domestic violence, dating violence, sexual assault, or stalking.

''(6) COMPLIANCE NOT SUFFICIENT TO CONSTITUTE EVIDENCE OF UNREASONABLE ACT.—Compliance with subsection (b) by a public housing agency or owner or manager of housing assisted under a covered housing program based on documentation received under this subsection, shall not be sufficient to constitute evidence of an unreasonable act or omission by the public housing agency or owner or manager or an employee or agent of the public housing agency or owner or manager. Nothing in this paragraph shall be construed to limit the liability of a public housing agency or owner or manager of housing assisted under a covered housing program for failure to comply with subsection (b).

''(7) RESPONSE TO CONFLICTING CERTIFICATION.—If a public housing agency or owner or manager of housing assisted under a covered housing program receives documentation under this subsection that contains conflicting information, the public housing agency or owner or manager may require an applicant or tenant to submit third-party documentation, as described in subparagraph (B), (C), or (D) of paragraph (3).

''(8) PREEMPTION.—Nothing in this subsection shall be construed to supersede any provision of any Federal, State, or local law that provides greater protection than this subsection for victims of domestic violence, dating violence, sexual assault, or stalking.

''(d) NOTIFICATION.—

''(1) DEVELOPMENT.—The Secretary of Housing and Urban Development shall develop a notice of the rights of individuals under this section, including the right to confidentiality and the limits thereof.

''(2) PROVISION.—Each public housing agency or owner or manager of housing assisted under a covered housing program shall provide the notice developed under paragraph (1), together with the form described in subsection (c)(3)(A), to an applicant for or tenants of housing assisted under a covered housing program—

''(A) at the time the applicant is denied residency in a dwelling unit assisted under the covered housing program;

''(B) at the time the individual is admitted to a dwelling unit assisted under the covered housing program;

''(C) with any notification of eviction or notification of termination of assistance; and

''(D) in multiple languages, consistent with guidance issued by the Secretary of Housing and Urban Development in accordance with Executive Order 13166 (42 U.S.C. 2000d–1 note; relating to access to services for persons with limited English proficiency).

''(e) EMERGENCY TRANSFERS.—Each appropriate agency shall adopt a model emergency transfer plan for use by public housing agencies and owners or managers of housing assisted under covered housing programs that—

''(1) allows tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to transfer to another available and safe dwelling unit assisted under a covered housing program if—

''(A) the tenant expressly requests the transfer; and

''(B)(i) the tenant reasonably believes that the tenant is threatened with imminent harm from further violence if the tenant remains within the same dwelling unit assisted under a covered housing program; or

''(ii) in the case of a tenant who is a victim of sexual assault, the sexual assault occurred on the premises during the 90 day period preceding the request for transfer; and

''(2) incorporates reasonable confidentiality measures to ensure that the public housing agency or owner or manager does not disclose the location of the dwelling unit of a tenant to a person that commits an act of domestic violence, dating violence, sexual assault, or stalking against the tenant.

''(f) POLICIES AND PROCEDURES FOR EMERGENCY TRANSFER.—The Secretary of Housing and Urban Development shall establish policies and procedures under which a victim requesting an emergency transfer under subsection (e) may receive, subject to the availability of tenant protection vouchers, assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)).

''(g) IMPLEMENTATION.—The appropriate agency with respect to each covered housing program shall implement this section, as this section applies to the covered housing program.''.

(b) CONFORMING AMENDMENTS.—

(1) SECTION 6.—Section 6 of the United States Housing Act of 1937 (42 U.S.C. 1437d) is amended—

(A) in subsection (c)—

(i) by striking paragraph (3); and

(ii) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively;

(B) in subsection (l)—

(i) in paragraph (5), by striking '', and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of the victim of such violence''; and

(ii) in paragraph (6), by striking ''; except that'' and all that follows through ''stalking.''; and

(C) by striking subsection (u).

(2) SECTION 8.—Section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) is amended—

(A) in subsection (c), by striking paragraph (9);

(B) in subsection (d)(1)—

(i) in subparagraph (A), by striking ''and that an applicant or participant is or has been a victim of domestic violence, dating violence, or stalking is not an appropriate basis for denial of program assistance or for denial of admission if the applicant otherwise qualifies for assistance or admission''; and

(ii) in subparagraph (B)—

(I) in clause (ii), by striking '', and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of the victim of such violence''; and

(II) in clause (iii), by striking '', except that:'' and all that follows through ''stalking.'';

(C) in subsection (f)—

(i) in paragraph (6), by adding ''and'' at the end;

(ii) in paragraph (7), by striking the semicolon at the end and inserting a period; and

(iii) by striking paragraphs (8), (9), (10), and (11);

(D) in subsection (o)—

(i) in paragraph (6)(B), by striking the last sentence;

(ii) in paragraph (7)—

(I) in subparagraph (C), by striking ''and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking shall not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and shall not be good cause for terminating the tenancy or occupancy rights of the victim of such violence''; and

(II) in subparagraph (D), by striking ''; except that'' and all that follows through ''stalking.''; and

(iii) by striking paragraph (20); and

(E) by striking subsection (ee).

(3) RULE OF CONSTRUCTION.—Nothing in this Act, or the amendments made by this Act, shall be construed—

(A) to limit the rights or remedies available to any person under section 6 or 8 of the United States Housing Act of 1937 (42 U.S.C. 1437d and 1437f), as in effect on the day before the date of enactment of this Act;

(B) to limit any right, remedy, or procedure otherwise available under any provision of part 5, 91, 880, 882, 883, 884, 886, 891, 903, 960, 966, 982, or 983 of title 24, Code of Federal Regulations, that—

(i) was issued under the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162; 119 Stat. 2960) or an amendment made by that Act; and

(ii) provides greater protection for victims of domestic violence, dating violence, sexual assault, and stalking than this Act; or

(C) to disqualify an owner, manager, or other individual from participating in or receiving the benefits of the low income housing tax credit program under section 42 of the Internal Revenue Code of 1986 because of noncompliance with the provisions of this Act.

SEC. 602. TRANSITIONAL HOUSING ASSISTANCE GRANTS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

Chapter 11 of the Violence Against Women Act of 1994 (42 U.S.C. 13975 et seq.) is amended—

(1) in the chapter heading, by striking ''**CHILD VICTIMS OF DOMESTIC VIOLENCE, STALKING, OR SEXUAL ASSAULT**'' and inserting ''**VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING**''; and

(2) in section 40299 (42 U.S.C. 13975)—

(A) in the header, by striking ''child victims of domestic violence, stalking, or sexual assault'' and inserting ''victims of domestic violence, dating violence, sexual assault, or stalking'';

(B) in subsection (a)(1), by striking ''fleeing''; and

(C) in subsection (g)—

(i) in paragraph (1), by striking ''$40,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$35,000,000 for each of fiscal years 2012 through 2016''; and

(ii) in paragraph (3)—

(I) in subparagraph (A), by striking ''eligible'' and inserting ''qualified''; and

(II) by adding at the end the following:

''(D) QUALIFIED APPLICATION DEFINED.—In this paragraph, the term 'qualified application' means an application that—

''(i) has been submitted by an eligible applicant;

''(ii) does not propose any significant activities that may compromise victim safety;

''(iii) reflects an understanding of the dynamics of domestic violence, dating violence, sexual assault, or stalking; and

''(iv) does not propose prohibited activities, including mandatory services for victims, background checks of victims, or clinical evaluations to determine eligibility for services.''.

SEC. 603. ADDRESSING THE HOUSING NEEDS OF VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

Subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e et seq.) is amended—

(1) in section 41404(i) (42 U.S.C. 14043e–3(i)), by striking ''$10,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$4,000,000 for each of fiscal years 2012 through 2016''; and

(2) in section 41405(g) (42 U.S.C. 14043e–4(g)), by striking ''$10,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$4,000,000 for each of fiscal years 2012 through 2016''.

TITLE VII—ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE

SEC. 701. NATIONAL RESOURCE CENTER ON WORKPLACE RESPONSES TO ASSIST VICTIMS OF DOMESTIC AND SEXUAL VIOLENCE.

Section 41501(e) of the Violence Against Women Act of 1994 (42 U.S.C. 14043f(e)) is amended by striking ''fiscal years 2007 through 2011'' and inserting ''fiscal years 2012 through 2016''.

TITLE VIII—IMMIGRATION PROVISIONS

SEC. 801. APPLICATION OF SPECIAL RULE FOR BATTERED SPOUSE OR CHILD.

Section 240A(b)(2) of the Immigration and Nationality Act (8 U.S.C. 1229b) is amended by striking subparagraph (D) and inserting the following:

''(D) CREDIBLE EVIDENCE CONSIDERED.—In adjudicating applications under this paragraph, the Secretary of Homeland Security shall consider any credible evidence relevant to the application, including credible evidence submitted by a national of the United States or an alien lawfully admitted for permanent residence accused of the conduct described in subparagraph (A)(i). The determination of what evidence is credible and the weight to be given that evidence shall be within the sole discretion of the Secretary of Homeland Security.

''(E) FRAUD DETECTION EFFORTS.—

''(i) IN GENERAL.—Upon filing of an application under this paragraph, the Director of United States Citizenship and Immigration Services shall—

''(I) review such an application for completeness and clear indicators of fraud or misrepresentation of material fact;

''(II) conduct an in-person interview of the alien who filed the application; and

''(III) facilitate cooperation between the service center that adjudicates all applications under this paragraph and the local service centers that have the resources to investigate and interview the applicant to review any evidence that may pertain to the application.

''(ii) GUIDELINES.—The Director may issue guidelines for alternatives to the in-person interview so long as the guidelines do not jeopardize national security and include measures to detect fraud and abuse.

''(iii) EVIDENCE.—The Director may gather other evidence and interview other witnesses, including the accused United States citizen or legal permanent resident, if such individual consents to be interviewed.

''(F) PRIORITY OF ONGOING IMMIGRATION AND LAW ENFORCEMENT INVESTIGATIONS OR PROSECUTIONS.—

''(i) DETERMINATION.—During the adjudication of an application under this paragraph, the Director shall determine whether any Federal, State, territorial, tribal, or local law enforcement agency has undertaken an investigation or prosecution of the petitioning alien for—

''(I) conduct relating to the battering or abuse alleged by the petitioning alien under this paragraph;

''(II) a violation of any immigration law; or

''(III) a violation of any other criminal law.

''(ii) USE OF INFORMATION.—If such an investigation or prosecution was commenced, the investigative officer of United States Citizenship and Immigration Services shall—

''(I) obtain as much information as possible about the investigation or prosecution; and

''(II) consider that information as part of the adjudication of the application.

''(iii) PENDING INVESTIGATION.—If such an investigation or prosecution is pending, the adjudication of the application shall be stayed pending the conclusion of the investigation or prosecution. If no investigation has been undertaken or if a prosecutor's office has not commenced a prosecution after the matter was referred to it, that fact shall be considered by the investigative officer as part of the adjudication of the application.

''(iv) EFFECT OF DETERMINATION TO REMOVE OR INDICT.—If such an investigation determines that the alien is removable, or if the alien is indicted, the application under this paragraph shall be denied.

''(v) EFFECT OF NOT GUILTY DETERMINATION.—If an investigation has been undertaken and a determination was made that a prosecution was not warranted or if a criminal proceeding finds the United States citizen or legal permanent resident not guilty

of the charges, such determination shall be binding and the application under this paragraph shall be denied.

''(G) EFFECT OF MATERIAL MISREPRESENTATION.—If an alien makes a material misrepresentation during the application process under this paragraph, the Secretary of Homeland Security shall—

''(i) deny the application and remove the alien on an expedited basis; and

''(ii) make the alien ineligible for any taxpayer funded benefits or immigration benefits.''.

SEC. 802. CLARIFICATION OF THE REQUIREMENTS APPLICABLE TO U VISAS.

Section 214(p)(1) of the Immigration and Nationality Act (8 U.S.C. 1184(p)(1)) is amended as follows:

(1) By striking ''The petition'' and inserting the following:

''(A) IN GENERAL.—The petition''.

(2) By adding at the end the following:

''(B) CERTIFICATION REQUIREMENTS.—Each certification submitted under subparagraph (A) shall confirm under penalty of perjury that—

''(i) the petitioner reported the criminal activity to a law enforcement agency within 120 days of its occurrence;

''(ii) the statute of limitations for prosecuting an offense based on the criminal activity has not lapsed;

''(iii) the criminal activity is actively under investigation or a prosecution has been commenced; and

''(iv) the petitioner has provided to a law enforcement agency information that will assist in identifying the perpetrator of the criminal activity, or the perpetrator's identity is known.

''(C) REQUIREMENT FOR CERTIFICATION.—No application for a visa under section 101(a)(15)(U) may be granted unless accompanied by the certification as described in this paragraph.''.

SEC. 803. PROTECTIONS FOR A FIANCÉE OR FIANCÉ OF A CITIZEN.

(a) IN GENERAL.—Section 214 of the Immigration and Naturalization Act (8 U.S.C. 1184) is amended—

(1) in subsection (d)—

(A) in paragraph (1), by striking ''crime.'' and inserting ''crime described in paragraph (3)(B) and information on any permanent protection or restraining order issued against the petitioner related to any specified crime described in paragraph (3)(B)(i).''; and

(B) in paragraph (3)(B)(i), by striking ''abuse, and stalking.'' And inserting ''abuse, stalking, or an attempt to commit any such crime.''; and

(2) in subsection (r)—

(A) in paragraph (1), by striking ''crime.'' and inserting ''crime described in paragraph (5)(B) and information on any permanent protection or restraining order issued against the petitioner related to any specified crime described in subsection (5)(B)(i).''; and

(B) in paragraph (5)(B)(i), by striking ''abuse, and stalking.'' and inserting ''abuse, stalking, or an attempt to commit any such crime.''.

(b) PROVISION OF INFORMATION TO K NON-IMMIGRANTS.—Section 883 of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a) is amended in subsection (b)(1)(A), by striking ''or'' after ''orders'' and inserting ''and''.

SEC. 804. REGULATION OF INTERNATIONAL MARRIAGE BROKERS.

(a) IMPLEMENTATION OF THE INTERNATIONAL MARRIAGE BROKER ACT OF 2005.—Not later than 90 days after the date of the enactment of this Act, the Attorney General shall submit to Congress a report that includes the name of the component of the Department of Justice responsible for prosecuting violations of the International Marriage Broker Act of 2005 (subtitle D of Public Law 109-162; 119 Stat. 3066) and the amendments made by this title.

(b) REGULATION OF INTERNATIONAL MARRIAGE BROKERS.—Section 833(d) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(d)) is amended as follows:

(1) By amending paragraph (1) to read as follows:

''(1) PROHIBITION ON MARKETING OF OR TO CHILDREN.—

''(A) IN GENERAL.—An international marriage broker shall not provide any individual or entity with personal contact information, photograph, or general information about the background or interests of any individual under the age of 18.

''(B) COMPLIANCE.—To comply with the requirements of subparagraph (A), an international marriage broker shall—

''(i) obtain a valid copy of each foreign national client's birth certificate or other proof of age document issued by an appropriate government entity;

''(ii) indicate on such certificate or document the date it was received by the international marriage broker;

''(iii) retain the original of such certificate or document for 5 years after such date of receipt; and

''(iv) produce such certificate or document upon request to an appropriate authority charged with the enforcement of this paragraph.''.

(2) In paragraph (2)(B)(ii), by striking ''or stalking.'' and inserting ''stalking, or an attempt to commit any such crime.''.

(3) In paragraph (5)(B)—

(A) by striking ''In circumstances'' and inserting the following:

''(i) IN GENERAL.—In circumstances''; and

(B) by adding at the end the following:

''(ii) FRAUDULENT FAILURES OF UNITED STATES CLIENTS TO MAKE REQUIRED SELF-DISCLOSURES.—A person who knowingly and with intent to defraud another person outside the United States in order to recruit, solicit, entice, or induce that other person into entering a dating or matrimonial relationship, makes false or fraudulent representations regarding the disclosures described in clause (i), (ii), (iii), or (iv) of subsection (d)(2)(B), including by failing to make any such disclosures, shall be fined in accordance with title 18, United States Code, imprisoned for not more than 1 year, or both.''.

SEC. 805. GAO REPORT.

(a) REQUIREMENT FOR REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report regarding the adjudication of petitions and applications under section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)) and the self-petitioning process for VAWA self-petitioners (as that term is defined in section 101(a)(51) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(51)).

(b) CONTENTS.—The report required by subsection (a) shall—

(1) assess the efficiency and reliability of the process for reviewing such petitions and applications, including whether the process includes adequate safeguards against fraud and abuse; and

(2) identify possible improvements to the adjudications of petitions and applications in order to reduce fraud and abuse.

SEC. 806. DISCLOSURE OF INFORMATION FOR NATIONAL SECURITY PURPOSES.

(a) INFORMATION SHARING.—Section 384(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(b)) is amended—

(1) in paragraph (1)—

(A) by inserting ''Secretary of Homeland Security or the'' before ''Attorney General may''; and

(B) by inserting ''Secretary's or the'' before ''Attorney General's discretion'';

(2) in paragraph (2)—

(A) by inserting ''Secretary of Homeland Security or the'' before ''Attorney General may'';

(B) by inserting ''Secretary or the'' before ''Attorney General for''; and

(C) by inserting ''in a manner that protects the confidentiality of such information'' after ''law enforcement purpose'';

(3) in paragraph (5), by striking ''Attorney General is'' and inserting ''Secretary of Homeland Security and the Attorney General are''; and

(4) by adding at the end a new paragraph as follows:

''(8) Notwithstanding subsection (a)(2), the Secretary of Homeland Security, the Secretary of State, or the Attorney General may provide in the discretion of either such Secretary or the Attorney General for the disclosure of information to national security officials to be used solely for a national security purpose in a manner that protects the confidentiality of such information.''.

(b) GUIDELINES.—Section 384(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(d)) is amended by inserting ''and severe forms of trafficking in persons or criminal activity listed in section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(u))'' after ''domestic violence''.

(c) IMPLEMENTATION.—Not later than 180 days after the date of enactment of this Act, the Attorney General and Secretary of Homeland Security shall provide the guidance required by section 384(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(d)), consistent with the amendments made by subsections (a) and (b).

(d) CLERICAL AMENDMENT.—Section 384(a)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1986 is amended by striking ''241(a)(2)'' in the matter following subparagraph (F) and inserting ''237(a)(2)''.

TITLE IX—SAFETY FOR INDIAN WOMEN

SEC. 901. GRANTS TO INDIAN TRIBAL GOVERNMENTS.

Section 2015(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–10(a)) is amended—

(1) in paragraph (2), by inserting ''sex trafficking,'' after ''sexual assault,'';

(2) in paragraph (4), by inserting ''sex trafficking,'' after ''sexual assault,'';

(3) in paragraph (5), by striking ''and stalking'' and all that follows and inserting ''sexual assault, sex trafficking, and stalking;'';

(4) in paragraph (7)—

(A) by inserting ''sex trafficking,'' after ''sexual assault,'' each place it appears; and

(B) by striking ''and'' at the end;

(5) in paragraph (8)—

(A) by inserting ''sex trafficking,'' after ''stalking,''; and

(B) by striking the period at the end and inserting a semicolon; and

(6) by adding at the end the following:

''(9) provide services to address the needs of youth who are victims of domestic violence, dating violence, sexual assault, sex trafficking, or stalking and the needs of children exposed to domestic violence, dating violence, sexual assault, or stalking, including support for the nonabusing parent or the caretaker of the child; and

''(10) develop and promote legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, sex trafficking, and stalking.''.

SEC. 902. GRANTS TO INDIAN TRIBAL COALITIONS.

Section 2001(d) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg(d)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (B), by striking ''and'' at the end;

(B) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(D) developing and promoting State, local, or tribal legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, stalking, and sex trafficking.''; and

(2) in paragraph (2)(B), by striking ''individuals or''.

SEC. 903. CONSULTATION.

Section 903 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045d) is amended—

(1) in subsection (a)—

(A) by striking ''and the Violence Against Women Act of 2000'' and inserting '', the Violence Against Women Act of 2000''; and

(B) by inserting '', and the Violence Against Women Reauthorization Act of 2011'' before the period at the end;

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''Secretary of the Department of Health and Human Services'' and inserting ''Secretary of Health and Human Services, the Secretary of the Interior,''; and

(B) in paragraph (2), by striking ''and stalking'' and inserting ''stalking, and sex trafficking''; and

(3) by adding at the end the following:

''(c) ANNUAL REPORT.—The Attorney General shall submit to Congress an annual report on the annual consultations required under subsection (a) that—

''(1) contains the recommendations made under subsection (b) by Indian tribes during the year covered by the report;

''(2) describes actions taken during the year covered by the report to respond to recommendations made under subsection (b) during the year or a previous year; and

''(3) describes how the Attorney General will work in coordination and collaboration with Indian tribes, the Secretary of Health and Human Services, and the Secretary of the Interior to address the recommendations made under subsection (b).

''(d) NOTICE.—Not later than 120 days before the date of a consultation under subsection (a), the Attorney General shall notify tribal leaders of the date, time, and location of the consultation.''.

SEC. 904. AMENDMENTS TO THE FEDERAL ASSAULT STATUTE.

(a) IN GENERAL.—Section 113 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

''(1) Assault with intent to commit murder or a violation of section 2241 or 2242, by a fine under this title, imprisonment for not more than 20 years, or both.'';

(B) in paragraph (2), by striking ''felony under chapter 109A'' and inserting ''violation of section 2241 or 2242'';

(C) in paragraph (3) by striking ''and without just cause or excuse,'';

(D) in paragraph (4), by striking ''six months'' and inserting ''1 year'';

(E) in paragraph (5), by striking ''1 year,'' and inserting ''5 years,'';

(F) in paragraph (7)—

(i) by striking ''substantial bodily injury to an individual who has not attained the age of 16 years'' and inserting ''substantial bodily injury to a spouse or intimate partner, a dating partner, or an individual who has not attained the age of 16 years''; and

(ii) by striking ''fine'' and inserting ''a fine''; and

(G) by adding at the end the following:

''(8) Assault of a spouse, intimate partner, or dating partner by strangling, suffocating, or attempting to strangle or suffocate, by a fine under this title, imprisonment for not more than 10 years, or both.''; and

(2) in subsection (b)—

(A) by striking ''(b) As used in this subsection—'' and inserting the following:

''(b) DEFINITIONS.—In this section—'';

(B) in paragraph (1)(B), by striking ''and'' at the end;

(C) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

''(3) the terms 'dating partner' and 'spouse or intimate partner' have the meanings given those terms in section 2266;

''(4) the term 'strangling' means knowingly or recklessly impeding the normal breathing or circulation of the blood of a person by applying pressure to the throat or neck, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim; and

''(5) the term 'suffocating' means knowingly or recklessly impeding the normal breathing of a person by covering the mouth of the person, the nose of the person, or both, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim.''.

(b) INDIAN MAJOR CRIMES.—Section 1153(a) of title 18, United States Code, is amended by striking ''assault with intent to commit murder, assault with a dangerous weapon, assault resulting in serious bodily injury (as defined in section 1365 of this title)'' and inserting ''a felony assault under section 113''.

(c) REPEAT OFFENDERS.—Section 2265A(b)(1)(B) of title 18, United States Code, is amended by inserting ''or tribal'' after ''State''.

SEC. 905. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST INDIAN WOMEN.

(a) IN GENERAL.—Section 904(a) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 3796gg–10 note) is amended—

(1) in paragraph (1)—

(A) by striking ''The National'' and inserting ''Not later than 2 years after the date of enactment of the Violence Against Women Reauthorization Act of 2011, the National''; and

(B) by inserting ''and in Native villages'' (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))'' before the period at the end;

(2) in paragraph (2)(A)—

(A) in clause (iv), by striking ''and'' at the end;

(B) in clause (v), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(vi) sex trafficking.'';

(3) in paragraph (4), by striking ''this Act'' and inserting ''the Violence Against Women Reauthorization Act of 2011''; and

(4) in paragraph (5), by striking ''this section $1,000,000 for each of fiscal years 2007 and 2008'' and inserting ''this subsection $500,000 for each of fiscal years 2012 and 2013''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 905(b)(2) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (28 U.S.C. 534 note) is amended by striking ''fiscal years 2007 through 2011'' and inserting ''fiscal years 2012 through 2016''.

SEC. 906. EFFECTIVE DATE.

The amendments made by this title shall take effect on the date of enactment of this Act.

SEC. 907. TRIBAL PROTECTION ORDERS.

Section 2265(e) of title 18, United States Code, is amended—

(1) in the subsection heading, by striking ''COURT JURISDICTION'' and inserting ''PROTECTION ORDERS'';

(2) by striking ''For purposes of this section'' and inserting the following:

''(1) TRIBAL COURT JURISDICTION.—For purposes of this section and subject to paragraph (2)''; and

(3) by adding at the end the following:

''(2) UNITED STATES COURT JURISDICTION.—

''(A) IN GENERAL.—An Indian tribe may petition a district court of the United States in whose district the tribe is located for an appropriately tailored protection order excluding any person from areas within the Indian country of the tribe.

''(B) REQUIRED SHOWING.—The court shall issue a protection order prohibiting the person identified in a petition under subparagraph (A) from entering all or part of the Indian country of the tribe upon a showing that—

''(i) the person identified in the petition has assaulted an Indian spouse or intimate partner who resides or works in such Indian country, or an Indian child who resides with or is in the care or custody of such spouse or intimate partner; and

''(ii) a protection order is reasonably necessary to protect the safety and well-being of the spouse, intimate partner, or child described in clause (i).

''(C) FACTORS TO CONSIDER.—In determining the areas from which the person identified in a protection order issued under subparagraph (B) shall be excluded, the court shall consider all appropriate factors, including the places of residence, work, or school of—

''(i) the person identified in the protection order; and

''(ii) the spouse, intimate partner, or child described in subparagraph (B)(i).

''(D) PENALTY FOR WILLFUL VIOLATION.—A person who willfully violates a protection order issued under subparagraph (B) shall be punished as provided in section 2261(b).''.

SEC. 908. ALASKA RURAL JUSTICE AND LAW ENFORCEMENT COMMISSION.

The Attorney General, in consultation with the Attorney General of the State of Alaska, the Commissioner of Public Safety of the State of Alaska, the Alaska Federation of Natives, and Federally recognized Indian tribes in the State of Alaska, shall report to Congress not later than 1 year after the date of enactment of this Act with respect to whether the Alaska Rural Justice and Law Enforcement Commission established under Section 112(a)(1) of the Consolidated Appropriations Act, 2004 should be continued and appropriations authorized for the continued work of the commission. The report may contain recommendations for legislation with respect to the scope of work and composition of the commission.

TITLE X—VIOLENT CRIME AGAINST WOMEN

SEC. 1001. CRIMINAL PROVISIONS RELATING TO SEXUAL ABUSE.

(a) SEXUAL ABUSE OF A MINOR OR WARD.—Section 2243(b) of title 18, United States Code, is amended to read as follows:

''(b) OF A WARD.—

''(1) OFFENSES.—It shall be unlawful for any person to knowingly engage, or knowingly attempt to engage, in a sexual act with another person who is—

''(A) in official detention or supervised by, or otherwise under the control of, the United States—

''(i) during arrest;

''(ii) during pretrial release;

''(iii) while in official detention or custody; or

''(iv) while on probation, supervised release, or parole;

''(B) under the professional custodial, supervisory, or disciplinary control or authority of the person engaging or attempting to engage in the sexual act; and

''(C) at the time of the sexual act—

''(i) in the special maritime and territorial jurisdiction of the United States;

''(ii) in a Federal prison, or in any prison, institution, or facility in which persons are held in custody by direction of, or pursuant to a contract or agreement with, the United States; or

''(iii) under supervision or other control by the United States, or by direction of, or pursuant to a contract or agreement with, the United States.

''(2) PENALTIES.—A person that violates paragraph (1) shall—

''(A) be fined under this title, imprisoned for not more than 15 years, or both; and

''(B) if, in the course of committing the violation of paragraph (1), the person engages in conduct that would constitute an offense under section 2241 or 2242 if committed in the special maritime and territorial jurisdiction of the United States, be subject to the penalties provided for under section 2241 or 2242, respectively.''.

(b) PENALTIES FOR SEXUAL ABUSE.—

(1) IN GENERAL.—Chapter 13 of title 18, United States Code, is amended by adding at the end the following:

''§ 250. Penalties for sexual abuse

''(a) OFFENSE.—It shall be unlawful for any person, in the course of committing an offense under this chapter or under section 901 of the Fair Housing Act (42 U.S.C. 3631) to engage in conduct that would constitute an offense under chapter 109A if committed in the special maritime and territorial jurisdiction of the United States.

''(b) PENALTIES.—A person that violates subsection (a) shall be subject to the penalties under the provision of chapter 109A that would have been violated if the conduct was committed in the special maritime and territorial jurisdiction of the United States, unless a greater penalty is otherwise authorized by law.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 13 of title 18, United States Code, is amended by adding at the end the following:

''250. Penalties for sexual abuse.''.

SEC. 1002. SEXUAL ABUSE IN CUSTODIAL SETTINGS.

(a) SUITS BY PRISONERS.—Section 7(e) of the Civil Rights of Institutionalized Persons Act (42 U.S.C. 1997e(e)) is amended by inserting before the period at the end the following: ''or the commission of a sexual act (as defined in section 2246 of title 18, United States Code)''.

(b) UNITED STATES AS DEFENDANT.—Section 1346(b)(2) of title 28, United States Code, is amended by inserting before the period at the end the following: ''or the commission of a sexual act (as defined in section 2246 of title 18)''.

(c) ADOPTION AND EFFECT OF NATIONAL STANDARDS.—Section 8 of the Prison Rape Elimination Act of 2003 (42 U.S.C. 15607) is amended—

(1) by redesignating subsection (c) as subsection (e); and

(2) by inserting after subsection (b) the following:

''(c) APPLICABILITY TO DETENTION FACILITIES OPERATED BY THE DEPARTMENT OF HOMELAND SECURITY.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2011, the Secretary of Homeland Security shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of aliens detained for a violation of the immigrations laws of the United States.

''(2) APPLICABILITY.—The standards adopted under paragraph (1) shall apply to detention facilities operated by the Department of Homeland Security and to detention facilities operated under contract with the Department.

''(3) COMPLIANCE.—The Secretary of Homeland Security shall—

''(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

''(B) include the results of the assessments in performance evaluations of facilities completed by the Department of Homeland Security.

''(4) CONSIDERATIONS.—In adopting standards under paragraph (1), the Secretary of Homeland Security shall give due consideration to the recommended national standards provided by the Commission under section 7(e).

''(d) APPLICABILITY TO CUSTODIAL FACILITIES OPERATED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2011, the Secretary of Health and Human Services shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of unaccompanied alien children (as defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))).

''(2) APPLICABILITY.—The standards adopted under paragraph (1) shall apply to facilities operated by the Department of Health and Human Services and to facilities operated under contract with the Department.

''(3) COMPLIANCE.—The Secretary of Health and Human Services shall—

''(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

''(B) include the results of the assessments in performance evaluations of facilities completed by the Department of Health and Human Services.

