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Senate

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

PRAYER

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

Let us pray.

Eternal spirit, the center of our hope, we know our needs. Life has taught us that we can't walk alone. So be with our lawmakers to help, to comfort, and to sustain them. Lord, guide them through the changes and chances of their labors. Whatever light may shine or shadows may fall, empower them to meet life with a steady gaze, to walk in strength, wisdom, purity, and joy. Create in them a passion to do what is right, and give them the ability to do it. As they seek to live with honor, may their thoughts, words, and actions bring glory to You.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 7, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, we are now considering the motion to proceed to the Stop Student Loan Interest Rate Hike Act.

At 4:30 p.m. today, the Senate will proceed to executive session to consider three judicial nominations: the Nguyen nomination, a ninth circuit nominee, and the Baker and Lee nominations, which are two U.S. district court nominations from Arkansas and Illinois, respectively. At 5:30 p.m., there will be up to three rollcall votes on confirmation of the nominations.

STUDENT LOAN INTEREST RATES

Mr. REID. Mr. President, a woman from Nevada by the name of Amy—a single mother from Las Vegas—was devastated when she was laid off 3 years ago because of her employer having little work. She wasn't in love with her job doing bookkeeping for a local construction company, but she loved the steady paycheck. Looking back on that pink slip, Amy views it, of course, as a setback in one sense, but she feels very good about the fact it gave her a second chance.

Like many resourceful Americans who lost their jobs after the financial and housing markets collapsed, Amy took the opportunity to return to school. She enrolled in classes at the College of Southern Nevada and completed her associate's degree at the age of 33. Going back to school transformed her life. She got involved in the political process for the first time. During her whole time at school she maintained straight A's—a 4.0 grade point average—and was elected student body president. But she also racked up $20,000 in student loan debt.

Amy doesn't regret the decision to go to the university. Not only has she gotten a second chance at college, she has shown her 14-year-old son the power of education. Still, working three part-time jobs and living on a few thousand dollars a year hasn't been easy. That is an understatement. It would have been impossible for her to get her education if she hadn't gotten her Federal student loans. But Amy will need more loans to complete her bachelor's degree at the University of Nevada-Las Vegas, where she starts classes this fall.

For most students, taking on debt is the only way to turn dreams of higher education into a reality. The average student graduates with $25,000 in loan debt. On July 1, the interest rates on Federal loans are set to double for more than 7 million students. Unless Congress acts quickly, rates will jump from 3.4 percent to 6.8 percent. That will cost Amy and millions of other students at least $1,000. For a single mom working three part-time jobs, $1,000 is the difference between completing her bachelor's degree and simply dropping out of school. In Nevada, higher interest rates will affect 26,000 students. College is already unaffordable for far too many Americans, and we cannot afford to put higher education any further out of reach. So Senate Democrats have introduced a proposal to freeze student loan interest rates at current levels for a year, without adding a single penny to the deficit. Democrats will vote to advance that proposal tomorrow, before noon, and, hopefully, the Republicans will join us.

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

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The Republicans claim they share Democrats' goal of protecting these 7 million students I have talked about from these interest rate increases. We will see. But they insist we should pay for this proposal with unreasonable cuts to preventive health care services for millions of Americans. This is a program that is so vitally important to the health care delivery system in this country. Senators MIKULSKI, HARKIN, and others have worked very hard to maintain this program. It is so essential. Republicans know their proposal would never pass the Senate—never—and President Obama has said he would veto more cuts to crucial preventive health care. But there is already a compromise on the table. Our legislation closes a loophole that allows the rich to avoid paying taxes they already owe. Our proposal is not a new tax. It would simply stop wealthy Americans from dodging the taxes they are required to pay. If Senate Republicans are truly serious about protecting 7 million students, they will work with us to pass this reasonable proposal.

EXECUTIVE SESSION

NOMINATIONS OF AJIT VARADARAJ PAI AND JESSICA ROSENWORCEL TO BE MEMBERS OF THE FEDERAL COMMUNICATIONS COMMISSION

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 512 and 513; 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 ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

FEDERAL COMMUNICATIONS COMMISSION

Ajit Varadaraj Pai, of Kansas, to be a Member of the Federal Communications Commission for a term of five years from July 1, 2011.

Jessica Rosenworcel, of Connecticut, to be a Member of the Federal Communications Commission for a term of five years from July 1, 2010.

Mr. KYL. Mr. President, I rise today to say a few words about the nomination of Ajit Pai to be a member of the Federal Communications Commission. I have supported his nomination and that of his fellow nominee, Jessica Rosenworcel, and am pleased that unrelated matters have finally been resolved and that the Senate has confirmed both nominees.

Ajit is somebody whom many of us have come to know from his years of public service, whether on the Senate Judiciary Committee, at the Department of Justice, where Ajit worked on both antitrust and legal policy matters, or in the general counsel's office of the FCC. I especially appreciate his important work on the Roberts, Miers, and Alito Supreme Court nominations during the 109th Congress, as well as his careful attention to national security matters while at the Department of Justice.

Ajit is the son of immigrants who came to this country seeking opportunity, as did the ancestors of so many of our fellow Americans. They settled in the small town of Parsons, KS, population of 10,000. During his testimony before the Senate Commerce Committee, Ajit shared his memories of the sense of community and the Midwestern values that he learned in Parsons. He worked hard in school, excelled at both Harvard College and the University of Chicago Law School, and built a career in law and policy. Today, Ajit finds himself being confirmed to this position of honor and receiving a unique opportunity to serve his Nation. I am certain that his parents, having come to this country just 40 years ago, are immensely proud of him.

We should all be grateful that individuals like Ajit choose to serve in these important positions, especially in fields where there are also opportunities in private life. He will be a member of the FCC for more than 4 years. I am grateful for his service and appreciate that he and his wife Janine have agreed to make this sacrifice for the good of our Nation.

I am very disappointed that these nominations have been delayed for so long for nongermane reasons. Good men and women simply will not volunteer to serve if they are arbitrarily forced to spend months in limbo, uncertain as to their future.

As an FCC Commissioner, Ajit will be one of five individuals overseeing an agency with 2,000 employees and a budget of $350 million. The Commission has broad regulatory authority over the Nation's communications industry. The communications landscape has evolved dramatically, not just during my lifetime but since I entered the Senate in 1995 and even in the past few years. It is sometimes difficult to remember how we functioned before we had the ability to reach most people on cell phones, to access the Internet from computers in any corner of the globe, or to watch videos of our children and grandchildren on mobile devices. Most Americans were raised in a world in which the television offered just a few channels, there was no cable news, and telephones had rotary dials.

Policymakers should be reminded that many of the technologies that we take for granted today will soon be gone, and we do not really know which technologies will become obsolete and in which direction the Nation's innovators and consumers will take us. Congress and the FCC do not make those decisions, or at least they should not. These decisions should be made by the American people in their capacity as consumers, businessmen, entrepreneurs, investors, and citizens.

Government does not create innovation or make entrepreneurs, and it should not be in the business of picking winners or losers or trying to shape private investment. The government's proper role in communications, as in other sectors of our economy, is to establish clear and stable rules that encourage competition, that give consumers choice and allow markets to thrive, and that keep bureaucratic preferences and politics to a minimum.

Ajit has made clear that he shares this understanding of his role. I think that we can expect good things from him as a member of the Federal Communications Commission.

I congratulate Ajit on this honor and am proud to have supported his nomination.

LEGISLATIVE SESSION

The ACTING PRESIDENT pro tempore. The Senate resumes legislative session.

RESERVATION OF LEADER TIME

Mr. REID. Would the Chair announce the business of the day?

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

STOP THE STUDENT LOAN INTEREST RATE HIKE ACT OF 2012—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 2343, which the clerk will report 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.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

Mr. HARKIN. Mr. President, parliamentary inquiry: We are now on the Stop The Student Loan Interest Rate Hike Act of 2012, is that not correct?

The ACTING PRESIDENT pro tempore. The Senate is on the motion to proceed to that measure.

Mr. HARKIN. Mr. President, I yield myself such time as I may consume.

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

Mr. HARKIN. Mr. President, I can't emphasize strongly enough the importance and the urgency of the legislation before us—the Stop the Student Loan Interest Rate Hike Act of 2012—which the majority leader spoke about. On July 1, unless Congress intervenes, the interest rate on Federal student

loan debt is set to double from 3.4 percent to 6.8 percent. More than 7.4 million American students, including an estimated 255,000 students enrolled in Iowa colleges and universities, will be required to pay an average of $1,000 more per year of school.

The bill before us is straightforward and it is fully paid for. It keeps the interest rate at 3.4 percent, and the cost is offset by closing a tax loophole that benefits certain high-income professional service providers.

I wish to thank Senator REID for his leadership in advancing this critical legislation. I also thank President Obama for making this legislation an urgent priority and for visiting college campuses across the country to speak out on this urgent problem facing our Nation's students and their families.

In today's global knowledge-based economy, an education beyond high school is no longer an option but a necessity. A worker with a bachelor's degree earns 85 percent more, on average, than a high school graduate. Almost two-thirds of the job vacancies between now and 2018 will require some postsecondary education, and more than half of those jobs will require at least a bachelor's degree.

You can see by this chart, as I said, 63 percent of the jobs will require at least some college education—either some college, an associate's degree or bachelor's degree or more. And that is by 2018. The demand is going to grow even beyond that. These statistics convey a very clear message: Higher education is the key to entry not only to the middle class but to a middle-class life.

Another message is equally clear, and that is America's economic competitiveness and growth depends on a highly educated and highly skilled workforce. That is why the ever-growing mountain of student loan debt is a major concern to me as the chair of the Health, Education, Labor and Pensions Committee, and also a major concern for families all across America who are struggling to get by. It is a shocking fact that total student loan debt has now surpassed total credit card debt for the first time ever, with $867 billion right now in student loans, auto loans at $734 billion, and credit cards at $704 billion. So for the first time ever, American families now owe more on school loans than they do on their car loans or on their credit cards.

Again I want to bring this closer to my own home. It affects Iowans profoundly. Nearly 72 percent of Iowa's college graduates have debt—the fourth highest percentage in the Nation. And those borrowers have an average of $30,000 in student loan debt, which is the third highest level in the Nation.

Over the past 3 years, President Obama and Congress have taken robust steps to improve college affordability and help our students succeed. From the Recovery Act and its unprecedented support for our education systems, to the student loan reforms that enabled us to help more students through larger Pell grants, and most recently our efforts to make it easier for students to repay their loans—this all happened in the last few years—we have made major strides toward the President's goal—and I hope it would be our shared goal—of reclaiming America's standing by 2020 as the country with the highest proportion of college graduates. Needless to say, it will be much harder to reach this goal if Congress allows interest rates to double on July 1.

As I said, more than 7.4 million American students will be required to pay an average of $1,000 over the lifetime of their loan for each year they borrow. Again, if you look at this chart, it shows what is happening. If the interest rate is paid at 3.4 percent, we are looking at about $883 in interest over the life of the average loan. Double that interest rate and it goes to $1,876. That is at 6.8 percent. So the average savings to the average student would be almost $1,000 a year.

I might add that the 255,404 borrowers in Iowa will save an estimated total of $254 million with this bill in front of us.

With today's tough economy, and given the very high unemployment rate among young Americans, it is absolutely unacceptable to ask middle-class families to shoulder sharply higher student loan interest payments. We must not allow this to happen.

If we look closer at the characteristics of students who will be impacted by this interest rate hike, we see that it affects middle-class families and vulnerable students from disadvantaged backgrounds at the very time when they are under enormous financial strain. If we look at who gets the subsidized loans, from this chart we can see, by family income, dependent students, their family income is less than $60,000 a year.

If we look at the independent student loan borrowers, their income is less than $50,000 a year, and 89 percent of them earn less than $50,000. Of the dependent student loan borrowers, 60 percent are from families who earn less than $60,000. I might also add that 7 out of 10 of those independent students here reported under $30,000 a year in income.

So allowing the interest rate to double would also disproportionately affect minority students who account for 40 percent of these borrowers. So 40 percent of these borrowers are minority students. This bill, again, would prevent the interest rate from doubling on July 1 for those borrowers.

So with the bill before us, we are considering a pragmatic and fiscally responsible solution to this problem that will keep interest rates low for more than 7.4 million students. Again, the bill is fully paid for, and we offset the cost by raising revenues in a way that will provide a solution to a longstanding problem in the Tax Code that has been subject to widespread abuse.

Now, let me just define how this measure is paid for. For many years we have seen avoidance of properly owed Social Security and Medicare taxes by some subchapter S stockholders who can declare that a portion of their income is effectively profit and therefore not subject to Social Security or Medicare taxes. This is not supposed to be a choice that is made at the whim of the taxpayer. It should be based on objective facts. The offset in this legislation does just that. It creates a bright-line test for a small share of subchapter S shareholders—basically, those engaged in professions such as doctors, lawyers, accountants, consultants and lobbyists—whose financial gains they have come from the work they do.

It is narrowly tailored to cover only those subchapter S organizations in which there are three or fewer stockholders, and only for those earning $250,000 on joint filings. With this bright-line test, the Medicare and Social Security trust fund will receive the funds that are properly owed, which are not received today because they are counted not as income but as profits.

My friends on the other side of the aisle have proposed a different offset to pay for keeping the interest rate at 3.4 percent. The bill that passed the House of Representatives and the legislation proposed by Senator ALEXANDER of Tennessee would offset the cost of this bill by eliminating the Prevention and Public Health Fund which was created by the Patient Protection and Affordability Care Act.

In short, rather than put an end to a widespread abuse of the Tax Code, my friends on the other side of the aisle are proposing that we eliminate the sole dedicated source of Federal funding for critical investments in preventing disease and keeping women and children and elderly families healthy. They want to eliminate the Prevention and Public Health Fund.

Many of my Republican colleagues have acknowledged the critical importance of investing in prevention and wellness, which makes the use of this offset that is eliminating it all the more troubling. Preventing disease, expanding access to screenings, encouraging people to stop using tobacco—these used to be bipartisan goals strongly supported by a vast majority of Republicans and Democrats alike. So in the affordable care act we created the prevention fund, with the express goal of ramping up our investments in these prevention and wellness initiatives, again, with Republican support.

Here are quotes from two Republican leaders. Senator KYL, on July 12, 2010, just a few months after we passed the affordable care act, said:

> One of the things we did in the health care legislation was to provide a lot of different incentives for preventive care, for screening to try to help people avoid illnesses on the theory that it would be a lot cheaper if we didn't do a lot of treatment that was unnecessary.

I couldn't agree more.

The Republican leader, Senator MCCONNELL, said in an op-ed the same year, 2010:

Congress should be able to work together on our practical ideas that the American people support, such as . . . encouraging wellness and prevention programs that have proved to be effective in cutting costs and improving care.

That was less than 2 years ago, right after passage of the health reform law. But now Republicans are making outrageous partisan attacks on the prevention fund. I find this deeply disturbing and disappointing. It is not hard to imagine the message gurus, those who hone messages, telling Republicans: Here is all you have to do. Just smear the prevention fund by calling it a slush fund.

How many times have I heard that: the prevention fund is a slush fund? I have heard it in committee, I have heard it on the floor, I have seen it in print, Republicans calling the prevention fund a slush fund. Well, this is shameful. That term ''slush fund'' is a malicious untruth. Nothing could be further from the truth. The truth is the prevention fund has been a giant step forward for public health in our Nation.