''(4) CONSIDERATIONS.—In adopting standards under paragraph (1), the Secretary of Health and Human Services shall give due consideration to the recommended national standards provided by the Commission under section 7(e).''.

SEC. 1003. REPORT ON COMPLIANCE WITH THE DNA FINGERPRINT ACT OF 2005.

(a) REPORT REQUIRED.—Not later than 180 days after date of the enactment of this Act, the Secretary of Homeland Security shall prepare and submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that—

(1) describes, in detail, the measures and procedures taken by the Secretary to comply with any regulation promulgated pursuant to section 3(e)(1) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135a(e)(1)); and

(2) provides a detailed explanation of the circumstances and specific cases, if available, in which—

(A) the Secretary failed to comply with any regulation promulgated pursuant to such section 3(e)(1);

(B) the Secretary requested the Attorney General approve additional limitations to, or exceptions from, any regulation promulgated pursuant to such section 3(e)(1); or

(C) the Secretary consulted with the Attorney General to determine that the collection of DNA samples is not feasible because of operational exigencies or resource limitations.

SEC. 1004. REDUCING THE RAPE KIT BACKLOG.

Section 2(c)(3) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(c)(3)) is amended by adding at the end the following:

''(C) For each of fiscal years 2012 through 2014, not less than 75 percent of the total grant amounts shall be awarded for a combination of purposes under paragraphs (2) and (3) of subsection (a).''.

SEC. 1005. REPORT ON CAPACITY UTILIZATION.

(a) REPORT REQUIRED.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall prepare a study on the availability of services for victims of domestic violence, dating violence, sexual assault, and stalking.

(b) CONTENT.—The report required by subsection (a) shall address the following:

(1) The services or categories of services that are currently being offered or provided to victims of domestic violence, dating violence, sexual assault, and stalking.

(2) The approximate number of victims receiving these services.

(3) The approximate number of victims, and the percentage of the total population of victims, who request services but are not provided services.

(4) The reasons why victims are not provided services, including—

(A) shelter or service organization lack of resources;

(B) shelter or organization limitations not associated with funding;

(C) geographical, logistical, or physical barriers;

(D) characteristics of the perpetrator; and

(E) characteristics or background of the victim.

(5) For any refusal to provide services to a victim, the reasons for the denial of services, including victim characteristics or background, including—

(A) employment history;

(B) criminal history;

(C) illegal or prescription drug use;

(D) financial situation;

(E) status of the victim as a parent;

(F) personal hygiene;

(G) current or past disease or illness;

(H) religious association or belief;

(I) physical characteristics of the victim or the provider facility

(J) gender;

(K) race;

(L) national origin or status as alien;

(M) failure to follow shelter or organization rules or procedures;

(N) previous contact or experiences with the shelter or service organization; or

(O) any other victim characteristic or background that is determined to be the cause of the denial of services.

(6) The frequency or prevalence of denial of services from organizations who receive Federal funds.

(7) The frequency or prevalence of denial of service from organizations who do not receive Federal funds.

SEC. 1006. MANDATORY MINIMUM SENTENCE FOR AGGRAVATED SEXUAL ABUSE.

Section 2241 of title 18, United States Code, is amended—

(1) in subsection (a), in the undesignated matter following paragraph (2), by striking ''any term of years or life'' and inserting ''not less than 10 years or imprisoned for life''; and

(2) in subsection (b), in the undesignated matter following paragraph (2), by striking ''any term of years or life'' and inserting ''not less than 5 years or imprisoned for life''.

SEC. 1007. REMOVAL OF DRUNK DRIVERS.

(a) IN GENERAL.—Section 101(a)(43)(F) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)(F)) is amended by striking ''for which the term of imprisonment'' and inserting '', including a third drunk driving conviction, regardless of the States in which the convictions occurred or whether the offenses are classified as misdemeanors or felonies under State or Federal law, for which the term of imprisonment is''.

(b) EFFECTIVE DATE AND APPLICATION.—

(1) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act.

(2) APPLICATION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the amendment made by subsection (a) shall apply to a conviction for drunk driving that occurred before, on, or after such date.

(B) TWO OR MORE PRIOR CONVICTIONS.—An alien who has received two or more convictions for drunk driving prior to the date of the enactment of this Act may not be subject to removal for the commission of an aggravated felony pursuant to section 101(a)(43)(F) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)(F)), as amended by subsection (a), on the basis of such convictions until the date that the alien is convicted of a drunk driving offense after such date of enactment.

SEC. 1008. ENHANCED PENALTIES FOR INTERSTATE DOMESTIC VIOLENCE RESULTING IN DEATH, LIFE-THREATENING BODILY INJURY, PERMANENT DISFIGUREMENT, AND SERIOUS BODILY INJURY.

Section 2261(b) of title 18, United States Code, is amended—

(1) in paragraph (1), by inserting ''not less than 15 years'' after ''any term of years'';

(2) in paragraph (2), by striking ''20 years'' and inserting ''25 years''; and

(3) in paragraph (3), by striking ''10 years'' and inserting ''15 years''.

SEC. 1009. FINDING FUGITIVE SEX OFFENDERS ACT.

(a) IN GENERAL.—Section 3486(a)(1) of title 18, United States Code, is amended—

(1) in subparagraph (A)—

(A) in clause (i)(II), by striking ''or'' at the end;

(B) by redesignating clause (ii) as clause (iii); and

(C) by inserting after clause (i) the following:

''(ii) an unregistered sex offender conducted by the United States Marshals Service, the Director of the United States Marshals Service; or''; and

(2) in subparagraph (D)—

(A) by striking ''paragraph, the term'' and inserting the following: ''paragraph—

''(i) the term'';

(B) by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(ii) the term 'sex offender' means an individual required to register under the Sex Offender Registration and Notification Act (42 U.S.C. 16901 et seq.).''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 3486(a) of title 18, United States Code, is amended—

(1) in paragraph (6)(A), by striking ''United State'' and inserting ''United States'';

(2) in paragraph (9), by striking ''(1)(A)(ii)'' and inserting ''(1)(A)(iii)''; and

(3) in paragraph (10), by striking ''paragraph (1)(A)(ii)'' and inserting ''paragraph (1)(A)(iii)''.

(c) SUBPOENA AUTHORITY.—Section 566(e)(1) of title 28, United States Code, is amended—

(1) in subparagraph (A), by striking ''and'' at the end;

(2) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(C) issue administrative subpoenas in accordance with section 3486 of title 18, solely for the purpose of investigating unregistered sex offenders (as defined in such section 3486).''.

SEC. 1010. MINIMUM PENALTIES FOR THE POSSESSION OF CHILD PORNOGRAPHY.

(a) CERTAIN ACTIVITIES RELATING TO MATERIAL INVOLVING THE SEXUAL EXPLOITATION OF MINORS.—Section 2252(b)(2) of title 18, United States Code, is amended by inserting after ''but if'' the following: ''any visual depiction involved in the offense involved a prepubescent minor or a minor who had not attained 12 years of age, such person shall be fined under this title and imprisoned for not less than 1 year nor more than 20 years, or if''.

(b) CERTAIN ACTIVITIES RELATING TO MATERIAL CONSTITUTING OR CONTAINING CHILD PORNOGRAPHY.—Section 2252A(b)(2) of title 18, United States Code, is amended by inserting after ''but, if'' the following: ''any image of child pornography involved in the offense involved a prepubescent minor or a minor who had not attained 12 years of age, such person shall be fined under this title and imprisoned for not less than 1 year nor more than 20 years, or if''.

SEC. 1011. AUDIT OF OFFICE FOR VICTIMS OF CRIME.

(a) AUDIT.—The Comptroller General of the United States shall conduct an objective and credible audit of the expenditure of funds by the Office for Victims of Crime (in this section referred to as the ''Office'') from the Crime Victims Fund established under section 1402 of the Victims of Crime Act of 1984 (42 U.S.C. 10601) (in this section referred to as the ''Fund'').

(b) REPORT.—Not later than 9 months after the date of enactment of this Act, the Comptroller General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report regarding the audit conducted under subsection (a) that—

(1) addresses whether the Office provides amounts from the Fund to individuals or entities that support individuals who are not victims of crime;

(2) addresses whether the Office is authorized to provide amounts from the Fund to individuals or entities described in paragraph (1);

(3) addresses whether the Office provides amounts from the Fund for legal services for victims of crime; and

(4) if the Office no longer provides amounts from the Fund for the services described in paragraph (3), contains an explanation for why the Office no longer provides amounts for such services.

TITLE XI—THE SAFER ACT

SEC. 1101. SHORT TITLE.

This title may be cited as the ''Sexual Assault Forensic Evidence Registry Act of 2012'' or the ''SAFER Act of 2012''.

SEC. 1102. DEBBIE SMITH GRANTS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.

Section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135) is amended—

(1) in subsection (a), by adding at the end the following new paragraph:

''(6) To conduct an audit consistent with subsection (n) of the samples of sexual assault evidence that are in the possession of the State or unit of local government and are awaiting testing.'';

(2) in subsection (c), by adding at the end the following new paragraph:

''(4) ALLOCATION OF GRANT AWARDS FOR AUDITS.—For each of fiscal years 2012 through 2016, not less than 7 percent of the grant amounts distributed under paragraph (1) shall be awarded for the purpose described in subsection (a)(6).''; and

(3) by adding at the end the following new subsection:

''(n) USE OF FUNDS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.—

''(1) ELIGIBILITY.—The Attorney General may award a grant under this section to a State or unit of local government for the purpose described in subsection (a)(6) only if the State or unit of local government—

''(A) submits a plan for performing the audit of samples described in such subsection; and

''(B) includes in such plan a good-faith estimate of the number of such samples.

''(2) GRANT CONDITIONS.—A State or unit of local government receiving a grant for the purpose described in subsection (a)(6) shall—

''(A) not later than 1 year after receiving such grant—

''(i) complete the audit referred to in paragraph (1)(A) in accordance with the plan submitted under such paragraph; and

''(ii) for each sample of sexual assault evidence identified in such audit, subject to paragraph (4), enter into the Sexual Assault Forensic Evidence Registry established under subsection (o) the information listed in subsection (o)(2);

''(B) not later than 21 days after receiving possession of a sample of sexual assault evidence that was not in the possession of the State or unit of local government at the time of such audit, subject to paragraph (4), enter into the Sexual Assault Forensic Evidence Registry the information listed in subsection (o)(2) with respect to the sample; and

''(C) not later than 30 days after a change in the status referred to in subsection (o)(2)(A)(v) of a sample with respect to which the State or unit of local government has entered information into such Registry, update such status.

''(3) EXTENSION OF INITIAL DEADLINE.—The Attorney General may grant an extension of the deadline under paragraph (2)(A) to a State or unit of local government that demonstrates that more time is required for compliance with such paragraph.

''(4) SAMPLES EXEMPT FROM REGISTRY REQUIREMENT.—A State or unit of local government is not required under paragraph (2) to enter into the Registry described in such paragraph information with respect to a sample of sexual assault evidence if—

''(A) the sample is not considered criminal evidence (such as a sample collected anonymously from a victim who is unwilling to make a criminal complaint); or

''(B) the sample relates to a sexual assault for which the prosecution of each perpetrator is barred by a statute of limitations.

''(5) DEFINITIONS.—In this subsection:

''(A) AWAITING TESTING.—The term 'awaiting testing' means, with respect to a sample of sexual assault evidence, that—

''(i) the sample has been collected and is in the possession of a State or unit of local government;

''(ii) DNA and other appropriate forensic analyses have not been performed on such sample; and

''(iii) the sample is related to a criminal case or investigation in which final disposition has not yet been reached.

''(B) FINAL DISPOSITION.—The term 'final disposition' means, with respect to a criminal case or investigation to which a sample of sexual assault evidence relates—

''(i) the conviction or acquittal of all suspected perpetrators of the crime involved;

''(ii) a determination by the State or unit of local government in possession of the sample that the case is unfounded; or

''(iii) a declaration by the victim of the crime involved that the act constituting the basis of the crime was not committed.

''(C) POSSESSION.—

''(i) IN GENERAL.—The term 'possession', used with respect to possession of a sample of sexual assault evidence by a State or unit of local government, includes possession by an individual who is acting as an agent of the State or unit of local government for the collection of the sample.

''(ii) RULE OF CONSTRUCTION.—Nothing in clause (i) shall be construed to create or amend any Federal right or privilege for a private laboratory described in regulations promulgated under section 210303 of the DNA Identification Act of 1994 (42 U.S.C. 14131).''.

SEC. 1103. SEXUAL ASSAULT FORENSIC EVIDENCE REGISTRY.

(a) IN GENERAL.—Section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135), as amended by section 1102 of this title, is further amended by adding at the end the following new subsection:

''(o) SEXUAL ASSAULT FORENSIC EVIDENCE REGISTRY.—

''(1) IN GENERAL.—Subject to subsection (j), not later than 1 year after the date of enactment of the SAFER Act of 2012, the Attorney General shall establish a Sexual Assault Forensic Evidence Registry (in this subsection referred to as the 'Registry') that—

''(A) allows States and units of local government to enter information into the Registry about samples of sexual assault evidence that are in the possession of such States or units of local government and are awaiting testing; and

''(B) tracks the testing and processing of such samples.

''(2) INFORMATION IN REGISTRY.—

''(A) IN GENERAL.—A State or unit of local government that chooses to enter information into the Registry about a sample of sexual assault evidence shall include the following information:

''(i) The date of the sexual assault to which the sample relates.

''(ii) The city, county, or other appropriate locality in which the sexual assault occurred.

''(iii) The date on which the sample was collected.

''(iv) The date on which information relating to the sample was entered into the Registry.

''(v) The status of the progression of the sample through testing and other stages of the evidentiary handling process, including the identity of the entity in possession of the sample.

''(vi) The date or dates after which the State or unit of local government would be barred by any applicable statutes of limitations from prosecuting a perpetrator of the sexual assault for the sexual assault.

''(vii) Such other information as the Attorney General considers appropriate.

''(B) PERSONALLY IDENTIFIABLE INFORMATION.—The Attorney General shall ensure that the Registry does not include personally identifiable information or details about a sexual assault that might lead to the identification of the individuals involved, except for the information listed in subparagraph (A).

''(3) SAMPLE IDENTIFICATION NUMBER.—

''(A) IN GENERAL.—A State or unit of local government that chooses to enter information about a sample of sexual assault evidence into the Registry shall assign to the sample a unique numeric or alphanumeric identifier.

''(B) UNIQUE IDENTIFIER REQUIRED.—In assigning the identifier under subparagraph (A), a State or unit of local government may use a case-numbering system used for other purposes, but the Attorney General shall ensure that the identifier assigned to each sample is unique with respect to all samples entered by all States and units of local government.

''(4) UPDATE OF INFORMATION.—A State or unit of local government that chooses to enter information about a sample of sexual assault evidence into the Registry shall, not later than 30 days after a change in the status of the sample referred to in paragraph (2)(A)(v), update such status.

''(5) INTERNET ACCESS.—The Attorney General shall make publicly available aggregate non-individualized and non-personally identifying data gathered from the Registry, to allow for comparison of backlog data by States and units of local government, on an appropriate Internet website.

''(6) TECHNICAL ASSISTANCE.—The Attorney General shall—

''(A) provide a means by which an entity that does not have access to the Internet may enter information into the Registry; and

''(B) provide the technical assistance necessary to allow States and units of local government to participate in the Registry.''.

(b) FUNDING.—Section 2(j) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(j)) is amended—

(1) by inserting ''and for carrying out subsection (o)'' after ''for grants under subsection (a)''; and

(2) by adding at the end the following new sentence: ''For each of fiscal years 2012 through 2016, not less than 1 percent of the amount authorized to be appropriated under the previous sentence for such fiscal year shall be for carrying out subsection (o).''

SEC. 1104. REPORTS TO CONGRESS.

Not later than 90 days after the end of each fiscal year for which a grant is made for the purpose described in section 2(a)(6) of the DNA Analysis Backlog Elimination Act of 2000, as added by section 1102 of this title, the Attorney General shall submit to Congress a report that—

(1) lists the States and units of local government that have been awarded such grants and the amount of the grant received by each such State or unit of local government;

(2) states the number of extensions granted by the Attorney General under section 2(n)(3) of the DNA Analysis Backlog Elimination Act of 2000, as added by section 1102 of this title; and

(3) summarizes the processing status of the samples of sexual assault evidence about which information has been entered into the Sexual Assault Forensic Evidence Registry established under section 2(o) of the DNA Analysis Backlog Elimination Act of 2000, as added by section 1103(a) of this title, including the number of samples that have not been tested.

SA 2096. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

On page 200, line 3, insert ''transportation,'' after ''shelter,''.

SA 2097. Mr. BLUMENTHAL (for himself and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

On page 256, after line 17, insert the following:

SEC. 110. FACILITATION OF STALKING, DOMESTIC VIOLENCE, AND SEXUAL OFFENSES BY IMPERSONATION OR OTHER MEANS.

(a) IN GENERAL.—Chapter 110A of title 18, United States Code, is amended by inserting after section 2265A the following:

''§ 2265B. Electronic disclosure of identifying information intended to facilitate interstate stalking, domestic violence, sexual offenses, or other offenses

''(a) DEFINITIONS.—In this section—

''(1) the term 'domestic assault' has the meaning given that term in section 117(b);

''(2) the term 'interactive computer service' has the meaning given that term in section 230(f) of the Communications Act of 1934 (47 U.S.C. 230(f));

''(3) the term 'means of identification' has the meaning given that term in section 1028(d); and

''(4) the term 'telecommunications device' has the meaning given that term in section 223(h) of the Communications Act of 1934 (47 U.S.C. 223(h)).

''(b) OFFENSE.—It shall be unlawful for any person to use the mail, any interactive computer service, telecommunications device, electronic communication service or electronic communication system of interstate commerce, or any other facility of interstate or foreign commerce to knowingly and intentionally publish or otherwise disclose the name, address, telephone number, picture, or means of identification of another individual with the intent, by such publication or disclosure, to facilitate—

''(1) any violation of section 1589, 1591, 1592, 2241, 2242, 2243, 2244, 2251, 2251A, 2260, 2261A, 2421, 2422, or 2423;

''(2) any conduct that would constitute a violation of section 2261 if the conduct were directly committed by such person; or

''(3) any conduct that would constitute domestic assault if the conduct were directly committed by such person, if such person has a final conviction on not less than 2 separate prior occasions in Federal, State, or Indian tribal court proceedings for offenses that would be, if subject to Federal jurisdiction—

''(A) an assault, sexual abuse, or a serious violent felony against a spouse or intimate partner; or

''(B) an offense under chapter 110A.

''(c) PENALTY.—Any person who commits a violation—

''(1) under subsection (b)(1) shall be imprisoned for not more than the maximum term of imprisonment or fined not more than the maximum fine prescribed for the punishment of the specific underlying crime at issue; and

''(2) under subsection (b)(3) shall be fined not more than the maximum fine prescribed for a violation of section 117, imprisoned not more than the maximum term of imprisonment prescribed for section 117, or both.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 110A of title 18, United States Code, is amended by inserting after the item relating to section 2265 the following:

''2265A. Repeat offenders.

''2265B. Electronic disclosure of identifying information intended to facilitate interstate stalking, domestic violence, sexual offenses, or other offenses.''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on April 26, 2012, at 10:30 a.m. in room SR–328A of the Russell Senate Office Building.

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

COMMITTEE ON ARMED SERVICES

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on April 26, 2012, at 9:30 a.m.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on April 26, 2012, at 10 a.m. to conduct a hearing entitled ''Legislative Proposals in the United States Department of Housing and Urban Development's FY 2013 Budget.''

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. SCHUMER. 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 26, 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 FINANCE

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on April 26, 2012, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Tax Filing Season: Improving the Taxpayer Experience.''

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

COMMITTEE ON FOREIGN RELATIONS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on April 26, 2012, at 2 p.m., to hold a business meeting.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on April 26, 2012, at 10 a.m. to conduct a hearing entitled ''Biological Security: The Risk of Dual-Use Research.''

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

COMMITTEE ON THE JUDICIARY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on April 26, 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.

COMMITTEE ON VETERANS AFFAIRS

Mr. SCHUMER. Mr. President, I ask for unanimous consent that the Committee on Veterans' Affairs be authorized to meet during session on April 26, 2012.

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

SUBCOMMITTEE ON EAST ASIAN AND PACIFIC AFFAIRS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on April 26, 2012, at 3 p.m., to hold an East Asian and Pacific Affairs subcommittee hearing entitled, ''U.S. Policy on Burma.''

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

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet during the session of the Senate on April 26, 2012, at 2:30 p.m. to conduct a hearing entitled, ''Financial Literacy: Empowering Americans to Prevent the Next Financial Crisis.''

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

SUBCOMMITTEE ON SEAPOWER

Mr. SCHUMER. 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 26, 2012, at 10 a.m.

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

PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that two fellows in the office of Senator PATTY MURRAY, Stephanie Doherty Wilkinson and Eric Brooks, be granted floor privileges for the remainder of the 112th Congress.

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

Mr. LEAHY. Mr. President, I ask unanimous consent that John Tracy of my staff be granted the privileges of the floor for the rest of today.

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

THE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to Calendar Nos. 371 through 381 en bloc, all post office naming bills.

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

The Senate proceeded to consider the bills.

Mr. REID. I ask unanimous consent that the bills be read a third time and passed en bloc, the motions to reconsider be laid upon the table en bloc, with no intervening action or debate, and that any statements relating to the bills be printed in the RECORD.

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

ARMY SPECIALIST MATTHEW TROY MORRIS POST OFFICE BUILDING

The bill (H.R. 298) to designate the facility of the United States Postal Service located at 500 East Whitestone Boulevard in Cedar Park, Texas, as the ''Army Specialist Matthew Troy Morris Post Office Building'' was ordered to a third reading, read the third time, and passed.

SPECIALIST MICHEAL E. PHILLIPS POST OFFICE

The bill (H.R. 1423) to designate the facility of the United States Postal Service located at 115 4th Avenue Southwest in Ardmore, Oklahoma, as the ''Specialist Micheal E. Phillips Post Office'' was ordered to a third reading, read the third time, and passed.

JOHN J. COOK POST OFFICE

The bill (H.R. 2079) to designate the facility of the United States Postal Service located at 10 Main Street in East Rockaway, New York, as the ''John J. Cook Post Office'' was ordered to a third reading, read the third time, and passed.

SERGEANT JASON W. VAUGHN POST OFFICE

The bill (H.R. 2213) to designate the facility of the United States Postal Service located at 801 West Eastport Street in Luka, Mississippi, as the ''Sergeant Jason W. Vaughn Post Office'' was ordered to a third reading, read the third time, and passed.

CORPORAL STEVEN BLAINE RICCIONE POST OFFICE

The bill (H.R. 2244) to designate the facility of the United States Postal Service located at 67 Castle Street in Geneva, New York, as the ''Corporal Steven Blaine Riccione Post Office'' was ordered to a third reading, read the third time, and passed.

TOMBALL VETERANS POST OFFICE

The bill (H.R. 2660) to designate the facility of the United States Postal Service located at 122 North Holderrieth Boulevard in Tomball, Texas, as the ''Tomball Veterans Post Office'' was ordered to a third reading, read the third time, and passed.

WILLIAM T. TRANT POST OFFICE BUILDING

The bill (H.R. 2767) to designate the facility of the United States Postal Service located at 8 West Silver Street in Westfield, Massachusetts, as the ''William T. Trant Post Office Building'' was ordered to a third reading, read the third time, and passed.

PRIVATE FIRST CLASS ALEJANDRO R. RUIZ POST OFFICE BUILDING

The bill (H.R. 3004) to designate the facility of the United States Postal Service located at 260 California Drive in Yountville, California, as the ''Private First Class Alejandro R. Ruiz Post Office Building'' was ordered to a third reading, read the third time, and passed.

SPECIALIST PETER J. NAVARRO POST OFFICE BUILDING

The bill (H.R. 3246) to designate the facility of the United States Postal Service located at 15455 Manchester Road in Ballwin, Missouri, as the ''Specialist Peter J. Navarro Post Office Building'' was ordered to a third reading, read the third time, and passed.

LANCE CORPORAL MATTHEW P. PATHENOS POST OFFICE BUILDING

The bill (H.R. 3247) to designate the facility of the United States Postal Service located at 1100 Town and Country Commons in Chesterfield, Missouri, as the ''Lance Corporal Matthew P. Pathenos Post Office Building'' was ordered to a third reading, read the third time, and passed.

LANCE CORPORAL DREW W. WEAVER POST OFFICE BUILDING

The bill (H.R. 3248) to designate the facility of the United States Postal Service located at 112 South 5th Street in Saint Charles, Missouri, as the ''Lance Corporal Drew W. Weaver Post Office Building'' was ordered to a third reading, read the third time, and passed.

PUBLIC SERVICE RECOGNITION WEEK

Mr. REID. Mr. President, I ask unanimous consent that we proceed to Calendar No. 369, S. Res. 419.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 419) expressing the sense of the Senate that public servants should be commended for their dedication and continued service to the United States during Public Service Recognition Week.

Without objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any related statements be printed in the RECORD.

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

The resolution (S. Res. 419) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 419

Whereas the week of May 6 through 12, 2012, has been designated as ''Public Service Recognition Week'' to honor the employees of the Federal Government and State and local governments of the United States of America;

Whereas Public Service Recognition Week provides an opportunity to recognize and promote the important contributions of public servants and honor the diverse men and women who meet the needs of the United States through work at all levels of government;

Whereas millions of individuals work in government service in every city, county, and State across the United States and in hundreds of cities abroad;

Whereas public service is a noble calling involving a variety of challenging and rewarding professions;

Whereas the Federal Government and State and local governments are responsive, innovative, and effective because of the outstanding work of public servants;

Whereas the United States is a great and prosperous country, and public service employees contribute significantly to that greatness and prosperity;

Whereas the United States benefits daily from the knowledge and skills of these highly trained individuals;

Whereas public servants—

(1) defend our freedom and advance the interests of the United States around the world;

(2) provide vital strategic support functions to our military and serve in the National Guard and Reserves;

(3) fight crime and fires;

(4) ensure equal access to secure, efficient, and affordable mail service;

(5) deliver Social Security and Medicare benefits;

(6) fight disease and promote better health;

(7) protect the environment and the parks of the United States;

(8) enforce laws guaranteeing equal employment opportunity and healthy working conditions;

(9) defend and secure critical infrastructure;

(10) help the people of the United States recover from natural disasters and terrorist attacks;

(11) teach and work in our schools and libraries;

(12) develop new technologies and explore the Earth, the Moon, and space to help improve our understanding of how our world changes;

(13) improve and secure our transportation systems;

(14) promote economic growth; and

(15) assist the veterans of our country;

Whereas members of the uniformed services and civilian employees at all levels of government make significant contributions to the general welfare of the United States, and are on the front lines in the fight to defeat terrorism and maintain homeland security;

Whereas public servants work in a professional manner to build relationships with other countries and cultures in order to better represent the interests and promote the ideals of the United States;

Whereas public servants alert Congress and the public to government waste, fraud, and abuse, and of dangers to public health;

Whereas the men and women serving in the Armed Forces of the United States, as well as those skilled trade and craft Federal employees who provide support to their efforts, are committed to doing their jobs regardless of the circumstances, and contribute greatly to the security of the country and the world;

Whereas public servants have bravely fought in armed conflict in defense of this country and its ideals, and deserve the care and benefits they have earned through their honorable service;

Whereas government workers have much to offer, as demonstrated by their expertise and innovative ideas, and serve as examples by passing on institutional knowledge to train the next generation of public servants; and

Whereas the week of May 6 through 12, 2012, marks the 28th anniversary of Public Service Recognition Week: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of the week of May 6 through 12, 2012, as ''Public Service Recognition Week'';

(2) commends public servants for their outstanding contributions to this great country during Public Service Recognition Week and throughout the year;

(3) salutes government employees for their unyielding dedication to and spirit for public service;

(4) honors those government employees who have given their lives in service to their country;

(5) calls upon a new generation to consider a career in public service as an honorable profession; and

(6) encourages efforts to promote public service careers at all levels of government.

RESOLUTIONS SUBMITTED TODAY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 441, S. Res. 442, S. Res. 443, S. Res 444, and S. Res. 445, which were submitted earlier today.

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

The Senate proceeded to consider the resolutions en bloc.

Mr. REID. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, the motions to reconsider laid upon the table en bloc, with no intervening action or debate, and that any statements related to the resolutions be printed in the RECORD.

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

The resolutions (S. Res. 441, S. Res. 442, S. Res. 443, S. Res. 444, and S. Res. 445) were agreed to en bloc.

The preambles were agreed to en bloc.

The resolutions, with their preambles, read as follows:

S. RES. 441

(Expressing support for the designation of May 2012 as National Youth Traffic Safety Month)

Whereas motor vehicle crashes are the leading cause of death for youth in the United States;

Whereas thousands of youth are injured or die each year in motor vehicle crashes;

Whereas on average, 11 youths die each day in motor vehicle crashes;

Whereas on average, May through August is the deadliest period for youths on our nation's highways;

Whereas on average, 8 of the top 10 deadliest days for youths on our nation's highways were between May and August;

Whereas events such as prom and graduation, and the summer driving season, contribute to the risk of a motor vehicle crash due to an increase in the amount of time youth spend on the road and in celebratory activities;

Whereas it is essential to teach our youths that driving is a privilege and with that privilege comes risks and responsibilities;

Whereas this education is essential to preventing risky behaviors that can result in tragic crashes;

Whereas the National Organizations For Youth Safety (NOYS) established a national youth campaign and National Youth Traffic Safety Month to draw attention to the increased rate of motor vehicle crashes involving youth between May and August, to help enforce youth safe driving laws, and to support youth and community education on youth traffic safety; and

Whereas NOYS invites all youths, families, and communities to participate in National Youth Traffic Safety Month:

Now, therefore, be it

Resolved, That the Senate—

(1) expresses support for the designation of May 2012 as ''National Youth Traffic Safety Month'';

(2) supports youth traffic safety awareness; and

(3) encourages people across the United States to observe National Youth Traffic Safety Month with appropriate programs, activities, and ceremonies.

S. RES. 442

(Celebrating the 140th anniversary of Arbor Day)

Whereas Arbor Day was founded in Nebraska City, Nebraska on April 10, 1872, to recognize the importance of planting trees;

Whereas it is estimated that on the first Arbor Day, more than 1,000,000 trees were planted in the State of Nebraska alone;

Whereas Arbor Day is observed in all 50 States and across the world;

Whereas participating in Arbor Day activities promotes civic participation and highlights the importance of planting and caring for trees and vegetation;

Whereas those activities provide an opportunity to convey to future generations the value of land and stewardship;

Whereas National Arbor Day is observed on the last Friday of April each year; and

Whereas April 27, 2012, marks the 140th anniversary of Arbor Day: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes April 27, 2012, as National Arbor Day;

(2) celebrates the 140th anniversary of Arbor Day;

(3) supports the goals and ideals of Arbor Day; and

(4) encourages the people of United States to participate in Arbor Day activities.