Typically, prevention and public health initiatives are an afterthought. This means important community-based interventions often go unsupported. The prevention fund is making it possible for us to make national investments in evidence-based programs that promote physical activity, improved nutrition, and reduced tobacco use. Well, these are the investments we make.

This prevention fund, which Republicans want to eliminate, invests $226 million to reduce chronic diseases, including diabetes and heart disease. That minimizes the $440 billion a year in health care costs from heart disease alone. It invests $93 million for antitobacco education and support campaigns to minimize the fact that over 6 million kids will die from smoking if the current rates persist. It invests $190 million for childhood immunization programs, again, to minimize the $3 billion a year in unnecessary health care costs right now.

I might just add the lead editorial in today's New York Times said, ''No Longer Just 'Adult Onset'.'' That is the head of it. I will not read it all, but I think there are a few pertinent paragraphs in the Times editorial. It starts off by saying:

A study of diabetes in overweight and obese youngsters bears an ominous warning about future health care trends in this country. It found that Type 2 diabetes, a new scourge among young people, progresses faster and is harder to treat in youngsters than in adults. The toll on their health as they grow older could be devastating.

This new study was published in the New England Journal of Medicine. Reading further:

Some experts suggest that young patients at risk of diabetes need to be detected earlier and treated more aggressively. But the long-term goal should be prevention of obesity and of diabetes.

Congressional Republicans, meanwhile, are bent on dismantling health care reforms that could greatly assist in curbing the obesity epidemic. The Republican-dominated House last month narrowly passed a bill that would eliminate a Prevention and Public Health Fund, established under the reform law, in part to pay for lowering the interest rate on subsidized student loans for this year.

The fund is already providing grants to state and local governments to help pay for programs to fight obesity and prevent chronic diseases, including diabetes, in the community, the workplace and among minority groups that have high rates of obesity and diabetes. Killing off this program would be hugely costly to Americans' health and future health care costs. There is no explanation for this move, except for the usual anti-health care reform demagoguery.

I ask unanimous consent to have printed in the RECORD a copy of the full editorial.

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

NO LONGER JUST ''ADULT-ONSET''

THE VIRULENCE OF TYPE 2 DIABETES IN CHILDREN IS YET ANOTHER REASON TO FIGHT CHILDHOOD OBESITY

A study of diabetes in overweight and obese youngsters bears an ominous warning about future health care trends in this country. It found that Type 2 diabetes, a new scourge among young people, progresses faster and is harder to treat in youngsters than in adults. The toll on their health as they grow older could be devastating.

These findings provide more evidence of why the country must get the obesity epidemic under control—to improve health and to curb soaring health care costs.

Only two decades ago Type 2 diabetes was called ''adult-onset diabetes'' because it was seldom found in young people, who suffered primarily from Type 1, in which the patient's immune system destroys cells that make insulin, a hormone needed to control blood sugar levels. Type 2—thought to be brought on by obesity and inactivity in many people—has increased alarmingly and accounts for almost a fifth of newly diagnosed cases in young people.

Obesity increases the risk of many chronic diseases. And some 17 percent of American children from age 2 to 19 are now considered obese, roughly half the rate of obesity among adults.

The new study, published in The New England Journal of Medicine, tested three ways to attain durable control of blood sugar in youngsters between the ages of 10 and 17. None worked very well. Almost half of the 699 youngsters had to add daily shots of insulin within a few years to lower their blood sugar. Metformin, the standard drug used to treat Type 2 diabetes in children, failed to control blood sugar in more than half of the children. When lifestyle changes, including one-on-one counseling on how to lead a healthy life, were added to metformin, the results were only marginally better.

When a second drug was added, the results were significantly better. But the two-drug treatment still failed in 39 percent of the recipients, and the added drug, Avandia, has been linked to heart attacks and strokes in adults.

The findings are especially ominous because poorly controlled diabetes can lead to heart disease, stroke, blindness, amputations and kidney failure. The longer one has the disease, the greater the risk, so the fact that children are starting so young bodes ill for their futures.

Some experts suggest that young patients at risk of diabetes need to be detected earlier and treated more aggressively. But the long-term goal should be prevention of obesity and of diabetes.

Congressional Republicans, meanwhile, are bent on dismantling health care reforms that could greatly assist in curbing the obesity epidemic. The Republican-dominated House last month narrowly passed a bill that would eliminate a Prevention and Public Health Fund, established under the reform law, in part to pay for lowering the interest rate on subsidized student loans for a year.

The fund is already providing grants to state and local governments to help pay for programs to fight obesity and prevent chronic diseases, including diabetes, in the community, the workplace and among minority groups that have high rates of both obesity and diabetes. Killing off this program would be hugely costly to Americans' health, and future health care costs. There is no explanation for this move, except for the usual anti-health care reform demagoguery.

MORE TIME FOR JUSTICE

STATES NEED TO EXTEND THE TIME FOR VICTIMS TO BRING CLAIMS AGAINST SEXUAL ABUSERS

Hawaii significantly strengthened its protections against child sexual abuse last month when Gov. Neil Abercrombie signed a measure extending the statute of limitations for civil lawsuits filed by child victims. At least as important, it opens a one-time two-year window to allow victims to file suits against their abusers even if the time limit had expired under the old law.

Like similar laws in California and Delaware, the Hawaii measure recognizes some wrenching realities. It can take many years, even decades, before child abuse victims are emotionally ready to come forward and tell their stories in court. But by then, they may be barred from suing by the statute of limitations. For example, many suits against the Catholic Church have been blocked because the church's covering up for pedophile priests made it hard for victims to come forward until long past the time limit for bringing civil claims.

Hawaii's new law allows child victims to bring suits up to the age of 26 (it was 20), or three years from the time the victim realizes the abuse caused injury. The law's leading opponent was the Roman Catholic Church, which has been working hard to defeat statute of limitations reform across the country.

Lobbying by the church recently succeeded in blocking reform in Pennsylvania. But lawmakers in Massachusetts seem ready to follow Hawaii's example by passing similar reforms.

In New York, Gov. Andrew Cuomo has not yet indicated that he would support a measure sponsored by Margaret Markey in the Assembly to lift the statute of limitations for one year for civil lawsuits involving child sex abuse. After that year, an accuser would have 10 years after turning 18 to make a claim, instead of five years, which is the current law. Mr. Cuomo has voiced concern about fading memories and missing evidence, but those concerns need to be balanced with justice for victims and the need to stop abusers.

Like measures in other states, the Markey bill requires that a victim obtain a certificate from a mental health professional to show there is a reasonable basis to believe the abuse occurred before a suit can go forward.

Getting the measure through the State Senate would be an uphill climb; previous attempts have failed, and Republican leaders have again vowed to stop it. Cardinal Timothy Dolan has made defeating statute of

limitations reform one of his top legislative priorities. Mr. Cuomo's strong leadership will be needed if New York is to match Hawaii's accomplishment any time soon.

Mr. HARKIN. I don't know that I can make it any more clear than the New York Times editorial, and there is not the time to mention all of the ways this fund is already making Americans healthier. But I want to mention several representative investments that are happening, again, right now.

I mentioned those right here, the $226 million for diabetes and heart disease, the $93 million for antitobacco education, the $190 million, again, for childhood immunization programs.

I might just go back to that first on the heart disease because heart disease disproportionately affects women. Most people don't know that. I think most people would say the No. 1 cause of death in women today might be breast cancer. Not so. The No. 1 cause of death for women in this country is heart disease. Some 42 million women in America are currently living with some form of heart disease, and the World Health Organization estimates that a staggering 80 percent of heart disease, diabetes, and stroke could be prevented just from changes in smoking, nutrition, and physical activity alone. That is what this prevention fund is doing right now.

Moreover, this investment by the prevention fund isn't only saving lives, but it is saving money. Right now, heart disease costs our Nation about $440 billion a year. We can reduce those costs.

I might also mention smoking. Cigarette smoking also kills an estimated 173,000 women every year. If current smoking rates persist, more than 6 million kids will die from smoking.

The new national antitobacco ad campaign called Tips From a Former Smoker is being supported by this prevention fund. I think many of us probably have seen these ads. They are extremely powerful and effective ads, and they are going to save lives. In fact, this ad campaign is expected to inspire a half million quit attempts and help at least 50,000 Americans quit smoking forever.

I might just add that within 2 days of these ads first appearing, the number of phone calls to quit-smoking lines tripled from people who wanted help in quitting smoking.

I mentioned the immunization programs for kids. These investments from the prevention fund aren't just at the national level, they are also in our communities. This fund is helping States and cities and towns to implement evidence-based programs that meet their particular local needs.

For example, in Illinois, the State has made improvements to its sidewalks and has marked crossings to increase levels of student physical activity. Because of these improvements, the number of students who are walking to school has doubled. That is a good thing. So not only is this good for their health; it is expected to save the school system about $67,000 yearly on bus costs.

In Mobile, AL, Mobile County officials enacted a comprehensive smoke-free policy expected to protect 13,000 residents and visitors from being exposed to secondhand smoke.

All across America, the prevention fund is investing in proven, locally developed programs that promote health and wellness. These evidence-based programs not only improve health but, as I said, will help us save money in health care costs.

According to a new study by the Centers for Disease Control and Prevention, programs such as the National Diabetes Prevention Program could prevent or delay nearly 885,000 cases of type 2 diabetes, saving our health care system about $5.7 billion over the next 25 years. The National Diabetes Prevention Program is a public-private partnership of health care organizations working together to prevent the type 2 diabetes the New York Times editorial was talking about. Given that in 2007 diabetes alone accounted for $116 billion in direct medical costs, it is critical we continue these investments.

Again, here is how this investment is returned, the return on investment for public health care spending. For every $1 spent on childhood immunizations, we save $16.50—proven; tobacco control programs, for every $1 we save $5; for chronic disease prevention, for every $1 we save $5.60; for workplace wellness programs, $3.27. If we want to look at it just in terms of dollars and not just in terms of lives, we are saving money also.

The prevention fund's investments in cancer prevention also provide an opportunity to save lives and money. In 2007, the direct and indirect costs of cancer, which account for nearly one out of every four deaths in the United States, totaled about $123 billion. Earlier this year, researchers found nearly half of U.S. cancer deaths could be prevented—again, through the kinds of programs the prevention fund is funding today. Preventable U.S. cancer deaths, about 50 percent; preventable deaths from heart disease, diabetes, and stroke, about 80 percent. This is what the prevention fund is going after. For the life of me, I have never understood those who want to get rid of the prevention fund, yet are willing to pump untold billions, trillions of dollars into patching, fixing, mending surgery and health care costs down the line. Perhaps my friends on the other side of the aisle never learned the old axiom of Ben Franklin about an ounce of prevention is worth about a pound of cure. Here, an ounce of prevention is worth about 10 pounds of cure or more.

The list goes on. Recently, the Trust for America's Health released a study showing that a 5-percent reduction in the obesity rate could yield more than $600 billion in savings on health care costs over a 20-year period of time—a 5-percent reduction. Studies such as this one confirm what common sense tells us, that prevention is the best medicine for our bodies and for our budgets. That is why nearly 800 organizations have spoken out against these misguided efforts to slash or eliminate the prevention fund. These organizations, such as the Young Invincibles, the U.S. Student Association, the American Diabetes Association, the Campaign for Tobacco-Free Kids, have all said: No, don't cut, don't eliminate the prevention fund.

Despite misguided efforts to cut or eliminate the Prevention and Public Health Fund, most Americans understand what is at stake. Prior to the prevention fund, for every $1 spent on health care, 75 cents went to treating people with chronic illnesses and only about 4 cents went to prevention: 75 cents taking care of people later on with chronic diseases that are preventable, only 4 cents out of every $1 went to prevention. This underinvestment has had devastating consequences. Nearly half of American adults have at least one chronic condition. Yes, you heard me right. Nearly half of American adults have at least one chronic condition, and two-thirds of the increase in health care spending between 1987 and 2000 was due to the increased prevalence of chronic diseases. So two-thirds of our budget, of the increase in spending, is on chronic diseases. Yet since we can reduce those chronic diseases through prevention, one would think we would want to increase that 4 cents a little bit—4 cents on the $1 we are spending right now. This prevention fund gives us an unprecedented opportunity to bend the cost curve.

How many times have I heard about bending the cost curve in medicine? The best way to do it is to prevent chronic diseases. The transformation of America into a true wellness society, a society that focuses on preventing diseases, saving lives and thereby money is the most cost-effective way to proceed. As we can see, to slander the prevention fund as a so-called slush fund is a shameful mischaracterization. This fund is saving lives and saving money. Eliminating this fund—as proposed by my friend from Tennessee—would be bad public policy, a serious case of misplaced priorities. The very idea that Republicans would slash prevention in public health care so a small group of high-income taxpayers can continue to abuse the Tax Code I find simply unacceptable.

Before I close my remarks, I would like to address an egregious mischaracterization that I have heard from the other side of the aisle. Some Republicans claim Democrats, in our historic reform of the student loan program, took money that had been going to students and used it to pay for the health care bill. I have heard that a lot of times. Again, that is simply not so. The reforms passed by Democrats in Congress—I might add over vehement Republican opposition—did not take a single dime from students. Instead, the

bill eliminated wasteful, taxpayer-funded subsidies to banks by converting all new Federal student loans to a more stable, reliable, cost-efficient direct loan program and redirected that money to students, to deficit reduction, and some important health care reforms.

The money did not come from students. The money came from the subsidization we have been giving to banks. Specifically, thanks to the huge savings generated by eliminating wasteful subsidies to banks, what we were able to do with that—we provided increases in the maximum Pell grant award to keep up with inflation. We provided funding for minority-serving colleges and universities. We made a major investment in community colleges, creating a community college and career training grant program. We were able to make loan repayment more manageable by capping a new borrower's loan payment at 10 percent of their net income and, for some, forgiving any remaining debt after 20 years of payment.

That was all done by stopping these wasteful subsidies to banks and putting it into the direct loan program. Again, we provided more than $10 billion in deficit reduction at the same time we were able to expand the Community Health Center Program to ensure access to lifesaving medications and to expand vital consumer protections to millions of Americans with private health insurance—protections we put in such as banning lifetime limits, requiring dependent coverage, prohibiting cancellation of coverage due to an illness. In other words, thanks to the education reform bill, students benefited, the middle class benefited, taxpayers benefited, and health care consumers benefited. For my friends on the Republican side, had they had their way and had those reforms been defeated, only the banks would have benefited.

Indeed, I kind of detect a pattern. When we Democrats were fighting to end this subsidy to banks so we could dramatically increase college grants and loans for middle-class and disadvantaged students, my friends on the other side of the aisle stood with the banks and did everything they could to kill the reforms. Likewise, today Democrats are fighting to prevent a 100-percent student loan rate hike. We want to fully pay for it by correcting a provision in the Tax Code that allows a small group of wealthy Americans to avoid paying some Social Security and Medicare taxes. Republicans are going to the mat to prevent those wealthy taxpayers from having to pay their fair share. Instead, how do they want to pay for keeping the interest rate down? By gutting the prevention fund, killing it, eliminating it—the very fund that is investing in initiatives to fight cancer and heart disease and to protect the health of our children, our women, and our elderly.

What they are proposing is bad public policy. It is bad priorities. We need to be putting the middle class first. We need to be putting students struggling to pay for college first. We need to be putting public health care and prevention first—put all those out there. To make these things possible, we should ask a small group of wealthy Americans to put their country first and stop abusing this provision, this loophole in the Tax Code. I urge my colleagues to support the Stop The Student Loan Interest Rate Hike Act and to support the offset currently in the bill.

Five years ago, the original law that reduced the student loan interest rate to 3.4 percent passed with overwhelming bipartisan support and was signed by a Republican President. I hope we can find common ground to pass this new legislation with that same kind of broad and bipartisan support.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I am glad I had an opportunity to hear the distinguished Senator from Iowa, who is my friend and the chairman of the Health, Education, Labor and Pensions Committee. I wish to address the same subject he did, but I want to hasten to summarize it at the beginning to say that we agree. By we, I mean Governor Romney, the likely Republican nominee for President, President Obama, the House Republicans, I, and others agree that for the next year we should keep the interest rate on 40 percent of new student loans at 3.4 percent. There is no difference of opinion on that.

What is different is how we propose to pay for it. The distinguished Senator from Iowa has actually outlined the difference of opinion very well. What we are saying, what the Republicans are saying, is that in order to pay for the $6 billion it will cost taxpayers to keep that 3.4 percent interest rate the same for the next year, we want to give to students—give them back their own money, the money the Democrats are overcharging them on their student loans. The Senator from Iowa went through a very careful explanation on that which was largely correct. He pointed out that at the time the majority decided it would make the Secretary of Education the Nation's leading banker and put him in charge of administering what is becoming to be nearly $1 trillion worth of student debt—in other words, take it away from banks and make the government the banker—that there was about $61 billion in ''savings.'' That is from the Congressional Budget Office.

Our friends on the other side of the aisle argued those were unnecessary subsidies to banks. Let's say, for the moment, for the sake of argument, they are correct about that. That $61 billion is money students were paying in interest on their student loans. Wouldn't the logical thing to do be to let the students keep the money? If we truly cared about college tuition going up and student loans rising, wouldn't the thing to do be to say: We have done a big favor to you students—the government has been overcharging you on your student loans, all 18 or 19 million of you who have student loans—so instead of the rate of 6.8 percent, which it is for most students, we are going to lower that rate to 5.3 percent.

That is not my number. That is the number the Congressional Budget Office said. We could have that $61 billion our friends on the other side said the government is overcharging students and we could reduce the average loan of about $25,000 to a 5.3-percent rate instead of 6.8 percent and that would save the average student on the average loan about $2,200 over 10 years. But they didn't do that. They spent it on more government; $10 billion to reduce the debt and $8.7 billion to pay for the health care bill. So what we are saying is in order to freeze this rate at 3.4 percent, let's give to students the money they were paying. Instead of paying for the health care bill, let's reduce the student rates. That is the difference of opinion here.

Of course, our friends on the other side of the aisle have a better way, in their opinion. Not only do they want the students to continue to pay for other government programs, and some money for the health care bill, they want to raise taxes on job creators in the middle of the longest recession we have had since the Great Depression.

Let me go back to the beginning point here. We are talking about something that was reflected very well in the New York Times yesterday. I noticed the Senator from Iowa talked about the New York Times. Here is the national section from yesterday talking about what is going on in California.

> Angry about tuition increases and cuts in courses and enrollment, a dozen students at California State University have taken their protest beyond marches . . . and declared a hunger strike.
>
> The fasting protest was the latest display of anger at the 23 California State University campuses. The system has lost roughly $970 million in state financing since 2008.

The University of California is probably the best public university in the world. It has lost nearly $1 billion in State funding since 2008, and the students are fasting. They are upset about the tuition increases. Why is the tuition increasing? Well, the administrators say if we lose $1 billion from the State for our State universities, the money has to come from somewhere to pay for excellence in our universities, so we increased the tuition. That story has been going on all over the country. Why is that happening?

The President has put this issue on the table. I think we need to discuss it. Why are they fasting in California, protesting tuition increases? In the last year why did State funding for the University of Tennessee and Tennessee's community colleges and Tennessee Tech go down 15 percent last year? The main reason is the Federal Government's health care policies and its

Medicaid mandates on States that are soaking up State dollars on Medicaid that would otherwise go to pay for public universities.

President Obama did not start this policy—it has been going on for 30 years—but he is making it much worse with his health care law. And when it takes effect next year, the Kaiser Family Foundation says that States, which already are spending one out of four of their State tax revenues on Medicaid, will see a 29-percent increase in their spending on Medicaid. What will that do? What that will do is force California, Tennessee, Connecticut, and Iowa to look in their State budgets, to take the money that most likely would have gone for the colleges and community colleges and public universities and instead spend it on Medicaid. Those Federal Medicaid mandates are soaking up money that would otherwise go to public colleges and universities, and as a result of that, universities are raising tuition. As a result of that, loans are up, students are fasting, and the President is on the campaign trail promising to fix it.

Let's talk about his fix. First, it is the political season, so Senators, and all of us, need to listen very carefully when someone begins to stir the crowd about a popular issue, and surely being able to pay for college is a popular issue. We hope all American students who want to have a college degree will be able to go and afford to go to college. Our Federal Government goes to great efforts to make that possible.

Half of the students who go to colleges and universities in America—there are 6,000 of them—have a Federal grant or loan to help pay for college. We have more than $100 billion in new loans going out this year from the American taxpayer. That is from people out there working and paying taxes—the UAW member, the teacher, their taxes are going to loan more than $100 billion to students this year. The amount of money for Pell grants this year is over $41 billion.

The University of Tennessee in Knoxville is a fine campus where the tuition is about $7,400 a year, which is a good bargain at a great university. Almost all the students show up with a $4,000 State scholarship called the HOPE scholarship. For a quarter of the students who are low income, they have Pell grants that carry them above the amount of tuition. State and local governments have made a great effort to try to make it easier for our young people and older people to continue their education, and we want to continue to do that. There is a bipartisan effort on that.

Now the specific issue at play here, and the one we are likely to vote on tomorrow, has to do with one type of those student loans, and let's try to put that in perspective.

The Democrats have a version and the Republicans have a version. I offered a version which would pay for it by giving back to students the money the government is overcharging them. The Democrats have one that would raise taxes on people who create jobs. But whatever one passes—if one were to pass—would save average students on new loans about $7 a month in interest payments for the next 10 years. That can add up. That could be $83 in a year, $830 over 10 years. But that is what we are talking about, $7 a month in savings or $7 a month in interest payments on the average loan, and that is for 40 percent of the new loans. So if you have a student loan and it is at 3.4 percent, that is not going to change. There are 40 percent who have student loans today that they took out last year at about 3.4 percent. Most everybody else is at 6.8 percent, which is a good deal lower than you could get with a private loan. A private loan is one where you go to a bank and say: I am going to college and I don't have a job so I need to borrow money. You may get it, but they are going to charge you more because you may not be able to pay it back as well as somebody else.

We have agreed on this—at least we agreed on the policy, but not how to pay for it. The President has agreed on it and Governor Romney agreed on it. For the next year we wish to take 40 percent of new loans and keep them at the 3.4 percent rate, and then later in the year—earlier next year—when we look at our entire budget, how much money we have to spend, the size of the debt, which is of great concern to all of us on both sides of the aisle, we will see what we can afford to do. That is the first question.

But I am glad the President has been going to college campuses. I am glad he has raised the issue of student loans and college tuition because as a former Governor of Tennessee who cares deeply about education and as someone who was also U.S. Education Secretary about 20 years ago, I have been trying for 20 or 25 years to get Washington to pay attention to the idea that it is ruining our public colleges and universities where these Medicaid mandates soak up the dollars that ought to go to public colleges and universities. Three-quarters of our students go to public universities such as the University of Tennessee or Iowa or Iowa State or California or the community colleges, which are our secret weapon. And even with the rising tuition, those costs are at least reasonable now. I mean tuition at a community college in Tennessee is about $3,000. Nationally the average tuition for a 4-year public university is about $8,200. It is not easy to find the money for that, but it is still within range.

What has happened in the last 25 years? I can tell you what happened in my State. I visited with the retiring president of Tennessee Tech University, a fine engineering school. He said two things: One, over the last 3 years State funding for his university—and for most in Tennessee—has gone down by 30 percent. That is not a 30-percent reduction in the rate of growth, that is a flat-out cut. And why has that been happening? Well, our current Governor, a Republican, and our former one, a Democrat, have said what I know and every Governor knows: when you make up your State budget and you get down toward the end of it, you make a choice between Medicaid and higher education. And because Medicaid is run from Washington with specific mandates on states, the States end up having a stranglehold put on them, and in effect, if they participate in the program, they are forced to make decisions about eligibility and how much they spend, and there goes the money. There goes the money and it doesn't go to the public colleges and universities, resulting in less money, higher tuition, and more loans.

The fasting students in California—if I walked up to them today and said: I bet you didn't know that President Obama's health care policies are the reason you are hungry today, they wouldn't believe that. But the fact of the matter is not just the President's policies but the policies over the last number of years have gradually soaked up money that would make the University of California a great university and left it no recourse but to become more efficient, which it should, and to raise tuition, which it is doing.

I will give an example of how much difference this makes. In the early 1980s, I was a young Governor and I was making these budgets up. I would say: Well, about this much goes to K 12 education, and the courts are running prisons, so I will have to put that in, and then the gas tax goes to the highways. And you get down to the end of the budget and you make a choice between Medicaid, the Federal program that States pay about 30 percent of, and education. I was trying to restrict funding for Medicaid and increase funding for education. I could see where we were headed over the next several years.

I went to see President Reagan. I had made an appointment. I saw him in the Oval Office. I said: Mr. President, let me propose a grand swap. He said: What do you mean, a grand swap? I said: We will take all of K 12 education in the States and you take all of Medicaid. He thought for a moment, and he said that sounds like a pretty good idea. My reasoning was that instead of Medicaid having two masters—one in Washington and the other among all the different Governors—if it had one, it would be managed better. If Washington ran Medicaid, Washington would have to pay for it all and make sure that it could be funded.

I thought then, and I still think today, that almost all of the responsibility for kindergarten through the 12th grade belongs as close to the child as possible—first with the family, then with the classroom, and then with the State. I believe that while there has been some important advocacy from Washington over the last 30 years, if we

had made that grand swap 30 years ago, the Medicaid Program would be run better today and our public schools would be performing better today.

We could argue about that, but the one thing we could not argue about is the difference in money. Back then if we made the swap, the States would have come out ahead by about $4.5 billion. In other words, the Federal Government would have taken over Medicaid and the States would have taken over K 12. The States would have given back to the Federal Government the Federal aid for education and keep their Medicaid money. Four-and-a-half billion dollars was the difference in 1981 or 1982.

What would the difference be today if we made such a grand swap? It would be $92 billion. It would be $92 billion of extra money the States would have if today the Federal Government took over all of Medicaid and the States took over all of the responsibility funding for K 12.

That would mean in a State such as California where the students are fasting, California would probably have an extra $12 billion or $13 billion. Do you think much of that would go to the University of California to continue its excellence? Sure it would. Would much of it go to Tennessee Tech, the University of Tennessee, and the community colleges? It absolutely would.

What happened over the years is that these well-intentioned Federal health care Medicaid mandates have put a stranglehold on Governors, which is why I said when we were debating the health care law that I thought any Senator who voted for it ought to be sentenced to serve as Governor for 8 years and try to implement it.

I mentioned that last year Tennessee's State funding for higher education went down 15 percent. Guess what. State funding for Medicaid went up 16 percent. So there is a direct relationship: Medicaid up, State funding for public universities down, tuition and loans go up, and that is the real problem we have today.

I am glad the President has put this issue on the table. I am glad he is talking about it, and I hope Governor Romney talks about it. I hope what they agree to do is either to repeal the health care law or to repeal the Medicaid mandates and give States more flexibility. We can't pass a law in Washington, as we did 3 or 4 years ago with the stimulus, and say we are going to give you more Medicaid money, but, Mr. Governor and Ms. Legislator, you can't reduce State funding on Medicaid.

Lieutenant Governor Ravitch of New York, a Democrat, wrote an excellent article in the Wall Street Journal. At the time it said: If you tell New York that at a time when we are reducing revenues and say we have to keep spending on Medicaid, we have to cut something else, and the State University of New York gets cut. So New York cuts the State University of New York, tuition goes up, loans go up, and students are protesting.

It is not just the student protests that I worry about. We are at a time in our history when we are in a serious brain-power competition around the world. We have a lot of Chinese scholars who go from American universities home to their universities. In a bipartisan way—and the Senator from Iowa and I were part of it—we passed something called the America Competes Act a few years ago and reauthorized it so we could properly fund science and our innovation. Government-sponsored research has been an important part of our job growth over the last 30 or 40 years. Where is that done? It is done in our national laboratories or our great research universities. Well, at least half of our great research universities are public universities, such as the University of California, the University of Michigan, the University of Tennessee, the University of Connecticut. If we keep cutting government-sponsored research and the quality of those universities, our job growth won't be nearly as good in the future.

Here is another example of how much that has changed over the years. Thirty years ago in Tennessee, the State paid 70 percent of the cost of a student to attend a State university and the student paid 30 percent. We had an implicit agreement between the government and the student, and we said: If we increase your tuition, we will increase the State contribution by the same percentage. So we kept it at about 70 and 30, and it made it possible for a lot of students to go to college. What is it today? It is 30 and 70. It is upside down. Thirty percent of the support for colleges and universities comes from the State government and nearly 70 percent comes from the students. Why is that? The main reason is Federal health care mandates that put an unrealistic amount of money on top of States, and it is about to get worse.

I mentioned earlier the Kaiser Family Foundation, which estimates that next year States that are already spending $1 out of every $4 for Medicaid will see a 29-percent increase in Medicaid funding. This fast will have to go on a lot longer in California if that is going to happen. We can't cut $1 billion out of the University of California every 3 years and have it remain the best public university in the world. It is just not going to happen. And we can't raise tuition 6 percent or 8 percent every year and make college available to the large number of students that would like to go.

So I am glad the President and our friends on the other side in this political year have raised the issue of rising tuition and student loans. We agree on the little issue before us. We would all like to take that 3.4 percent interest rate and extend it for a year. That costs $6 billion. That would affect new loans and only 40 percent of the students. But we agree on that, the President agrees, and Governor Romney agrees. That is not an issue. The issue is, do we raise taxes on job creators or do we give back to students some of the money we are continuing to overcharge them on student loans? That is the issue. The larger question—and one that I hope we all address this year in our debates and that the President and Governor Romney address in their debates—is, What about the future of our public colleges and universities, where three out of four American college students go? How are we going to maintain their quality and maintain the opportunity for access to them if we continue to impose Medicaid mandates on States that soak up the money that ought to be going for excellence in higher education and the greatest amount of opportunity for students by keeping tuition rates low? That is the real issue.

While President Obama is not responsible for what went on before he became President, he has made that condition much worse. If he is going to bring this up on the campaign trail, I hope he tells the rest of the story, which is that he and his health care and Medicaid mandate policies are a principal part of the reason and I would say the main cause going back over the years as to the reason California students are fasting, Tennessee students saw an 8-percent increase in tuition, and all across the country college presidents know very well that the reason there have been such reductions is because of Federal Medicaid mandates.