S. RES. 443

(Honoring the life and legacy of Auxiliary Bishop Agustín Román)

Whereas Agustín Román was appointed auxiliary bishop of the Archdiocese of Miami, Florida in 1979, becoming the first Cuban to be appointed bishop in the United States;

Whereas Agustín Román was expelled from Cuba in 1961 by the regime of Fidel Castro, along with many other Roman Catholic priests;

Whereas Agustín Román ministered in Chile for 4 years before coming to Miami, Florida in 1966, where he quickly became a spiritual leader and advocate for the Cuban community in Miami, as well as for many other immigrant communities, including Haitian refugees;

Whereas Agustín Román was fluent in Latin, English, French, and Spanish, and served on the Bishops' Committee for Hispanic Affairs, worked as a hospital chaplain, and became episcopal vicar for the Spanish-speaking people of the Archdiocese of Miami;

Whereas Agustín Román was the son of humble Cuban peasants, which influenced his commitment to humility, tenacity, and unceasing devotion to his ministry in southern Florida;

Whereas Agustín Román was instrumental in the construction of the Shrine of Our Lady of Charity on Biscayne Bay, which serves as a monument to the patron saint of Cuba, the Virgin of Charity of Cobre, and attracts hundreds of thousands of visitors each year;

Whereas in 1980 Agustín Román served as a mediator during the Mariel boatlift incident, helping more than 100,000 Cubans flee the island and safely resettle in the United States;

Whereas Agustín Román helped negotiate a peaceful resolution to the 1987 riots of Mariel prisoner uprisings in Federal prisons, earning him national recognition for his compassion, gentility, and humble spirit;

Whereas after his retirement at the age of 75, Agustín Román remained active at the Shrine of Our Lady of Charity, greeting visitors and responding to letters from fellow Cuban exiles; and

Whereas Agustín Román passed away on Wednesday, April 11, 2012: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes and honors the life of Agustín Román;

(2) recognizes and honors the spiritual leadership of Agustín Román and his dedication to freedom and faith;

(3) offers heartfelt condolences to the family, friends, and loved ones of Agustín Román; and

(4) in memory of Agustín Román, calls on the United States to continue policies that promote respect for the fundamental principles of religious freedom, democracy, and human rights in Cuba, in a manner consistent with the aspirations of the people of Cuba.

S. RES. 444

(Designating the week of May 1 through May 7, 2012, as ''National Physical Education and Sport Week'')

Whereas a decline in physical activity has contributed to the unprecedented epidemic of childhood obesity, which has more than tripled in the United States since 1980;

Whereas regular physical activity is necessary to support normal and healthy growth in children and is essential to the continued health and well-being of children;

Whereas according to the Centers for Disease Control, overweight adolescents have a 70- to 80-percent chance of becoming overweight adults, increasing their risk for chronic disease, disability, and death;

Whereas physical activity reduces the risk of heart disease, high blood pressure, diabetes, and certain types of cancers;

Whereas type 2 diabetes can no longer be referred to as ''late in life'' or ''adult onset'' diabetes because type 2 diabetes presently occurs in children as young as 10 years old;

Whereas the Physical Activity Guidelines for Americans issued by the Department of Health and Human Services recommend that children engage in at least 60 minutes of physical activity on most, and preferably all, days of the week;

Whereas according to the Centers for Disease Control, only 19 percent of high school students are meeting the goal of 60 minutes of physical activity each day;

Whereas children spend many of their waking hours at school and, as a result, need to be active during the school day to meet the recommendations of the Physical Activity Guidelines for Americans;

Whereas nationally, according to the Centers for Disease Control, 1 out of 4 children does not attend any school physical education classes, and fewer than 1 in 4 children get 20 minutes of vigorous activity every day;

Whereas teaching children about physical education and sports not only ensures that the children are physically active during the school day, but also educates the children on how to be physically active and the importance of physical activity;

Whereas according to a 2006 survey by the Department of Health and Human Services, 3.8 percent of elementary schools, 7.9 percent of middle schools, and 2.1 percent of high schools provide daily physical education (or an equivalent) for the entire school year, and 22 percent of schools do not require students to take any physical education courses at all;

Whereas according to that 2006 survey, 13.7 percent of elementary schools, 15.2 percent of middle schools, and 3.0 percent of high schools provide physical education (or an equivalent) at least 3 days per week for the entire school year for students in all grades in the school;

Whereas research shows that fit and active children are more likely to thrive academically;

Whereas increased time in physical education classes can help the attention, concentration, and achievement test scores of children;

Whereas participation in sports teams and physical activity clubs, often organized by the school and run outside of the regular school day, can improve grade point average, school attachment, educational aspirations, and the likelihood of graduation;

Whereas participation in sports and physical activity improves self-esteem and body image in children and adults;

Whereas children and youths who partake in physical activity and sports programs have increased motor skills, healthy lifestyles, social skills, a sense of fair play, strong teamwork skills, self-discipline, and avoidance of risky behaviors;

Whereas the social and environmental factors affecting children are in the control of the adults and the communities in which the children live, and therefore, the people of the United States share a collective responsibility in reversing the childhood obesity epidemic;

Whereas if efforts are made to intervene with unfit children to bring those children to physically fit levels, then there may also be a concomitant rise in the academic performance of those children; and

Whereas Congress strongly supports efforts to increase physical activity and participation of children and youth in sports: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of May 1 through May 7, 2012, as ''National Physical Education and Sport Week'';

(2) recognizes National Physical Education and Sport Week and the central role of physical education and sports in creating a healthy lifestyle for all children and youth;

(3) supports the implementation of local school wellness policies (as that term is described in section 9A of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758b)) that include ambitious goals for physical education, physical activity, and other activities that address the childhood obesity epidemic and promote child wellness; and

(4) encourages schools to offer physical education classes to students and work with community partners to provide opportunities and safe spaces for physical activities before and after school and during the summer months for all children and youth.

S. RES. 445

(Expressing support for the designation of May 1, 2012, as ''Silver Star Service Banner Day'')

Whereas the Senate has always honored the sacrifices made by the wounded and ill members of the Armed Forces;

Whereas the Silver Star Service Banner has come to represent the members of the Armed Forces and veterans who were wounded or became ill in combat in the wars fought by the United States;

Whereas the Silver Star Families of America was formed to help the American people remember the sacrifices made by the wounded and ill members of the Armed Forces by designing and manufacturing Silver Star Service Banners and Silver Star Flags for that purpose;

Whereas the sole mission of the Silver Star Families of America is to evoke memories of the sacrifices of members and veterans of the Armed Forces on behalf of the United States through the presence of a Silver Star Service Banner in a window or a Silver Star Flag flying;

Whereas the sacrifices of members and veterans of the Armed Forces on behalf of the United States should never be forgotten; and

Whereas May 1, 2012, is an appropriate date to designate as ''Silver Star Service Banner Day'': Now, therefore, be it

Resolved, That the Senate supports the designation of May 1, 2012, as ''Silver Star Service Banner Day'' and calls upon the people of the United States to observe the day with appropriate programs, ceremonies, and activities.

PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Con. Res. 43, the adjournment resolution, which was submitted earlier today.

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

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Con. Res. 43) providing for the conditional adjournment or recess of the Senate and adjournment of the House of Representatives.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to and that the motion to reconsider be laid upon the table, with no intervening action or debate.

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

The concurrent resolution (S. Con. Res. 43) was agreed to, as follows:

S. CON. RES. 43

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Thursday, April 26, 2012, through Sunday, May 6, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12 noon on Monday, May 7, 2012, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day through Friday, May 4, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, May 7, 2012, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

AUTHORITY TO SIGN DULY ENROLLED BILLS OR JOINT RESOLUTIONS

Mr. REID. Mr. President, I ask unanimous consent that from Thursday, April 26, through Monday, May 7, the majority leader be authorized to sign duly enrolled bills or joint resolutions.

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

AUTHORITY TO MAKE APPOINTMENTS

Mr. REID. Mr. President, I ask unanimous consent that notwithstanding the upcoming recess or adjournment of the Senate, the President of the Senate, the President pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

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

ORDER OF PROCEDURE THROUGH MONDAY, MAY, 7, 2012

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn and convene for pro forma sessions only, with no business conducted, on the following dates and times and that following each pro forma session, the Senate adjourn until the next pro forma session: Monday, April 30, at 10:30 a.m.; Thursday, May 3, at 8:30 a.m.; and that the Senate adjourn on Thursday, May 3, until 2 p.m. on Monday, May 7, unless the Senate has received a message from the House that it has adopted S. Con. Res. 43, which will be the adjournment resolution, and if the Senate has received such a message, the Senate adjourn until Monday, May 7, at 2 p.m. under the provisions of S. Con. Res. 43; 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 resume consideration of the motion to proceed to S. 2343, the Stop Student Loan Interest Rate Hike Act; and that at 4:30 p.m. the Senate proceed to executive session under the previous order.

Just so that everyone understands, we have in this the pro forma sessions possibility. I am confident the House will adopt our adjournment resolution, but just in case they don't, that is why we have that in there.

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

PROGRAM

Mr. REID. Mr. President, there will be up to three rollcall votes on Monday, May 7. They will be on the confirmation of three judicial nominations—one U.S. circuit nomination and two U.S. district nominations.

CONDITIONAL ADJOURNMENT UNTIL MONDAY, APRIL 30, 2012, AT 10:30 A.M.

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:13 p.m., adjourned until Monday, April 30, 2012, at 10:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SEAN SULLIVAN, OF CONNECTICUT, TO BE A MEMBER OF THE DEFENSE NUCLEAR FACILITIES SAFETY BOARD FOR A TERM EXPIRING OCTOBER 18, 2015, VICE LARRY W. BROWN, RESIGNED.

DEPARTMENT OF STATE

TIMOTHY M. BROAS, OF MARYLAND, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF THE NETHERLANDS.

RICHARD L. MORNINGSTAR, OF MASSACHUSETTS, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF AZERBAIJAN.

FOREIGN SERVICE

THE FOLLOWING-NAMED PERSONS OF THE DEPARTMENT OF STATE FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED.

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE TO BE CONSULAR OFFICERS OR CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

MICHAEL C. AHO, OF VIRGINIA
ERIC AMES, OF NEW MEXICO
CAROLYN WIRTH ANDERSON, OF VIRGINIA
THOMAS W. ARMSTRONG, OF VIRGINIA
BRIAN L. BACKER, OF VIRGINIA
DANIEL R. BALDWIN, OF VIRGINIA
NEIL J. BECK, OF VIRGINIA
BRIAN BEDSWORTH, OF THE DISTRICT OF COLUMBIA
CHARLES A. BENTLEY III, OF THE DISTRICT OF COLUMBIA
DALMITA D. BENTON, OF VIRGINIA
ELIZABETH L. BIERMANN, OF ALABAMA
SHANTHINI M. BLACK, OF GUAM
MARK A. BLAND, OF FLORIDA
CARTER A. BOHN, OF VIRGINIA
MICHAEL CASEY BONFIELD, OF ALABAMA
LEILA BORAZJANI, OF THE DISTRICT OF COLUMBIA
KAREINA BRAZENOR, OF CALIFORNIA
PHILIP J. BRINKMAN, OF VIRGINIA
BRANDY L. BRUCKERT, OF VIRGINIA
DANIEL B. BUDIK, OF MARYLAND
RAUL A. BURGOS, OF VIRGINIA
CRISTINA R. BUSACCA, OF VIRGINIA
ADAM K. CARDWELL, OF VIRGINIA
MOLLY C. CHAMBERS, OF VIRGINIA
ERIC S. CICORA, OF THE DISTRICT OF COLUMBIA
GERALD J. CINTRON, OF MARYLAND
MICHAEL CARL COKER, OF ARIZONA
ANDREW R. DALSHIEM, OF VIRGINIA
ELISABETH L. DAVIDSON, OF WASHINGTON
CARMEN W. DOWLING, OF FLORIDA
WILLIAM M. DRAXLER, OF VIRGINIA
M. JOHN DUDTE, OF VIRGINIA
DANIEL A. DYMOND, OF VIRGINIA
DORI ANNE ENDERLE, OF TEXAS
WOODRUFF J. ENGLISH III, OF THE DISTRICT OF COLUMBIA
ANA H. ESQUIVEL, OF VIRGINIA
CHRISTIAN A. FARRELL, OF VIRGINIA
KRISTEN ASTRID FARRELL, OF THE DISTRICT OF COLUMBIA
RYAN ALLEN PATRICK FEEBACK, OF INDIANA
TIMOTHY L. FINNEGAN, OF VIRGINIA
JULIANA K. FINUCANE, OF CALIFORNIA
DOUGLAS R. FURLETTI, OF MARYLAND
REBECCA L. GALEK, OF VIRGINIA
ASHLEY L. GALLO, OF VIRGINIA
KATHERINE R. GALM, OF VIRGINIA
DAVID D. GENTILLI, OF VIRGINIA
PARAMJIT K. GILL, OF VIRGINIA
SZE YONG GOH, OF MARYLAND
ERIKA S. GRAMS, OF VIRGINIA
SARAH B. GREYWALL, OF VERMONT
JULIE R. GRIER, OF SOUTH CAROLINA
BENJAMIN MILLER GULLETT, OF NORTH CAROLINA
CHRISTOPHER JAMES HALLETT, OF VIRGINIA
HALLIE A. HASSAKIS, OF THE DISTRICT OF COLUMBIA
MATTHEW HERGOTT, OF COLORADO
MICHAEL C. HILLER, OF VIRGINIA
RACHEL L. HOLMES, OF VIRGINIA
CHRISTOPHER S. JANSEN, OF VIRGINIA
CANDACE R. JENDOUBI, OF VIRGINIA
ANDREW M. JENKINS, OF VIRGINIA
JOSHUA JOHNSON, OF THE DISTRICT OF COLUMBIA
EDWARD T. JONES, OF MARYLAND
BRAPHUS ELLIOTT KAALUND, OF TENNESSEE
NICHOLAS C. KALMBACH, OF VIRGINIA
ABIGAIL J. KAPUR, OF VIRGINIA
ERICH J. KAUSSEN, OF THE DISTRICT OF COLUMBIA
MARIOS M. KENDRICK, OF VIRGINIA
ROBERT S. KINNEAR, OF WASHINGTON
TODD A. KOLODZINSKI, OF VIRGINIA
MICHAEL K. KOSTICK, OF VIRGINIA
VICKY KU, OF NEW YORK
CHRISTINA E. KYRIAKOU, OF VIRGINIA
SECHYI LAIU, OF CALIFORNIA
MICHAEL W. LEACH, OF TEXAS
MICAH LEBSON, OF MARYLAND
BOA LEE, OF MINNESOTA
BIC HOANG LEU, OF CONNECTICUT
JOSHUA A. LEWIS, OF MARYLAND
NATHANIAL S. LINDSEY, OF VIRGINIA
WILLIAM S. LIVINGSTONE, OF VIRGINIA
DAVID T. LOMERSON, OF VIRGINIA
TERRY L. LONG, OF VIRGINIA
DOUGLAS LORENSON, OF VIRGINIA
FREDRICK W. LOWERY, OF VIRGINIA
R. SCOTT MACINTOSH, OF MISSOURI
NICKOLAS E. MAGLIS, OF VIRGINIA
OLIVER S. MAINS, OF CALIFORNIA
KENNETH W. MANGIN, OF VIRGINIA
AMANDA E. MATTEIS, OF THE DISTRICT OF COLUMBIA
CARLA M. MCBANE, OF VIRGINIA
RYAN MCCHRISTIAN, OF VIRGINIA
ALEXANDER HOPKINS MEARS, OF PENNSYLVANIA
SHANNON MILLER, OF VIRGINIA
SAGE MOON, OF WASHINGTON
MICHAEL J. MORIARTY, OF VIRGINIA
ROGER A. NASSAR, OF VIRGINIA
MICHAEL D. NORD, OF MARYLAND
MONIQUE NOWICKI, OF VIRGINIA
MARIKO NOYES-SHIMOMURA, OF VIRGINIA
SAMAN NOZARI, OF NORTH CAROLINA
JEAN T. OLSON, OF WISCONSIN
SETH M. OPPENHEIM, OF THE DISTRICT OF COLUMBIA
CALLAN ORDOYNE, OF MINNESOTA
FANTA N. ORR, OF VIRGINIA
BENJAMIN OSLAND, OF VIRGINIA
JESSICA PANCHATHA, OF CONNECTICUT
BARRETT CARLTON PARKER, OF VIRGINIA
BENJAMIN D. PARTINGTON, OF VIRGINIA
ROBERT PASTORE, OF VERMONT
HILDE LYNN PEARSON, OF WASHINGTON
EDWARD J. PIOTROWICZ, OF VIRGINIA
JEFFREY C. PLANTE, OF VIRGINIA
MICHAEL R. PROSSER, OF THE DISTRICT OF COLUMBIA
TONYA D. PRUITT, OF VIRGINIA
IAN B. PULSIPHER, OF VIRGINIA
ZAHID M. RAJA, OF MICHIGAN
ANNE REDALEN FRASER, OF MINNESOTA
MELISSA S. REED, OF VIRGINIA
ROBYN REMEIKA, OF MARYLAND
ERIK R. RIKANSRUD, OF VIRGINIA
SCOTT A. RISWOLD, OF VIRGINIA
ERIN E. ROBINSON, OF VIRGINIA
YOULIANA SADOWSKI, OF VIRGINIA
SALAMA J. SALAMA, OF VIRGINIA
MARY E. SAWYER, OF CONNECTICUT
MARILYN S. SCHNEIDER, OF MARYLAND
SAMUEL D. SIPES, OF TEXAS
LEE R. SMITH, OF VIRGINIA
RACHEL K. SNELL, OF VIRGINIA
BENJAMIN T. SNELL-CALLANEN, OF THE DISTRICT OF COLUMBIA
LINDSEY J. SOLARSKI, OF VIRGINIA
DEVIN R. SPRINGER, OF VIRGINIA
JOSHUA E. STERN, OF VIRGINIA
ELIZABETH M. STICKNEY, OF MARYLAND
HOLLY S. STOFA, OF MARYLAND
STEVEN JAMES STOIBER, OF FLORIDA
LARA A. SULLIVAN, OF VIRGINIA
JOHN SZYPULA, OF COLORADO
GABRIEL ELIJAH TAMES, OF CALIFORNIA
RICHARD F. TAYLOR, OF MARYLAND
ELIE MEYER TEICHMAN, OF MARYLAND
MOIRA KATHARINE THOMAS, OF VIRGINIA
JAMES C. THORN, OF MISSOURI
PHILLIP C. TISSUE, JR., OF PENNSYLVANIA
CHRISTINA A. TOMASETTI, OF VIRGINIA
LAURA TRAVIS, OF VIRGINIA
LUKE RICHARDSON TULLBERG, OF NEW YORK
ROBERT J. VANDERHORST, OF FLORIDA
JEFFREY S. VANDORN, OF IOWA
VITALIY VOZNYAK, OF VIRGINIA
SUSAN A. WATERMAN, OF VIRGINIA
WILLIAM L. WHEELEHAN, OF KENTUCKY
ERINN CATHERINE WHITAKER, OF THE DISTRICT OF COLUMBIA
MATTHEW M. WILLS, OF VIRGINIA
T. ANDREW WILSON, OF NEW YORK
MARION J. WOHLERS, OF WASHINGTON
TYSON SCOTT WOODRUFF, OF VIRGINIA
MALCOLM F. WRIGHT, OF VIRGINIA
RONALD K. YIU, OF VIRGINIA
MICHAEL G. ZIDEK, OF VIRGINIA

THE FOLLOWING-NAMED CAREER MEMBER OF THE FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE TO THE CLASS INDICATED, EFFECTIVE JANUARY 1, 2012: CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF MINISTER-COUNSELOR:

KENNETH E. GROSS, JR., OF VIRGINIA

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

MICHAEL L. YODER, OF TEXAS

PUBLIC HEALTH SERVICE

THE FOLLOWING CANDIDATES FOR PERSONNEL ACTION IN THE REGULAR CORPS OF THE COMMISSIONED CORPS OF THE U.S. PUBLIC HEALTH SERVICE SUBJECT TO QUALIFICATIONS THEREFORE AS PROVIDED BY LAW AND REGULATIONS:

To be surgeon

JOSEPH R. FONTANA
RAKHEE S. PALEKAR
CHRISTOPHER L. PERDUE

To be senior assistant surgeon

PAMELA J. HORN

To be dental officer

SCOTT W. BROWN
DEBORAH L. FULLER

To be senior assistant dental officer

ALEXANDER D. GAMBER

To be assistant dental officer

ERIKA A. CRAWFORD
ANTONIO S. PARAMESWARAN

To be assistant nurse officer

OMORONKE O. ADEGBUJI
MARK E. ARENA
MICHAEL J. REED

To be assistant scientist officer

BRANDY E. HELLMAN

To be assistant health services officer

GEORGE S. CHOW
SARAH M. LEE
JOY A. MOBLEY

CONFIRMATIONS

Executive nominations confirmed by the Senate April 26, 2012:

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

JANE D. HARTLEY, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING OCTOBER 6, 2014.

DEPARTMENT OF STATE

ADAM E. NAMM, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER—COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ECUADOR.

THE JUDICIARY

GREGG JEFFREY COSTA, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF TEXAS.

DAVID CAMPOS GUADERRAMA, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF TEXAS.

DEPARTMENT OF AGRICULTURE

MICHAEL T. SCUSE, OF DELAWARE, TO BE UNDER SECRETARY OF AGRICULTURE FOR FARM AND FOREIGN AGRICULTURAL SERVICES.

MICHAEL T. SCUSE, OF DELAWARE, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE COMMODITY CREDIT CORPORATION.

DEPARTMENT OF DEFENSE

MARK WILLIAM LIPPERT, OF OHIO, TO BE AN ASSISTANT SECRETARY OF DEFENSE.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE CHIEF OF ENGINEERS/COMMANDING GENERAL, UNITED STATES ARMY CORPS OF ENGINEERS, AND APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 3036:

To be lieutenant general

LT. GEN. THOMAS P. BOSTICK

NATIONAL INSTITUTE OF BUILDING SCIENCES

JAMES T. RYAN, OF UTAH, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL INSTITUTE OF BUILDING SCIENCES FOR A TERM EXPIRING SEPTEMBER 7, 2013.

JAMES TIMBERLAKE, OF PENNSYLVANIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL INSTITUTE OF BUILDING SCIENCES FOR A TERM EXPIRING SEPTEMBER 7, 2014.

MARY B. VERNER, OF WASHINGTON, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL INSTITUTE OF BUILDING SCIENCES FOR A TERM EXPIRING SEPTEMBER 7, 2012.

MARY B. VERNER, OF WASHINGTON, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL INSTITUTE OF BUILDING SCIENCES FOR A TERM EXPIRING SEPTEMBER 7, 2015.

SUSAN A. MAXMAN, OF PENNSYLVANIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL INSTITUTE OF BUILDING SCIENCES FOR A TERM EXPIRING SEPTEMBER 7, 2012.

SUSAN A. MAXMAN, OF PENNSYLVANIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL INSTITUTE OF BUILDING SCIENCES FOR A TERM EXPIRING SEPTEMBER 7, 2015.

POSTAL REGULATORY COMMISSION

TONY HAMMOND, OF MISSOURI, TO BE A COMMISSIONER OF THE POSTAL REGULATORY COMMISSION FOR THE REMAINDER OF THE TERM EXPIRING OCTOBER 14, 2012.

MERIT SYSTEMS PROTECTION BOARD

MARK A. ROBBINS, OF CALIFORNIA, TO BE A MEMBER OF THE MERIT SYSTEMS PROTECTION BOARD FOR THE TERM OF SEVEN YEARS EXPIRING MARCH 1, 2018.

NATIONAL BOARD FOR EDUCATION SCIENCES

ADAM GAMORAN, OF WISCONSIN, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL BOARD FOR EDUCATION SCIENCES FOR A TERM EXPIRING NOVEMBER 28, 2015.

JUDITH D. SINGER, OF MASSACHUSETTS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL BOARD FOR EDUCATION SCIENCES FOR A TERM EXPIRING NOVEMBER 28, 2014.

HIROKAZU YOSHIKAWA, OF MASSACHUSETTS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL BOARD FOR EDUCATION SCIENCES FOR A TERM EXPIRING NOVEMBER 28, 2015.

DAVID JAMES CHARD, OF TEXAS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL BOARD FOR EDUCATION SCIENCES FOR A TERM EXPIRING NOVEMBER 28, 2015.

NATIONAL SCIENCE FOUNDATION

BONNIE L. BASSLER, OF NEW JERSEY, TO BE A MEMBER OF THE NATIONAL SCIENCE BOARD, NATIONAL SCIENCE FOUNDATION FOR A TERM EXPIRING MAY 10, 2016.

DEPARTMENT OF EDUCATION

DEBORAH S. DELISLE, OF SOUTH CAROLINA, TO BE ASSISTANT SECRETARY FOR ELEMENTARY AND SECONDARY EDUCATION, DEPARTMENT OF EDUCATION.

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. DONALD S. WENKE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. BURTON M. FIELD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. BRUCE A. LITCHFIELD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. CHARLES R. DAVIS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. SALVATORE A. ANGELELLA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS CHIEF OF AIR FORCE RESERVE, AND APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES AIR FORCE WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 8038:

To be lieutenant general

MAJ. GEN. JAMES F. JACKSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. ANDREW E. BUSCH

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COLONEL ROBERT P. WHITE

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. STEVEN FERRARI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. KRISTIN K. FRENCH
COL. WALTER E. PIATT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. DENNIS L. VIA

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. TODD A. PLIMPTON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. PATRICIA E. MCQUISTION

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. RAYMOND P. PALUMBO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. ROBERT P. LENNOX

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. ROBERT B. BROWN

THE FOLLOWING NAMED UNITED STATES ARMY RESERVE OFFICER FOR APPOINTMENT AS CHIEF, ARMY RESERVE AND APPOINTMENT TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 3038:

To be lieutenant general

MAJ. GEN. JEFFREY W. TALLEY

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. ERIC C. YOUNG

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) TERRY B. KRAFT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral

REAR ADM. (LH) BRYAN P. CUTCHEN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) JONATHAN W. WHITE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) RICHARD P. BRECKENRIDGE
REAR ADM. (LH) WALTER E. CARTER, JR.
REAR ADM. (LH) CRAIG S. FALLER
REAR ADM. (LH) JAMES G. FOGGO III
REAR ADM. (LH) PETER A. GUMATAOTAO
REAR ADM. (LH) JOHN R. HALEY
REAR ADM. (LH) PATRICK J. LORGE
REAR ADM. (LH) MICHAEL C. MANAZIR
REAR ADM. (LH) SAMUEL PEREZ, JR.
REAR ADM. (LH) JOSEPH W. RIXEY
REAR ADM. (LH) KEVIN D. SCOTT
REAR ADM. (LH) JAMES J. SHANNON
REAR ADM. (LH) THOMAS K. SHANNON
REAR ADM. (LH) HERMAN A. SHELANSKI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. MARK I. FOX

IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING WITH JENNIFER M. AGULTO AND ENDING WITH KATHRYN W. WEISS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 16, 2012.

AIR FORCE NOMINATIONS BEGINNING WITH MARIO ABEJERO AND ENDING WITH CARL R. YOUNG, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 16, 2012.

AIR FORCE NOMINATIONS BEGINNING WITH RICHARD E. AARON AND ENDING WITH ERIC D. ZIMMERMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 16, 2012.

IN THE ARMY

ARMY NOMINATION OF CAROL A. FENSAND, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH KELLEY R. BARNES AND ENDING WITH DAVID L. GARDNER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 19, 2012.

ARMY NOMINATION OF TROY W. ROSS, TO BE COLONEL.

ARMY NOMINATION OF SEAN D. PITMAN, TO BE MAJOR.

ARMY NOMINATION OF WALTER S. CARR, TO BE MAJOR.

ARMY NOMINATION OF MARC E. PATRICK, TO BE MAJOR.

ARMY NOMINATION OF DEMETRES WILLIAMS, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH ALYSSA ADAMS AND ENDING WITH DONALD L. POTTS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 19, 2012.

ARMY NOMINATION OF JAMES M. VEAZEY, JR., TO BE COLONEL.

ARMY NOMINATION OF SHARI F. SHUGART, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH DANIEL A. GALVIN AND ENDING WITH THOMAS J. SEARS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 21, 2012.

ARMY NOMINATIONS BEGINNING WITH ANTHONY R. CAMACHO AND ENDING WITH RICHARD J. SLOMA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 21, 2012.

ARMY NOMINATIONS BEGINNING WITH JAMES M. BLEDSOE AND ENDING WITH DANIEL J. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 21, 2012.

ARMY NOMINATIONS BEGINNING WITH JOHN R. ABELLA AND ENDING WITH D010584, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 21, 2012.

ARMY NOMINATIONS BEGINNING WITH DREW Q. ABELL AND ENDING WITH G010092, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 21, 2012.

ARMY NOMINATIONS BEGINNING WITH EDWARD C. ADAMS AND ENDING WITH D011050, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 21, 2012.

IN THE MARINE CORPS

MARINE CORPS NOMINATION OF JUAN M. ORTIZ, JR., TO BE LIEUTENANT COLONEL.

IN THE NAVY

NAVY NOMINATION OF DAVID T. CARPENTER, TO BE CAPTAIN.

NAVY NOMINATION OF MICHAEL JUNGE, TO BE CAPTAIN.

NAVY NOMINATION OF MARC E. BERNATH, TO BE COMMANDER.

NAVY NOMINATION OF STEVEN A. KHALIL, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF ASHLEY A. HOCKYCKO, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF JASON A. LANGHAM, TO BE COMMANDER.

NAVY NOMINATION OF WILL J. CHAMBERS, TO BE COMMANDER.

NAVY NOMINATIONS BEGINNING WITH PATRICK J. FOX, JR. AND ENDING WITH LESLIE H. TRIPPE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 21, 2012.

WITHDRAWALS

Executive message transmitted by the President to the Senate on April 26, 2012 withdrawing from further Senate consideration the following nominations:

THOMAS M. BECK, OF VIRGINIA, TO BE A MEMBER OF THE NATIONAL MEDIATION BOARD FOR A TERM EXPIRING JULY 1, 2013, VICE ELIZABETH DOUGHERTY, TERM EXPIRED, WHICH WAS SENT TO THE SENATE ON JANUARY 5, 2011.

MATTHEW J. BRYZA, OF ILLINOIS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF AZERBAIJAN, TO WHICH POSITION HE WAS APPOINTED DURING THE RECESS OF THE SENATE FROM DECEMBER 22, 2010, TO JANUARY 5, 2011, WHICH WAS SENT TO THE SENATE ON JANUARY 26, 2011.

EXTENSIONS OF REMARKS

THE HOLOCAUST

SPEECH OF

HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mr. GARAMENDI. Mr. Speaker, I rise today on Yom Ha'Shoah to honor the memory of the victims of the Holocaust. In the 1940's, the Nazi regime murdered six million innocent human beings in an attempt to wipe out the entire Jewish community.

It is of the utmost importance that we continue to reflect upon this tragedy and teach our children about this horrific event, so that we fully understand the importance of embracing our common humanity, so that we recognize the universality of human dignity, and so that we prevent genocide from ever occurring again.

In the first few years of the Nazi regime, Jews were harassed and humiliated in every imaginable way to tear away at their basic human dignity.

This denial of their human dignity and humanity culminated in the death camps, where mass murder was accomplished with a factory-like efficiency that shocks the soul.