I hope we have an opportunity tomorrow to vote not only on the Democratic proposal to keep student loan rates at 3.4 percent but also on the Republican interest rate reduction act that I have proposed, which would also keep the rates at 3.4 percent but pay for it by stopping the overcharging of students to help pay for the health care law.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. KYL. Mr. President, first let me say that I very much appreciate the comments of the Senator from Tennessee and his leadership on this issue. I join him in hoping we will be able to vote for the alternative he has provided, which is a more sensible way to ensure that this increase in student loan interest fees does not continue.

Many students who entered college 4 or 5 years ago believing that higher education would improve their prospects for getting a good job are now, sadly, very disappointed. The Obama economy is going to let them down. According to a recent Associated Press story, one out of two recent graduates is either unemployed or underemployed. The article cites a new analysis based on government data which found that young college graduates ''are heavily represented in jobs that require a high school diploma or less . . . that's confounding their hopes a degree would pay off despite higher tuition and mounting student loans.''

At this time, most of us agree that Congress should extend the lower interest rate on certain Stafford loans. Unless we do, interest rates will double to 6.8 percent this July. There are competing proposals to accomplish this extension, as Senator ALEXANDER pointed out. Unfortunately, the majority leader's proposal is going to make the underlying jobs problem worse by burdening job-creating businesses with new taxes and compliance costs. Let me illustrate how this occurs.

In order to pay for the $6 billion cost of extending the 3.4-percent interest rates for 1 year, the Reid bill attempts to do what nearly every bill proposed by Senate Democrats this session has done: It permanently raises taxes on job creators in order to pay for temporary spending. Worse, the majority is attempting to divert dollars that are supposed to go to Medicare or Social Security in order to fund completely unrelated spending.

In this case, the legislation singles out certain professional service businesses for a punitive tax hike, including those in the fields of health, engineering, architecture, accounting, actuarial science, performing arts, and athletics. Ironically, these are some of the fields in which there is actually demand for new employees, according to the AP story I referenced earlier.

The tax hike would hit business owners who perform services for their businesses and make $200,000 or, if they are married, $250,000. If the IRS determines that 75 percent or more of the business's gross income is what this bill describes as ''attributable'' to the services of three or fewer owners, then this bill would make the owners pay payroll taxes on 100 percent of their share of the business profits even if some of that profit had nothing to do with the owner's work. In addition, if family members also own a piece of the business, then the working owner will owe additional payroll taxes on the family members' share of the business even if that family member provides no services.

Obviously, there are several problems with this approach. Let's start with the most obvious: It takes more money from the private sector and gives it to the government at the very time when we want the private sector to have enough to create new jobs. Second, it rewrites the laws of income from labor and income from capital investment. This should not be done lightly, especially since confiscating more from small businesses means they will be less able to expand and create more jobs.

Underscoring that this proposal is a tax increase and not a mere compliance measure, a coalition of 37 organizations that represents small businesses wrote a letter explaining that it ''could increase the payroll tax burden on business owners who are already fully complying with the law. For those businesses, this provision represents a tax increase rather than a clarification of existing tax burdens.''

I ask unanimous consent that the text of this letter be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. KYL. I thank the Chair.

So a bill that is intended to help students would actually make their job prospects even bleaker when they graduate. The American Institute of Architects said of the Reid proposal:

> If we're trying to make it easier for our college graduates to get started in their career and become contributing members of society, increasing taxes on those who would most likely hire them is simply bad public policy.

Payroll taxes are already scheduled to become more punitive for the small business owners targeted by this bill. Under ObamaCare, the Medicare portion of their payroll tax will rise from 2.9 percent to 3.8 percent, and another 3.8 percent will be assessed on their investment income.

To add insult to injury, this bill exposes family-owned businesses to double taxation. For example, in a business with three family member shareholders in which only two provide substantial services, those two family members would be responsible for payroll taxes on their own incomes and then both of them would have to pay payroll taxes on the income of their third family member.

Applying this rising payroll tax to even more small business income is a terrible recipe in a time of a weak economy. At a time when businesses are struggling to hire, the last thing Congress should do is to make a bad situation worse.

Now, the other side will argue that their bill is intended to prevent cases of tax abuse, so let's look into that. According to the IRS, 4.5 million S corporation tax returns were filed in 2009. Data from the Treasury Department shows that S corporations account for nearly 40 percent of small businesses with employees. As these numbers showed, doing business as an S corporation is popular because it allows a business to avoid the double taxation of income that comes with organizing as a C corporation. The business income of these and other so-called flowthrough organizations is taxed as individual income by the IRS.

Given the prevalence of flowthrough businesses in our economy, it is not surprising that there has been some abuse from some S corporation shareholders who pay themselves small salaries in order to avoid paying Medicare and Social Security payroll taxes owed on their compensation. The IRS is well aware of this potential and has developed and implemented tools to go after firms and individuals who do not pay appropriate payroll taxes through what the IRS calls the reasonable compensation test. This test has been used for over 50 years, and the IRS has won a number of cases against taxpayers who paid themselves compensation that was deemed less than reasonable, most recently in last year's United States v. Watson decision.

The Reid bill would impose a different standard—one that is arguably more confusing and less enforceable than the current IRS reasonable compensation test. Under the Reid bill, small businesses and the IRS will be asked to determine whether 75 percent of the small business income is ''attributable'' to the services of three or fewer shareholders. How on Earth is the IRS going to determine which income is attributable to the work of a particular shareholder and not to other employees or to capital investments? For example, if a business has three physical therapists, how will the IRS know whether the business's income is substantially due to their services or whether at least part of it relates to the fact that they hired talented front office staff, did marketing, bought a building in a good location, have a comfortable waiting room, implemented an efficient billing system, and invested in state-of-the-art medical equipment? Let's say an IRS agent manages to determine that exactly 75 percent of the business's income is attributable to the services of the three physical therapists. That means 25 percent of the business income was not due to their services, but the bill would impose payroll taxes on that portion as well. In other words, this bill would impose taxes on business income that is due to capital investment, which should not be subject to the payroll tax, and to the work of other employees who have already paid their payroll taxes. Payroll taxes should only apply to labor income, and they should only be applied once. That is current IRS policy and it is good policy.

As one commentator noted last week, the Reid proposal will be a ''jobs program for tax lawyers defending clients before the IRS.'' To determine what percentage of business income is ''attributable'' to services performed by certain shareholders of an S corporation will be a boon for lawyers and CPAs but not for the professional service businesses that wish to expand and hire.

Those of us who were here in 2010 argued against ObamaCare, among other reasons because it relied on student loans to pay for part of its costs. A more prudent way to extend the 3.4-percent interest rate on student loans is to cut at least $6 billion in ObamaCare spending, which is exactly what the House of Representatives recently voted to do. The House bill would cut spending from an unaccountable ObamaCare slush fund, formerly known as the Prevention and Public Health Fund.

This approach, which our colleague Senator ALEXANDER spoke to a moment ago, and of which I am a cosponsor, fully offsets the cost of a 1-year extension of the subsidized interest rate and

directs an additional $6 billion toward debt reduction. This ensures that job-creating capital will not be diverted from small businesses to fund a temporary unrelated spending program.

Notably, President Obama's own budget request recommended cutting this very same ObamaCare slush fund, and he has already signed into law legislation that cut $5 billion from it.

Finally, I want to express my dismay at the lack of urgency from the majority about the most pressing issue facing small businesses and those college graduates seeking work; that is, the automatic tax increase for all Americans on January 1 of next year—the largest tax increase in the history of our country. The legislation on the floor today will not become law. The majority knows that. It is another political showboat. We know this because this Chamber rejected a similar tax hike 2 years ago when the majority had 59 Senate seats, and we know the House of Representatives would not pass the legislation.

As the senior Senator from Utah noted last month:

> Senate Democrats are fiddling while Rome burns.

That is because, in 8 months, as I said, the largest tax increase in American history will take effect on individuals, families, and businesses. Taxes on income, capital gains, dividends, family-owned farms and estates will skyrocket. As previously mentioned, new taxes on investment and payroll from ObamaCare will also take effect.

Even without the tax increase in this Reid bill, small business owners are facing a marginal tax rate increase to nearly 41 percent, a regular payroll tax rising to 16.2 percent, and an additional 3.8-percent payroll tax on investment income. And we want these people to hire more, to create more jobs?

Instead of wasting valuable time on a bill that will never become law, I hope my colleagues on the other side of the aisle will end their obsession with class warfare and start focusing on the most pressing issue at hand: stopping policies that will do further damage to our already weak economy. Defeating the majority leader's latest tax hike proposal will be a good place to start.

EXHIBIT 1

MAY 3, 2012.

Hon. HARRY REID,
Majority Leader, U.S. Senate, Capitol Building, Washington, DC.

Hon. MITCH MCCONNELL,
Minority Leader, U.S. Senate, Capitol Building, Washington, DC.

DEAR SENATORS REID AND MCCONNELL: As organizations representing millions of employers, we strongly oppose the provision in S. 2343 to increase payroll taxes on S corporations and partnerships by $9 billion.

While we are sympathetic with efforts to ensure that taxpayers, including business owners, fully comply with the tax law, we are concerned that the new rules envisioned by S. 2343 are less clear and less enforceable than current law and will do little to increase compliance.

On the other hand, they could increase the payroll tax burden on business owners who are already fully complying with the law. For those businesses, this provision represents a tax increase rather than a clarification of existing tax burdens. Businesses engaged in service professions have employees and capital investments. S. 2343 would apply payroll taxes to the income attributable to both, thus blurring the line between payroll taxes imposed on wages and salary, and income taxes applied to other forms of income.

While the authors describe the targets of this provision as lobby shops and law firms, the application of the ''Professional Service Business'' definition included in the bill is much broader and could embrace a significant portion of the American economy. Closely-held businesses engaged in health, real estate, engineering, architecture, consulting, financial services, billing, and other fields could be affected. Moreover, once the line between earnings from labor and capital is removed, we are concerned that this provision could be expanded to include other, more capital intensive industries.

Under S. 2343, the active shareholders of service sector S corporations would be required to pay payroll taxes on all their income from the business—wage and business earnings alike—if the S corporation is a partner in a professional service business or if 75 percent or more of the gross income of the S corporation is attributable to the service of three or fewer shareholders.

This new approach, particularly the ''principal rainmaker'' test, is neither clear nor more enforceable than existing rules. These rules have been in effect for over half a century, and the IRS has repeatedly and successfully used them to ensure that active S corporation shareholders pay themselves a reasonable wage, most recently in Watson v. US (2011).

Legislation similar to the payroll tax provision in S. 2343 failed to move through the Senate in 2010. Like S. 2343, that provision was made public at the last minute and brought directly to the Senate floor. It was not considered by the full Finance Committee, nor was it subject to an open amending process the Senate floor. Now, two years later, we are presented with a similar policy to be debated in a similar, truncated manner.

Finally, we are concerned that the permanent payroll tax increase in S. 2343 would be used to fund a temporary program—however worthy—outside of the Medicare or Social Security programs. Moving forward, we would argue that payroll tax collections should be reserved for Medicare and Social Security and not diverted to offset unrelated federal spending.

Thank you for your consideration of our concerns.

Sincerely,

Air Conditioning Contractors of America; American Bankers Association; American Council of Engineering Companies; The American Institute of Architects; American Rental Association; American Supply Association; Associated Builders and Contractors; Associated Equipment Distributors; Associated General Contractors of America; Automotive Aftermarket Industry Association; Financial Executives International's Committee on Private Company Policy; Financial Planning Association; Financial Services Institute, Inc.; Independent Community Bankers of America; Independent Insurance Agents & Brokers of America; International Foodservice Distributors Association.

International Franchise Association; National Apartment Association; The National Association for the Self-Employed; National Association of Convenience Stores; National Association of Wholesaler-Distributors; National Electrical Contractors Association; National Federation of Independent Businesses; National Funeral Directors Association; National Grocers Association; National Multi Housing Council; National Restaurant Association; National Roofing Contractors Association; National Small Business Association; National Utility Contractors Association; Printing Industries of America; Professional Beauty Association; The S Corporation Association; Truck Renting & Leasing Association; U.S. Business and Industry Council; U.S. Chamber of Commerce; Wine & Spirits Wholesalers of America.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

Mr. ENZI. Mr. President, there is no reason we should be having this debate today. Freezing student loan interest rates for 1 year during tough economic times is something I believe we all agree on, so it should be relatively simple to accomplish. The President supports it, Governor Romney supports it, and a bipartisan majority in both the House and the Senate supports it. Given this kind of agreement, I see no reason why both sides could not have a good-faith discussion on where to find the $6 billion in savings in a government with a budget that spends nearly $2 trillion annually. Actually, we spend more than $2 trillion annually.

I would mention, this bill has not been to committee. I hope the American people have noticed that bills that go to committee and then come to the floor are usually successful. I hope they also notice that bills that do not go to committee and come to the floor are usually not successful; they are usually a political statement. That is what we have here again today.

This is how it works: You bring a bill that you know the other side—well, in fact, this body has already voted on the concept of this tax before and defeated it. They know with that provision in there, this common interest will fail. So why do they do it? Well, you notice this is a motion to proceed and requires a cloture vote. So 40 of us can stop this bill, and will stop this bill in the condition it is in without having gone to committee. But when we stop things, it seems those Republicans think that students ought to be paying more interest. That is the part that is wrong. The part we are disagreeing about is how to pay for it.

Pay for it? We have an economic judgment day coming in this country because of the debt we are running up on a daily basis. That is what put the world into kind of this funk anyway. I am not sure what is going to happen now that France has decided they are not going to have austerity and Greece has decided they are not going to have austerity. Now they have leaders who say they are going to fight any kind of austerity. It could put the world in a real crisis.

But what we are talking about is whether to keep the student interest rate at the low rate that it is right now, and we are going to have to vote on a bill that we are going to have to defeat because of the pay-for in it,

which will make it look as though Republicans want to raise the rates on students, and that is not true.

But the majority prefers to pick a fight rather than help students during these tough economic times. What do I mean by this? After initially reaching out to my staff, indicating their willingness to work toward a bipartisan solution, they leaked their proposal before talking to us, which contained the offset they have in here.

There could be a solution. We have to counter with one and ask that there can be two side-by-side bills. That means we can have one they vote against, so we can say they did not want to keep student rates low, which is also wrong. But somehow we have to figure this out, and we have to do it in a bipartisan way. That means probably neither suggestion that is up right now is the one that is going to work.

The majority would have Americans believe their bill simply closes a loophole used by wealthy doctors and lawyers and other professionals who organize as an S corporation in order to avoid payroll taxes. Well, let me tell you about taxes. If you are in one of those small business S corporations, you pay your taxes. You pay them on the year the company earns them—not the year the dividends are distributed. The year the company earns it, you pay all of the taxes that are due on that piece of money, even though you have to leave it in your business, so you can keep reinventing your business, so you can stay in business, so you can maintain the jobs you already have, and, hopefully, add a few. That is what an S corporation does. It says: We are going to give you this big break. We are going to let you pay your taxes upfront, even though you cannot take the money out.

But what we are talking about here is payroll taxes. Payroll taxes are the money all of us put in as an investment for our Social Security and our Medicare. That is what payroll taxes are. That is what we are talking about now, charging on this money that has already had all the income taxes paid on it and, incidentally, has also had payroll taxes paid on it.

The IRS is already given the authority to check and see if people are taking out a de minimis distribution. There is an amount you have to take out of your business and you have to claim it for salary. You cannot hide it as if you were rich or something. It does not work that way. The IRS has rules. The IRS can claim those payroll taxes. But what we are talking about now is taking those payroll taxes—payroll taxes, remember, are Social Security and Medicare payments; they are investments in your Social Security and your Medicare—we are talking about taking those and subsidizing student loans.

Medicare is in trouble and, once again, we are talking about stealing from Medicare. We did that in the health care bill. We took half a trillion dollars out of Medicare and we put it into new programs. We did not put it into a doc fix. You keep hearing us talk about the doc fix. We are not paying the docs enough that they want to take any new Medicare patients. Well, we did not take the money in Medicare that might have been used and use it in Medicare to keep the Medicare system running. No. We put it into new programs so we could say this health care plan was paid for.

Now we are saying we are going to use those payroll taxes and we are going to use them to subsidize the student loans. When does Medicare ever get the money to pay for Medicare? Oh, that is right, we have a new board now—an unelected board—and this unelected board will tell us each and every year where we have to cut in Medicare in order to pay for Medicare, even though we stripped all this other money out that could have paid for Medicare. What a deal.

Well, here we go again. This tax would end the payroll taxes by shifting them into the student loans. When we are talking about pay-fors, we do all kinds of crazy things around here, and we should not be doing them. We should be a little bit more straightforward, not just with the students but with the American taxpayer. In reality, this is an irresponsible tax increase on small businesses at a time when we need small businesses creating jobs so college students have employment opportunities when they graduate.

In Wyoming, S corporations are family owned small businesses working hard to keep their businesses afloat. As I mentioned, they get to pay their taxes even if they cannot draw the money out and use it. So, for instance, small motels, small architecture firms, and groups of engineers might choose to operate as S corporations. Or they could be a full corporation, and then they would have some of the same benefits Warren Buffett has. Warren Buffett makes millions and he does not have to pay payroll taxes on that. But we did not suggest ending Warren Buffett's payroll tax-free money. We are only going to do this to the small business corporations. Sounds fair? I do not think so.

This will also hurt family businesses in another way. For example, a son who is taking over an accounting practice from his father could be hit with substantial payroll taxes if he owns, for example, 10 percent of the firm, while his father, who is no longer active in the business, retains the other 90 percent.

These are not the tax scofflaws that the majority suggests this tax will impact. They are real, small businesses that are the fabric of the American economy. Small businesses accounted for 65 percent of the 15 million jobs created between 1993 and 2009. So rather than increasing taxes on small engineering and accounting firms, we should be encouraging these businesses to hire new employees. As a former small businessman, I know this will not happen if we raise taxes on the very businesses we depend upon to turn the labor market around.

Recent reports demonstrate the need to encourage, rather than inhibit, job growth and creation. That is what we are talking about: jobs. This year, more than 50 percent of college graduates are either unemployed or underemployed. Graduating in a bad economy, where jobs are scarce and lower wages are the norm, can have negative economic consequences for up to 15 years. With the cost of higher education increasing more rapidly than the median family income, there will continue to be greater dependence on student loans. Unless the economy improves, there will also be a lesser chance that going forward graduates will have the resources to even make minimum loan payments.

The Republican alternative puts forward a solution that takes money out of—and I know the Senator from Iowa hates the word—a slush fund, but it is a fund with rather wide possibilities, and a fund that can be designated by the Secretary. This is not the first time this has been used as an offset. Our President signed legislation that cut $5 billion from the fund to offset the payroll tax bill. Now we are talking about payroll taxes again, but our side is talking about using the same funding source the President used to pay for a payroll tax cut earlier this year. The President also proposed to cut an additional $4.5 billion out of the same fund when he submitted his budget for this year.

I had to go and look and see what some of the uses are for this fund that we would be cutting into because it is spent at the discretion of the Secretary of Health and Human Services and there are not a lot of guidelines. Many of the programs funded by this Prevention and Public Health Fund—often called a slush fund—duplicate existing health programs or waste taxpayer money on some frivolous programs.

The fund has wasted millions of taxpayer dollars and even supported potentially unlawful lobbying activity. For instance, a public health clinic in Nashville, TN, used money to offer free preventive services for dogs and cats, not women and children; $3.6 million went to the Minnesota Department of Health to create at least four regional food policy councils, to increase the access and availability of affordable healthy food; $8.4 million to the New York Fund for Public Health to implement a local tax on sugar-sweetened beverages; $3.3 million to the Washington State Department of Health to increase local preemption of tobacco marketing and taxation and support legislation that repeals preemption of tobacco marketing; $3 million to lobby lawmakers in New York for legislation requiring chain restaurants to publicly post the amounts of the calories they serve; $7 million to Jefferson County,

AL, to urge Alabama lawmakers to raise tobacco taxes; $16 million to the County of Los Angeles to help secure a ban on new fast food restaurants around Los Angeles. A lot of that is lobbying activity. Yes, I suppose the end results could be prevention of health care.

This country is coming up on an economic judgment day. We do not have extra money lying around. In fact, when we are talking about pay-fors, we are only talking about paying for whatever new is put in. We do not talk about how we are going to cover the $15 trillion in debt we have out there, the $49,000 every man, woman, and child in the United States owes. It is a heavy burden.

I talked earlier about Greece. Greece only owes $39,000 per person. They are just not trusted as much as the United States. If we keep running up that debt, we are not going to be trusted either. Unfortunately, President Obama and the congressional Democrats would rather play election-year politics than find a solution that focuses on the immediate need of America's students and their families.

Neither bill is ideal. Each spends 10 years of savings in 1 year and neither produces a long-term, sustainable solution. However, the Republican proposal has the benefit of using an offset previously used by the Democrats, as I mentioned. The $5 billion from that fund was used earlier this year to help pay for the extension of the payroll tax holiday, and in this year's budget, the President proposed cutting an additional $4.5 billion.

The Democratic bill raises taxes on small businesses at a time when the Nation needs those businesses to be creating jobs so college students have employment opportunities when they graduate. It is discriminating against small businesses because it does not take in corporate dividends that people get, which are the same thing. It is the dividends they eventually are able to take out of the business. But a big corporation pays dividends to investors and those do not have payroll taxes taken out either.

So no sincere attempt was made by the Democrats to find a bipartisan solution. Both Senator REID and Senator HARKIN reached out to my staff to inquire about the possibility of funding a solution. My staff expressed a willingness to discuss possible offsets, but the Democrats released the details of their proposed S corporation tax prior to any meeting.

When my staff did meet with Senator HARKIN's office, his staff indicated the S corporation offset was the only offset the Democrats were willing to consider. That makes compromise pretty difficult. Senator REID has filed for cloture on S. 2343, the Democrats' bill we are talking about now, and a vote will be held tomorrow at noon. At this point, we have been told we are not going to have a vote on the Republican bill at all.

So cloture tomorrow will fail because there will be no opportunity to put any amendments on this bill, and this is not a perfectly drafted bill. This is something that was put together in a bit of a hurry without having bipartisan input. The reason we have 535 people in Congress is that there are a whole bunch of different viewpoints. The reason we have 22 people on a committee is that there are 22 viewpoints that go into the bill and we can see what unintended consequences there are. That did not happen on this bill.

This has been put together by two or three people or half a dozen staff members or whatever, I am not sure. But it has not had the input from both sides. So our side had to come up with a bill that follows the same procedure. I can tell you neither bill is ideal, and a solution has to be reached for these young people. We are all agreed on that. We are just not agreed on how we pay for it, and we do have a problem with paying for things around here.

I urge the majority leader to pull the bill from the floor, sit down with us, find a solution we all can agree to. This is not an issue over which election-year politics should prevent us from reaching a bipartisan agreement. I am not aware of anybody who is opposed to the extension of the reduction in the interest rate. Incidentally, that is not an interest rate reduction to everybody; it is only to those who have subsidized loans.

If someone is a student who has regular loans, they are not able to participate in this. That would require a lot more money. Again, I urge the majority leader to pull this bill, sit down, come up with a solution both sides can agree on. It is getting tougher and tougher to find pay-fors because we are getting further and further in the hole. We are not going to stop digging, so we better start digging together.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

Mr. HARKIN. Mr. President, how much time is remaining on our side?

The ACTING PRESIDENT pro tempore. There is no allocation of time.

Mr. HARKIN. Mr. President, am I correct the time for debate under this bill will expire at 4 p.m.?

The ACTING PRESIDENT pro tempore. At 4:30.

Mr. HARKIN. I thank the Chair. Mr. President, after listening to the previous three speakers, it is hard to know where to begin to correct the record with all the misstatements. Maybe I will kind of work backward. My good friend, the Senator from Wyoming, gave a whole list of different things about where this money was spent. He mentioned something about California and fast food construction. I did not get it all. But I am informed there was absolutely no money from the Prevention and Public Health Fund that went for that program.

If the Senator from Wyoming has any evidence to the contrary, I would be more than delighted to look at it. Then there was the one about the dogs and cats in Nashville, TN. I thought the newspaper article that was in the Hill newspaper put that one to rest, but I guess it did not. It just goes on and on.

That money actually was funded by private grant money. I guess PetSmart, from what I am told, put that money in for pet spaying and neutering in Nashville, TN. Again, that money did not come from the Prevention and Public Health Fund. If the Senator from Wyoming has evidence to the contrary, I would like to look into that. Then the Senator from Wyoming mentioned the New York Department of Health using $3 million to lobby in New York for a soda tax initiative. First of all, I will tell my good friend, the Senator from Wyoming, there is an absolute prohibition on Federal moneys being used for lobbying. So if anyone has any evidence of Federal funds being used to lobby, please let us know. We would like to take them to task for that and sic the Justice Department on them.

That did not happen. It was not CDC funding. This was funding by the New York State Department of Health. Again, none of the CDC money we used in the prevention fund was used for that. Those were just three of—I do not how many examples my friend the Senator from Wyoming had, but those are just three of them there that absolutely had nothing to do with the Prevention and Public Health Fund, but somehow this has gotten out in the popular press.

The city of Nashville received a $7.5 million grant to provide free pet spaying and neutering. You put that out there and the radio talk shows pick up on that and all that kind of stuff. Then they bat this around and it gets everyone upset. My God, we are using tax money now to neuter dog and cats in Nashville, TN. Who would not be opposed to that? It is not true. That is all. It is simply not true. As I say, if anyone has any evidence to the contrary, please let me know and we will get the Justice Department after them.

Again, I say to my friends on this side of the aisle that talk about seriousness of whether—how we are going to pay for this. I heard it said by the previous three speakers we all agree the interest rate should not go up. OK. We have before us, as I understand, two choices right now. The Republican choice is the one passed by the House of Representatives a couple weeks ago, which would eliminate the Prevention and Public Health Fund and put that money in to keep the interest rate down at 3.4 percent rather than letting it go up to 6.8 percent.

So they would eliminate the Prevention and Public Health Fund, about which I spoke at length a little while ago. Our bill would close a loophole in the Tax Code that allows certain subchapter S corporations to avoid paying their FICA taxes, their Social Security and Medicare taxes, because of the way they are arranged.

I am going to get into that in a minute and try to explain exactly how that is set up. We are not going after small businesses at all. We are simply providing more of a bright line on what are legitimate dividends from a corporation, which does not have to pay FICA taxes, and what are wages and salaries that they do have to pay FICA taxes on.

Right now, in certain subchapter S corporations, it is kind of cloudy. It is kind of cloudy. As someone on the other side said, we have seen this big increase in subchapter S corporations. Well, of course. People who have had partnerships before or sole proprietorships all of a sudden are rushing to establish subchapter S corporations, with very few stockholders, to get away from paying their legitimate taxes on Social Security and Medicare.

Our bill would close that loophole. We have these two choices in front of us. Which do we want? If those are the only two, do we want to eliminate the Prevention and Public Health Fund or do we want to put a bright line on subchapter S corporations and say if they cross that line they have to pay their Social Security and Medicare taxes? Maybe we can have that vote. Maybe we have to actually have that vote here.

I would like to see if my Republican friends want to eliminate the Prevention and Public Health Fund. Earlier this year, from our committee I passed out to every Member of the Senate how much money went to the individual States and what it was used for in the Prevention and Public Health Fund because I wanted to be transparent and above board. So I pointed out, for example—these are not private things; these are public. I pointed out to my friend from Tennessee that $4,669,362 was made available to Tennessee in this Prevention and Wellness Fund for fiscal year 2011. I listed all the things it went to: community programs to promote healthy living, detection and prevention of infectious diseases, clinical preventive services, strengthening of public health infrastructure, tobacco prevention programs, some to East Tennessee State University for the training and preparing of a public health workforce, Vanderbilt University Medical Center for clinical preventive services.

I get right down to the dollar, where it all went. I am not trying to hide anything. I say to my friend from Tennessee, ask these people where did this money go. We know where it went. Does my friend propose that we cut out all this money that went to the State of Tennessee?

Here is Arizona: $7,758,944 went to Arizona in 2011. I gave this to my friend from Arizona listing exactly where it went and what it went for in prevention and wellness. Does my friend say this ought to be eliminated? Wyoming got $1,785,534. Every bit of it is listed here, exactly where it went.

If we accept the Republicans' proposal, we do away with all of that, all prevention and public health. It has been said on the other side that even our President wanted to do away with or take money out of it. I point out that the President did propose earlier this year as a pay-for for the extension of the unemployment insurance program and for other things to keep tax rates from going up that we take $5 billion out of this program over the life. But I think the President made it very clear that was it.

In fact, we have a Statement of Administration Policy on this bill which states unequivocally that the President will veto this bill if there are any cuts in the Prevention and Public Health Fund. While I was personally opposed to the $5 billion that the President proposed taking out—and was taken out of the fund—I can say that, well, that ought to be the last penny taken out of the Prevention and Public Health Fund. Now we see that the President agrees, no more. We took $5 billion out and that is the end of it.

People keep calling it a slush fund. I have here where every dollar went in all of the States, what it went for. It did not go to neutering dogs in Nashville, TN, regardless of how many times we may read it or hear it on Rush Limbaugh or Joe Scarborough or anyplace else. It is not true. I challenge anybody, if they have that evidence, let's see it.

Again, I just think what the Republicans have offered as an offset is not serious. I cannot believe they want to do away with the Prevention and Public Health Fund. On the other hand, is our proposal serious? Do we want to really close this loophole for professional corporations under subchapter S? Yes, we do. I think that is serious. There has been a lot of abuse of people using the cover of subchapter S to avoid paying their taxes. A number of cases have come before us that I have seen where people have used subchapter S as a means of not paying their fair share of taxes.

One of the examples that just came through was former Senator John Edwards of North Carolina, a former Member of this body, a former Presidential candidate and Vice Presidential candidate. I will not get into his personal life; that is something else. But former Senator John Edwards of North Carolina claimed, over a multiyear period, that $26 million in revenue from his subchapter S corporation was unearned. He claimed he didn't really work for a large share of his income from winning court cases. By making this argument, he avoided nearly $750,000 in payroll taxes.

That is not fair. That is an inappropriate gimmick. It is a gimmick when we allow a professional to give his or her spouse and children 95 percent of the stock in their subchapter S corporation and then declare it their profit and not their work as an accountant or as a lawyer that is responsible for the income. That is a gimmick. That is why people are rushing to form these subchapter S corporations.