Facing a totalitarian state intent on genocide and war, several Jewish underground organizations found the strength to create resistance movements. In the Warsaw Ghetto, these groups launched an uprising that lasted over a month against the entrenched Nazi war machine. The Warsaw Ghetto Uprising inspired other uprisings across Europe, including in the Bialystok and Minsk ghettos and in the Treblinka and Sobibor death camps.

The indomitable resilience of the human spirit was also demonstrated in the aftermath of the Holocaust when Jews recreated their lives, rebuilt their families and their culture. This rebirth is epitomized by the creation of the first independent Jewish state in our modern era—the state of Israel.

In Israel, Yom Ha'Shoah is marked by the sound of a siren, which calls for two minutes of silence. Two minutes when an entire country stands in silent reflection.

I ask all of my colleagues to join with me in observing the lives that have been lost, in honoring the survivors, and in recommitting ourselves to ensuring that such a tragedy is never repeated again.

HONORING ALVIN AURELIANO DAVIS

HON. FREDERICA S. WILSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Ms. WILSON of Florida. Mr. Speaker, I rise today to recognize and honor Mr. Alvin Aureliano Davis, who was recently named the 2012 Macy's Florida Department of Education State Teacher of the Year. With this honor, Mr. Davis will serve as the Christa McAuliffe Ambassador for education, touring Florida as an education advocate. Mr. Davis is the band teacher at Miramar High School and has been a music educator for the past 11 years. By actively encouraging his students and keeping them engaged on obtainable goals, his students find success both in and out of the classroom. For the past three years, every student who was a regular participating member of the Miramar High band program has gone on to college under his guidance and leadership.

Alvin Davis graduated from Florida A&M University with a Bachelor of Science degree in, Music Education. He began his professional career as the band instructor at Crystal Lake Middle School, teaching the fundamentals of band to 6th thru 8th graders. As the director of the Miramar High School band, Mr. Davis has continuously constructed his music program and performances with the philosophy of developing an award winning, academic-focused music program on the cutting edge of creativity and band pageantry.

Mr. Davis has a genuine and vested interest in his students. Passing on the legacy of music appreciation is only part of his greater mission of instilling academics and discipline. He requires his students to receive one-on-one counseling with a member of the band staff, and he personally reviews students' report cards and interim reports. Every school band rehearsal includes a one-hour study hall where students are tutored. He has implemented guidelines that high school seniors can perform only if they have registered to take the ACT or SAT college entrance exams, and must prove they have applied for admission to a college or university.

Over the years he has developed a reputation as an educator with a heart as big as the moon as he is wholeheartedly dedicated to the entire educational welfare of students.

Alvin Davis is the husband of Tiffani Davis and the proud father of his daughter, Caitlyn. I proudly acknowledge his achievement as the 2012 Macy's Florida Department of Education State Teacher of the Year and appreciate his commitment to the many students whose lives he has positively impacted.

HONORING MRS. LOURDES LOZANO

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. DIAZ-BALART. Mr. Speaker, I rise today to honor Mrs. Lourdes Lozano, a remarkable leader in the South Florida community.

Mrs. Lozano was born in Las Villas, Cuba and attended the Escuela Normal de Maestros in preparation for her teaching profession. After graduation she received a post graduate degree from the University of Martha Abreu, in Santa Clara. Once arriving in Miami, she received her Bachelor's degree in Psychology from St. Thomas University.

Mrs. Lozano began her professional career working at ARSCO International, a company in the paint roller industry. While working for this company she became the first woman in the industry to hold the position of Plant Manager. She later went on the become Vice President and General Manager of the company. Mrs. Lozano has also worked as a realtor for the past 28 years and as a supervisor for twelve social workers and one specialist for 22 years. In the past she has been appointed to serve the community as a Commissioner for Hialeah's Housing Authority, and is currently serving as a Council Member for the City of Hialeah.

Mrs. Lozano's work does not stop there, as she has been a volunteer for Liga Contra el Cancer and for the Muscular Dystrophy Association for over 30 years. Along with her husband Richard Irizarry, Mrs. Lozano has made tremendous contributions to our community and both are highly admired for their hard work. In 2004 she was recognized as one of the eight public service employees in Miami-Dade who perform their professional duties with excellence. She has also received the "Most Humanitarian Award" from the Department of Children and Families. She has also been recognized by the Mayor of the City of Hialeah, for her leadership on a number of projects which help alleviate some of the burdens of needy families in the community.

Mr. Speaker, I am honored to pay tribute my dear friend Mrs. Lourdes Lozano for her continued service to the South Florida community. I ask my colleagues to join me in recognizing this remarkable individual and wish her continued success.

TRIBUTE HONORING ISRAEL'S SIXTY-FOURTH INDEPENDENCE DAY

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. PASCRELL. Mr. Speaker, I rise today to recognize Israel's sixty-fourth Independence Day. Today is a cause for true celebration.

On May 14, 1948, Mr. David Ben-Gurion declared the independence of the State of Israel. It is with this in mind that families and friends across the globe come together to celebrate on this very special occasion.

The United States' strong solidarity to the Israeli people is continually fortified. Since Israel's independence, the ties of democracy between Israel and the United States have been unwavering.

The United States was one of the first nations to recognize the nation of Israel, just minutes after Prime Minister Ben-Gurion declared the independence of the State of Israel.

As the only democracy in the Middle East, Israel has been one of the United States' most

important allies since its founding. This relationship remains strong and vibrant to this day.

While many things have changed in the past sixty-four years, the bonds of friendship between our two great nations has remained constant.

President of Israel Shimon Peres has called on all Jewish people across the world to participate in Independence Day celebrations being hosted at the Presidential residence in Jerusalem.

These celebrations will include honorary flyovers of Israeli combat planes and helicopters and a full military review by President Peres and Chief of Staff Gantz. President Peres will also be awarding 120 soldiers with the President's Outstanding Service Award.

Also, President Peres and Prime Minister Netanyahu, will partake in singing songs commemorating Israeli independence with the Israeli Defense Forces band and numerous patriotic singers.

I am always pleased to recognize and commemorate historic occasions such as this one.

Mr. Speaker, I ask that you join our colleagues, all Jewish people, and me, in recognizing Israel's sixty-fourth Independence Day.

HONORING THE NEW JERSEY STATE ASSOCIATION OF CHIEFS ON POLICE ON THEIR 100TH ANNIVERSARY

HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. ROTHMAN of New Jersey. Mr. Speaker, I rise today to congratulate the New Jersey State Association of Chiefs of Police on 100 years of leading the way in providing the highest level of professional and ethical police services. I join with the New Jersey State Association of Chiefs of Police in recognizing their centennial anniversary to commemorate the many years of their outstanding leadership. These servicemen and women are exceptional in both their professional field and community service to the public.

The New Jersey State Association of Chiefs of Police is one of the oldest, largest and most respected police executive associations in the country. Membership includes the sworn chief executives of local, county, state and federal law enforcement agencies throughout the state of New Jersey. Since its founding in 1912, the Association has been a driving force for implementation of the latest techniques, technology and methodologies in New Jersey police agencies. In 1945, they began administering professional entry level and promotional examinations for non-civil service police departments. As the responsibilities of the organization continued to grow, the New Jersey State Association of Chiefs of Police developed the Command and Leadership Academy in 1993 for law enforcement executives in New Jersey. Striving to uphold its mission of maintaining the highest standards for law enforcement, the Association provides command school, executive and professional development, administrative, management and leadership training for New Jersey police professionals. In that same vein, the Association offers at no cost full portfolios of model policies and resources to law enforcement agencies throughout the state. It also established and administers New Jersey's law enforcement agency accreditation program. In addition to all these services, the association founded, coordinates and hosts the annual New Jersey memorial service for officers killed in the line of duty—the first of its kind in the United States. After a century of service to New Jersey, I join the New Jersey State Association of Chiefs of Police in honoring this exceptional organization and its members who have dedicated themselves to delivering quality service to both the law enforcement community as well as the citizens of New Jersey.

Mr. Speaker, today I would like to celebrate the 100th anniversary of the New Jersey State Association of Chiefs of Police and honor all of its members for their role in keeping this wonderful organization going for so many years. I know I join with all of my constituents in wishing the New Jersey State Association of Chiefs of Police continued success as they proudly serve the communities of New Jersey.

NINETY-SEVENTH ANNIVERSARY OF THE ARMENIAN GENOCIDE

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. MARKEY. Mr. Speaker, parev, pari yegak (Hello, welcome.)

Thank you to the Armenian National Committee of America, the Armenian Assembly, the Armenian Caucus, the Embassy of Armenia, and the Office of Nagorno Karabakh for organizing this very important event.

I would also like to give a special thanks to all of the Armenian Genocide survivors and their families who are here tonight.

I am very proud to represent the 7th district of Massachusetts because my district includes the community with the third highest percentage of Armenian-Americans in the Nation.

We have gathered today to remember and commemorate the Armenian Genocide, one of the darkest chapters of World War I, and the first of many genocides we saw in the 20th century.

Ninety-seven years ago, the Armenian Genocide was initiated when hundreds of Armenian political, religious, and intellectual leaders were arrested in Constantinople and then deported and murdered. Unfortunately, these terrible atrocities that occurred in the capital of the Ottoman Empire only represented the beginning of the suffering inflicted on the Armenian people.

Between 1915 and 1923, the Ottoman Empire carried out the deportation of nearly 2 million Armenians from their homes, resulting in the deaths of 1.5 million innocent children, women and men.

This must never happen again.

In order to prevent future genocides, we must recognize those of the past. For many years the House has had before it a resolution which clearly affirms the United States record on the Armenian Genocide.

I have been a strong supporter and vocal cosponsor of this resolution in every Congress, and I remain so today.

Almost one-hundred years have passed since the Armenian Genocide, yet the suffering will continue for Armenians and non-Armenians alike as long as the world allows denial to prevail.

Already, 43 states and 22 nations have officially recognized the Armenian Genocide, and it is long overdue for the United States to do the same.

Unfortunately, the Republic of Armenia's challenges continue even after its independence from the Soviet Union in 1991.

In the face of ongoing blockades from Turkey and Azerbaijan, the United States must provide assistance to Armenia while working to reestablish the Turkish government's commitment to normalized relations in order to ensure peace and stability in the Caucasus region. I strongly support these efforts.

The Armenian people are true survivors. Despite the reappearing themes of invasions and land loss that the Armenians have dealt with for over 3,000 years, coupled with the loss of between one-half and three-quarters of their population in the early 20th century, the people of Armenia have prevailed.

In fact, I have a wonderful Armenian intern in my office, Victoria Hines. Victoria's grandmother was born on a train in Moscow during her family's journey to America after her mother hid her father from the Ottoman Turks, allowing for their escape.

Despite watching their friends and even their own first-born perish in the genocide, the Tutunjian family, along with the rest of the Armenian people, view the stories of their families as reminders of the importance of preserving the fight for recognition.

The journey of the Armenian people continues today, with our shared responsibility to ensure that the Armenian people are able to build their own independent and prosperous future.

I look forward to continuing to work with the Armenian-American community to address the issues facing this longtime friend and important ally of the United States. Together we can build something positive, something hopeful, something good for the future—an Armenia that is respected and honored by its allies and neighbors.

And this cannot come without universal acknowledgement of the horror that was the Armenian Genocide.

IN RECOGNITION OF RONALD McDONALD HOUSE OF LONG BRANCH & NEW BRUNSWICK'S 25TH ANNIVERSARY

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. PALLONE. Mr. Speaker, I rise today to celebrate The Ronald McDonald House of Long Branch and New Brunswick's 25th Anniversary. The Ronald McDonald House organization and its charities have provided warm and hospitable living environments and support to families whose children are being treated at area hospitals at little or no cost. Their outpouring of support and charitable efforts to serve the members of their community is worthy of this body's recognition.

The Ronald McDonald House was established in 1974 through a collaborative effort by Philadelphia Eagles football player, Fred Hill and Dr. Audrey Evans at Children's Hospital of

Philadelphia. Mr. Hill's three-year-old daughter Kim Hill and her childhood battle with leukemia inspired the model for the first Ronald McDonald House. Facing the rigors of multiple hospital visits, the Hill family sought to find a comfortable and supportive place of refuge for other parents facings similar situations. Through the support of Eagles owners, managers, teammates and various fundraising endeavors, the first Ronald McDonald House was opened in Philadelphia, Pennsylvania. The Ronald McDonald House provided the amenities of home while offering families a comfortable and supportive environment with easy access to area hospitals. The Philadelphia Ronald McDonald House would later act as the model for what would become an international network of temporary housing for families of ill children. By 1985, more than 88 Ronald McDonald Houses were established worldwide. The popular and unique fundraising strategies, including the ''Pop Tab Collection Recycling Program'', were raised millions for participating Houses and furthered the success of the organization. In 1984, Ronald McDonald House Charities (RMHC) was established in memory of McDonald's founder Ray Kroc. Since its inception, RMHC and its network of Chapters have awarded more than $16 million in grants to more than 1,300 U.S. Children's organizations.

As a result of their commendable efforts, for two consecutive years, Worth magazine named RMHC one of ''America's 100 Best charities of 2002''.

The Ronald McDonald House of Long Branch and New Brunswick, New Jersey was established in 1987 and services community members throughout the State. Through the support of area businesses, organizations, civic groups, schools and individuals, as well as various fundraising and special events, the two Houses have served more than 4,000 families.

Mr. Speaker, once again, please join me in thanking the Ronald McDonald House of Long Branch and New Brunswick for their 25 years of service. The Ronald McDonald House continues to provide outstanding services to the Middlesex, Monmouth and NJ community.

HONORING MS. LOURDES UBIETA

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. DIAZ-BALART. Mr. Speaker, I rise today to honor Ms. Lourdes Ubieta, a Venezuelan-born journalist and freedom fighter.

Ms. Ubieta speaks three languages and has profound experience in journalism, with a specific interest in human rights. In her current position, she serves as a co-host on a daily talk radio program broadcasted on Actualidad 1020AM. The two-hour long program focuses on domestic and international issues, which informs and educates thousands of Spanish speakers in our community.

Ms. Ubieta's leadership was instrumental in the organization of Venezuela's 2012 Presidential primary elections in Doral, Florida. With her assistance, twenty voting stations were set up at a strip plaza in order to accommodate the expected turnout. In all, more than 8,000 Venezuelan's exercised the right to vote in their homeland's primary. Ms. Ubieta's commitment to democracy and the Venezuelan community in South Florida is clearly evident and extraordinary.

The numerous awards Ms. Ubieta has received are further proof of her hard work and dedication. In the past three years, she has been recognized by the Venezuelan American Chamber of Commerce, Broward Community Center, and has received the Venezuelan Business Club Award, among many others.

Mr. Speaker, I am honored to recognize a dear friend, Ms. Lourdes Ubieta for her outstanding professional career and leadership in our community. I ask my colleagues to join me in recognizing this accomplished individual and wish her continued success.

THE CITY OF MOUND TURNS 100

HON. ERIK PAULSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. PAULSEN. Mr. Speaker, this year marks the centennial of the city of Mound, Minnesota. And although this picturesque community was officially incorporated in 1912, its roots run all the way back to before the Civil War when the town was known as Mound City.

In the early days, Mound was a bustling business district on the shores of Cooks Bay, frequented by the street car boats which travelled Lake Minnetonka at the turn of the 19th century. In 1900, the railroad came to town, requiring the business district to move to where we see it today.

From a city which derives its name from Indian burial mounds, this vibrant community has not only flourished over its 100 years as a home to close to 10,000 Minnesotans—and this year being named Minnesota's Best Place to Raise Your Kids 2012 by Bloomberg Businessweek—but has also been home to many of Minnesota's innovative small businesses.

I'd like to congratulate Mayor Hanus, and all of my neighbors who call Mound home—Happy 100th!

SALLIE MAE LOAN SERVICING CENTER IN HANOVER TOWNSHIP

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. BARLETTA. Mr. Speaker, I rise to honor the Sallie Mae Loan Servicing Center in Hanover Township, which will celebrate its 25th anniversary today, April 25, 2012.

The Student Loan Marketing Association, commonly known as Sallie Mae, was originally created in 1972 as a government sponsored enterprise. In 1997, Sallie Mae began privatizing its operations. At the end of 2004, Congress terminated Sallie Mae's federal charter, officially ending its ties to the government. Today, Sallie Mae is the nation's number one financial services company specializing in education and offering a wide range of products and services from college savings programs to education loans.

Currently, Sallie Mae employs an estimated 8,000 individuals nationwide and is one of the largest employers in Northeastern Pennsylvania. In addition to providing jobs, Sallie Mae sponsors The Sallie Mae Fund, a charitable organization with a mission to increase access to higher education for America's students. In honor of the Hanover Township facility's 25th anniversary, The Sallie Mae Fund announced a $150,000 donation to the Osterhout Free Library in Wilkes-Barre to support the library's early literacy outreach program. The Fund also supports employee volunteerism and community service. I am proud to say that Sallie Mae employees have raised more than $2.5 million for Pennsylvania charities.

Mr. Speaker, for the last 25 years, Sallie Mae has proudly served the citizens of Hanover Township and all of Northeastern Pennsylvania. I commend Sallie Mae and all those employed at the Loan Servicing Center for their dedication to education, to the community, and to our country.

WORLD IMMUNIZATION WEEK: PREVENTING PNEUMONIA AND DIARRHEA WITH THE POWER OF VACCINES

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. McDERMOTT. Mr. Speaker, this week marks World Immunization Week, in which countries across the globe mobilize for a week of vaccination campaigns and public education about the value of immunization. I rise today to celebrate a major milestone in global health: the rollout of two new vaccines to protect infants from two of the biggest killers of children under the age of five—pneumonia and diarrhea—that is taking place today in Ghana.

Hundreds of Ghanaians have played a frontline role in making their country the first in Africa to simultaneously introduce both pneumococcal and rotavirus vaccines to their people. While the Government and the people of Ghana are to be congratulated for this unprecedented accomplishment, I also want to acknowledge the role U.S. taxpayers have played in making this moment possible.

The United States' commitment to the Global Alliance for Vaccines and Immunization (GAVI Alliance) has been instrumental in making these vaccines affordable and accessible for children in the world's poorest countries. Immunization is one of the most successful and cost-effective public health interventions. By supporting new vaccines, the GAVI Alliance is well within target to immunize more than 250 million children in the world's poorest countries by 2015, preventing more than 4 million premature deaths.

Seattle, which I represent, has made significant contributions toward the United States becoming a leader in global health innovation, including vaccination research. For example, earlier this year, promising preliminary results from the trial of a malaria vaccine known as RTS,S made headlines around the world when it showed that nearly fifty percent of children who received the vaccine were protected from malaria—a leading cause of death among children in developing countries. The Bill and

Melinda Gates Foundation and PATH, both based in Seattle, were at the forefront in developing this potentially life-saving vaccine.

I am proud to say that American research and technology in global health are at the forefront in making medicine accessible to the most remote corners of the world. But we cannot stop here.

U.S. bilateral support for maternal and child health provide critical infrastructure—including supply chains, trained health workers, and facilities—to deliver vaccines around the world, along with other essential and complementary interventions such as nutrition and clean water.

Immunization leads to significant economic benefits by protecting individuals not just against life-threatening illnesses but against long-term effects of that illness on their physical, emotional and cognitive development. With the introduction of these vaccines, mothers across Ghana will be able to provide their children hope for a brighter future.

On this day, while communities around the world are celebrating the power of lifesaving vaccines, we can be proud as Americans that our investments are making a durable impact on the prosperity and security of those who need it most.

IN HONOR OF THE SANTA CRUZ WORLD SURFING RESERVE

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. FARR. Mr. Speaker, I rise today to recognize the dedication of the Santa Cruz World Surfing Reserve. Santa Cruz is one of just four surf zones located around the world that has qualified to be designated as a World Surfing Reserve by the Save the Waves Coalition. This designation is intended to focus attention on the need to protect our natural resources along the coast including surf breaks and the unique conditions that allow them to exist. The program serves as a model for preserving wave breaks and their surrounding areas by recognizing the positive environmental, cultural, economic, and community benefits of surfing areas.

The surf zone encompasses seven miles of coast and includes world-famous spots such as Steamer Lane, Pleasure Point, the Hook, and Shark's Cove. The zone extends from the high-tide line out to the first surfable break along the designated coastline. The four components that make Santa Cruz uniquely qualified for the creation of the World Surfing Reserve are: the high quality of the waves and surf zones in the area; its rich surf culture and history; local community support; and the incomparable environmental characteristics of its shores.

The World Surfing Reserve designation takes an additional step toward protecting our irreplaceable natural resources along the coast. Residents of Santa Cruz and the surrounding area have a history of strong community action to protect and preserve clean waters and the wealth of marine life that flourishes in the bay. Members of this community value the bountiful resources the coast provides and have worked tirelessly toward ensuring it stays a safe place to swim and surf for years to come.

Mr. Speaker, I am proud to recognize the Santa Cruz World Surfing Preserve as a step forward in the preservation of California's central coast. May the Preserve inspire future generations to share in celebrating, enjoying, and preserving our valued coastlines.

HONORING THE DR. HECTOR P. GARCIA MIDDLE SCHOOL SCIENCE BOWL TEAM

HON. FRANCISCO "QUICO" CANSECO

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. CANSECO. Mr. Speaker, I am proud to rise today to honor and congratulate the Dr. Hector P. Garcia Middle School science bowl team from San Antonio, Texas. Led by their coach Shelley Beck, these fine young men and women have achieved a spot in the 2012 U.S. Department of Energy National Science Bowl competition on April 26–28, 2012 in Chevy Chase, Maryland, and at the National Building Museum in Washington, DC.

Through their perseverance and hard work the team won their regional elimination tournament to be selected as one of the 44 middle schools to compete at the national finals for prizes and rewards. I am proud to congratulate Rachel Moore, Irene Chu, Kathleen Ran, Minji Kim, and Sophie He for this outstanding achievement and wish them the best of luck in the competition.

THE LIFE AND LEGACY OF CHUCK COLSON

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. PENCE. Mr. Speaker, in the passing of Chuck Colson, the earthly life of a consequential American has come to an end, and I marked that day with a sense of personal loss. Chuck Colson rose to the heights of political power and fell to the depths of disgrace, but in his fall, he found redemption in the gospel of Jesus Christ. Having been given a second chance, Chuck Colson devoted his life to carrying the Christian message of second chances to those in prison, and countless lives were changed by his compassion and example.

His voice of moral clarity was an inspiration to millions of Americans and made him an invaluable counselor to leaders in government and business. I will always count it a privilege to have been able to call him my dear friend and mentor. His dedication to moral integrity, serving his fellow man and his steadfast faith have always and will always be an inspiration to me and my family. Karen and I offer our deepest condolences to Patty, the whole Colson family and to all who mourn the loss of Chuck Colson. The below article written by Michael Gerson and published in the Washington Post on April 22, 2012, is a true testimony to the legacy left by his transformed life.

[From the Washington Post, April 22, 2012]

CHARLES COLSON FOUND FREEDOM IN PRISON

(By Michael Gerson)

Charles W. Colson—who spent seven months in prison for Watergate-era offenses and became one of the most influential social reformers of the 20th century—was the most thoroughly converted person I've ever known.

Following Chuck's recent death, the news media—with short attention spans but long memories—have focused on the Watergate portion of his career. They preserve the image of a public figure at the moment when the public glare was harshest—a picture taken when the flash bulbs popped in 1974.

But I first met Chuck more than a decade after he left the gates of Alabama's Maxwell prison. I was a job-seeking college senior, in whom Chuck detected some well-hidden potential as a research assistant. In him, I found my greatest example of the transforming power of grace. I had read many of the Watergate books, in which Chuck appears as a character with few virtues apart from loyalty. I knew a different man. The surface was recognizable—the Marine's intensity, the lawyer's restless intellect. The essence, however, had changed. He was a patient and generous mentor. And he was consumed—utterly consumed—by his calling to serve prisoners, ex-prisoners and their families.

Many wondered at Chuck's sudden conversion to Christianity. He seemed to wonder at it himself. He spent each day that followed, for nearly 40 years, dazzled by his own implausible redemption. It is the reason he never hedged or hesitated in describing his relationship with Jesus Christ. Chuck was possessed, not by some cause, but by someone.

He stood in a long line of celebrated converts, beginning with the Apostle Paul on the Damascus road, and including figures such as John Newton, G.K. Chesterton and Malcolm Muggeridge. They were often received with skepticism, even contempt. Conversion is a form of confession—a public admission of sin, failure and weakness. It brings out the scoffers. This means little to the converted, who have experienced something more powerful than derision. In his poem, ''The Convert,'' Chesterton concludes: ''And all these things are less than dust to me/ Because my name is Lazarus and I live.''

Prison often figures large in conversion stories. Pride is the enemy of grace, and prison is the enemy of pride. ''How else but through a broken heart,'' wrote Oscar Wilde after leaving Reading Gaol, ''may Lord Christ enter in?'' It is the central paradox of Christianity that fulfillment starts in emptiness, that streams emerge in the desert, that freedom can be found in a prison cell. Chuck's swift journey from the White House to a penitentiary ended a life of accomplishment—only to begin a life of significance. The two are not always the same. The destruction of Chuck's career freed up his skills for a calling he would not have chosen, providing fulfillment beyond his ambitions. I often heard him quote Alexander Solzhenitsyn, and mean it: ''Bless you, prison, for having been in my life.''

Chuck was a powerful preacher, an influential cultural critic and a pioneer of the dialogue between evangelicals and Catholics. But he was always drawn back to the scene of his disgrace and his deliverance. The ministry he founded, Prison Fellowship, is the largest compassionate outreach to prisoners and their families in the world, with activities in more than 100 countries. It also plays a morally clarifying role. It is easier to serve the sympathetic. Prisoners call the bluff of our belief in human dignity. If everyone matters and counts, then criminals do as well. Chuck led a movement of volunteers attempting to love some of their least lovable neighbors. This inversion of social priorities—putting the last first—is the best evidence of a faith that is more than crutch,

opiate or self-help program. It is the hallmark of authentic religion—and it is the vast, humane contribution of Chuck Colson.

It is a strange feeling to lose a mentor—a sensation of being old and small and exposed outside his shade. Chuck's irrational confidence in my 21-year-old self felt a little like grace itself. The scale of his life—a broad arc from politics to prison to humanitarian achievement—is also the scale of his absence. But no one was better prepared for death. No one more confident in the resurrection—having experienced it once already. So my grief at Chuck's passing comes tempered—because he was Lazarus, and he lives.

ISRAEL CONTINUES TO SHINE 64 YEARS LATER

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. RANGEL. Mr. Speaker, 64 years ago, David Ben Gurion declared the establishment of Eretz Israel, the State of Israel. Today, Israel serves as a harbinger of freedom in a part of the world where this concept is not fully embraced by leaders of neighboring states.

The horrific tragedy of the Holocaust instilled a sense of survival in the Jewish people, which led to the creation of the Jewish state. In Israel, the USA found a new ally in promoting democracy, equality and justice. Israel celebrates the diversity and the contributions of people from all walks of life.

Israeli contributions to science and research are testaments to the work-ethic and resilience that define the character of its 7.8 million residents. The Israeli Defense Forces prepares each generation with the skills and innovation that have earned a small city like Tel Aviv the title of being the ''Silicon Valley of the Middle East.'' Israel produces more tech startups per capita than any nation on Earth. We as Americans are especially thankful as many of these companies are expanding to the U.S. and providing high-paying jobs here.

Despite facing overwhelming odds and emboldened adversaries, Israel continues to thrive. America has proudly stood by Israel as it has evolved from a concept, to a state, and to becoming a world-leader for peace. I am honored to represent a Congressional District that has always maintained strong ties with Israel and the Jewish community. We need to continue supporting our brothers and sisters in Israel and ensuring its existence for the rest of time.

HONORING THE SANDRA DAY O'CONNOR HIGH SCHOOL SCIENCE BOWL TEAM

HON. FRANCISCO "QUICO" CANSECO

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. CANSECO. Mr. Speaker, I am proud to rise today to honor and congratulate the Sandra Day O'Connor High School science bowl team from Helotes, Texas. Led by their coach Tony Potter, these fine young men and women have achieved a spot in the 2012 U.S. Department of Energy National Science Bowl competition on April 26–28, 2012 in Chevy Chase, Maryland, and at the National Building Museum in Washington, DC.

Through their perseverance and hard work the team won their regional elimination tournament to be selected as one of the 69 high schools to compete at the national finals for prizes and rewards. I am proud to congratulate Zac Cozzi, Yun Liang, Paul Cozzi, Jenny Qi, and Robert Perce for this outstanding achievement and wish them the best of luck in the competition.

CONGRATULATIONS TO MSG KEVIN FOUTZ AND SFC THOMAS PAYNE

HON. RENEE L. ELLMERS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mrs. ELLMERS. Mr. Speaker, I rise today to recognize MSG Kevin Foutz and SFC Thomas Payne of the United States Army on winning this year's Best Ranger Competition.

The competition took place at Fort Benning, Georgia, over three days and included challenges such as a grenade assault course, a helicopter jump, and the Darby Queen obstacle course, as well as plenty of running.

This marks the third consecutive year that soldiers from Fort Bragg, North Carolina, have won the competition, and the first time that one of the winners was from a non-combat arms MOS.

I congratulate MSG Foutz and SFC Payne on this impressive accomplishment.

May God bless them, their families, and our great nation.

RECOGNIZING ISRAELI INDEPENDENCE DAY

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. HIGGINS. Mr. Speaker, I rise today in support and recognition of Israeli Independence Day and to honor a country that has made huge strides since its independence in 1948.

In my close-knit Buffalo neighborhood, where I was born and raised, I learned that while friends may not agree on everything, they do always have each other's back. Israel is our friend, with good reason, and that is something I hope our country never forgets.

Last week, we honored Holocaust Remembrance Day. We join our Israeli friends in mourning those who lost their lives in this attempted genocide of the Jewish people and also promise to move forward ensuring that history will never repeat itself.

Mr. Speaker, I congratulate Israel on the 64th anniversary of their independence and hope for many more years of mutual friendship between our nations.

UNIFORMED CHAIN OF CUSTODY

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. COFFMAN of Colorado. Mr. Speaker, today I am introducing legislation to restore respect for the remains of our fallen heroes by mandating a uniformed chain of custody for overseas military casualties.

Since the beginning of combat operations in Afghanistan, there have been several instances of gross misconduct in the treatment of the remains of our fallen heroes. Body parts have been lost, the cremated remains of 274 servicemembers were dumped in a landfill, and in one incident a Marine was dismembered in order to fit inside his uniform. In each of these unfortunate examples, non-uniformed personnel were intimately involved in the callous behavior. To ensure the reverent care of those who made the ultimate sacrifice for this country, I am sponsoring a bill that mandates a uniformed member of the armed services be accountable for the remains of overseas casualties from the battlefield until the remains are accepted by the member's next of kin.

Civilian personnel involved in the chain of custody are not subject to the Uniformed Code of Military Justice, UCMJ, and the Department of Justice has not seen fit to prosecute a single case of misconduct. A uniformed chain of custody law would clearly define accountability for the remains as a military honor and duty, and any violations of this responsibility will be punishable under UCMJ.