We have a recent case where the taxpayer was an S corporation, an accounting practice owned by a CPA and his wife. The CPA served as the corporation's president, treasurer, director, and only full-time accountant but received no salary. Imagine that. He received no salary. Instead, the CPA ''donated'' his services to the corporation and withdrew earnings from the entity in the form of dividend distribution. During the years under audit, the CPA worked for the corporation approximately 36 hours per week. In addition to testifying that his work was crucial to the continued success of the corporation's business, the CPA also indicated that dividends were drawn in lieu of salary to reduce employment taxes. Imagine that. The corporation asserted that the CPA was not an employee, and even if he was an employee dividend distributions cannot be taxed as wages.

Well, he was caught in an audit. But, we know audits are few and far between. So the court found the shareholder to be an employee who performed significant services. His wages encompassed all remuneration for services, and it constituted all wages for tax purposes. That is what is happening. That is what is happening out there.

What does our bill do? Right now, if you are in a subchapter S corporation, you, the person, get to say whether what you are making is income or dividends. I heard mentioned something about Warren Buffett. I don't know his whole deal, but it seems to me that most of his income is from dividends and capital gains. We are not talking about that. We are talking about—this would be—if we took the subchapter S situation and applied it to C corporations, which Mr. Buffett would be in, then Mr. Buffett would face a board with independent people making a decision on officers' salary.

Now with subchapter S corporations with only one, two or three stockholders, they are making their own decisions on their personal taxes, whether they are dividends or salary. What do you think people decide?

Again, an accountant tells a subchapter S corporation it can do 40 percent and it would not get audited, they do 40 percent and don't get audited, and they don't have to pay Social Security or Medicare taxes on what is really gain.

What do we do in this bill? We say: Look, if you are a professional subchapter S corporation and you have three or fewer shareholders, then we draw a bright line. If your income is over $250,000 a year for a joint filer, and if in fact there was earned income, then it would be subject to FICA taxes. That is the bright line that we are drawing. In fact, what it will do is give subchapter S corporations a better idea of whether profits are earning money or dividends.

Quite frankly, not only are we helping to raise money for the Medicare

and Social Security trust funds, we are actually making it better for people out there who may not know where they fall. Is it dividends or is it earned income? Our bill only covers a very narrow share of S corporations. It deals only with certain professional corporations. It doesn't touch manufacturing or retail activities. It doesn't touch real estate activities. It covers the area where the abuse is most prevalent right now.

I want to speak for a minute on what Senator ALEXANDER was talking about earlier about the money that came from students and whether it was given back to students. He said that instead of 6.8 percent, it would have been 5.3 percent. We voted on that and it failed. So we did speak on that.

Again, what I point out is that most of this money—most of the money that we had in that $61 billion, most of that indeed went for students. I think I had it here—of that $61 billion, $36 billion went to Pell grants, helping raise Pell grants; $750 million went to bolster college access for students through the College Access Challenge Grant Program; $2.55 billion went to Historically Black Colleges and Universities and minority-serving institutions; $2 billion went to community colleges; about $10 billion was used for deficit reduction; $9.2 billion, as I said, went to certain health care activities.

Guess what one of those was that was paid for. Requiring dependent coverage—saying that a young person can stay on his or her parents' health care policy until age 26. Does that help students? Of course it helps students. How many young people who go off to college, and they are in college and maybe drop out a little while to make some money and then go back to college and maybe even graduate, but they don't have a full-time job—they can stay on their parents' policy until they are age 26.

I cannot tell you how many people I have heard from in my State of Iowa who have said what a godsend this is to them and their kids who are students. I make no apologies for the fact that some of this money out of that $61 billion that went to subsidize banks went to help students stay on their parents' health care policy.

When they say some of the money came from students, it didn't. The $61 billion all came from cutting the subsidy to banks. The great bulk of it, all but about—well, $10 million went to pay the deficit down, and $9.2 billion went to things such as banning lifetime limits, requiring dependent coverage, expanding community health centers, that type of thing. So none of it actually came from students themselves. It all came from closing the loophole where banks were making on that money.

The next thing that was said I wanted to correct was that the Medicaid expansion in the affordable care act—100 percent of that expansion is paid for in the Federal side, not the stateside. Senator ALEXANDER talked about this and was saying we are expanding Medicaid, which is a burden on the States. That would be true, but for the fact that 100 percent of this expansion is paid for by the Federal Government. I think that phases down to 90 percent in the future, but it never comes below 90 percent.

If the Senator would like to debate whether Medicaid should be all Federal, or Federal and State, we can do that and maybe even find some common ground on that, but that is not the case before us. I didn't think the debate on this bill to keep student interest rates low would now morph into a debate on health care. But if you want to have a debate on health care, I will be more than happy to do so, and whether or not we should use money from the Prevention and Public Health Fund to pay for it.

So, again, I would say no money—no money—comes out of the Medicare trust fund to pay for this bill—none—and certainly none comes out of the Social Security trust fund. The money that is raised goes to the Social Security trust fund and the Medicare trust fund. None of it is actually diverted from the trust funds.

Under the budget rules we are operating under, money raised can be used as an offset even though that money is raised for Medicare. I want to make it crystal clear that the money we are raising from closing this loophole on subchapter S corporations, none of it—none of it—actually comes out of the trust funds for student loans or to keep the interest rate low. It does go to the Medicare and Social Security trust funds.

Under the Republican proposal, we would not get any more money into Medicare or Social Security. They would just do away with the Prevention and Public Health Fund and take that money and use it to offset keeping the interest rates low, but not one nickel of that would go to Medicare or Social Security. Our bill would help those trust funds.

So our bill really has three benefits: First, it closes a tax loophole, provides for more definitive application of what is subchapter S income or dividends for a narrow class of companies—earned income or unearned income; second, it provides money to the Social Security trust fund and Medicare trust fund, which is needed; and third, it allows the student interest rate loans, Federal subsidized loans, to stay at 3.4 percent for the next year.

Sometime in the next year, obviously, we are going to have to figure out a long-term fix for this or what we want to do on these subsidized loans in the future and how we are going to pay for this down the road. In the meantime, as everyone has said on both sides, we both agree it ought to stay at 3.4 percent for the next year.

So I guess the debate does revolve around how we pay for it. Again, from my viewpoint—not my viewpoint; the House already voted last week to kill the Prevention and Public Health Fund, and that is what the Republicans are proposing here.

Again, to refer back to where I started earlier this afternoon, I think the lead editorial in the New York Times today was quite clear in talking about the findings found in the New England Journal of Medicine about what is happening with type 2 diabetes and how devastating that is going to be in the future. They said the long-term goal should be the prevention of obesity and diabetes. The editorial said:

> Congressional Republicans, meanwhile, are bent on dismantling health care reforms that could greatly assist in curbing the obesity epidemic. The Republican-dominated House last month narrowly passed a bill that would eliminate a Prevention and Public Health Fund, established under the reform law in part to pay for lowering the interest rate on subsidized student loans for a year.

The editorial noted that there is no explanation for this move except for the usual anti-health care reform demagoguery and noted that the fund is already providing grants to state and local governments to help pay for programs to fight obesity and prevent chronic diseases, including diabetes, in the community, the workplace, and among minority groups.

So I guess that is really the argument—how do we pay for it? It comes as no surprise, I am sure, when I say that I think closing this loophole is much better than doing away with the Prevention and Public Health Fund.

With that, Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

Mr. ENZI. Mr. President, I said it before and I will say it again: Neither option is ideal. These ought to be the options we are voting on, but actually we are not going to get to vote on the two options, we are going to get to vote on one option because this is a cloture vote. And this cloture vote will fail. It will fail because it is not a good enough bill to pass. It is not a good enough bill to get 60 votes, so it will fail. And the only purpose of it failing is to say: Look at those Republicans who killed that bill.

There could be a solution, but it isn't a solution by bringing a bill directly to the floor and saying: Take it or leave it. It has to be a solution by sending it to committee and having the people there work out a way that it can be done. We have done that in our committee a number of times, and the bills that go to our committee and then come to the floor are pretty successful. But this one did not go to committee.

So it isn't really two choices we are getting, it is one choice: We can take it the way the Democrats wrote it or we can forget it.

They say this closes a loophole because of the wording regarding there being three or fewer shareholders. Now, I can already hear how people's minds are working. They are saying: OK, if I want to cheat on that—and you have

now taught me how I can—I will add a fourth person. Now your bill doesn't cover it. So it is not written properly. We are not going to stop them by doing what is written in the bill, so it is not going to generate any revenue. If it doesn't generate any revenue, it will not pay for the cost of keeping the health care down.

Besides that, the IRS has guidelines that say how much one should be taking out of their business as wages, and they have to pay a payroll tax on that or they will be taken to tax court. That is the case to which the Senator from Iowa referred. It was a case of an accountant who got caught and was taken to tax court and told he couldn't cheat on his taxes. Now, we ought to have more enforcement like that. It should be pretty easy for the IRS to check and see if there are some S corporations out there that aren't paying any wages. That should be a little computer check since every return gets turned into a digital return now. Some of us help the IRS by sending our forms in digitally to begin with, which saves a lot of input on someone's part. But they can check in a matter of seconds the S corporations that have no wages, and if they have no wages, perhaps they ought to have a much lower limit than what the other side is suggesting.

If we are going to do tax reform, let's do tax reform. To do it this way is the wrong way.

I also heard the comment that this money is not being taken from Medicare and Social Security. Well, the way we do Federal accounting—and we should be ashamed of the way we do Federal accounting—that can be a true statement, but, in fact, it is not true. Here is how we do it. Here is how we cook the books as a Federal Government. We will collect this tax that should go to Medicare and Social Security and we will put bonds in a drawer and we will spend the money on the reduction in interest rates for the students. That is spending it twice because we are still showing it over here as owing it to the Social Security and Medicare folks. But we do this all the time. Do you know how much money there actually is in the drawer called Social Security? Nothing. There are bonds in there.

I used to listen to Senator Hollings, Democrat from South Carolina, talking about how we were lootin' Social Security—lootin' it—because all we do is put bonds in a drawer and we spend the money. And we have been doing that for decades. So the deficit we are talking about is probably considerably greater than what we are willing to admit. But that is exactly what we are going to be doing here once again. We are going to be lootin' Social Security and Medicare and providing some loopholes for them to keep on doing the same thing they have been doing. We are going to have to get the IRS on that and get it going better.

There ought to be a lot more options. But that is not what we are doing here. What we should be doing is getting together and figuring out more options, more ways to take care of all of the problems students are having. And they are going to be demanding a whole lot more than what we are doing.

I would remind the Democrats that the President did take $5 million from this prevention fund, and I heard him say that was enough. Well, if that was enough, how come his new budget includes taking another $4.5 billion out of that fund? So I guess he doesn't think that is enough. He thinks there is still more that can be taken—$4.5 billion. This is a $6 billion project we are talking about here, so $1.5 billion another way.

We are just talking past each other, and that is what happens any time a bill comes to the floor if this is the only place we get to debate it. Notice how many of my colleagues are listening to me right now. If there are two people on the floor, it usually means one is getting ready to speak and is not listening to what is being said. That is not a debate. That is not a way to come up with solutions. What we have to do is send these things to committee.

Senator HARKIN and I have a way of working on bills in committee, and that is to have people turn in their amendments a couple days ahead of time and we look at those. It is surprising how many times an amendment by a Republican is almost the same as an amendment by a Democrat. The trick is to get the two of them to sit down together and figure out which words need to be changed so that they can both take credit for it.

So this is a frustrating process. It is the wrong way to do it. But I have to answer one more thing yet; that is, I cited some cases where funds were being used from that prevention fund that I thought were wrong and I do think are wrong. The Senator said that if we had some information on that, if we would give it to him, he would make sure the Department of Justice gets on it. Well, now we not only need to have the IRS working, we have to have the Department of Justice working a little bit because there is some pretty good evidence, I think, that some money has been spent for lobbying. In some cases it is called advocacy, but it is by people working the legislators over, and that, in my opinion, is lobbying.

I do hope this bill will be referred to committee, which is where it deserves to be, so that a solution can be worked out. I would hope that if we do have that cloture vote tomorrow, instead of having the bill pulled, that both sides will join in saying ''send it to committee'' and vote against cloture.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

Mr. HARKIN. Mr. President, I say to my good friend from Wyoming—and he is my good friend, and we do a lot of good work together—I wish we could have this bill in our committee. I think we could work it out. But the fact is, to raise the money, it has to come from the Finance Committee, and we don't have jurisdiction over that. If we had jurisdiction over that, we could probably work it out. We have a good way of working things out in our committee. But we don't have jurisdiction over finance on this darned thing. If we did, we could probably figure it out.

Mr. ENZI. Could I amend my comments to have the Finance Committee take the bill and work out a solution?

Mr. HARKIN. Well, I think that is where this came from. I don't know.

I would also say to my friend from Wyoming, because I was listening to him, I think it is fair, if we are going to have a vote on ours, that we ought to have a vote on yours. I think that if we are going to have a vote, we ought to have a vote on ours, which is the subchapter S corporation, and see how that falls, and have a vote on whether we want to end the Prevention and Public Health Fund and use that money. I would like to have that vote. I would love to have that vote. I would love to see how my friends on the other side of the aisle want to vote on whether they want to kill the Prevention and Public Health Fund.

I would also say that on this subchapter S corporation issue, the IRS right now audits about one-half of 1 percent of the returns from subchapter S corporations. So they have to think, what are the odds they are ever going to catch me, and if they do, they pay a fine and that is it. The IRS doesn't have the personnel to do everyone.

What we are doing, I wish to say again, just to make it very clear, that because of the sort of fog that surrounds subchapter S corporations right now, the IRS simply can't audit them all. They don't have the personnel to do that, and some claim that there is a lot of questions about whether something is income or dividends. But let me repeat again what our bill does.

We create a bright-line test that affects only a narrow class of subchapter S corporations. It affects only professional subchapter S corporations, those engaged in professions such as doctors, lawyers, accountants, consultants, lobbyists, where the gain is due to the professional work. This provision does not include subchapter S gains from unrelated retail, wholesale or manufacturing activities.

The provision only covers subchapter S corporations where there are three or fewer stockholders. It only covers those earning more than $250,000 a year as a joint filer, and it only covers gains when 75% or more are attributable to 3 or fewer stockholders.

So if a subchapter S company has income that is partially from professional activities, such as lobbying, and partially from other activities, such as real estate investments, the investment income does not fall under the rule.

The Joint Committee on Taxation and the Treasury Inspector General for

Tax Administration have both issued reports that show that underreporting of earned income subject to FICA taxes is a significant issue. Using IRS data, the Government Accountability Office in 2009 calculated that in 2003 and 2004 tax years the net shareholder compensation underreporting amounted to nearly $23 billion. Since then, the number of subchapter S organizations has been increasing rapidly, and I would suggest that is a main reason why.

Lastly, I just wish to point out for the record, to my friend from Wyoming, that the House bill did not go through the committee either. They brought it directly to the floor. It did not go through the Education Committee. It only went through the Rules Committee and then to the floor. So they did the same thing. They didn't go through their committee either. Again, I am hopeful we can work this out. But if we can't, I say to my friend, I hope we do have an up-or-down vote on both provisions.