The men and women who serve as our nation's Soldiers, Sailors, Airmen, and Marines have few assurances when they deploy to combat to defend our nation. One of the few assurances they do have is that if they make the ultimate sacrifice and lay down their lives in the line of duty, then their remains will be treated with the utmost dignity and respect of a grateful nation. I believe this is not only a legal requirement, but also our moral obligation. My legislation will reassure servicemembers and their families that our nation honors their service in life and in death.

MOTION TO INSTRUCT CONFEREES ON H.R. 4348, SURFACE TRANSPORTATION EXTENSION ACT OF 2012, PART II

SPEECH OF

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. COSTELLO. Madam Speaker, I rise in support of the Democratic motion to instruct conferees on the surface transportation reauthorization bill (H.R. 4348 and S. 1813).

While the Senate bill is not perfect, it does provide certainty to State DOTs, transit agencies, and contractors that will help create and sustain jobs for out-of-work Americans. Further, it creates or saves more than two million jobs and strengthens our economy. The legislation passed the Senate by a vote of 74 to 22, with strong Democratic and Republican support.

Adopting this motion to instruct will allow the conferees to make technical corrections to improve the legislation enabling Congress to move quickly to finalize a robust bill, as the construction season is already underway.

Investing in our roads, bridges, waterways and rail systems creates good-paying jobs now while making our transportation system more efficient for decades into the future. Our backlog of maintenance needs alone is staggering, and we need to address it or continue to jeopardize our economic future.

I urge my colleagues to support the motion to instruct conferees.

THE COMMEMORATION OF THE 70TH ANNIVERSARY OF THE BATAAN DEATH MARCH

HON. BRIAN P. BILBRAY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. BILBRAY. Mr. Speaker, I rise today to commemorate the 70th Anniversary of the Bataan Death March and to recognize one of my constituents, Dr. Lester Tenney, who took part in that long and inhumane march. He and some 76,000 American and Filipino prisoners of war made the 65 mile march from Mariveles and Bagac in the Philippines to Camp O'Donnell and were eventually transported by Hell Ships to Japan during April of 1942.

Dr. Tenney is a truly remarkable individual who has dedicated his life to serving his country and his community. When he was twenty years old, Lester joined the Illinois National Guard. His Battalion arrived in the Philippines on November 20, 1941. He was at Clark Field in the Philippines on December 8th when Japanese bombers and fighters attacked within hours of the Pearl Harbor assault.

He was engaged in the first U.S. tank battle in World War II when his Battalion, the 192d Tank Battalion of the Illinois National Guard, was sent to the Lingayen Gulf on the Northern Philippine Island of Luzon where the Japanese forces landed on December 22, 1941. Overwhelmed by the invading Japanese forces, his tank company and all other U.S. troops on Luzon Island retreated into the Bataan Peninsula.

Dr. Tenney became a POW of the Japanese when the U.S. forces on the Bataan Peninsula were surrendered on April 9, 1942. The already sick and starving troops were forced to walk 65 miles in sweltering heat with virtually no food and water in what later became known as the Bataan Death March (the March). He described his experience on the March: ''Day after day, on that march, I watched in utter helplessness as hundreds of my friends—many who had become brothers—were shot, bayoneted, decapitated, and in some cases buried alive. I listened to their cries, their last requests, and the unspeakable sadness that comes to a man when he realizes he will never again see his family.''

Dr. Tenney suffered severe abuse while held in POW camps and was tortured when he tried to escape. He was transported to Japan on a ''Hell Ship'' in September of 1942. Dr. Tenney worked as a slave in a Mitsui coal mine in Ohmuta, Japan until the end of the war in August 1945. He, along with his fellow POW's, were often beaten by employees of Mitsui and received inadequate food and little medical care. Even as he was held in one of the worst POW camps in Japan where 138 POWs died, Dr. Tenney tried to lift the spirits of his fellow POWs by organizing and producing many variety shows as camp entertainment. Even the Japanese guards came to watch.

For these shows Dr. Tenney received a special commendation award for his contribution to improving morale among his fellow POWs in addition to the Bronze Star with two oak-leaf clusters, the Purple Heart with two oak-leaf clusters, and other medals.

It was not until 1995, when Dr. Tenney published his memoir My Hitch in Hell: The Bataan Death March, that he was finally able to revisit his POW experience. In this book, he vividly described his horrific experience during the March, in the POW camps in the Philippines, and in his three years of slave labor in the Mitsui coal mine. But he also wrote about a Japanese exchange student whom he and his wife hosted in the late 1960s, and whom he came to love like his own son. They were so close that when the matured student married, Dr. and Mrs. Tenney accompanied them on their honeymoon.

Since his time as a POW in Japan, Dr. Tenney has worked to advance the cause of American POW's from all conflicts. He has testified repeatedly before Congress on POW issues. The peace treaty between the U.S. and Japan took away the rights of the individual POWs to sue for their very real damages. Later the State of California enacted legislation allowing the POWs to sue the Japanese companies who enslaved them. Dr. Tenney was the lead plaintiff in the first such suit. Unfortunately the U.S. State Department took a contrary position and supported the defendant companies; and the suit failed at the Supreme Court.

Then Dr. Tenney turned to the Japanese government in the person of Ambassador Fujisaki. After several meetings with Dr. Tenney, the Ambassador received permission to attend the last reunion of the American Defenders of Bataan and Corregidor, the umbrella group of the Pacific POWs. Ambassador Fujisaki apologized to the group on behalf of the Japanese Government, the first time such a thing had happened. In 2008 Dr. Tenney was able to achieve one of his goals of an official apology from the Japanese Government for the horrors of Bataan and World War II. He has also made repeated appearances at Japanese schools and universities, appearances in the Japanese media, and met with Japanese government officials to promote awareness and improve relations between the United States and Japan.

In addition to his many years of efforts to preserve the history of American POWs of the Japanese during WWII and to reach out to the Japanese people to learn that history together, Dr. Tenney started a project which he named ''Care Packages from Home'' in 2007. He and friends in his retirement community in Carlsbad, California, have been sending gift packages to thousands of U.S. troops in Iraq and Afghanistan. Having received no package from home while he was a POW, Dr. Tenney is determined to make sure that today's troops never feel like have been forgotten.

As of June of 2011, Dr. Tenney's Care Packages from Home has mailed 11,350 packages and are sending 200 more every month. Maj. Gary Bourland, 39, a Marine who was on his fourth deployment said; ''It is the best feeling in the world opening up one of these packages,'' Dr. Tenney believes that basic necessities such as nail clippers, foot powder, socks and wet wipes, can ''make or break you out there.'' It also signals to our troops, many of whom are young and away from home for the first time that they are being remembered. Maj. Bourland also added, ''If they know the American people are supportive, my troops will walk through fire for them.''

Dr. Tenney is here in Washington, DC this week to tell his story and commemorate the 70th Anniversary of the Bataan Death March. His service to the United States of America is a model to us all and I am proud to call him my constituent and my friend.

TRIBUTE TO NICK NICHOLSON

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. ROGERS of Kentucky. Mr. Speaker, I rise today to pay tribute to a man who has served as a true Kentucky leader, innovator, and businessman, Nick Nicholson. On April 18th, 2012, Nicholson announced his retirement as CEO of Keeneland. This remarkable Thoroughbred enthusiast has forever impacted the Commonwealth of Kentucky, the horse industry and most indelibly, Lexington's Keeneland Race Course. By implementing new technology, expanding racing enthusiasm, and bringing sound accounting and business management practices, Nicholson has contributed to making Keeneland the top-rated North American track for the last four years. Over the past 13 years, Nicholson and Keeneland have thrived during a time of industry contraction. I commend Mr. Nicholson on his dedicated service as the Keeneland Association's chief executive and as an astute leader in the Bluegrass.

In his youth, Nicholson developed his interest for horse racing when attending Keeneland races with his grandfather while growing up in Central Kentucky. Nicholson's early career began in Washington, DC, where he served as executive assistant to Kentucky Senator Wendell Ford. He next went on to serve as the executive vice president of the Kentucky Thoroughbred Association where he was instrumental in the drafting and passage of legislation that permits interstate track wagering. In 1989, he became the executive vice president and director of the Jockey Club, an organization dedicated to the improvement of Thoroughbred breeding and racing. While employed by this organization, he most notably introduced the world's first interactive Thoroughbred registration system. In 2000, he joined the Keeneland family and became Keeneland's sixth president.

In his 13 years serving as Keeneland's president, Nicholson led the industry by introducing an all-weather surface that has made Keeneland the safest major racetrack in North America. Nicholson has also led Keeneland in setting numerous attendance and wagering records for its race meetings, including an all-time record of 250,163 attendees during its 75th Anniversary meet in October 2011, and

an all-time one-day record of 40,617 attendees for the 2012 Toyota Blue Grass Stakes. During his tenure, Keeneland's auction company's top sales figures included $11.7 million for Meydan City at the 2006 September Yearling Sale and has amassed more than $7 billion in total gross sales since 2000. He also led many efforts to update Keeneland with several construction projects, including the completion of a new outdoor walking ring; an enclosure of the first floor of the clubhouse, the renovation of the historic Keeneland Sales Pavilion, the construction of the Keeneland Library and the restoration of Keene Place. For his many contributions to the industry, Nicholson was honored with the Lifetime Service Award from the Thoroughbred Owners and Breeders Association, as well as The Jockey Club Gold Medal. In 2004, he was honored by election as a member into the Jockey Club.

Nicholson is a highly active member of his community and has served on the board of the Board of Trustees of UK Healthcare, Urban League, Commerce Lexington Inc., KET Commonwealth Fund, Transylvania University, Shakertown and Central Bank. Nicholson is a husband and father of two, as well as a graduate of Wake Forest University and the University of Kentucky College of Law.

Nicholson has served as a remarkable guide for Keeneland as the racetrack president. Through his leadership, wisdom, and outstanding vision, Nicholson has solidified Keeneland's status as an industry leader and treasured Kentucky tradition. Mr. Speaker, I ask my colleagues to join me in honoring a true leader and visionary and wish him well in his new endeavors, Mr. Nick Nicholson.

IN HONOR OF ISRAEL'S INDEPENDENCE

HON. RUSS CARNAHAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. CARNAHAN. Mr. Speaker, I rise today to recognize the state of Israel, one of our country's great allies, on the 64th anniversary of its independence.

On May 14, 1948, the people of Israel proclaimed the establishment of the sovereign and independent State of Israel.

Shortly after, President Harry Truman signed the order recognizing this new Jewish State of Israel.

Ever since, the United States and Israel have had an unshakeable relationship, bound together by common interests and shared values.

As the great symbol of democracy in the Middle East, the people of Israel continue to prosper despite the on—going challenges they face.

The Israeli people remain committed to achieving a lasting, long-term peace with their neighbors.

We must continue to support Israel, and to ensure that the peace process moves forward.

Today, I honor our ally and its commitment to democracy and freedom and offer congratulations to the State of Israel on the 64th anniversary of her independence.

RECOGNIZING THE FIRST PRESBYTERIAN CHURCH OF BUFFALO

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. HIGGINS. Mr. Speaker, I rise today in honor of the First Presbyterian Church of Buffalo, known commonly as ''First Church,'' a staple in my Western New York community, is celebrating its bicentennial this year.

First Church of Buffalo is the home of Buffalo's oldest congregation. Founded on February 2, 1812 by missionaries and veterans of the Revolutionary War, the church was the first religious body formed in what was the western frontier of New York State.

Often referred to as the ''Mother of All Churches,'' First Presbyterian Church has served as a place of worship for the diverse communities of downtown Buffalo and Niagara County.

The current church located at One Symphony Circle since 1889, stands today as one of Buffalo's greatest architectural treasures. The building was designed by E.B. Green after land was donated by Mrs. Truman Avery in 1889. It is characterized by its varying historical influences with its overall Roman exterior, Byzantine interior design and Anglican chapel.

For more than two-hundred years, First Presbyterian Church has been a beacon on the West Side of Buffalo and has earned its rightful place in our city's storied history. President Theodore Roosevelt worshipped here when he visited Buffalo, the Visiting Nurses Association started as a mission project here, the Welcome Hall Mission was born at this church, and many outreach programs have found their footing through the churches indelible commitment to Buffalo's community.

Mr. Speaker, on Sunday May 20, Western New Yorkers will gather in Symphony Circle to commemorate First Church's bicentennial, joining together with prayer and with fellowship in celebration of this momentous achievement. Mr. Speaker, I ask that you join me and all Western New Yorkers in wishing the leaders, congregants and friends of First Church the very best as they embark upon their second 200 years of service to the people of Buffalo and Western New York.

IN HONOR OF DR. HANIMIREDDY LAKIREDDY

HON. DENNIS A. CARDOZA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. CARDOZA. Mr. Speaker, I rise today to honor my friend, Dr. Hanimireddy Lakireddy on the event of his 70th Birthday.

Dr. Lakireddy is a well known and respected doctor in Merced, California. He is the owner and cardiologist at Merced Heart Associates. He is also a physician and surgeon with University Surgery Center. He became the first cardiologist in Merced in 1984. Dr. Lakireddy earned his medical degree from Oasmania Ganshi Kakatiya Medical College.

Dr. Lakireddy is a major supporter of the tenth University of California campus in Merced. Along with his wife, Vijaya, he generously gave a one million dollar gift to name the Classroom Auditorium and enabled the campus to enhance the main lecture hall to provide a performance-based venue for campus events. A leader in the medical and East Indian community, Dr. Lakireddy has helped cultivate numerous gifts to the campus. He not only helps the campus through monetary donations, but he lends his support as a member of the Board of Trustees.

Dr. Lakireddy has a philanthropic goal to promote the virtue of education in the community. He sponsors a scholarship at Merced High School in honor of his parents. He donated one million dollars to Merced College to establish the Dr. Lakireddy School of Health Sciences which offers vocational certificates, vocational nursing, nurse assistant, emergency medical technology, registered nursing and sports medicine. He was awarded Philanthropist of the Year by the Merced community in 2006.

Dr. Lakireddy not only lends his support to the Merced community but he also continues to help those in Southern India. He has funded several schools, hospitals and a sports complex in two poverty stricken cities, Velvadam and Mylavaram. In addition, Dr. Lakireddy runs a pension program in Velvadam where he promised that ''as long as I live, not a single person will go hungry.''

Mr. Speaker, I ask that my colleagues join me in honoring my good friend, Dr. Hanimireddy Lakireddy for his civic engagement and support for the community.

CARLOS LOPEZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Carlos Lopez for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Carlos Lopez is a 9th grader at Jefferson Senior High and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Carlos Lopez is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Carlos Lopez for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

RECOGNIZING THE CENTENARY OF THE BAHÁ'Í HOUSE OF WORSHIP IN WILMETTE, ILLINOIS

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Ms. SCHAKOWSKY. Mr. Speaker, the Bahá'í House of Worship is a source of great

pride in my district—not just because of its beauty but more importantly because of its meaning as a place of faith, unity and peace. I rise today to commemorate the laying of its cornerstone one hundred years ago and to congratulate the Bahá'í community for a century of worship in this magnificent temple.

The Chicago area has played a pivotal role in the development of the Bahá'í community in America. The first public mention of the Bahá'í faith was in Chicago on September 23, 1893. It happened at the World's Parliament of Religions, which was connected with the Columbian Exposition commemorating the four hundredth anniversary of the discovery of America.

In 1907, the Local Assembly of the Bahá'í of Chicago was incorporated, making Chicago the first local Bahá'í community in the world to acquire legal status.

The Bahá'í House of Worship in Wilmette has been a focus of the Bahá'í world for over a century. It began with the vision of 11 local Bahá'ís in Chicago, who began work on it in 1903. Its cornerstone was laid in 1912. In 1953, following two World Wars, the Great Depression, and numerous financial and technical difficulties, the Bahá'í community completed construction of the temple. Fifty years after its vision was conceived, this House of Worship, which was the first Bahá'í Temple in the West and is known as ''the Mother Temple of the West,'' opened its doors to the peoples of the world. The temple in Wilmette, like the six Bahá'í temples throughout the world erected after it, is free and open to people of all backgrounds and is offered as a place for peaceful prayer, meditation, and reflection.

One hundred years ago, 'Abdu'l-Bahá, the son of the founder of the Bahá'í Faith, arrived in America and he participated in the historic cornerstone laying ceremony. A prisoner of the Persian and Ottoman empires since childhood, 'Abdu'l-Bahá left the Ottoman prison fortress of Akka at the age of 67 and set out on a historic journey to the West, which culminated in a 239-day journey through America. He traveled to several important cities across the country and met with people of diverse backgrounds, teaching the elimination of racial prejudice, the equality of women and men, the unity of religions, and the fundamental oneness of all humankind.

Throughout his travels, 'Abdu'l-Bahá spoke of the great destiny of America. In a public talk in Cleveland, he stated, ''This revered American nation presents evidences of greatness and worth. It is my hope that this just government will stand for peace so that warfare may be abolished throughout the world and the standards of national unity and reconciliation be upraised. This American nation is equipped and empowered to accomplish that which will adorn the pages of history, to become the envy of the world and be blest in the East and the West for the triumph of its democracy.''

One of the most significant events of 'Abdu'l-Bahás journey was the laying of the cornerstone of the Bahá'í House of Worship on the shores of Lake Michigan in Wilmette. For several decades, Bahá'ís around the world sent money to support the construction of the temple. One of the Bahá'ís who wanted to support the construction of the temple, was Nettie Tobin, a humble seamstress living in Chicago. Nettie had no cash money to contribute for the Temple but thought she might find a stone for its construction. Nettie went to a construction site and asked for a stone from the foreman, who pointed out to her a pile of rejected stones from which she could choose. With the help of a neighbor she got the large limestone home and sometime later, through an even greater effort involving a baby carriage and a wagon, deposited it on the temple grounds in Wilmette.

'Abdu'l-Bahá arrived in Chicago on April 29, 1912, and, while there, penned a special prayer for America. The next day he spoke to over one thousand people gathered in Chicago for the public session of the Bahá'í Temple Unity convention on the subject of building the Bahá'í Temple. The evening before the laying of the cornerstone of the House of Worship in Wilmette—'Abdu'l-Bahá the son of the Founder of the Bahá'í Faith, explained that places of worship have a special unifying power:

> In brief, the original purpose of temples and houses of worship is simply that of unity—places of meeting where various peoples, different races and souls of every capacity may come together in order that love and agreement should be manifest between them . . . that all religions, races and sects may come together within its universal shelter, that the proclamation of the oneness of mankind shall go forth from its open courts of holiness . . .

On May 1, a chilly, blustery and overcast day, a tent was erected on the temple grounds and hundreds gathered for the dedication of the temple. 'Abdu'l-Bahá, standing at the center of the crowd, called for Nettie Tobin's stone. The ground was so hard that 'Abdu'l-Bahá swung an ax to break through the rigid topsoil, and representatives of various races and countries came forward to share in the digging. After 'Abdu'l-Bahá rolled the cornerstone into the ground he proclaimed, ''The Temple is already built.''

On this hundredth anniversary of the laying of the cornerstone, I thank the Bahá'ís for their contribution to our district and I congratulate the Bahá'ís of Wilmette, Chicago, and, indeed, the world on this important centenary.

CASEY SOUTHWICK

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Casey Southwick for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Casey Southwick is a 7th grader at Drake Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Casey Southwick is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Casey Southwick for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

HONORING FLORA WALKER

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. DINGELL. Mr. Speaker, I rise today to congratulate Flora Walker on receiving the Eleanor Roosevelt Award at the Michigan Democratic Party (MDP) Jefferson-Jackson Annual Women's Caucus Luncheon. She is a truly deserving recipient and I am pleased to see her contributions recognized with this prestigious award.

Not only has Ms. Walker blessed us with over forty years of service in Michigan, as well as continuing service with the UDW/AFSCME in Nevada, but she was also the first female president of the AFL–CIO in Michigan. Thanks to her efforts, the bar was set very high for those following in her footsteps. Her work has greatly enriched the common good and improved the lives of many families. I commend her and am grateful for her tireless work ethic and the important work she has accomplished.

The Eleanor Roosevelt Award hosted by the MDP honors members of the community who have furthered the ideals of the Democratic Party with their commitment to the party's cause. Each year one man and one woman are selected to receive this prestigious award, which recognizes their work as continuing the work of President Franklin Delano Roosevelt and his wife, Eleanor Roosevelt. It fills me with great pride to see my friend, Flora Walker, be the recipient in 2012.

Mr. Speaker, I would request that the House of Representatives join me in offering congratulations to Ms. Walker for her outstanding achievements. I commend the organizations and honorees for their important work in advancing the values of the Democratic Party and wish her the best of luck in all future endeavors.

CHEVELLE DASSOW

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Chevelle Dassow for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Chevelle Dassow is a 7th grader at Mandalay Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Chevelle Dassow is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Chevelle Dassow for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

ISRAEL INDEPENDENCE DAY

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. HASTINGS of Florida. Mr. Speaker, I rise in recognition of Israel Independence Day. Sixty-four years ago, after 2,000 years in exile, the Jewish people declared their independence and established a nation in their ancient and sacred homeland.

Since then, the Israeli people have developed a vibrant democracy, a vigorous economy, a dynamic cultural life, and an admirable commitment to the environment.

In the Jewish tradition, even joyous occasions are mixed with sorrow, to honor past history and to acknowledge the debt owed to those who came before us.

I have always admired the confluence of Israel Independence Day with Remembrance Day, when the day before the celebration of independence Israelis stop to remember their fallen soldiers, and those who gave their lives in service to the nation. It is a reminder of the heavy price of freedom, and of the burden on future generations to uphold the ideals for which Israel's sons and daughters gave their lives.

Beyond the conflicts that seem to dominate the news, Israel has made extraordinary achievements in every field imaginable. From agriculture and medicine to environmental sustainability and literature, Israelis offer a steady stream of improvements to global challenges.

One of my most memorable visits to Israel was to a desalinization plant in Ashkelon, where I saw firsthand how Israel deals with some of the same water challenges that confront South Florida. This is just one example of how the close relationship between our two countries benefits both Israelis and Americans.

Israel Independence Day is a celebration of renewal, and this year Israelis have much to be proud of in the remarkable nation they built from the desert. For 64 years Israel has stood as a symbol of hope for millions of people around the world. For 64 years Israel has modeled a society where determination and passion, and an emphasis on social progress and education, can build a productive nation.

Mr. Speaker, I have been to Israel 14 times as a Member of Congress, and every time I go I encounter ordinary citizens and government officials alike who are genuinely dedicated to living up to the ideals of Israel's independence. I am always impressed by the Israelis' intense desire to persevere. Israel deserves to be secure and prosperous, to live in peace with its neighbors, and to live free from fear and violence.

HONORING DR. HERBERT DARDIK

HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. ROTHMAN of New Jersey. Mr. Speaker, I rise today to honor Dr. Herbert Dardik, the Chief of Vascular Surgery at Englewood Hospital, in recognition of his designation as honoree at the Englewood Hospital's 2012 Gala. For more than 50 years, Dr. Dardik has demonstrated his abiding commitment to Englewood Hospital and to its patients.

He served with distinction as Chief of Surgery from 1984–1995 and from 2000–2011, playing an instrumental role in establishing the surgical program's outstanding record of excellence. During his tenure, Dr. Dardik led pioneering efforts in the field of vascular surgery, developing new techniques to facilitate carotid artery surgery and the umbilical cord vein vascular graft, used worldwide to prevent gangrene and salvage lower limbs. He founded the Vascular Fellowship Program in 1978 and has trained generations of world-class vascular surgeons.

Today, Dr. Dardik serves as Chief of Vascular Surgery and as Senior Medical Director of the Hospital's Institute for Patient Blood Management and Bloodless Medicine and Surgery. He lives in Tenafly with his wife Janet.

Mr. Speaker, today I rise to honor the remarkable career of Dr. Herbert Dardik, whose tireless efforts have benefited patients everywhere. I join with the grateful guests of the Englewood Hospital Gala, and all of my constituents in northern New Jersey, in thanking him for his innumerable contributions to the good health of our community.

HONORING MARSHA LEWIS BROWN

HON. FREDERICA S. WILSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Ms. WILSON of Florida. Mr. Speaker, I rise to pay tribute to a proven and respected leader and my Soror, Marsha Lewis Brown, the 17th Director of the South Atlantic Region of Alpha Kappa Alpha Sorority, Inc. She has honored Alpha Kappa Alpha with her sterling commitment for the last 38 years.

Marsha Lewis Brown has served as President, Vice President, Secretary, Treasurer, and Parliamentarian in her home chapter, Gamma Theta Omega, located in Tampa, Florida. In all of these positions she has served with dignity, grace and fortitude. Soror Brown has been the recipient of many Alpha Kappa Alpha accolades including, Soror of the Year, Soror in the Spotlight, President Meritorious, and most notably the Chapter Leadership Award.

Marsha Lewis Brown has had an impressive tenure with Alpha Kappa Alpha. She was awarded the 2004 Margaret Davis Bowen Outstanding Alumna Soror of the South Atlantic Regional Conference award. She has been at the helm of many committees including, Chairman of the South Atlantic Regional Heritage Committee from 2006 to 2010, a four-year chairmanship of the South Atlantic Regional Standards Committee, a four-year chairmanship of the South Atlantic Regional Leadership Development Committee, and 1999 General Conference Chairman for the South Atlantic Regional Conference in Orlando, Florida. She also served four years as a member of the Alpha Kappa Alpha International Standards Committee.

Mr. Speaker, I am proud that such an energetic, gifted and dedicated Soror is following in my footsteps and joins the ranks of so many other distinguished Regional Directors from the great State of Florida. Soror Marsha Lewis Brown is an exemplary member of Alpha Kappa Alpha Sorority, Inc. I honor her today for her leadership as she continues to inspire and motivate the women of the South Atlantic Regional Conference.

SMALL BUSINESS CREDIT AVAILABILITY ACT

SPEECH OF

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. VAN HOLLEN. Madam Speaker, while there is a legitimate role for swaps and other derivatives when it comes to managing risk, one of the inescapable lessons from the last economic crisis is the havoc those instruments can cause when they are insufficiently regulated.

In an effort to make sure the abuses that led to the Great Recession never happen again, the Dodd-Frank Wall Street Reform Act properly placed these kinds of transactions under far more meaningful prudential regulation. Just last week, the Commodity Futures Trading Commission finalized the ''swap dealer'' rule at issue in today's legislation.

Unfortunately, that final rule—already the product of compromise at the CFTC—is further weakened by the misleadingly named ''Small Business Credit Availability Act'' to the point where its ability to protect the public from the systemic risk it was originally intended to prevent is undermined.

For example, we should not let big oil companies speculate in the oil futures markets without limit or oversight under the guise of hedging their commercial operations. Furthermore, we should not exempt vast swaths of our credit and debt markets from prudential regulation under the CFTC rule. Yet that's precisely what this bill proposes to do.

Madam Speaker, we know where this road leads, and we simply can't afford to go back there.

I support smart regulation that permits the legitimate uses of these instruments for the benefits they can provide while eliminating the speculative abuses that can cause the rest of us so much harm. And that is why I oppose today's legislation.

CRISTINA MERAZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Cristina Meraz for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Cristina Meraz is a 12th grader at Jefferson Senior High and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Cristina Meraz is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Cristina Meraz for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

NORTH HOLLYWOOD HIGH SCHOOL 2012—U.S. DEPARTMENT OF ENERGY NATIONAL SCIENCE BOWL

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. BERMAN. Mr. Speaker, I rise today to pay tribute to North Hollywood High School on the occasion of advancing to the U.S. Department of Energy's National Science Bowl competition.

Under the leadership of Coach Altair Maine, North Hollywood High School students Rain Tsong, Daniel Bork, Vivek Banerjee, Kennedy Agwamba, and Chiyoung Kim have proven their knowledge and skill by winning the Los Angeles Department of Water and Power's 20th Annual Science Bowl Regional Competition. As regional champions, North Hollywood High School is advancing to a field of 69 regional high school championship teams from 40 States. This annual competition provides these commendable young scholars the opportunity to compete in an academically challenging environment that focuses on the principles of mathematics and science.

Now the Nation's largest high school science-based academic tournament, the National Science Bowl underscores the importance of STEM (science, technology, engineering, and mathematics) education. This provides a pathway to encourage America's bright young scholars to enter the fields of mathematics and science. As we progress further into this decade, it is becoming increasingly clear that our economy's future will be technology-based. STEM education produces critical thinkers and facilitates the next generation of innovators. This represents the very fabric of American ingenuity. Through STEM education, America will remain a pioneer in science and technology, ensuring our global competitiveness for years to come.

Mr. Speaker and distinguished colleagues, I ask you to join me in saluting North Hollywood High School and all of the regional champion teams at the National Science Bowl for contributing to a truly excellent educational event that will spark further interest in the fields of science, technology, engineering, and mathematics for young Americans.

A TRIBUTE TO JOHN FORTIN

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today to honor the life and legacy of John ''Jack'' Fortin, who passed away on April 20, 2012. Jack and I coached football together at St. Thomas More High School in West Philadelphia in the 1970s.

From his start as a truck driver for 7Up, Mr. Fortin became one of our nation's greatest entrepreneurs. He bought a small chemical manufacturing company in North Philadelphia that had about $150,000 in revenue and three employees in 1975 and built it into Haas Group International, a company with 1,300 employees and revenues of $560 million that does business in more than 75 countries around the world.

Mr. Fortin, known as Jack, grew up in Southwest Philadelphia. He took on his first job at age 8 delivering alcohol for his uncle during Prohibition.

He attended John Bartram High School and played second base on Bartram's championship baseball team in 1941.

After graduating from high school in 1942, Mr. Fortin joined the Navy that July. As a radioman second class, he spent his active duty in the Pacific and was in Nagasaki, Japan, two weeks after the atomic bomb was dropped. He earned two medals before his discharge in 1945.

After the war he drove a truck for 7Up, where he met his future wife, Maria, who was the switchboard operator. He then got a job with Quaker Chemical in 1957. Eighteen years later he bought Haas Chemical. He retired in 2000, and in 2007 his family sold the business to the Jordan Co., a private equity firm.

Mr. Fortin was a lifelong sports fan and spent more than 20 years coaching youth and CYO football. His last stop was as assistant varsity coach and head freshman coach at St. Thomas More High School in West Philadelphia until it closed in 1975.

During his lifetime, Mr. Fortin received many awards and commendations for his contributions to youth sports but perhaps his greatest thrills in sport were leading all hitters at the age of 62 at Phillies Dream Week in 1985 and receiving the Matt Guokas Sr. Memorial Award from the Philadelphia Basketball Old Timers Association.

Together with Jack's family and friends, I mourn his passing but celebrate his life.

IN HONOR OF TERESA MURACO

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. COURTNEY. Mr. Speaker, I rise today to recognize the 90th birthday of a very special woman from my district, Teresa Muraco of Grosvenordale, Connecticut. Teresa is beloved by her community for her unfaltering commitment to helping those in need.

A lifelong resident of the Second District of Connecticut, Ms. Muraco graduated from Tourtellotte Memorial High School with the Class of 1940. From there, she went on to hold several local jobs, working in the spinning department of a Grosvenordale mill. She also spent 15 years in the Putnam Superior Court in the family services office.

Although her factory days are behind her, Teresa Muraco very much remains active. By her own estimate, she spends about 10 to 12 hours each week volunteering. She belongs to three different fire auxiliaries, where she helps out at barbecues and suppers. Ms. Muraco is also an active member of St. Joseph Church in North Grosvenordale, helping out at their thrift shop once a month.

Teresa Muraco was named Thompson Volunteer of the Year in 2011 and Citizen of the Year by the Thompson VFW for her dedication to the town and its veterans. I ask my colleagues to join with me in wishing Teresa Muraco a happy birthday and applauding her tireless efforts to better her community.

DARLENE CHAVEZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Darlene Chavez for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Darlene Chavez is a 7th grader at Oberon Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Darlene Chavez is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Darlene Chavez for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

H.R. 4257, FEDERAL INFORMATION SECURITY AMENDMENTS ACT OF 2012

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. VAN HOLLEN. Mr. Speaker, as a cosponsor of the Federal Information Security Amendments Act of 2012, I rise to commend Chairman ISSA and Ranking Member CUMMINGS and the members of the House Government Oversight Committee for their bipartisan efforts in crafting this thoughtful and timely piece of legislation.

This bill is necessary because there has been an increasing number of cyber-attacks against federal information systems, including incidents in which operations were disrupted or sensitive data placed at risk. Among the number of notable security breaches in 2011 were cyber-attacks at the Pentagon, the Oak Ridge Laboratory and the Veterans Administration. According to the U.S. Computer Emergency Readiness Team, the number of cyber-incidents reported in 2010 totaled more than 107,000. The number of federal-only incidents was up 39 percent compared with 2009, at nearly 42,000 incidents.

This act is intended to help arrest and reverse this troubling trend by ensuring that federal agencies use risk-based approaches to defend against cyber-attacks and to protect government information from unauthorized access.

By shifting the federal government to a system of continuous monitoring of information systems and streamlining reporting requirements, the bill addresses concerns that

FISMA, in its current form, places too great an emphasis on compliance over outcomes.

The bill requires OMB to oversee agency policies and develop information security protections consistent with standards issued by the National Institute of Standards and Technology and OMB would have to report to Congress annually on agency compliance.

Additionally, each agency would be required to provide protections that are commensurate with the risks posed to the security of the agency's information. The head of each agency would be required to appoint a Chief Information Security Officer responsible for developing and implementing an information security program and the bill mandates that each agency develop and implement an information security program that is approved by OMB.

Mr. Speaker, as a leading employer in the U.S., the federal government has a special responsibility to ensure that the electronic points of entry it maintains with Americans and with the world are protected from unauthorized access and disruption.

The common sense and necessary legislation before us today is an important step in that direction. I encourage my colleagues to join me in support of the bill.

ISRAEL INDEPENDENCE DAY

HON. C.A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. RUPPERSBERGER. Mr. Speaker, this week, we joined people in the State of Israel and her many friends around the world in celebrating Yom Ha'atzmaut—the independence from British mandatory rule and the establishment of the State of Israel.

The United States and Israel have shared a special bond since the establishment of the Jewish State in 1948. The United States, under the leadership of then-President Truman, was the first country to recognize Israel, only 11 minutes after its founding. Today, the United States and Israel continue to share a commitment to democracy, the rule of law, the freedoms of religion and speech, as well as respect for human rights. The United States and Israel also share a desire for peace and stability.

Our countries cooperate closely on intelligence issues, partnering on the development of new technology to promote the security and safety of our citizens. Bilateral ties in trade were codified in the 1985 U.S-Israel Free Trade Agreement. Today, the American and Israeli governments and businesses are working together to develop and promote new energy solutions.

The Jewish people paid a heavy price for security and independence. Nearly 23,000 men and women have been killed defending Israel since the first Jewish settlers left the secure walls of Jerusalem in 1860. Since the end of the War of Independence, nearly 2,500 people have been killed by terror attacks in Israel, including 14 in the past year.

Today, despite disturbing political instability in the region, Israel stands strong. She is among the safest countries in the world, her economy is sound, life expectancy there is among the highest in the world, and more Israelis earn advanced degrees than most other nations. And, at a time when our own country is challenged by polarizing politics, an astounding 88 percent of Israelis say they are proud to be Israeli.

I want to extend my best wishes to the people of Israel as we celebrate Israel's extraordinary friendship and honor her achievements over the past 64 years.

RECOGNIZING MAYOR OF THE CITY OF LA VERNIA IN TEXAS, HAROLD SCHOTT

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. CUELLAR. Mr. Speaker, I rise today to recognize the retiring Mayor of the City of La Vernia in Texas, Harold Schott. He was elected Mayor of the City of La Vernia in May 2008 and ends his tenure in May 2012. His tireless efforts have improved the community and served to better the development and progress of the City of La Vernia.

Mr. Schott was born in Castroville, Texas and grew up in San Antonio, Texas where he graduated from the Central Catholic High School. At twenty-five years old, he joined the San Antonio Police Department in 1970. In his duration with the department, he was a Police Department Union Representative for his substation. After 33 years of dedication and service, he retired from the Police Department in 2003. His work with the City of La Vernia began in 1998 when he was elected to the La Vernia City Council and held his position as a council member for a decade. By May 2008, he was elected Mayor of the City of La Vernia. I had the pleasure of working with the Mayor on various projects, such as securing a $500,000 earmark on a new water well and assistance for a grant that brought a new energy efficient roof for City Hall.

His work as Mayor led to a list of accomplishments that benefited the city and people of La Vernia, including new pumps and vault at Wood Creek water plant, TMRS Retirement plans for employees, and residential water meter replacement. Additionally, he increased safety and protections by reducing speed limits at the city limits and developed emergency response plans for water and wastewater systems. His actions were for the betterment of the community and commendable.

Along with serving the city, he sat on the Canyon Regional Water Authority Board of Trustees from 2004 through 2012. He has been married to his wife, Lucy, who has served as a U.S. Marshal for 17 years. The couple has two children and one grandchild.

Mr. Speaker, I am honored to recognize Mr. Harold Schott, retiring Mayor of the City of La Vernia. His years of dedication and commitment to our community have truly impacted the quality of lives for the people of the city.

CARLOS DELACERDA

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Carlos DeLaCerda for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Carlos DeLaCerda is a 10th grader at Jefferson Senior High and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Carlos DeLaCerda is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Carlos DeLaCerda for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

CELEBRATING THE 64TH ANNIVERSARY OF THE INDEPENDENCE OF ISRAEL

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. MARCHANT. Mr. Speaker, it is with a strong spirit of solidarity that I recognize the 64th anniversary of the independence of the State of Israel. On May 14, 1948, as the world was working toward a brighter and less war-torn future, the Israeli people declared their independence from the British Mandate. The United States recognized the new State of Israel minutes after its birth and, ever since, our two nations have remained strong allies and profound friends.

During its 64 year history, the State of Israel has weathered persistent threats with a remarkable resolve. The nation has not only survived, but has prospered. While ensuring the security of her people, Israel has maintained a firm commitment to democracy. We in the United States are fortunate to have Israel as an unshakeable ally in the Middle East. On this anniversary of independence, we should reflect upon the endurance of that alliance and renew its promises for future generations.

I further recognize the importance of fostering our alliance with mutual cooperation. The second ten-year Memorandum of Understanding between the United States and Israel, which was signed in 2007, has established a fruitful security agreement that has served both of our nations well. A later Memorandum in 2009 further strengthened our joint commitment to counter-terrorism by pledging our mutual assistance to stop the supply of arms to terrorist organizations. It is strategic landmarks like these that help support the lasting bond that we have established with the Israeli state and people.

Mr. Speaker, on behalf of the 24th Congressional District of Texas, I ask all of my distinguished colleagues to join me in recognizing and celebrating the 64th anniversary of the State of Israel. I am proud of the historic relationship that the United States has with Israel and look forward to the future of our friendship.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. COFFMAN of Colorado. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $15,623,285,528,454.41. We've added $4,996,408,479,541.33 to our debt in just over 3 years. This is debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

IN HONOR OF THE EEOC RULING THAT GENDER-IDENTITY DISCRIMINATION BE COVERED BY TITLE VII

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. ANDREWS. Mr. Speaker, I rise today to honor the Equal Employment Opportunity Commission's decision that an employer who discriminates against an employee or applicant on the basis of gender-identity violates the Civil Rights Act. This decision is a massive step forward for transgender employment protection, a right that the transgender community has fought hard to ensure over the past decade.

As a result of this ruling, investigators at all 53 of the EEOC's district offices will now accept discrimination claims brought by transgender individuals. The EEOC's legal staff can also bring lawsuits against employers the agency determines have discriminated against transgender employees or job applicants. The decision will be binding on all federal agencies. This definitive ruling gives transgender Americans the certainty, security and reliable legal protection they deserve.

On June 25, 2008, I headed the first Congressional hearing on transgender discrimination. As I stated then, I feel strongly that a person's gender identity is an irrelevant criterion and should not play a role in his or her ability to get a job. The person best qualified to fill the role should get the job. This ruling from the EEOC ensures that transgender people across the country will be protected by federal law if they are denied a job or fired because of who they are or how they appear.

Given the incredibly high rate of employment discrimination facing transgender people, it is important to recognize all of the people who have struggled through discrimination and adversity to get this ruling passed.

Mr. Speaker, I applaud the EEOC's decision and encourage Congress to seek further protections for transgender Americans and work to end all forms of discrimination.

CHESLE PARSON

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Chesle Parson for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Chesle Parson is a 7th grader at Mandalay Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Chesle Parson is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Chesle Parson for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

RIVERDALE WOMEN'S CLUB 60TH ANNIVERSARY

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Riverdale Women's Club, located in the Borough of Riverdale, Morris County, New Jersey as they celebrate their 60th Anniversary.

The Riverdale Women's Club was founded in 1952 as a community service and social organization to provide community improvements, cultural enrichment and educational opportunities to the residents of Riverdale and surrounding municipalities.

The Riverdale Women's Club has made many significant contributions to their community throughout their long history.

Utilizing the many talents of group members, the Club crafts lap robes and afghans for local nursing homes and hospitals, as well as newborn baby hats for area maternity departments. In addition, the members of the Club sew sheets for local school nurses and make teddy bears to be used by local Police, Fire and Rescue for trauma victims.

During holiday seasons the Club collects food and provides food baskets to Morris County's neediest as well as making candy and cookies for local nursing homes. Throughout the year the members of the Club collect clothing and sanitary items to give to New Jersey's veterans' homes.

Every year the Women's Club fulfills their longstanding tradition of encouraging educational opportunities through the Marie S. Hagberg Scholarship, Adele Wasek Art Award and Helen Spengler Continuing Education Scholarships given to deserving students. They also sponsor Annual Academic Essay and Art Award Competitions.

In addition, the Club has participated in the establishment of the Riverdale Senior Citizen's Club, the Friends of Riverdale Library and the Local 4–H Club. They were also instrumental in the foundation of the Children's Wellness Clinic and a, number of additional health clinics in Riverdale.

Through their steadfast dedication to addressing the educational and social needs of the community while providing a gathering place for women, the Riverdale Women's Club has proved itself to be a pillar of the Borough of Riverdale. We are proud to have such a dedicated group here in Morris County.

Mr. Speaker, I ask you and my colleagues to join me in congratulating the Riverdale Women's Club as they celebrate their Sixtieth Anniversary.

HONORING 100 YEARS OF HADASSAH

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to honor Hadassah, the Women's Zionist Organization of America, and to recognize its 100 years of service in our communities. As a lifetime Hadassah member, it is a great privilege to recognize the important work the organization continues to do, both in the United States and around the world.

Founded in 1912 by Henrietta Szold, Hadassah has the extraordinary distinction of being the largest volunteer organization, as well as the largest women's organization, in the United States. A century later, Hadassah has maintained its commitment to Judaism, Zionism, and American ideals, promoting health care, education, youth institutions, volunteerism, and land reclamation in Israel, as well as Jewish and Zionist education programs, Zionist Youth programs, and health awareness programs in the United States. Hadassah remains a critical voice of the Jewish community, advocating for issues of importance to women and to American Jews.

The Hadassah Medical Organization operates state-of-the-art medical facilities in Israel, including the Hadassah-Hebrew University Medical Center at Ein Kerem and the Hadassah University Hospital at Mount Scopus. Hadassah also maintains an extensive healthcare network including community healthcare programs, specialized outpatient clinics and services, and consultation clinics in the center of Jerusalem and in Tel Aviv. Hadassah's medical services continue to set the standard for health care in Israel, providing over 1 million people with hospital care each year.

Hadassah's critical services extend far beyond health care. The organization offers continuing education in fields such as nursing, medicine, business, and law, offering women in those professions the opportunity to join profession councils and to affiliate on a national level with other members who share the same vocation. Further, Hadassah College Jerusalem has, for over 35 years, been providing Academic and Associate degrees in a variety of subjects.

Within our own communities, Hadassah strengthens Jewish identity and support for Israel through community programs for both youth and adult members to foster community bonds, create volunteer opportunities, and develop Jewish leaders. Hadassah members organize and advocate on issues including hate

crimes, anti-Semitism, reproductive choice, and genetic discrimination, as well as support for Israel, Middle East peace, and Israeli security.

For the past century, Hadassah has been a critical voice for women and the Jewish community and has translated that voice into powerful action around the world. I congratulate Hadassah and its more than 300,000 Members, Associates and supporters on their successes of the past 100 years, and I look forward to continuing to work together to build communities and improve lives in the United States, Israel, and throughout the world.

PERSONAL EXPLANATION

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mrs. DAVIS of California. Mr. Speaker, on Tuesday April 23, 2012, I missed the following vote: H.R. 2157—To facilitate a land exchange involving certain National Forest System lands in the Inyo National Forest, and for other purposes. Had I been present, I would have voted "yes" on rollcall No. 178.

CHLOE GROSSETETE

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Chloe Grossetete for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Chloe Grossetete is an 8th grader at Moore Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Chloe Grossetete is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Chloe Grossetete for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

HONORING YOUTH SPORTS SAFETY MONTH 2012

HON. MIKE McINTYRE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. MCINTYRE. Mr. Speaker, I rise today to recognize Youth Sports Safety Month and the work of the National Youth Sports Health & Safety Institute, NYSHSI. NYSHSI was formed in the fall of 2011 through a partnership between the American College of Sports Medicine and Sanford Health. I am pleased to serve as an honorary member of the Institute's Leadership Board. NYSHSI is dedicated to leading and advocating for the advancement and dissemination of the latest research and evidence-based education, recommendations and policy to enhance the experience, development, health and safety of our youth in sports. The need for this commitment is underscored by a recent poll that shows 91 percent of Americans feel sports participation is important for children and adolescents, and 94 percent feel more needs to be done to ensure the health and safety of youth athletes. These concerns have been fueled by reports of widespread escalating prevalence of exertional heat illness, concussion, and overuse, as well as other consequences and hazards of sports unnecessarily harming the health of our youth. I look forward to all the great work that is planned over the next year and beyond, beginning with NYSHSI's initial focus on these four key areas of emphasis: Sports Trauma, Environment, Overload/Overuse, Chronic Disease & Disabilities.

As Founder and Co-Chairman of the Congressional Caucus on Youth Sports, I believe the work of NYSHSI is extremely important to the youth of America participating in sport and as a complement to the mission and goals of the Caucus. During Youth Sports Safety Month and throughout the rest of the year, our young athletes urgently need leadership from NYSHSI, their peer organizations, and Members of Congress, so that youth sports in America can be fun, healthy and safe.

HONORING MASTER SERGEANT JEFFREY J. RIECK

HON. STEVE STIVERS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. STIVERS. Mr. Speaker, I rise today on behalf of a grateful nation to celebrate the life of Ohio Army National Guard MSG Jeffrey J. Rieck—a true American hero who lost his life on April 4, 2012, while deployed to Afghanistan for Operation Enduring Freedom. An Ohioan and fellow soldier from Columbus, Ohio, he recently joined the countless number of fearless warriors who have given the final measure of devotion in defense of our great nation.

Master Sergeant Rieck, 46, was born in Cincinnati, Ohio, and served a 25-year career with the military that began in May 1987. Among the medals awarded for his heroism are a Bronze Star and Purple Heart, which are just the beginning to the honors owed to him.

A dedicated and loving father, brother, uncle, nephew, cousin, and friend, Master Sergeant Rieck will be remembered as a true hero who dedicated every aspect of his life to his family, loved ones, and country—a man who served with true pride and grace. I feel absolutely privileged that I had the opportunity to serve with Master Sergeant Rieck in the Ohio Army National Guard.

George Orwell is known to have said, "We sleep soundly in our beds because rough men stand ready in the night to visit violence on those who would do us harm." Master Sergeant Rieck highlighted this quote as one of his favorites, and no better quote could be referenced to describe the soldier we lost a few weeks ago.

As I pray for the family and friends of Master Sergeant Jeffrey Rieck, I ask that all Members of Congress join me in offering our eternal appreciation for his life and sacrifice. He went to the furthest and greatest extent in order to secure our freedom here at home, and that must never be forgotten.

CRYSTINA HOLENCY

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Crystina Holency for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Crystina Holency is an 8th grader at Oberon Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Crystina Holency is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Crystina Holency for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

HONORING ANNETTE FENTIN, RECIPIENT OF THE BREAKING THE GLASS CEILING AWARD

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. DEUTCH. Mr. Speaker, I rise today in celebration of Annette Fentin, recipient of the Jewish Museum of Florida's Breaking the Glass Ceiling Award. Her tenacity, professionalism, and role as a business and philanthropic leader in Florida are truly an inspiration, and it is an honor to represent her in the United States Congress.

Annette Fentin is a pioneer. At a time when the very existence of her career seemed improbable, she not only entered the workforce but skyrocketed to the top of her field. As a young mother balancing numerous family obligations, Annette was inspired to get a real estate license, and after overcoming numerous hurdles was soon a top seller at a real estate firm.

In 1969, after being recognized as a respected member of the business community, Annette became the first woman member to be appointed to the Jacksonville Chamber of Commerce. She worked side by side with 99 men to help make Jacksonville a place where businesses could grow and thrive. Soon, Annette was appointed to their board of governors, was organizing business exchanges with countries around the world as head of the World Trade Committee in Jacksonville, and began her own firm where she employed 30 individuals. And the honor of being the first

woman member of an influential organization was given to her once more, as she was appointed to the University of North Florida board of trustees.

But Annette's service to her community transcends far beyond the realm of creating an environment where business can flourish. She is committed to improving education for people in Florida, and has organized fundraisers with her Synagogue, B'nai Torah, to assist students in need at FAU. Furthermore, in Miami she was instrumental in the creation of Israel Tennis Centers, a Jewish organization that fosters cultural exchange by connecting athletes who are part of the global Jewish community.

Today, women make up half of our workforce here in the United States. And although we have made great strides since the 1960's when Annette first began her career, we are often reminded that there is still room for progress. Business owners like Annette who took on careers previously reserved for men are an inspiration to us all. She reminds us that with tenacity and courage it is possible to break barriers and give women a seat at the table.

HONORING LIEUTENANT KEITH WHEELER

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. MICHAUD. Mr. Speaker, I rise today to honor Lieutenant Keith Wheeler for his tremendous service to the people of Aroostook County.

On May 6, 2012, Lieutenant Wheeler will have completed his 40th year of exemplary service in the Aroostook County Sheriff's Office. Keith began his career in law enforcement as a jail guard at the age of 24. As a Patrol Officer, Detective, Patrol Sergeant and a Lieutenant, he has never wavered from his dedication to the community or his desire to help people. These values have made Lieutenant Wheeler a fixture in the Country and a highly effective Commander of the Sheriff Office's Law Enforcement Division.

Lieutenant Wheeler is also known for his ability to form close relationships and inspire confidence amongst his colleagues. Retired Chief Deputy Shirley Cleary has been a career long role model and friend to Keith, always stressing the importance of treating people the way you would want to be treated. Lieutenant Wheeler was also entrusted to coordinate the state's Marijuana Eradication Program. In 2008, he was named the Deputy Sheriff of the year by the Maine Sheriff's Association.

I am pleased to join the Aroostook County Sheriff's Office, and the people of Maine, in celebrating Lieutenant Wheeler's 40 years of commendable service.

Mr. Speaker, please join me in congratulating Lieutenant Wheeler on achieving this milestone, and thanking him for all that he does to keep Maine families safe.

NATIONAL DRUG TAKE BACK DAY

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. RAHALL. Mr. Speaker, imagine one million pounds, 500 tons of prescription pills piled high on the National Mall. Those numbers and that image boggle the mind. And yet, in thirteen short months, that's just about the amount of leftover or expired drugs legions of concerned and compassionate Americans have turned in during the last three National Drug Take Back Days sponsored by the U.S. Drug Enforcement Administration.

That total may well be only the tip of the iceberg threatening our National ship of state. On this Saturday, April 28, 2012, the American people and every Member of Congress have the opportunity to strike a blow to rid our nation of the prescription drug abuse scourge that is ravaging so many of our families and communities. The DEA, along with almost 4,000 state and local law enforcement partners are, once again, sponsoring a National Drug Take Back Day.

This is a national call to action. Everyone can participate; everyone needs to participate, because one of the most insidious contributors to this growing epidemic lurks in every home bathroom.

''Ground Zero'' for Drug Take Back Day is each medicine cabinet in humble homes across the country. Participation is made simple by the vast number of drop-off points made available by our law enforcement professionals—over 5,300 sites in all 50 states of our nation.

A resounding and very clear message at the nation's first National Summit on Prescription Drug Abuse was made: one of the most cost effective, long-term measures we can take to turn the tide on prescription drug abuse is prevention. That effort starts in our own cabinets and cupboards.

Once described as America's ''Silent Epidemic,'' the abuse of prescription drugs can be openly witnessed any hour—day or night—on countless street comers across the country. Today, prescription drug abuse may be the biggest challenge of our society, and the only way its destructive trend can be reversed is if everyone—I mean, everyone—gets involved.

We are traveling a difficult and challenging path to save an entire generation. But, events and action on a national level, like Drug Take Back Day, provide simple and effective solutions in our quest to conquer the problem of prescription drug abuse.

Let us act with dispatch and compassion and with an acute understanding of the enormity of the challenge before us. Working in partnership with law enforcement, not as vigilantes or self appointed marshals Drug Take Back Day is one of the simplest, most effective, prevention measures we have on our side.

DANIEL KOHEN

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Daniel Kohen for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Daniel Kohen is a 12th grader at Pomona High and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Daniel Kohen is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Daniel Kohen for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

IN RECOGNITION OF ISRAEL'S INDEPENDENCE DAY

HON. DENNIS A. CARDOZA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. CARDOZA. Mr. Speaker, I am delighted to rise today in order to recognize the sixty-fourth anniversary of Israel's independence. After 2,000 years the Jewish people regained their independence with the establishment of the State of Israel on April 26, 1948.

Israel was conceived during a dark time for the Jewish people and for the world, but because of their steadfast vision and perseverance they have become a beacon of prosperity and hope for the entire world to follow.

For sixty-four years the United States and Israel have been unwavering partners. We share an unbreakable bond based in mutual respect, shared values, and the ideal of equal opportunity for all. Our two nations have worked together side by side to promote respect for human rights and to ensure a more secure and stable world for all.

As President Obama has said, and as I have said so many times before, the security of Israel is of paramount importance, and our support for that security is unbreakable. We should take this occasion to reinforce this bond and renew our commitment into the future.

It is also fitting to take this occasion to focus on the future of a lasting peace. As I and my colleagues have repeatedly said, the only path to a lasting peace is through direct negotiations between Israel and the Palestinians that lead to a two-state solution. We must also acknowledge that a lasting peace cannot be achieved while a contingent within the Palestinian Government does not recognize Israel's right to exist. The State of Israel has existed for sixty-four years and will continue to endure. It is time all factions within the Palestinian Government acknowledge this so that we can move forward to achieve peace for a region that so greatly desires it.

Mr. Speaker, Israel has much to be proud of today. On this day of independence, I congratulate the people of Israel for their perseverance and for the hope of a brighter future as our two nations continue down a path of prosperity and peace for years to come.

HON. COLLIN C. PETERSON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. PETERSON. Mr. Speaker, I rise today in support of H.R. 1971, the Pharmacy Competition and Consumer Choice Act. This legislation will help level the playing field between neighborhood pharmacies and pharmacy benefit managers (PBMs) ensuring rural communities will continue to have access to see the providers of their choosing.

The 7th Congressional District of Minnesota, which I represent, is made up of more than 31,000 square miles and many small towns and farms. Small and independent retail pharmacies serve the pharmacy needs of residents in this large rural area. Residents of my district are concerned that they are losing access to their local community pharmacist whom they trust and have built relationships with throughout the years.

These PBMs tend to encourage patients to use their own mail-order-only operations in order to receive discounted co-pays on prescription drugs. Many constituents have expressed how they want to save money but also would like to talk to the pharmacists about their drug regimens and possible drug interactions. They do not like the idea of dealing with faceless employees of a managing company and talking with someone new each time they call. Patients should not have to choose between best price and best care.

Small pharmacies play a vital role in rural communities. Not only are they an employer, but serve as a health care advisor to senior citizens and families. I have heard concerns that such market concentration, like one we will see with Express Scripts and Medco, will likely lead to higher prices for consumers and fewer choices. During this difficult economic time, we cannot afford to lose jobs and the small businesses that serve the very important health-care needs of American consumers. This is especially true in rural areas, where there are already fewer choices.

H.R. 1971, the Pharmacy Competition and Consumer Choice Act, would provide transparency into how PBMs deal with Medicare Part D plans, and would require PBMs to deal more honestly with pharmacies when contacting and conducting audits. By protecting Part D plans and beneficiaries, as well as patient access to local community pharmacies, this legislation will help ensure that rural patients will continue to have access to local pharmacies.

RECOGNIZING DIANA Z. YSRAEL ON RECEIVING THE 2012 GUAM BUSINESSWOMAN OF THE YEAR LIFETIME ACHIEVEMENT AWARD

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Ms. BORDALLO. Mr. Speaker, I rise today to commend and congratulate Mrs. Diana Z. Ysrael on being awarded the 2012 Guam Businesswoman of the Year Lifetime Achievement Award. Diana Ysrael is the owner of Diana's Specialty Shops, which opened in 1960, and she is an advisor for Tanota Partners, a family-owned real estate business that was established in 1970.

Diana was born in Graceville, Minnesota on November 9, 1935 and attended George Washington High School in Mangilao, Guam. She received a Bachelor of Science degree in Nursing Education from St. Theresa's College in Winona, Minnesota and went on to work as a registered nurse for the Mayo Clinic in Rochester, Minnesota and the Guam Memorial Hospital. In 1960, Diana decided to start her own business and opened Diana's, Guam's first children's specialty shop. Over the years, Diana expanded her business to five locations with over 50 employees. She also provides guidance and consultative work to her family businesses, Tanota Partners and Dizzy Inc. clothing stores.

In addition to being a local entrepreneur for over 50 years, Diana is an active member of Guam's community. She has dedicated her time to volunteering for Strides for the Cure, a local non-profit organization that raises awareness of cancer and seeks to reduce cancer rates on Guam. Diana also frequently contributes to the American Red Cross and provides financial support to St. John's School athletic program and scholarship fund. Further, through Tanota Partners, Diana has helped provide funding to repair the Agana Pool.

Diana has dedicated her career to building a successful self-owned business, and she serves as a positive role model for businesswomen on Guam. I join the people of Guam in thanking her for her many contributions to our community, and I wish her continued success in the years to come.

60TH ANNIVERSARY OF UNITED WAY OF BUCKS COUNTY

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. FITZPATRICK. Mr. Speaker, I rise today to commemorate the 60th Anniversary of United Way of Bucks County, an organization that strives to better the lives of countless people in my Congressional District.

United Way was founded shortly after World War II, just as Bucks County began to experience a rapid growth in population. Fearing this new influx of local residents would place too much of a burden on existing charitable agencies, a group of determined citizens began meeting to discuss the struggles that the new community faced. Although small at first, these meetings eventually led to the creation of United Way of Bucks County in 1952.

Over the years, United Way has worked with many different people and organizations in order to identify and resolve pressing neighborhood issues. Since 1952, United Way has worked with various schools, government agencies, businesses and neighborhood associations in an effort to foment public policy and much needed community change.

Today, the organization allocates over $1 million to 31 different agencies that support 52 local programs in Bucks County. Undoubtedly, United Way of Bucks County has become a vital attribute to our community, and I am honored to speak on behalf of its members and affiliates today.

Thank you for 60 years of public service, and dedication, I am proud to have such an admirable organization work on behalf of the constituents in my Congressional District.

POTENTIAL IMPORT OF THE MERGER OF EXPRESS SCRIPTS, INC., AND MEDCO

HON. G.K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. BUTTERFIELD. Mr. Speaker, I rise today to draw attention to the potential impact of the merger of two major pharmacy benefit managers (PBMs), Express Scripts, Inc. and Medco. The Federal Trade Commission (FTC) recently decided not to oppose this merger, which combines two of the ''Big Three'' PBMs. However, the FTC decision was not unanimous; in fact, one FTC Commissioner who opposed the merger called it a ''game changer.''

The merger of Express Scripts and Medco now means that the top two PBMs will cover approximately 72 percent of the privately insured Americans. This ''mega PBM'' will have the ability to raise prices for health plans and patients, limit access to pharmacy patient care and force patients to use the PBM's mail order pharmacies rather than their trusted community pharmacies, driving up costs for employers, health plans and other federal and state programs.

Additional concerns resulting from the Express Scripts and Medco merger include increased market concentration in the PBM market, with decreasing competition. The ''Big Three'' PBMs controlled approximately 80 percent of the national prescription drug plan market for large plans. This merger reduces the options for large plans from three to two. For large health plans that have typically selected one of the ''Big Three'' PBMs, the merger creates a firm with more than 50 percent market share.

The new mega PBM alone will control over 40 percent of the national prescription drug volume. Approximately 135 million Americans—more than one-third of all Americans—will rely on this new ''mega PBM'' to manage their prescription benefits. The merger combines two of the three largest suppliers of specialty pharmacy services, consolidating an excessive share of all specialty pharmacy sales. The merger creates the nation's largest mail-order pharmacy accounting for close to 60 percent of all mail-order prescriptions processed in the United States. This is a very troubling situation.

I have actively sought to bring this issue to the forefront, through floor speeches, letters to the FTC, and calls for hearings in the House Energy & Commerce Committee. I am concerned that this ''mega PBM'' will only exacerbate the problems for community pharmacies and consumers caused by PBMs currently. Already, many PBMs disallow pharmacies the ability to appeal pricing decisions with which they disagree. It is documented that they often mandate that a covered individual use a specific retail pharmacy, mail order pharmacy, specialty pharmacy or other pharmacy or entity. This is exceedingly problematic in places like the First Congressional District, where there are limited options for seniors and the disabled to reach certain pharmacies.

Only a handful of states directly regulate some PBM functions, such as how they conduct audits of pharmacies, and some state

boards of pharmacy regulate them to the extent that their activities can be construed as practicing pharmacy. The vast majority of their remaining functions and activities are unregulated.