There was one other thing I wished to mention before I leave the floor this afternoon and leave this debate on the student interest rate bill; that is, I heard time and time again from the other side about the fact that the President took $5 billion out of this and the fact that I said earlier: Yes, and that was the limit and that was all and he didn't want any more taken out of it. Someone said, but he has $4.5 billion in his budget to take out.

What happened, the President did put $4.5 billion in his budget to take out of the Prevention and Public Health Fund—which I hope comes as no surprise to anyone. Then, when the House and Senate earlier this year were engaged in negotiations on extending the unemployment compensation and also the payroll tax deduction, when we were engaged in that, they put that on the table. The President stuck with his $4.5 billion, the Congress added another $500 million, and they come up with a $5 million cut to the Prevention and Public Health Fund. The President said: That was in our budget. If you want to use it for that, use it for that but no more.

As I said, we have a statement of administration policy that says that if the elimination or any cuts to the Prevention and Public Health Fund are in here, he will veto the bill. I just wanted to make clear that the $5 billion and the $4.5 billion are one and the same. They are not $9.5 billion that he wanted to take out of the Prevention and Public Health Fund. I wanted to make that clear.

I see my friend from Florida is here, and I yield the floor.

The PRESIDING OFFICER (Mr. COONS). The Senator from Florida.

Mr. NELSON of Florida. I thank the chairman and the ranking member, the Senator from Wyoming, for all their hard work on bringing this important legislation to the floor.

Mr. President, I wanted to try to paint a personal face on some of the students whom I have met this past week on how it is going to impact them. But let me just set the table by saying we voted on this back in 2007 in order to give some relief to students, and we cut the loan interest from 6.8 to 3.4 for undergraduate Stafford loans.

The whole idea was, in this time of economic trial, that we would give some little break to students. Indeed, it is and has been a break. It is something on the average of $1,000 a year we were looking at a student saving in extra interest payments on these loans. When it comes right down to the personal stories, they are wrenching.

At the University of Florida, meeting with a group of students this past week, a young woman—I will not use her name because she just broke down in tears—pointed out how not only did she have Stafford loans but that her mom—who had gone through school as an adult raising a family—had gotten a degree in computer science and could not get a job, was going back to school because she had an LPN associate degree and wants a registered nurse degree where she can get a job. So the mom and the daughter both had a considerable number of loans. This young woman absolutely broke down as to what it was going to be in the way of financial burden.

Over at the University of South Florida in Tampa, student body president Matthew Diaz said: You are cutting down the dreams of an entire generation.

Another student at USF, Emmanuel Catalan, a political science major, said he is the first in his family to attend college. He questions, if we don't give this break on interest, whether his brother and other members in his family are going to be able to pursue higher education.

Another student, Austin Prince, a sophomore microbiology and Chinese major, wondered how in the world students are going to make it in this kind of economy if they are mired in debt. He said: It reduces consumer buying power if we are paying off loans for 20 years.

At the University of Florida, Madison Todd, a political science major, said she took out the maximum amount of loans available to attend the University of Florida, and her family has been scraping together everything they could in order that she could continue her education.

Why is this important? Can we remember back to World War II, when we defeated two enemies on either side of the globe and all those GIs came home, and for the first time we had a major part of American youth under the GI bill going into college. What did that do? America was at the pinnacle of her power and influence in the world. Then, with that generation of young people getting educated as they never had before, all of a sudden we had an expanding middle class as we went into the 1950s and the 1960s.

We will also remember that was a time of attention to high technology because we suddenly found ourselves behind the Soviets in the space race, with Sputnik and then Gagarin going up. All the more kids went into math and science and technology and look what that spawned in the generations to come because of education. A lot of that came directly out of the GI bill. Are we now to adopt policies that are going to reverse that trend?

We tried to take care of it in a diminishing economy, as we slipped into the recession back in 2007, by saying it is a matter of policy that we should lower interest rates for students who want to get their education. Here we are. What this boils down to is how are we going to pay for it? It costs $6 billion for 1 year.

The House of Representatives has taken a position and that has been discussed here. Their position is take it out of the health care bill. When we take it out of health care, we are taking it out of diabetes screening, heart disease screening, cancer screening for breast and cervical cancer. Do we want to do that? I don't think so.

Do we want to take it out of antitobacco programs to try to keep kids from getting hooked on tobacco? I don't think so.

Do we want to take it out of childhood immunizations, where the spending of $1 on childhood immunizations by the Federal Government saves the government $16 in the long run? That is a ratio of 1 to 16 because of children not getting the diseases they were immunized against. Do we want to take it out of that? I don't think so.

What have we come up with in the Senate? We came up with a narrow part of the tax-paying public, subchapter S corporation individuals who pay individual tax—not corporate tax—and only those in a joint return above $250,000 gross income. They would do what? They would pay the payroll tax, Medicare, and Social Security that they do not pay under the existing law because they are treated as if they were a corporation instead of a partner which, in effect, they are, save for the tax laws.

That is the choice. If this motion does not get 60 votes in order to break the filibuster or even if it does, we have to reconcile the pay-for for the $6 billion this student loan interest bill will cost. It is my hope that common sense, that bipartisanship, that nonideological rigidity would rule the day and that we would simply ask what is best for our people and for our country.

I yield the floor.

EXECUTIVE SESSION

NOMINATION OF JACQUELINE H. NGUYEN TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT

NOMINATION OF KRISTINE GERHARD BAKER TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF ARKANSAS

NOMINATION OF JOHN Z. LEE TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS

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 legislative clerk read the nominations of 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.

The PRESIDING OFFICER. Under the previous order, there will be 60 minutes of debate equally divided in the usual form.

The Senator from Vermont.

Mr. LEAHY. Mr. President, for the last 4 months, the Senate has been forced to slowly work its way through the backlog created by Republican objections at the end of last year to consensus nominees. Finally, with consideration today of the long-delayed nomination of Judge Nguyen to fill a longstanding judicial emergency vacancy on the overburdened Ninth Circuit, the Senate will have completed the confirmations that could and should have taken place last year.

Today, 5 months into the year, is the first time the Senate is considering judicial nominations reported by the Judiciary Committee this year. Confirmations of the nominations of Kristine Baker to fill a judicial emergency vacancy in the Eastern District of Arkansas and John Lee to fill a judicial emergency vacancy in the Northern District of Illinois have been delayed for nearly 3 months. These nominees have the support of their home state Senators and of a bipartisan majority of the Judiciary Committee. Yet these consensus nominees have been delayed for months for no good reason.

The nominations we consider today are but three of the 22 judicial nominees available for final Senate action. Most are by any measure consensus nominees who could and should be confirmed without further delay. That would go a long way toward getting us on track to make real progress in reducing judicial vacancies that have plagued the Federal courts around the country.

I want to share with the Senate and the American people a chart comparing vacancies during the first terms of President Bush and President Obama. This chart shows that the lack of real progress during the last 3⅓ 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 the administration and Senators from both sides of the aisle to confirm 100 judicial nominees of a conservative Republican President in 17 months. See how sharply the line slopes as we reduced vacancies in 2001 and 2002.

We continued when in the minority to work with Senate Republicans and confirm President Bush's consensus judicial nominations well into 2004, a presidential election year. At the end of that presidential term, the Senate had acted to confirm 205 circuit and district court nominees. The chart notes where we stood in May 2004, having reduced judicial vacancies under 50 on the way to 28 that August. By comparison, see how long vacancies have remained near or above 80 and how little comparative progress we have made during the 4 years of President Obama's first term. Again, if we could move forward to Senate votes on the 22 judicial nominees ready for final action, the Senate could reduce vacancies to less than 60 and make progress.

Today also marks the first Senate action this year to address the needs of the Ninth Circuit, by far the busiest Federal appeals court in the country. The Senate should have voted on the long-delayed nomination of Judge Jacqueline Nguyen of California to the Ninth Circuit over 5 months ago, after it was reported unanimously by the Judiciary Committee. Her nomination is one of three Ninth Circuit nominations currently pending and awaiting a Senate vote to fill judicial emergency vacancies plaguing that circuit. With nearly three times the number of cases pending as the next busiest circuit, we cannot afford to further delay Senate votes on the other two nominations to the Ninth Circuit, Paul Watford of California, reported favorably by the Committee over 3 months ago, or Andrew Hurwitz of Arizona, reported favorably over 2 months ago.

There is no good reason for Senate Republicans to further delay votes on these Ninth Circuit nominees. The 61 million people served by the Ninth Circuit are not served by this delay. The circuit is being forced to handle double the caseload of any other without its full complement of judges. The Senate should be expediting consideration not only of Judge Jacqueline Nguyen, but also of Paul Watford and Justice Andrew Hurwitz, not delaying them.

The Chief Judge of the Ninth Circuit, Judge Alex Kozinski, a Reagan appointee, along with the members of the Judicial Council of the Ninth Circuit, wrote to the Senate months ago emphasizing the Ninth Circuit's ''desperate need for judges,'' urging the Senate to ''act on judicial nominees without delay,'' and concluding ''we fear that the public will suffer unless our vacancies are filled very promptly.'' The judicial emergency vacancies on the Ninth Circuit are harming litigants by creating unnecessary and costly delays. The Administrative Office of U.S. Courts reports that it takes nearly 5 months longer for the Ninth Circuit to issue an opinion after an appeal is filed, compared to all other circuits. The Ninth Circuit's backlog of pending cases far exceeds other Federal courts. As of the end of 2011, the Ninth Circuit had 13,913 cases pending before it, far more than any other circuit.

If caseloads were really a concern of Republican Senators, as they contended last year when they filibustered the nomination of Caitlin Halligan to the D.C. Circuit, they would not be delaying the nominations to fill judicial emergency vacancies in the Ninth Circuit. If caseloads were really a concern, Senate Republicans would consent to move forward with votes on Paul Watford and Justice Hurwitz and allow for up or down votes by the Senate without these months of unnecessary delays.

Given that all three are superbly qualified mainstream nominees with bipartisan support, the long delays that have plagued these nominations are hard to understand. Judge Nguyen, whose family fled to the United States in 1975 after the fall of South Vietnam, was confirmed unanimously to the district court in 2009 and the Senate Judiciary Committee unanimously supported her nomination to the Ninth Circuit last year. When confirmed, she will be the first Asian Pacific American woman to serve on a U.S. Court of Appeals in our history. She is the kind of nominee who should have been confirming in 5 days, not 5 months.

We still await Republican agreement to vote on the other two nominees, neither of whom would have been considered controversial by past Congresses. Paul Watford was rated unanimously well qualified by the ABA's Standing Committee on the Federal Judiciary, the highest rating possible. He clerked at the United States Supreme Court for Justice Ruth Bader Ginsburg and on the Ninth Circuit for now-Chief Judge Alex Kozinski. He was a Federal prosecutor in Los Angeles. He has the support of his home State Senators and bipartisan support from noted conservatives such as Daniel Collins, who served as Associate Deputy Attorney General in the Bush administration; Professors Eugene Volokh and Orin Kerr; and Jeremy Rosen, the former president of the Los Angeles chapter of the Federalist Society.

Justice Hurwitz is a respected and experience jurist on the Arizona Supreme Court. He also received the ABA's Standing Committee on the Federal Judiciary's highest rating possible, unanimously well qualified. This

nomination has the strong support of both his Republican home State Senators, Senator JOHN MCCAIN and Senator JON KYL.

We have much more work to do to help resolve the judicial vacancy crisis that has persisted for more than 3 years. Today the Senate finally votes on 3 of the 22 judicial nominations that have been reported by the Judiciary Committee after a thorough review. Despite vacancies in nearly 1 out of every 10 Federal judgeships, Senate Republicans continue to delay votes and are stalling action on nearly 20 current judicial nominations on which the Senate could be taking final action. If confirmed those judges would serve 150 million Americans.

When the majority leader and the Republican leader came to their interim understanding in March, it resulted in votes on 14 of the 22 judicial nominations then awaiting final consideration. Because the arrangement took months to implement what the Senate could have done in hours, the backlog of judicial vacancies and judicial nominees continues. Today we are right back where we started with 22 judicial nominees awaiting action. I know that the majority leader is working to continue seeking Republican agreement to debate and vote on the remaining judicial nominees. It should not require overcoming filibusters and political standoffs for the Senate to do its job of promptly considering judicial nominations, especially when so many of them have bipartisan support and are consensus nominees.

The backlog of nominations ready for final action is not necessary or typical. It is an artificial backlog created by the refusal of Senate Republicans to consider judicial nominees at the end of each of the last 2 years and their insistence of delays of months before confirmation of consensus nominees. These practices have meant that the Senate's confirmations have barely kept up with attrition on the Federal bench. When Republicans refused to consent to consider 19 judicial nominations at the end of 2010, it took us until June of last year to work through those nominations. When they did so again at the end of last year, it took us until today, a week into May, to catch up with last year's nominations. That is not how to reduce judicial vacancies.

The Senate needs to continue working and continue consideration of judicial nominees recommended by the Judiciary Committee if we are to make real progress in reducing the burden of judicial vacancies. That is what we did in the most recent presidential election years of 2004 and 2008 and what we should be doing this year. Before we hear any more talk of slowing down or shutting off judicial confirmations, we have a long way to go. We need to work to reduce the vacancies that are burdening the Federal judiciary and the millions of Americans who rely on our Federal courts to seek justice.

At this same point in the Bush administration, we had reduced judicial vacancies around the country to under 50. Today they stand at nearly 80. And by August 2004, we reduced judicial vacancies to just 28 vacancies. Despite 2004 being a presidential 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 2008, another presidential election year, we again worked to reduce judicial vacancies and by October we were able to reduce judicial vacancies 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 during President Bush's first term 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 30 behind the number of circuit and district court confirmations at this point in President Bush's fourth year in office. We are 63 confirmations from the total of 205 that we reached by the end of President Bush's fourth year.

Today's consensus nominees are examples of those who have been unnecessarily stalled for months.

Kristine Baker, nominated to fill a judicial emergency vacancy on the Eastern District of Arkansas, has spent nearly 15 years in private practice after graduating with honors from the University of Arkansas School of Law and clerking for Judge Susan Weber Wright on the court to which she has been nominated. Ms. Baker's nomination has the bipartisan support of her home State Senators. Her nomination was favorably reported by the Judiciary Committee with the support of nearly every Senator on February 16.

John Lee, nominated to fill one of three judicial emergency vacancies on the Northern District of Illinois, has worked in private practice for almost 20 years. His personal story is remarkable. Born to a coal miner and a nurse of Korean descent, Mr. Lee immigrated to the United States when he was 5 years old and went on to graduate from Harvard College and Harvard Law School. If confirmed, he will become the second Korean-American to serve as a Federal district court judge, and the second Asian-American to serve as a Federal judge in the courts encompassed by the Seventh Circuit. Mr. Lee's nomination has the bipartisan support of his home State Senators. They both also support the confirmation of John Tharp, a former nominee of President George W. Bush, to another judicial emergency vacancy in that district. With Republican consent we could also be voting on the Tharp nomination. Both Illinois nominations were favorably reported by the Judiciary Committee with only one Senator dissenting on February 16.

Today's votes must be a starting point for considering this year's judicial nominations if we want to bring down judicial vacancies and hope to match the progress we were able to make in 2004 and 2008, both Presidential election years in which we considered the nominations of a Republican President and continued to reduce judicial vacancies. I hope that Senate Republicans will stop blocking prompt confirmation of consensus nominees. That is a destructive development and new practice that has contributed to keeping the Senate behind the curve, keeping Federal judicial vacancies unfilled, overburdening the Federal courts, and keeping Americans from securing prompt justice. The American people deserve better.