We must do more to rein in some of the worst abuses of PBMs against community pharmacies and consumers. In addition to supporting state actions against the Express Scripts/Medco merger, I am a cosponsor of H.R. 4215, the Medicare Pharmacy Transparency and Fair Auditing Act, important legislation that will protect patients and providers from the egregious practices of PBMs. Similar legislation that includes the provisions of H.R. 4215 has been introduced in the Senate. This legislation will help level the playing field between neighborhood pharmacies and PBMs and ensure Americans have access to see the providers of their choice. PBMs are the little-known, but powerful, virtually unregulated middlemen that administer prescription drug benefits for most Americans.

TRIBUTE TO ST. BERNARDINE PARISH ON THEIR 150TH ANNIVERSARY

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. BACA. Mr. Speaker, it is with great honor that I rise today and ask Congress to recognize the 150th anniversary of the St. Bernardine Parish in San Bernardino, California.

In 1862, Reverend Raho chose a site for the St. Bernardine Parish to be built in the town square in the current city of San Bernardino. Here, Reverend Raho held mass and established the Parish in the name of Bishop Amat. In 1865, the first St. Bernardine Church was completed, only to be destroyed by a fire a year later. The church was rebuilt and expanded between 1867 and 1880 to accommodate a growing population.

The St. Bernardine Parish continued to change and expand with the beginning of the 20th century. In 1907, the Church built a new two story brick school to accommodate 200 students. Three years later, in 1910, the new Church building was completed and dedicated, becoming the fifth Catholic Church in San Bernardino.

During the 1920s, the San Bernardine Parish flourished and helped provide guidance and inspiration to the people of San Bernardino. A decade later, during the Great Depression, the San Bernardine Parish was instrumental in helping the community get through rough times.

I commend the San Bernardine Parish for their tireless work to support our soldiers and their families during and after World War II. Many men and women from the Parish fought bravely to preserve the freedoms of democracy and religion that we hold today.

After the war, St. Bernadine constructed a new convent and built additions onto the existing school building. From the 1960s until the 1990s, Msgr. John Bradley oversaw the period of growth and change for the St. Bernardine Parish, where he is known as the "Preservation Pastor." With Msgr. Bradley's leadership, a new senior citizens housing complex was completed and dedicated. Msgr. Bradley's legacy has impacted Father Leonard Depasquale, who continues to lead the St. Bernardine Parish in improving the life of the people and community of San Bernardino.

I am proud of the way the St. Bernardine Parish has positively impacted the people of San Bernardino for over 150 years. The St. Bernardine Parish has provided spiritual support and assistance to the people of San Bernardino, and I am grateful to their service to our community.

Mr. Speaker, I ask my colleagues to join me today in recognition of the St. Bernardine Parish as they celebrate their 150th anniversary.

HONORING MASTER SERGEANT SHAWN T. HANNON

HON. STEVE STIVERS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. STIVERS. Mr. Speaker, I rise today on behalf of a grateful nation to celebrate the life of Ohio Army National Guard Master Sergeant Shawn T. Hannon—a true American hero who lost his life on April 4, 2012, while deployed to Afghanistan for Operation Enduring Freedom. A fellow Ohioan and soldier from Grove City, Ohio, Master Sgt. Hannon, 44, gave the final measure of devotion when he was killed in action while serving in the line of duty in the protection of our nation.

Master Sgt. Hannon was a lifelong soldier who served for almost 20 years in the Ohio Army National Guard. Hannon was the kind of soldier who makes the citizens of Ohio's 15th Congressional District so proud. He served in multiple deployments, which included Iraq, RAF Lakenheath, England, Mississippi for Hurricane Katrina, and Florida for Hurricane Andrew. He earned a well-deserved Bronze Star, Purple Heart, and the Ohio Distinguished Service Medal for his outstanding service. As a father, husband, son, brother, and friend, Master Sgt. Hannon was known for his charisma, love, and loyalty. I consider myself privileged to have had the opportunity to serve with him in the Ohio Army National Guard.

We should thank God every day that heroes like Master Sgt. Hannon exist, because every day he stood ready to protect and fight for our freedom. His bravery, selflessness, and sacrifice will be forever remembered, as will his unwavering commitment to God, country, and his family.

I ask that every Member of Congress join me in paying tribute to the life of Master Sgt. Hannon—his bravery and selflessness are deeply missed and felt. We are able to have freedom and safety today because of the ultimate sacrifice that he has made, and for that we owe a great debt of gratitude.

RECOGNIZING THE 64TH ANNIVERSARY OF THE ESTABLISHMENT OF THE STATE OF ISRAEL

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to honor the 64th anniversary of the establishment of the State of Israel.

Today, Israelis and their friends around the world celebrate the renewal of a Jewish State in the land of Israel. Since the U.S. became the first country to recognize Israel, a mere 11 minutes after her founding, the relationship between our two nations has continued to grow and strengthen. That friendship is as important now as it was in 1948, and, after 64 years of cooperation and collaboration, we still subscribe to the same Democratic ideals, face the same global threats, and share the same dreams. As a Jew and a Member of Congress, I am committed to continuously working to grow and strengthen the U.S.-Israel relationship.

Israel is not just a strategic ally, but also a friend and partner of the United States. I have traveled to Israel many times in recent years, and I am continuously impressed by the high level of technology, energy, and scientific innovation. Even as Israelis face an uncertain security outlook and the very real possibility of violence from neighboring nations, Israel continues to be a leader in innovation.

Today we celebrate, but yesterday we paused for Israel's Memorial Day to remember the many men and women who have been killed defending the Jewish state. According to the Israeli government, 22,993 men and women have given their lives defending the land of Israel since 1860, and 2,457 people have been killed in terror attacks. In the past year, 126 members of the Israeli security forces have been killed in the line of duty.

After 64 years, Israel continues to be our closest friend and ally in the Middle East, and the United States remains absolutely committed to ensuring a secure future for the Jewish State. For over six decades, the cornerstone of that relationship has been bipartisan agreement recognizing the critical importance of that relationship to both our nations.

As we celebrate the 64th anniversary of the founding of the State of Israel, this Congress, this Administration, and this country will continue to work together with our Israeli partners to ensure a secure and peaceful future for Israel and the entire Middle East.

IRA FREEMAN

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. BERMAN. Mr. Speaker, I am pleased to pay tribute to my dear friend Ira Freeman, who is being honored by the Valley Community Clinic for his many years of dedicated service and is being named 2012 Pharmacist of the Year by the California Pharmacists Association.

I know firsthand of Mr. Freeman's many outstanding contributions to our community. Ira is a founding member of the Valley Community Clinic (VCC), whose vision is to provide high quality healthcare for all regardless of their ability to pay. Since 1970, Ira has been the Pharmacist of Record for VCC's in-house dispensary, where he oversees the medication processes for all its patients. In addition, he has spent the last four decades volunteering his time in the dispensary every Thursday and Saturday. Along with giving his time to VCC, he also supports many other Valley non-profits including: New Horizons, Ovarian Cancer Coalition, AIDS Walk LA, Executives of the Jewish

Home for the Aging. He was also a board member and Board president of Sun Valley Chamber of Commerce from 1981–1990 and the Studio City Residents Association.

Along with a long and distinguished record of volunteerism and service to his community, Mr. Freeman has been the Owner and Pharmacist at Key Pharmacy since 1964. He earned his degree from Columbia University College of Pharmacy. He actively participates in professional pharmacy associations at the national, state and local level and is actively involved with the legislative process. In fact, his legislative efforts on behalf of pharmacists led pharmacist Barry Pascal to say, ''Ira Freeman has put a pharmacist's face into our political process.'' I can attest to the veracity of this statement because I, myself, have spent many years with Mr. Freeman here in Washington D.C. and in Los Angeles working on different legislation. He served as a member of CPhA–PAC, President of the Pharmacists' Professional Society of the San Fernando Valley, and is a founding member of the United Pharmacists Network. He is known as a political activist extraordinaire and is one of the most loved leaders in the community. It is with great pleasure that I call him my good friend.

Mr. Speaker and distinguished colleagues, I ask you to join me in recognizing Ira Freeman for his years of service and dedication to the community, to honor his many dedicated years at Valley Community Clinic, and to congratulate him on being named 2012 Pharmacist of the Year.

RECOGNIZING TOVE E. ESTABROOK ON RECEIVING THE 2012 GUAM BUSINESSWOMAN OF THE YEAR LIFETIME ACHIEVEMENT AWARD

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Ms. BORDALLO. Mr. Speaker, I rise today to commend and congratulate Mrs. Tove E. Estabrook on being awarded the 2012 Guam Businesswoman of the Year Lifetime Achievement Award. Tove Estabrook is the proprietor of Tove's Flower Shop.

Ms. Estabrook was born in Haderslev, Denmark on August 28, 1935, and she moved to Guam in with her late husband, Fred Estabrook. For 44 years, Tove has dedicated her career to providing Guam residents with unique and creative floral designs, and for more than 30 years she has been a business owner as the chief executive officer and proprietor of Tove's Flower Shop. Her business has become a mainstay for floral arrangements and event consultation on Guam, and she continues to grow and expand the services and product offering she provides.

Tove also uses her talents to help various community organizations by making monetary and in-kind floral contributions to their causes. She also delivers weekly floral donations to the Carmelite Sisters' Chapel, San Vicente and San Roque Catholic Church, Our Lady of the Waters Church, the Blessed Sacrament Chapel at the Dulce Nombre de Maria Cathedra-Basilica, and the Bayview Baptist Church.

Tove Estabrook has dedicated her career to building a successful self-owned business, and she serves as a positive role model for businesswomen on Guam. I join the people of Guam in thanking her for her many contributions to our community, and I wish her continued success in the years to come.

IN COMMEMORATION OF ISRAELI INDEPENDENCE DAY

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mrs. DAVIS of California. Mr. Speaker, I rise in strong support of the contribution of the State of Israel as it celebrates its 64th anniversary as a vibrant and open democratic society.

I had the great privilege to live and work in Israel in the mid-1960's and celebrated Israel's 22nd anniversary by taking part in a three-day walk from the shores of Tel Aviv to the hills of Jerusalem.

Now, I marvel with every visit at the extraordinary changes that have taken place.

In its 64 years, Israel has managed some incredible achievements.

Israel leads the world in the number of scientists and technicians in the workforce per capita. These Israeli scientists have made great contributions to human understanding and invented revolutionary products.

The cell phone was developed in Israel by Israelis.

Israeli doctors and researchers have produced countless medical advances helping those with diseases such as cancer and Parkinsons.

Israel is also a leader in conservation and renewable energy. In fact, Israel is the only country in the world that entered the 21st century with a net gain in its number of trees, made more remarkable because this was achieved in an area considered mainly desert.

These achievements are truly inspiring. But the daily news reports from the Middle East continue to remind us of the daunting challenges that Israel faces.

Foremost among those challenges is the existential threat posed by a nuclear Iran. There is no debate here—Iran's leadership many times has stated that, ''Israel must be wiped off the map.'' Containment of a nuclear Iran is simply not an option for the United States or Israel.

In light of the ongoing threat from Iran and other neighboring countries, the United States must remain firm in its steadfast commitment to the security of Israel as an independent, democratic Jewish state. We must continue to provide Israel with the military capabilities and intelligence necessary to defend itself.

In addition, Israel still lacks a real partner for peace with the Palestinians. However, this does not mean efforts for peace should not continue.

As we know well, achieving peace will not be easy, but I remain hopeful that Israel, her neighbors and the U.S. can get the peace process back on track and that Israel will continue to thrive as a vibrant and open democratic society.

I join my colleagues in recognizing Israel's 64th Anniversary.

STUDENTS AT McCRACKEN MIDDLE SCHOOL: MAKING A DIFFERENCE THROUGH A.C.T.

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to recognize the extraordinary students at the McCracken Middle School in Skokie, Illinois, who are working to improve the lives and futures of children around the world.

Through the organization that they created—Aiding Children Together, or A.C.T.—these remarkable young leaders are making a real difference—not just studying the many problems that confront children but taking action to help solve them.

Two years ago, I received letters from McCracken middle-schoolers who were moved to get involved to help address the crisis of child labor. They wrote to voice their support for the UN Rights of a Child and to speak up for children who are forced to work in often dangerous conditions in order to support themselves and their families.

Since A.C.T. was founded, the students have continued to show their commitment to providing every child with the right to education and to a safe and healthy life. They know that many children are forced to live in poverty, to suffer and sometimes die from preventable diseases, and even to be forced to serve as child soldiers. The members of A.C.T. believe that unless we solve these problems, too many children will be denied the opportunity to become productive members of their communities.

The students participating in A.C.T. are learning and they are taking action to protect individual children and to create a better future. Through fundraising efforts from walkathons to selling t-shirts, they have raised funds for nonprofit organizations like Free the Children—groups that empower youth to promote children's rights.

Currently, McCracken students are focused on learning about and raising funds for an orphanage in Ghana, engaging with A Better Life for Kids in the effort to expand educational opportunities to some of the most vulnerable children in the world. The orphanage is a safe place and one where deaf children can now go to school, instead of being forced onto the streets.

I want to recognize this year's A.C.T. participants and congratulate them on their work. They are: Lily Shearer, Rebecca Janw, Gabrielle Younan, Mariel Younan, Alex Davood, Juliana Tichota, Nora Gaul, Tenzin Wangdak, Trisha Gandhi, Andrea Hoglund, Sean Loach, Violette Shearer, and Nathaniel Schetter.

These McCracken students are doing amazing things and they are setting an example for all those who see problems as too big or too difficult, those who throw up their hands instead of getting to work. I am so proud of them and I know that they will continue to be a powerful force for change on behalf of children.

I also want to thank Jennifer Ciok and Bethany Blades, the teacher sponsors of A.C.T., and Shelley Nizynski, who teaches at Middleton Elementary School in Skokie and is the founder of A Better Life for Kids. They demonstrate the critical role of teachers in inspiring

students to learn, to solve problems and to become leaders in their communities.

HONORING THE EURO-AMERICAN BRANDS

HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. ROTHMAN of New Jersey. Mr. Speaker, I rise today to honor the Euro-American Brands, in recognition of its designation as honoree at the Englewood Hospital's 2012 Gala.

What began as a childhood passion for sweets today stands as a model for success, ingenuity and perseverance. Founded in 1990 by siblings Dite Van Clief and Tami Targovnik, in partnership with Peter Leiendecker, Paramus, New Jersey-based Euro-American Brands (EAB) is one the nation's premier importers of confections and specialty food products. EAB's love of sweets soared to new heights in 2010.

Joining forces with its supplier of 20 years—Ritter Sport, a popular German confectionery brand—they introduced the Strawberry Crème Bar to support the fight against breast cancer: 100% of the profits earned by EAB from sales of the Ritter Sport Strawberry Crème Bar benefit The Leslie Simon Breast Care and Cytodiagnosis Center at Englewood Hospital. Their efforts yielded much-needed support for The Breast Center which provides lifesaving medical services to countless women in need.

Mr. Speaker, today I rise to honor this remarkable company, and the great work they are doing in support of the Breast Care Center at Englewood Hospital. I join with the grateful guests of the Englewood Hospital Gala, and all of my constituents in North Jersey, in thanking the Euro-American Brands for its generous contribution to the good health of our community.

SOUTH ATLANTIC REGION OF ALPHA KAPPA ALPHA SORORITY

HON. FREDERICA S. WILSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Ms. WILSON of Florida. Mr. Speaker, I rise with pride and exuberance to mark my return to Greenville, SC, home to my very first regional conference as the 11th South Atlantic Regional Director in 1987.

In March of 1987, more than 1,300 sorors from Florida, Georgia, and South Carolina convened in Greenville, South Carolina for the South Atlantic Regional Conference. We captured the attention of both State and local dignitaries, including Lt. Governor of South Carolina, the Mayor of Laurens, South Carolina, and were presented "Keys to the City" by the Mayor of Greenville William Workman. Former Supreme Basileus Janet Ballard and many members of the Directorate were in attendance. The conference theme was "Service with a Global Perspective" and it was planned and coordinated by Soror Charlotte Walker and Soror Xanthene Norris, Cluster VIII coordinator. When the conference concluded on March 22, 1987, we returned to our respective homes renewed in our bonds of sisterhood.

Two decades laters, the South Atlantic Region of Alpha Kappa Alpha Sorority, Inc., continues to blaze trails and stands largest of the ten Alpha Kappa Alpha regions with more than 10,000 members strong. Our region is home to two former Basilei, Soror Mary Shy Scott, and Soror Norma Solomon White. Currently leading our esteemed sisterhood is our own, Soror Carolyn House Stewart, the 28th Supreme Basileus of Alpha Kappa Alpha Sorority, Incorporated.

It is my pleasure to pay tribute to each of my Sorors of the South Atlantic Region as we gather for our 59th annual conference, under the leadership of our Regional Director, Soror Marsha Lewis Brown. There is no other place I would rather call home. My pride is showing.

A TRIBUTE TO NEUMANN BROTHERS, INC.

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize the renowned, family-owned Iowa building company, Neumann Brothers, for turning 100 years old this month.

Since its founding in 1912 by then 28-year-old Arthur Neumann, Neumann Brothers, Inc. has played an integral role shaping the landscape of the state we love. It's no exaggeration to say that you can look down any street in downtown Des Moines and recognize a building that has been touched by the expertise of Neumann Brothers. A full century in business is quite a feat, but it is no surprise Neumann Brothers' reputation for putting their customers first through keeping deadlines and being accountable have earned them a stellar rapport with Iowa communities.

Thankfully, Neumann Brothers is no longer limited to erecting buildings with mules and steam power. Instead, the company has continually remained on the cutting edge of building technologies and techniques. Neumann Brothers continues that tradition today through their innovation in constructing the most important buildings in our state, and recognition through dozens of awards and the continued patronage of its customers. From the reconstruction of William Penn University in 1916, to recently converting Des Moines' century-old public library into the headquarters of the World Food Prize, the contribution of the Neumann Brothers to Iowa's rich history is incalculable.

Mr. Speaker, it goes without saying that Neumann Brothers has become synonymous with Iowa's most treasured buildings. I know that my colleagues in the United States House of Representatives will join me in congratulating this company on the milestone of their 100th birthday. I wish Neumann Brothers another hundred years of success and thank them for their contribution to Iowa's history and landscape. Thank you.

HONORING THE CENTENNIAL ANNIVERSARY OF THE AMERICAN RED CROSS LIFE SAVING CORPS' IN DUVAL COUNTY, FLORIDA

HON. ANDER CRENSHAW

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. CRENSHAW. Mr. Speaker, I rise today to recognize and honor the Centennial anniversary of the American Red Cross Life Saving Corps' outstanding volunteer services to the beach communities in Duval County, my hometown. On April 29, 2012, the members of the Volunteer Life Saving Corps will rededicate the Station at Jacksonville Beach and its new training wing, which will enhance its life-saving mission. Created in 1912 by locals who saw the need, the U.S. Volunteer Life Saving Corps was established to protect lives along the Atlantic Ocean shoreline and became Florida's first chartered American Red Cross Volunteer Life Saving Corps on April 17, 1914. Today, we celebrate a century of uninterrupted beach guard services each Sunday and holiday throughout the summer season.

Beginning with the first class, volunteers have been required to undergo a vigorous training regimen and meet the high physical and mental standards established by the Corps before they are allowed to stand watch on our beaches. My father, McCarthy Crenshaw, was a proud member of this Corps. For the past 100 years the American Red Cross Life Saving Corps has protected our beaches and has built a long-lasting working relationship with our community, which benefits both our local residents and visitors as they enjoy the surf.

Florida's northeast coastline has 20 miles of gorgeous beach and the Life Saving Corps has a long, rich history of protecting those who come to swim or surf. The first station built for the Corps was established on April 6, 1913, at Pablo Beach. The Corps was comprised of 19 volunteers equipped with a surf boat and life lines. Over the years, the Corps has recorded over 1500 ocean rescues, logged 1,300,000 volunteer hours, made 1700 life-saving assists, and administered first aid to 26,000. The faces of the Corps change each year, but the mission remains the same as the summer of 1912 when the first Life Saving Corps posted the beach watch.

It is my honor to bring this historic commemoration of a century of service by volunteers in the American Red Cross Volunteer Life Saving Corps to the attention of the United States Congress and to invite Members to join me in extending our appreciation.

FIGHTING TO PREVENT A STUDENT LOAN RATE HIKE

HON. MAZIE K. HIRONO

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Ms. HIRONO. Mr. Speaker, "Don't double my rate."

I've heard this message loud and clear from college students in Hawaii and across the country. If Congress does not act, almost 17,000 student loan borrowers in Hawaii will

see their interest rates double on July 1. Hawaii college students will owe nearly $1,000 more next year.

I have heard countless stories of people in Hawaii burdened by student loan debt. One woman in Kailua told me she took out student loans to afford graduate school, and now teaches part time at Hawaii Pacific University. Her husband is a Marine who's currently deployed. She says, ''My education was important to me, but now I wonder if it was truly worth it. I have the education that has provided me the job of my dreams but we are drowning in so much student loan debt that I may have single-handedly ruined both of our futures.''

Hawaii students shouldn't have to drown in debt to achieve their dreams. Education is too important: it's the key to greater opportunity.

I know firsthand how education opens the door to a better life. I came to this country from Japan when I was nearly 8 years old. My mother courageously plotted and planned in secret in order to flee an abusive marriage and bring us to this country so we could have a better life. We came to Hawaii in steerage with little more than the clothes on our backs. I did not speak a word of English but my mother enrolled me in the public schools and that's where I learned to read, write and speak English. I used financial aid and student loans to put myself through college and law school.

A recent study found that by 2018, nearly two-thirds of jobs in Hawaii will require some type of post-secondary education or career training. Meanwhile, tuition is rising and student loan debt is a serious problem. The average Hawaii college graduate has over $15,000 in student loan debt. Nationwide, Americans now owe more in student loan debt than credit card debt.

In my first year in Congress, I cosponsored the College Cost Reduction and Access Act of 2007. This bill passed on a strong bipartisan basis and was signed into law by President George W. Bush. This law cut low- and middle-income student loan interest rates in half, from 6.8 percent to 3.4 percent. This provision will expire on July 1. We need a solution right away.

Yet, rather than seek a real, bipartisan solution like we did in 2007, the House Majority continues to play politics with the issues that matter most to our families.

Their latest ploy is H.R. 4628. This bill is a sheep in wolfs clothing. It supports college students, but on the backs of women and children. The bill would pay for keeping the lower interest rate for one year by repealing the Public Health and Prevention Fund. It's yet another partisan attack on the Affordable Care Act.

The Public Health and Prevention Fund has already had a major impact in Hawaii. Our state has received grants to provide vaccinations, HIV testing, obesity and smoking prevention, and warning systems for disease outbreaks. The Public Health and Prevention Fund is supported by American Academy of Pediatrics—Hawaii Chapter, American Lung Association in Hawaii, CHOW Project, Faith Action for Community Equity, Hawaii Island HIV/AIDS Foundation, Hawai'i Primary Care Association, Hawaii Public Health Association, Malama Pono Health Services, and Papa Ola Lokahi. National organizations supporting this fund include the AARP, Alzheimer's Foundation, American Cancer Society, American Diabetes Association, American Nurses Association, March of Dimes, and hundreds more.

Today's vote is a false choice. Let's stop playing games with our students' future, and let's not balance the budget on the backs of women's and children's health. Today's vote is just a skirmish. The game is not over. We need a real solution right away.

That's why I'm a cosponsor of the Stop the Rate Hike Act, H.R. 4816. This bill would keep student loan interest rates low for another year, long enough to find a longer-term solution. We'd pay for this by ending tax loopholes for big oil companies. These companies are already raking in record profits, and don't need another year of handouts from you and me.

I voted today to take up H.R. 4816, a real solution for our students. I urge my colleagues to come together and get this done.

PERSONAL EXPLANATION

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed rollcall vote Nos. 179, 180, and 181. Had I been present, I would have voted ''aye'' on rollcall vote Nos. 179 and 181: I would have voted ''no'' on rollcall vote No. 180.

HONORING THE VICTIMS OF THE ARMENIAN GENOCIDE

HON. DAVID N. CICILLINE

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 26, 2012

Mr. CICILLINE. Mr. Speaker, I rise today to remember the 1.5 million Armenians, men, women, and children, who were massacred under the Ottoman Empire at the beginning of the 20th century.

Each year, Armenians throughout the world mark April 24 as Genocide Remembrance Day by honoring those who perished from 1915 to 1923, and I join my friends and colleagues in remembering the victims today.

It's important to raise awareness about the Armenian genocide not only because it is an undeniable chapter in world history, but also because learning more about this horrific tragedy underscores the importance of eliminating intolerance and bigotry wherever it occurs.

I have enormous respect and admiration for the strength, resilience, and perseverance of the Armenian-American community. Over the decades since this massacre in their homeland occurred they built lives, homes, and businesses, and raised families in Rhode Island and across the country.

As the Congressman from Rhode Island's First Congressional District, I have the honor of representing many Armenian-Americans who grew up hearing family stories about the atrocities firsthand, as many are children and grandchildren of genocide survivors. Armenian-Americans living in my home state of Rhode Island have made significant contributions through their leadership in business, law, academia, government, and the arts.

As a cosponsor of the Affirmation of the United States Record on the Armenian Genocide Resolution, House Resolution 304, I strongly believe that the time has come for the United States government to recognize this atrocity for what it was—genocide.

I join my colleagues today in remembering and honoring the victims of the Armenian genocide.

Daily Digest

HIGHLIGHTS

Senate passed S. 1925, Violence Against Women Reauthorization Act, as amended.

Senate agreed to S. Con. Res. 43, Adjournment Resolution.

Senate

Chamber Action

Routine Proceedings, pages S2745–S2890

Measures Introduced: One hundred thirty-eight bills and nine resolutions were introduced, as follows: S. 2370–2507, S. Res. 440–446, and S. Con. Res. 42–43. **Pages S2821–24**

Measures Reported:

S. 2375, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and related Agencies programs for the fiscal year ending September 30, 2013. (S. Rept. No. 112–163)

S. 2465, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2013. (S. Rept. No. 112–164)

H.R. 1016, to measure the progress of relief, recovery, reconstruction, and development efforts in Haiti following the earthquake of January 12, 2010.

S. Res. 401, expressing appreciation for Foreign Service and Civil Service professionals who represent the United States around the globe.

S. 2224, to require the President to report to Congress on issues related to Syria. **Page S2819**

Measures Passed:

Violence Against Women Reauthorization Act: By 68 yeas to 31 nays (Vote No. 87), Senate passed S. 1925, to reauthorize the Violence Against Women Act of 1994, after withdrawing the committee-reported substitute amendment, and taking action on the following amendments proposed thereto: **Pages S2745–57, S2761–99**

Adopted:

Reid (for Leahy) Amendment No. 2093, in the nature of a substitute. **Pages S2772–89, S2798**

Rejected:

By 57 yeas to 41 nays (Vote No. 84), Klobuchar Amendment No. 2094 (to Amendment No. 2093), to provide Debbie Smith grants for auditing sexual assault evidence backlogs. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, the amendment was not agreed to.) **Pages S2795–96**

By 50 yeas to 48 nays (Vote No. 85), Cornyn Amendment No. 2086 (to Amendment No. 2093), to amend title 18 of the United States Code and other provisions of law to strengthen provisions of the Violence Against Women Act and improve justice for crime victims. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, the amendment was not agreed to.) **Pages S2789–92, S2796–97**

By 37 yeas to 62 nays (Vote No. 86), Hutchison Amendment No. 2095 (to Amendment No. 2093), in the nature of a substitute. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, the amendment was not agreed to.) **Pages S2792–95, S2797–98**

Army Specialist Matthew Troy Morris Post Office Building: Senate passed H.R. 298, to designate the facility of the United States Postal Service located at 500 East Whitestone Boulevard in Cedar Park, Texas, as the ''Army Specialist Matthew Troy Morris Post Office Building''. **Page S2885**

Specialist Micheal E. Phillips Post Office: Senate passed H.R. 1423, to designate the facility of the United States Postal Service located at 115 4th Avenue Southwest in Ardmore, Oklahoma, as the ''Specialist Micheal E. Phillips Post Office''. **Page S2885**

John J. Cook Post Office: Senate passed H.R. 2079, to designate the facility of the United States Postal Service located at 10 Main Street in East Rockaway, New York, as the ''John J. Cook Post Office''. **Page S2885**

Sergeant Jason W. Vaughn Post Office: Senate passed H.R. 2213, to designate the facility of the United States Postal Service located at 801 West Eastport Street in Iuka, Mississippi, as the "Sergeant Jason W. Vaughn Post Office". **Page S2885**

Corporal Steven Blaine Riccione Post Office: Senate passed H.R. 2244, to designate the facility of the United States Postal Service located at 67 Castle Street in Geneva, New York, as the "Corporal Steven Blaine Riccione Post Office". **Page S2885**

Tomball Veterans Post Office: Senate passed H.R. 2660, to designate the facility of the United States Postal Service located at 122 North Holderrieth Boulevard in Tomball, Texas, as the "Tomball Veterans Post Office". **Page S2886**

William T. Trant Post Office Building: Senate passed H.R. 2767, to designate the facility of the United States Postal Service located at 8 West Silver Street in Westfield, Massachusetts, as the "William T. Trant Post Office Building". **Page S2886**

Private First Class Alejandro R. Ruiz Post Office Building: Senate passed H.R. 3004, to designate the facility of the United States Postal Service located at 260 California Drive in Yountville, California, as the "Private First Class Alejandro R. Ruiz Post Office Building". **Page S2886**

Specialist Peter J. Navarro Post Office Building: Senate passed H.R. 3246, to designate the facility of the United States Postal Service located at 15455 Manchester Road in Ballwin, Missouri, as the "Specialist Peter J. Navarro Post Office Building". **Page S2886**

Lance Corporal Matthew P. Pathenos Post Office Building: Senate passed H.R. 3247, to designate the facility of the United States Postal Service located at 1100 Town and Country Commons in Chesterfield, Missouri, as the "Lance Corporal Matthew P. Pathenos Post Office Building". **Page S2886**

Lance Corporal Drew W. Weaver Post Office Building: Senate passed H.R. 3248, to designate the facility of the United States Postal Service located at 112 South 5th Street in Saint Charles, Missouri, as the "Lance Corporal Drew W. Weaver Post Office Building". **Page S2886**

Public Service Recognition Week: Senate agreed to S. Res. 419, expressing the sense of the Senate that public servants should be commended for their dedication and continued service to the United States during Public Service Recognition week. **Page S2886**

National Youth Traffic Safety Month: Senate agreed to S. Res. 441, expressing support for the designation of May 2012 as National Youth Traffic Safety Month. **Page S2887**

Arbor Day: Senate agreed to S. Res. 442, celebrating the 140th anniversary of Arbor Day. **Page S2887**

Honoring the Life of Auxiliary Bishop Agustin Roman: Senate agreed to S. Res. 443, honoring the life and legacy of Auxiliary Bishop Agustin Roman. **Page S2887**

National Physical Education and Sport Week: Senate agreed to S. Res. 444, designating the week of May 1 through May 7, 2012, as "National Physical Education and Sport Week". **Pages S2887–88**

Silver Star Service Banner Day: Senate agreed to S. Res. 445, expressing support for the designation of May 1, 2012, as "Silver Star Service Banner Day". **Page S2888**

Adjournment Resolution: Senate agreed to S. Con. Res. 43, providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives. **Page S2888**

Measures Considered:

Stop the Student Loan Interest Rate Hike Act—Cloture: Senate began consideration of the motion to proceed to consideration of S. 2343, to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans. **Pages S2799–S2807**

A motion was entered to close further debate on the motion to proceed to consideration of the bill, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Thursday, April 26, 2012, a vote on cloture will occur at 12 p.m., on Tuesday, May 8, 2012. **Page S2799**

A unanimous-consent agreement was reached providing that at approximately 2 p.m., on Monday, May 7, 2012, Senate resume consideration of the motion to proceed to consideration of the bill. **Page S2799**

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that from Thursday, April 26, 2012 through Monday, May 7, 2012, the Majority Leader be authorized to sign duly enrolled bills or joint resolutions. **Page S2888**

Authorizing Leadership to Make Appointments—Agreement: A unanimous-consent agreement was reached providing that notwithstanding the upcoming recess or adjournment of the Senate, the President of the Senate, the President Pro Tempore, and the Majority and Minority Leaders be authorized to make appointments to commissions,

committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate. **Page S2888**

Pro Forma Sessions—Agreement: A unanimous-consent agreement was reached providing that the Senate adjourn and convene for pro forma session only, with no business conducted, on the following dates and times, and that following each pro forma session, the Senate adjourn until the next pro forma session: Monday, April 30, 2012, at 10:30 a.m.; Thursday May 3, 2012, at 8:30 a.m., and that the Senate adjourn on Thursday, May 3, 2012, until 2 p.m., on Monday, May 7, 2012, unless the Senate has received a message from the House of Representatives that it has adopted S. Con. Res. 43, which will be the adjournment resolution, and if the Senate has received such message, the Senate adjourn until Monday, May 7, 2012, at 2 p.m., under the provisions of S. Con. Res. 43. **Page S2888**

Nguyen, Baker, and Lee Nominations—Agreement: A unanimous-consent-time agreement was reached providing that at 4:30 p.m., on Monday, May 7, 2012, Senate will begin consideration of the following nominations: Jacqueline H. Nguyen, of California, to be United States Circuit Judge for the Ninth Circuit, Kristine Gerhard Baker, of Arkansas, to be United States District Judge for the Eastern District of Arkansas, and John Z. Lee, of Illinois, to be United States District Judge for the Northern District of Illinois; that there be 60 minutes for debate equally divided in the usual form; that upon the use or yielding back of time, Senate vote, without intervening action or debate, on confirmation of the nominations in the order listed; and that no further motions be in order. **Page S2888**

Nominations Confirmed: Senate confirmed the following nominations:

By 97 yeas to 2 nays (Vote No. EX. 83), Gregg Jeffrey Costa, of Texas, to be United States District Judge for the Southern District of Texas. **Pages S2757–61**

David Campos Guaderrama, of Texas, to be United States District Judge for the Western District of Texas. **Pages S2757–61**

Jane D. Hartley, of New York, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2014.

Adam E. Namm, of New York, to be Ambassador to the Republic of Ecuador.

Mary B. Verner, of Washington, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2012.

Mary B. Verner, of Washington, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2015.

Susan A. Maxman, of Pennsylvania, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2012.

Susan A. Maxman, of Pennsylvania, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2015.

Michael T. Scuse, of Delaware, to be Under Secretary of Agriculture for Farm and Foreign Agricultural Services.

Michael T. Scuse, of Delaware, to be a Member of the Board of Directors of the Commodity Credit Corporation.

James T. Ryan, of Utah, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2013.

James Timberlake, of Pennsylvania, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2014.

Adam Gamoran, of Wisconsin, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2015.

Judith D. Singer, of Massachusetts, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2014.

Bonnie L. Bassler, of New Jersey, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2016.

Mark William Lippert, of Ohio, to be an Assistant Secretary of Defense.

Hirokazu Yoshikawa, of Massachusetts, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2015.

David James Chard, of Texas, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2015.

Tony Hammond, of Missouri, to be a Commissioner of the Postal Regulatory Commission for the remainder of the term expiring October 14, 2012.

Mark A. Robbins, of California, to be a Member of the Merit Systems Protection Board for the term of seven years expiring March 1, 2018.

Deborah S. Delisle, of South Carolina, to be Assistant Secretary for Elementary and Secondary Education, Department of Education.

7 Air Force nominations in the rank of general.

12 Army nominations in the rank of general.

19 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Marine Corps, and Navy. **Pages S2807–09**

Nominations Received: Senate received the following nominations:

Sean Sullivan, of Connecticut, to be a Member of the Defense Nuclear Facilities Safety Board for a term expiring October 18, 2015.

Timothy M. Broas, of Maryland, to be Ambassador to the Kingdom of the Netherlands.

Richard L. Morningstar, of Massachusetts, to be Ambassador to the Republic of Azerbaijan.

Routine lists in the Foreign Service, and Public Health Service. **Pages S2888–90**

Nominations Withdrawn: Senate received notification of withdrawal of the following nominations:

Thomas M. Beck, of Virginia, to be a Member of the National Mediation Board for a term expiring July 1, 2013, which was sent to the Senate on January 5, 2011.

Matthew J. Bryza, of Illinois, to be Ambassador to the Republic of Azerbaijan (Recess Appointment), which was sent to the Senate on January 26, 2011. **Page S2890**

Messages from the House: **Page S2816**

Measures Referred: **Pages S2816–17**

Executive Communications: **Pages S2817–19**

Executive Reports of Committees: **Pages S2820–21**

Additional Cosponsors: **Page S2824–26**

Statements on Introduced Bills/Resolutions: **Pages S2826–40**

Additional Statements: **Pages S2812–16**

Amendments Submitted: **Pages S2840–84**

Authorities for Committees to Meet: **Page S2885**

Privileges of the Floor: **Page S2885**

Record Votes: Five record votes were taken today. (Total—87) **Pages S2761, S2796–97, S2799**

Adjournment: Senate convened at 9:30 a.m. and adjourned, pursuant to the provisions of S. Con. Res. 43, at 7:13 p.m., until 10:30 a.m. on Monday, April 30, 2012 (Unless the Senate has received a message from the House of Representatives that the House has adopted S. Con. Res. 43, Adjournment Resolution. And if the Senate has received such a message, the Senate stand adjourned until 2 p.m., on Monday, May 7, 2012.) (For Senate's program, see the remarks of the Majority Leader in today's Record on page S2888.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Agriculture, Nutrition, and Forestry: Committee ordered favorably reported an original bill entitled, "Agriculture Reform, Food, and Jobs Act of 2012".

BUSINESS MEETING

Committee on Appropriations: Committee ordered favorably reported the following business items:

An original bill (S. 2375) making appropriations for Agriculture, Rural Development, Food and Drug Administration and Related Agencies for the fiscal year ending September 30, 2013; and

An original bill (S. 2465) making appropriations for Energy and Water Development and Related Agencies for the fiscal year ending September 30, 2013.

NOMINATIONS

Committee on Armed Services: Committee concluded a hearing to examine the nominations of Kathleen H. Hicks, of Virginia, to be Principal Deputy Under Secretary for Policy, and Derek H. Chollet, of Nebraska, to be Assistant Secretary for International Security Affairs, both of the Department of Defense, after the nominees testified and answered questions in their own behalf.

DEFENSE AUTHORIZATION REQUEST AND FUTURE YEARS DEFENSE PROGRAM

Committee on Armed Services: Subcommittee on SeaPower concluded a hearing to examine Marine Corps acquisition programs in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program, after receiving testimony from Sean J. Stackley, Assistant Secretary of the Navy for Research, Development and Acquisition, and Lieutenant General Richard P. Mills, Deputy Commandant, Combat Development and Integration and Commanding General, Marine Corps Combat Development Command, both of the Department of Defense.

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported 2,894 nominations in the Army, Navy, Air Force, and Marine Corps.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT BUDGET

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine legislative proposals in the Department of Housing and

Urban Development's fiscal year 2013 budget, after receiving testimony from Shaun Donovan, Secretary of Housing and Urban Development.

WEATHER RELATED ELECTRICAL OUTAGES

Committee on Energy and Natural Resources: Committee concluded a hearing to examine weather related electrical outages, after receiving testimony from Senator Blumenthal; Patricia Hoffman, Assistant Secretary of Energy for Electricity Delivery and Energy Reliability; Norman C. Bay, Director, Office of Enforcement, Federal Energy Regulatory Commission; Thomas B. Getz, former New Hampshire Public Utilities Commission Chairman, Concord; and John Bilda, General Manager of Norwich Public Utilities, Norwich, Connecticut.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee ordered favorably reported the nominations of Adam E. Sieminski, of Pennsylvania, to be Administrator of the Energy Information Administration, Department of Energy, Marcilynn A. Burke, of North Carolina, to be an Assistant Secretary of the Interior, and Anthony T. Clark, of North Dakota, and John Robert Norris, of Iowa, both to be a Member of the Federal Energy Regulatory Commission.

IMPROVING TAXPAYER EXPERIENCE

Committee on Finance: Committee concluded a hearing to examine tax filing season, focusing on improving the taxpayer experience, after receiving testimony from James R. White, Director, Strategic Issues, Government Accountability Office; Beth Tucker, Deputy Commissioner, Operations Support, and Teresa Thompson, Local Taxpayer Advocate for the State of Montana, Taxpayer Advocate Service, both of the Internal Revenue Service; and Troy K. Lewis, Lewis and Associates, CPAs, LLC, Draper, Utah.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the following business items:

S. Res. 435, calling for democratic change in Syria, with an amendment in the nature of a substitute;

S. 2224, to require the President to report to Congress on issues related to Syria;

H.R. 1016, to measure the progress of relief, recovery, reconstruction, and development efforts in Haiti following the earthquake of January 12, 2010;

S. Res. 401, expressing appreciation for Foreign Service and Civil Service professionals who represent the United States around the globe, an original resolution calling for democratic change in Syria; and

The nominations of Scott H. DeLisi, of Minnesota, to be Ambassador to the Republic of Uganda, Michael A. Raynor, of Maryland, to be Ambassador to the Republic of Benin, and Makila James, of the District of Columbia, to be Ambassador to the Kingdom of Swaziland, all of the Department of State, and lists in the Foreign Service.

BURMA

Committee on Foreign Relations: Subcommittee on East Asian and Pacific Affairs concluded a hearing to examine United States policy on Burma, after receiving testimony from Joseph Y. Yun, Principal Deputy Assistant Secretary of State, Bureau of East Asian and Pacific Affairs; Nisha Biswal, Assistant Administrator, Bureau for Asia, United States Agency for International Development; Adam J. Szubin, Office of Foreign Assets Control, Department of the Treasury; and David I. Steinberg, Georgetown University School of Foreign Service, Karl D. Jackson, Johns Hopkins University Paul H. Nitze School of Advanced International Studies, and Peter M. Manikas, National Democratic Institute, all of Washington, D.C.

BIOLOGICAL SECURITY

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine biological security, focusing on the risk of dual-use research, after receiving testimony from Anthony S. Fauci, Director, National Institute of Allergy and Infectious Diseases, and Paul S. Keim, Acting Chair, National Science Advisory Board for Biosecurity, both of the National Institutes of Health, Department of Health and Human Services; Daniel M. Gerstein, Deputy Under Secretary for Science and Technology, Department of Homeland Security; and Tom Inglesby, Center for Biosecurity of University of Pittsburgh Medical Center, Baltimore, Maryland.

FINANCIAL LITERACY

Committee on Homeland Security and Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia concluded a hearing to examine financial literacy, focusing on empowering Americans to prevent the next financial crisis, after receiving testimony from Melissa Koide, Deputy Assistant Secretary of the Treasury, Office of Financial Access, Education, and Consumer Protection; Camille Busette, Assistant Director, Office of Financial Education, Division of Consumer Education and Engagement, Consumer Financial Protection Bureau; Alicia Puente Cackley, Director, Financial Markets and Community Investment, Government Accountability Office; Sheila Bair, former Chairman, United States Federal Deposit Insurance Corporation, and Pew Charitable Trusts, and Mark A. Calabria, Cato Institute, both of Washington, D.C.; Brigitte Madrian,

Harvard Kennedy School, Boston, Massachusetts; Sharra R. Jones, Laurel, Mississippi; and Michael Martin, and Evan K. Richards, both of Baltimore, Maryland.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the nominations of Michael P. Shea, to be United States District Judge for the District of Connecticut, Gonzalo P. Curiel, to be United States District Judge for the Southern District of California, and Robert J. Shelby, to be United States District Judge for the District of Utah.

BUSINESS MEETING

Committee on Veterans' Affairs: Committee ordered favorably reported the nominations of Coral Wong Pietsch, of Hawaii, and Margaret Bartley, of Maryland, both to be a Judge of the United States Court of Appeals for Veterans Claims.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 148 public bills, H.R. 4817–4964; and 1 resolution, H. Res. 634 were introduced. **Pages H2203–06**

Additional Cosponsors: **Pages H2211–12**

Report Filed: A report was filed today as follows:

H.R. 4257, to amend chapter 35 of title 44, United States Code, to revise requirements relating to Federal information security, and for other purposes, with an amendment (H. Rept. 112–455). **Page H2203**

Speaker: Read a letter from the Speaker wherein he appointed Representative Flores to act as Speaker pro tempore for today. **Page H2137**

Recess: The House recessed at 11:05 a.m. and reconvened at 12 noon. **Page H2144**

Suspensions—Proceedings Resumed: The House agreed to suspend the rules and pass the following measures which were debated on April 24th:

Lowell National Historical Park Land Exchange Act of 2012: H.R. 2240, amended, to authorize the exchange of land or interest in land between Lowell National Historical Park and the city of Lowell in the Commonwealth of Massachusetts and **Page H2156**

Idaho Wilderness Water Resources Protection Act: H.R. 2050, to authorize the continued use of certain water diversions located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in the State of Idaho. **Page H2186**

Cyber Intelligence Sharing and Protection Act: The House passed H.R. 3523, to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, by a recorded vote of 248 ayes to 168 noes, Roll No. 192. **Pages H2147–56, H2156–86**

Rejected the Perlmutter motion to recommit the bill to the Permanent Select Committee on Intelligence with instructions to report the same back to the House forthwith with amendments, by a yea-and-nay vote of 183 yeas to 233 nays, Roll No. 191. **Pages H2184–86**

Pursuant to the rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112–20 shall be considered as an original bill for the purpose of amendment under the five-minute rule, in lieu of the amendment in the nature of a substitute recommended by the Permanent Select Committee on Intelligence now printed in the bill. **Page H2166**

Agreed by unanimous consent that, during further consideration of H.R. 3523 pursuant to H. Res. 631, amendments No. 10 and No. 5 in H. Rept. 112–454 may be considered out of sequence. **Page H2175**

Agreed to:

Pompeo amendment (No. 3 printed in H. Rept. 112–454) that makes clear in the bill's liability provision that the reference to the use of cybersecurity systems is the use of such systems to identify and obtain cyber threat information; **Page H2169**

Flake amendment (No. 9 printed in H. Rept. 112–454) that adds a requirement to include a list of all Federal agencies receiving information shared with the Government in the report by the Inspector General of the Intelligence Community required under the legislation; **Page H2173**

Pompeo amendment (No. 11 printed in H. Rept. 112–454) that clarifies that nothing in the bill would alter existing authorities or provide new authority to any Federal agency, including DOD, NSA,

DHS or the Intelligence Community to install, employ, or otherwise use cybersecurity systems on private sector networks; **Page H2173**

Woodall amendment (No. 12 printed in H. Rept. 112–454) that ensures that those who choose not to participate in the voluntary program authorized by this bill are not subject to new liabilities; **Pages H2173–74**

Turner amendment (No. 14 printed in H. Rept. 112–454) that makes a technical correction to definitions in section 2(g) to provide consistency with other cyber security policies within the Executive branch and the Department of Defense; **Pages H2175–76**

Rogers (MI) amendment (No. 4 printed in H. Rept. 112–454) that makes clear that regulatory information already required to be provided remains FOIAable under current law (by a recorded vote of 412 ayes with none voting ''no'', Roll No. 185); **Pages H2169–70, H2180**

Quayle amendment (No. 6 printed in H. Rept. 112–454) that limits government use of shared cyber threat information to only 5 purposes: 1) cybersecurity; 2) investigation and prosecution of cybersecurity crimes; 3) protection of individuals from the danger of death or physical injury; 4) protection of minors from physical or psychological harm; and 5) protection of the national security of the United States (by a recorded vote of 410 ayes to 3 noes, Roll No. 186); **Pages H2170–71, H2180–81**

Amash amendment (No. 7 printed in H. Rept. 112–454) that prohibits the Federal Government from using, inter alia, library records, firearms sales records, and tax returns that it receives from private entities under CISPA (by a recorded vote of 415 ayes with none voting ''no'', Roll No. 187); **Pages H2171–72, H2181**

Mulvaney amendment (No. 8 printed in H. Rept. 112–454) that provides clear authority to the Government to create reasonable procedures to protect privacy and civil liberties, consistent with the need of the Government to protect Federal systems and cybersecurity. Also prohibits the Federal Government from retaining or using information shared pursuant to paragraph (b)(1) for anything other than a use permitted under paragraph (c)(1) (by a recorded vote of 416 ayes with none voting ''no'', Roll No. 188); **Pages H2172–73, H2181–82**

Goodlatte amendment (No. 13 printed in H. Rept. 112–454) that narrows definitions in the bill regarding what information may be identified, obtained, and shared (by a recorded vote of 414 ayes to 1 no, Roll No. 189); and **Pages H2174–75, H2182–83**

Mulvaney amendment (No. 15 printed in H. Rept. 112–454) that sunsets the provisions of the bill five years after the date of enactment (by a recorded vote of 413 ayes to 3 noes, Roll No. 190). **Pages H2176, H2183**

Rejected:

Richardson amendment (No. 10 printed in H. Rept. 112–454) that sought to make explicit that nothing in the legislation would prohibit a department or agency of the Federal Government from providing cyber threat information to owners and operators of critical infrastructure and **Pages H2177–79**

Langevin amendment (No. 1 printed in H. Rept. 112–454) that sought to expand eligibility to participate in the voluntary information sharing program created in the bill to include critical infrastructure owners and operators, which allows entities that are not entirely privately owned, such as airports, utilities, and public transit systems, to receive vital cybersecurity information and better secure their networks against cyber threats (by a recorded vote of 167 ayes to 243 noes, Roll No. 184). **Pages H2167–69, H2179**

Withdrawn:

Jackson Lee (TX) amendment (No. 5 printed in H. Rept. 112–454) that was offered and subsequently withdrawn that would have authorized the Secretary to intercept and deploy countermeasure with regard to system traffic for cybersecurity purposes in effect identification of cybersecurity risks to Federal systems. **Pages H2176–77**

Agreed that the Clerk be authorized to make technical and conforming changes to reflect the actions of the House. **Page H2186**

Agreed that in the engrossment of H.R. 3523, the Clerk be authorized to make the change that was placed at the desk. **Page H2186**

H. Res. 631, the rule providing for consideration of the bills (H.R. 3523) and (H.R. 4628), was agreed to by a yea-and-nay vote of 236 yeas to 185 nays, Roll No. 183, after the previous question was ordered by a yea-and-nay vote of 241 yeas to 179 nays, Roll No. 182. **Pages H2147–56**

Suspension: The House agreed to suspend the rules and pass the following measure:

Federal Information Security Amendments Act of 2012: H.R. 4257, amended, to amend chapter 35 of title 44, United States Code, to revise requirements relating to Federal information security. **Pages H2187–92**

Senate Message: Message received from the Senate today appears on page H2144.

Senate Referral: S. 1789 was held at the desk. **Page H2144**

Quorum Calls—Votes: Three yea-and-nay votes and eight recorded votes developed during the proceedings of today and appear on pages H2155–56, H2156, H2179, H2180, H2180–81, H2181, H2182, H2182–83, H2183, H2185, H2186. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 8:35 p.m.

Committee Meetings

FORMULATION OF THE 2012 FARM BILL: CONSERVATION PROGRAMS

Committee on Agriculture: Subcommittee on Conservation, Energy, and Forestry held a hearing entitled ''Formulation of the 2012 Farm Bill: Conservation Programs''. Testimony was heard from public witnesses.

FORMULATION OF THE 2012 FARM BILL: DAIRY PROGRAMS

Committee on Agriculture: Subcommittee on Livestock, Dairy, and Poultry held a hearing entitled ''Formulation of the 2012 Farm Bill: Dairy Programs''. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURE

Committee on Appropriations: Full Committee held a markup of Commerce, Justice, and Science Appropriations Bill FY 2013. The bill was ordered reported, as amended.

MISCELLANEOUS MEASURE

Committee on Armed Services: Subcommittee on Military Personnel held a markup of H.R. 4310, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes. The bill was forwarded, without amendment.

MISCELLANEOUS MEASURE

Committee on Armed Services: Subcommittee on Seapower and Projection Forces held a markup of H.R. 4310, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes. The bill was forwarded, as amended.

MISCELLANEOUS MEASURE

Committee on Armed Services: Subcommittee on Strategic Forces held a markup of H.R. 4310, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes. The bill was forwarded, without amendment.

MISCELLANEOUS MEASURE

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities held a markup of H.R. 4310, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes. The bill was forwarded without amendment.

PRESIDENT'S FISCAL YEAR 2013 BUDGET PROPOSAL FOR DEPARTMENT OF HEALTH AND HUMAN SERVICES

Committee on Education and the Workforce: Full Committee held a hearing entitled ''Reviewing the President's Fiscal Year 2013 Budget Proposal for the U.S. Department of Health and Human Services''. Testimony was heard from Kathleen Sebelius, Secretary, Department of Health and Human Services.

THE NORTH-SOUTH SUDAN CONFLICT 2012

Committee on Foreign Affairs: Subcommittee on Africa, Global Health, and Human Rights held a hearing entitled ''The North-South Sudan Conflict 2012''. Testimony was heard from Princeton Lyman, Special Envoy for Sudan, Department of State; Anne C. Richard, Assistant Secretary of State, Department of State, Bureau of Population, Refugees, and Migration; and Nancy Lindborg, USAID Assistant Administrator for the Bureau for Democracy, Conflict and Humanitarian Assistance.

MISCELLANEOUS MEASURE

Committee on Foreign Affairs: Subcommittee on Europe and Eurasia held a mark up of H. Res. 526, expressing the sense of the House of Representatives with respect toward the establishment of a democratic and prosperous Republic of Georgia and the establishment of a peaceful and just resolution to the conflict with Georgia's internationally recognized borders. H. Res. 526 was forwarded without amendment.

NATO: THE CHICAGO SUMMIT AND U.S. POLICY

Committee on Foreign Affairs: Subcommittee on Europe and Eurasia held a hearing entitled ''NATO: The Chicago Summit and U.S. Policy''. Testimony was heard from Tina S. Kaidanow, Principal Deputy Assistant Secretary, Bureau of European and Eurasian Affairs, Department of State; James Townsend, Deputy Assistant Secretary, European and NATO Policy, Department of Defense; and public witnesses.

IRANIAN CYBER THREAT TO THE U.S. HOMELAND

Committee on Homeland Security: Subcommittee on Counterterrorism and Intelligence; and Subcommittee on Cybersecurity, Infrastructure, Protection, and Security Technologies held a joint hearing entitled ''Iranian Cyber Threat to the U.S. Homeland''. Testimony was heard from public witnesses.

ENSURING THE EFFICIENCY, EFFECTIVENESS, AND TRANSPARENCY OF HOMELAND SECURITY GRANTS

Committee on Homeland Security: Subcommittee on Emergency Preparedness, Response, and Communications held a hearing entitled ''Ensuring the Efficiency, Effectiveness, and Transparency of Homeland Security Grants (Part II): Stakeholder Perspectives''. Testimony was heard from Jim Davis, Executive Director, Colorado Department of Public Safety; Bryan Koon, Director, Florida Division of Emergency Management; Hui-Shan L. Walker, Emergency Management Coordinator, City of Hampton, Virginia; Judson Freed, Director of Emergency Management and Homeland Security, Ramsey County, Minnesota; Richard Daddario, Deputy Commissioner, Counterterrorism Bureau, New York City Police Department; Robert M. Maloney, Director, Office of Emergency Management, Baltimore, Maryland; Hank C. Clemmensen, Palatine Rural Fire Protection District; and public witnesses.

INTERNATIONAL PATENT ISSUES: PROMOTING A LEVEL PLAYING FIELD FOR AMERICAN INDUSTRY ABROAD

Committee on the Judiciary: Subcommittee on Intellectual Property, Competition and the Internet held a hearing entitled ''International Patent Issues: Promoting a Level Playing Field for American Industry Abroad''. Testimony was heard from public witnesses.

VICTIMS' RIGHTS AMENDMENT

Committee on the Judiciary: Subcommittee on the Constitution held a hearing entitled ''Victims' Rights Amendment''. Testimony was heard from public witnesses.

INCREASED ELECTRICITY COSTS FOR AMERICAN FAMILIES AND SMALL BUSINESSES

Committee on Natural Resources: Full Committee held a hearing entitled ''Increased Electricity Costs for American Families and Small Businesses: The Potential Impacts of the Chu Memorandum''. Testimony was heard from public witnesses.

LEGISLATIVE MEASURES

Committee on Natural Resources: Subcommittee on Energy and Mineral Resources held a hearing on the following measures: H.R. 4381, the ''Planning for American Energy Act''; H.R. 4382, the ''Providing Leasing Certainty for American Energy Act''; H.R. 4383, the ''Streamlining Permitting of American Energy Act''; H.R. 4402, the ''National Strategic and Critical Minerals Production Act of 2012''; H.R. 1192, the ''Soda Ash Royalty Extension, Job Creation, and Export Enhancement Act of 2011''; and H.R. 2176, the ''Clean Energy Promotion Act''. Testimony was heard from Representatives Amodei and Lummis; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Oversight and Government Reform: Full Committee held a markup to amend title 5, United States Code, to comply with the reconciliation directive included in section 201 of the Concurrent Resolution on the Budget for Fiscal Year 2013; H.R. 2008, the ''Keeping Politics Out of Federal Contracting Act of 2011''; H.R. 3609, the ''Taxpayers Right to Know Act''; H.R. 4078, the ''Regulatory Freeze for Jobs Act''; and H.R. 4607, to ensure economy and efficiency of Federal Government operations by establishing a moratorium on midnight rules during a President's final days in office, and for other purposes. The following measures were ordered reported, without amendment: H.R. 2008; H.R. 4607; and S. 1302. The following measures were ordered reported, as amended: H.R. 4078; H.R. 3609; and recommendations to comply with the reconciliation directive included in section 201 of the Concurrent Resolution on the Budget for Fiscal Year 2013.

NASA AERONAUTICS RESEARCH MISSION DIRECTORATE BUDGET FOR FISCAL YEAR 2013

Committee on Science, Space, and Technology: Subcommittee on Space and Aeronautics held a hearing entitled ''An Overview of the NASA Aeronautics Research Mission Directorate Budget for Fiscal Year 2013''. Testimony was heard from Jalwon Shin, Associate Administrator, Aeronautics Research Mission Directorate, National Aeronautics and Space Administration; Marion Blakey, Chair, Aeronautics Committee, NASA Advisory Council; and public witnesses.

SMALL BUSINESS INNOVATORS: ON THE CUTTING EDGE OF ENERGY SOLUTIONS

Committee on Small Business: Subcommittee on Agriculture, Energy and Trade held a hearing entitled ''Small Business Innovators: On the Cutting Edge of

Energy Solutions''. Testimony was heard from public witnesses.

REGULATION OF THE MARITIME INDUSTRY: ENSURING U.S. JOB GROWTH WHILE IMPROVING ENVIRONMENTAL AND WORKER SAFETY

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation held a hearing entitled ''Regulation of the Maritime Industry: Ensuring U.S. Job Growth While Improving Environmental and Worker Safety''. Testimony was heard from Vice Admiral Brian Salerno, Deputy Commandant for Operations, United States Coast Guard; James Hanlon, Director, Office of Wastewater Management, Office of Water, Environmental Protection Agency; and public witnesses.

EXPIRING TAX PROVISIONS

Committee on Ways and Means: Subcommittee on Select Revenue Measures held a hearing entitled ''Expiring Tax Provisions''. Testimony was heard from the following Representatives: Brady (TX); Jenkins, Davis (KY); Herger; Schock; Welch; Bilbray; Black (TN); Pierluisi; Bass (NH); Campbell; Braley (IA); McGovern; Grimm; King (IA); Costa; McDermott; Latham; Christensen; Herrera Beutler; Deutch; Reed; Blumenauer; Pompeo; Boren; and Riechert.

Joint Meetings

GAS PRICES IN THE NORTHEAST

Joint Economic Committee: Committee concluded a hearing to examine gas prices in the Northeast, focusing on the potential impact on the American consumer due to loss of refining capacity, after receiving testimony from Diana L. Moss, American Antitrust Institute, Bob Greco, American Petroleum Institute (API), and Michael Greenstone, Massachusetts Institute of Technology, all of Washington, D.C.; and Thomas D. O'Malley, PBF Energy, Parsippany, New Jersey.

COMMITTEE MEETINGS FOR FRIDAY, APRIL 27, 2012

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

Committee on Armed Services, Subcommittee on Tactical Air and Land Forces, markup of H.R. 4310, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes, 9 a.m., 2118 Rayburn.

Subcommittee on Readiness, markup of H.R. 4310, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes, 10:30 a.m., 2212 Rayburn.

Committee on Natural Resources, Subcommittee on National Parks, Forests and Public Lands, hearing on H.R. 4094, the ''Preserving Access to Cape Hatteras National Seashore Recreational Area Act''; and a hearing entitled ''Access Denied: Turning Away Visitors to National Parks'', 9 a.m., 1324 Longworth.

Committee on Veterans' Affairs, Full Committee, markup of the following measures: H.R. 4072, the ''Consolidating Veteran Employment Services for Improved Performance Act of 2012''; H.R. 4114, the ''Veterans'' Compensation Cost-of-Living Adjustment Act of 2012''; H.R. 4482, to amend title 38, United States Code, to make permanent home loan guaranty programs for veterans regarding adjustable rate mortgages and hybrid adjustable rate mortgages; H.R. 4201, the ''Servicemember Family Protection Act''; and H.R. 3670, to require the Transportation Security Administration to comply with the Uniformed Services Employment and Reemployment Rights Act, 9:45 a.m., 334 Cannon.

Committee on Ways and Means, Subcommittee on Health, hearing entitled ''Medicare Premium Support Proposals'', 9 a.m., 1100 Longworth.

Next Meeting of the SENATE

10:30 a.m., Monday, April 30

Senate Chamber

Program for Monday: Senate will meet in pro forma session.

Unless the Senate has received a message from the House of Representatives that the House has adopted S. Con. Res. 43, Adjournment Resolution. And if the Senate has received such a message, the Senate stand adjourned until 2 p.m., on Monday, May 7, 2012.

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Friday, April 27

House Chamber

Program for Friday: Consideration of the following measures under suspension of the Rules: 1) H.R. 2096—Cybersecurity Enhancement Act, as amended and 2) H.R. 3834—Advancing America's Networking and Information Technology Research and Development Act of 2012. Consideration of H.R. 4628—Interest Rate Reduction Act (Subject to a Rule).

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