I suggest the absence of a quorum and ask unanimous consent the time be divided equally.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. BOOZMAN. Mr. President, I rise today in support of Kristine Baker's nomination as United States District Judge for the Eastern District of Arkansas. Kris Baker is a great lawyer recognized by her peers as well as legal organizations for her dedication to litigation on a wide range of issues, from deceptive trade practices to first amendment matters.

I had the opportunity to introduce her during her confirmation hearing before the Senate Judiciary Committee. After reviewing her record and meeting with her personally, as well as meeting with those who know her, looking at her reputation, looking at her abilities, I am confident that Kris's experience makes her qualified to be the next eastern district judge of Arkansas.

Kris moved to Arkansas in 1994 to pursue a JD from the University of Arkansas School of Law. During law school, she established herself as a hard worker committed to success. She graduated with high honors, was articles editor for the Arkansas Law Review, a member of the board of advocates, and a member of the University of Arkansas first amendment national moot court team.

Kris began her legal career after graduation as a law clerk for Judge Susan Wright, then chief judge for the Eastern District of Arkansas. In 2000 she joined her current law firm, Quattlebaum, Grooms, Tull, and Burrow, and became a partner 2 years later.

Kris has earned the respect of the legal community across Arkansas, and I believe her litigation experience has given her the knowledge, the skills, and the temperament needed to successfully serve on the Federal bench.

I am honored to recommend that the Senate confirm Kristine Baker to serve the people of America as a judge for the Eastern District of Arkansas.

I note the absence of a quorum and yield the floor.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. GRASSLEY. Mr. President, is it appropriate in the Senate schedule to start debate on the judges?

The PRESIDING OFFICER. The judges are pending.

Mr. GRASSLEY. Mr. President, today the Senate is expected to confirm three additional judicial nominees. With the confirmation of Judge Nguyen to the ninth circuit, Ms. Baker to the Eastern District of Arkansas, and Mr. Lee to the Northern District of Illinois, we will have confirmed 83 judicial nominees during this Congress.

It is somewhat ironic that today, according to press accounts, the White House is holding a forum and strategy session with administration officials and 150 supporters from across the country concerned about the judicial vacancy rate. I wonder if at this strategy session the White House took a look in the mirror when addressing the vacancy rate. Only the President can make nominations to the Senate. While we have a responsibility to advise and consent on those nominations, Senators cannot fill vacancies unless people are nominated for those positions. I would note the President has failed to do this in 47 of the 76 remaining vacancies, including 21 of 35 seats designated as judicial emergencies. That is more than 60 percent of the current vacancies with no nominee.

The White House and the Senate majority are fond of their claim that millions of Americans are living in districts with vacancies. Of course, what the other side fails to tell you is that 88 million Americans live in judicial districts where vacancies exist because the President has failed to nominate judges. Most of those seats have been vacant for more than a whole year. Once again, if the White House is serious about judicial vacancies, it holds the key to nominating and filling those vacancies. It has failed in too many instances to use that key.

Furthermore, according to the press accounts, in its invitation, the White House accused Republicans of subjecting consensus nominees to ''unprecedented delays and filibusters.'' This is a statement without factual basis, and it ignores the record of judicial nominations.

I would note that after today's confirmation, there are 12 nominees on the Executive Calendar that might fall into the category of consensus nominees. Seven nominees on the calendar had significant opposition in the committee and clearly are not consensus nominees. The substantial majority of those 12 nominees were reported out of committee less than 10 legislative days ago. Not only is there no filibuster against any of the consensus nominees, but I am not sure how there can be accusation of delay and particularly partisan delay.

Let me remind my colleagues on the other side of the aisle of the obstructionism, delay, and filibusters which they perfected. The history of President Bush's nominees to the Ninth Circuit provides some examples. President Bush nominated nine individuals to the Ninth Circuit. Three of those nominations were filibustered. Two of those filibusters were successful. The nominations of Carolyn Kuhl and William Gerry Myers languished for years before being returned to the President. A fourth nominee, Randy Smith, waited over 14 months before finally being confirmed after his nomination was blocked and returned to the President. After being renominated, he was finally confirmed unanimously.

President Obama, on the other hand, has nominated six individuals to the Ninth Circuit. Only one of those nominees was subject to a cloture vote. After the vote failed, the nominee withdrew. Today we confirm the third nomination of this President to the Ninth Circuit. Those three confirmations took an average of about 8 months from the date of nomination. For all of President Obama's circuit nominees, the average time from nomination to confirmation is about 242 days. For President Bush's circuit nominees, the average wait for confirmation was 350 days. One might ask why President Bush was treated so differently, with so much more delay than this President has been treated or his nominees have been treated.

Another example of past Democratic obstruction and delay is in Arkansas. Today we confirm President Obama's nominee to the Eastern District of Arkansas within about 6 months of her nomination. I would note that President Bush's nominee, Jay Leon Holmes, sat on the Executive Calendar for more than 14 months awaiting confirmation. From nomination, his confirmation took over 17 months. Again, why were President Bush's nominees treated worse than this President's nominees?

I can only conclude that the White House has selective memory or different definitions when it accuses Republicans of unprecedented delay and obstructionism. I am disappointed that the President continues to blame Republicans for vacancies that have no nominee and chooses to follow the political strategy of blaming rather than working with the Senate to nominate consensus nominees. In other words, why isn't the President, instead of having a conference on why there are judicial vacancies, taking the same amount of time to get the names up here so we can work on them?

Mr. President, Jacqueline Nguyen, presently serving as a U.S. district judge, is nominated to be a U.S. circuit judge for the Ninth Circuit. Judge Nguyen received her A.B. from Occidental College in 1987 and her J.D. from the University of California, Los Angeles School of Law, in 1991. She began her legal career as an associate in the Litigation Department at the Los Angeles law firm of Musick, Peeler & Garrett where she handled litigation matters involving commercial disputes, intellectual property, and construction defects. From 1995 until 2002, Judge Nguyen was an Assistant U.S. Attorney in the U.S. Attorney's Office for the Central District of California. There, she handled the investigation and prosecution of human trafficking, immigration fraud, mail and tax fraud, and money laundering cases. In 2000, Judge Nguyen became deputy chief of the General Crimes Section. In that position, she handled the training and supervision of all new Assistant U.S. Attorneys and various types of criminal cases involving violent crimes, drug trafficking, firearms violations, and fraud.

In 2002, Governor Gray Davis appointed Judge Nguyen to the Superior Court for the County of Los Angeles. In 2009, she was nominated by President Obama to be U.S. district judge for the Central District of California. The Senate approved her nomination on December 1, 2009 by a vote of 97 0. In her capacity as a judge, she has presided over thousands of cases.

The ABA Standing Committee on the Federal judiciary unanimously rated her as ''qualified'' for this position.

Kristine Gerhard Baker is nominated to be U.S. district judge for the Eastern District of Arkansas. Ms. Baker received her B.A. from St. Louis University in 1993 and her J.D. from University of Arkansas School of Law in 1996. She served as a law clerk for the Honorable Susan Webber Wright, then the chief judge of the United States District Court for the Eastern District of Arkansas. In 1998 she became an associate in the law firm Williams & Anderson, LLP, where she handled commercial litigation cases involving breach of contract and fraud. In 2000, Ms. Baker joined the law firm Quattlebaum, Grooms, Tull & Burrow, PLLC. Her focus at the firm has been devoted to complex commercial litigation cases, including cases involving employment discrimination, securities violations, unfair competition, sic products liability, Fair Housing Act claims, and Freedom of Information Act claims. She has handled in administrative proceedings and in Federal and State court claims for discrimination, harassment, and wrongful termination as well as claims arising under

the Family and Medical Leave Act, the Americans with Disabilities Act, and the Employee Retirement Income Security Act. The ABA Standing Committee on the Federal Judiciary gave her a substantial majority rating of ''well qualified'' and a minority ''qualified.''

John Z. Lee is nominated to be U.S. district judge for the Northern District of Illinois. Mr. Lee received his A.B. from Harvard College in 1989 and his J.D. from Harvard Law School in 1992. He began his legal career as a trial attorney for the United States Department of Justice, Environment & Natural Resources Division. There he represented the United States in Federal courts on issues primarily involving environmental statutes. He also served as special assistant to the counsel to former Attorney General Janet Reno.

In 1994, he left the public sector to take a job as an associate at Mayer Brown. In 1996, he joined a new firm, Grippo & Elden, as an associate. In 1999, he moved to his current firm, Freeborn & Peters. There he made income partner in 2001 and equity partner in 2004. In private practice, Mr. Lee has focused almost entirely on litigation, expanding his expertise to complex commercial disputes, including cases involving antitrust, intellectual property, employment, and business tort issues. Most of these cases were in Federal courts, particularly the Seventh and Ninth Circuits. He also represented clients in criminal investigations of antitrust and financial regulations violations. In private practice, he represents public and private companies, individual businesspersons and low-income clients pro bono. He has an ABA rating of substantial majority ''qualified,'' minority ''not qualified.''

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I rise today to speak in support of the nominations of John Lee and Jay Tharp to serve on the District Court for the Northern District of Illinois.

I have listened carefully to the statement made by the ranking Republican on the Senate Judiciary Committee. I would note several things.

First, at this point in President George W. Bush's first term, the Democratic Senate had approved 30 more judges than have been approved under the current situation with this divided Senate. Second, it would take 60 judicial nominations to be filled by the end of the year for President Obama to have received the same treatment as President George W. Bush in his first term—60. We could get a lot of that done today. Right here are 22 nominations for the judiciary that have cleared the committee. If the Senator from Iowa would like to come to the floor and join me, we could make a joint unanimous consent request to bring up all 22 immediately—every one of them—all of whom have cleared the committee. Those Senators who want to vote against those nominations may do so. They can vote no. But, unfortunately, as we can see from this calendar, the names of the nominees languished on this calendar for months—literally for months—and many times passed with a voice vote or a unanimous vote. It really does not speak well of this process that we have reached this point, this slowdown.

What many Republicans are waiting for is the so-called Thurmond rule. It is not a rule written in a book; it refers to Senator Strom Thurmond of South Carolina, who kind of announced at one point in his career: We are going to stop considering judges as of a certain point in an election year. I have been in the Senate a few years and have heard so many different explanations about what the Thurmond rule really means, although I am not sure anyone really knows. All we know is that in a political campaign year, politics rule, and in this situation many Republicans are holding up perfectly fine nominees approved by Democrats and Republicans in committee for no other reason but the hope that they can win back the White House in November and fill the nominees with their favorites. I don't think that is fair to the nominees who have gone through the process, many of whom have been cleared by a bipartisan vote and should be confirmed in a timely fashion.

Let me speak to a particular issue that is addressed by the nominee before us. There are two nominees from Illinois to fill vacancies: John Lee and Jay Tharp. The chief judge of the Northern District, Judge Jim Holderman, sent a letter to me and Senator KIRK in February calling for Mr. Lee and Mr. Tharp to be confirmed without delay because of the heavy caseload in this court. Senator KIRK and I decided to work together on a bipartisan basis, and we did. We had a process on which we both agreed. He picked a bipartisan group to come up with his nominee and I did the same on my side. But the understanding was that at the end of the day, neither of our nominees would move forward without the approval of the other Senator. So, in fact, they were bipartisan choices, both of them. John Lee is my choice. Jay Tharp is Senator KIRK's choice. We both support one another's choice. We believe both of these nominees have the experience, qualifications, temperament, and integrity necessary to serve in the Federal judiciary.

Mr. Lee and Mr. Tharp were both nominated on November 10, 2011—6 months ago. They appeared together in a hearing before the Judiciary Committee in January. They were both reported out of committee in February on a bipartisan voice vote.

There was an agreement reached between Senator MCCONNELL and Senator HARRY REID, the majority leader, about the nominees we brought forward for a vote. I was surprised when it was announced in March that the Lee and Tharp nominations, which had been together all through the process, were separated. The deal or arrangement called for John Lee to be scheduled for a confirmation vote by May 7, but at the insistence of the Republican leader, Senator MCCONNELL, the deal did not include all of the nominees on the Senate calendar and it did not schedule a vote for Mr. Jay Tharp, Senator KIRK's nominee. I believe they should be confirmed together, just as they were nominated together and went through the committee together.

As soon as I heard about this so-called arrangement, I went first to Senator KYL and then to Senator MCCONNELL and said: Don't do this. Don't hold up Senator KIRK's nominee. He is in the hospital—now he is home, thank goodness—recovering from a stroke. We did this together. We are working together. Don't separate these two fine men. There is no reason to do it.

But I understand that this was the arrangement and they didn't want to change it—even to help Senator KIRK under these circumstances. They wanted to do only two nominees a week over a 7-week period of time, and the cutoff—the line they drew—was, unfortunately, between Mr. Lee and Mr. Tharp.

Well, I was going to propound a unanimous consent request today to include Mr. Tharp along with Mr. Lee on the vote we are about to take. There is only one reason I am not. We have received an ironclad assurance from the Senate Republican floor staff that Mr. Tharp is going to be called on a timely basis during this work period. I am going to hold them to it. I don't want to embarrass anyone, but it bothers me that the nominee of Senator KIRK is being held up by the Republican side of the aisle when it should be voted on today. There is no reason why it should not be voted on today. We should vote for both of them. But because a word has been given to me by a staff member whom I respect very much, I won't make this unanimous consent request. However, let me say this: If something happens—I don't know what it might be, and I hope it doesn't—I am prepared to come to the floor and propound that unanimous consent request not only on behalf of Senator KIRK but on behalf of my State and on behalf of my own interests in making sure that our Federal judiciary has a complement of qualified people.

Let me say a few words about each nominee—extraordinarily good nominees.

John Lee has been nominated to fill the judicial vacancy held by Judge David Coar. Mr. Lee is currently a partner at the law firm of Freeborn & Peters in Chicago, where he practices primarily in commercial litigation.

He is the son of a coal miner and a nurse. He immigrated to this country, to Chicago, at a very young age. From humble beginnings, he attended Harvard College, where he graduated magna cum laude and then earned his

law degree cum laude from Harvard Law School.

After law school, Mr. Lee worked as a trial attorney in the Department of Justice Environment and Natural Resources Division. After his tenure at the Justice Department, he worked in private practice and eventually joined the firm at which he currently works. His law practice has focused on antitrust, intellectual property, environmental, and other complex commercial litigation matters. He has received numerous awards and recognitions, including being named a ''Leading Lawyer'' from 2008 through 2011 by the Leading Lawyers Network.

Mr. Lee has an outstanding record of community service, including his work as president of the board of directors of Asian Human Services of Chicago, his service on the board of directors of the CARPLS legal hotline for low-income Cook County residents, and his service on the board of the Asian American Bar Association of Greater Chicago.

This is a historic nomination for John Lee. Upon confirmation, he will be the first Korean American ever to serve as a Federal article III judge in Illinois and only the second to serve in that capacity in our entire Nation's history.

Let me say a word about Jay Tharp. Again, I am disappointed that I couldn't persuade the Republican leadership to include him today, but I have their assurance that he will be called during this work period.

Jay Tharp has been nominated to fill the Chicago district court judgeship that opened as a result of the senior status of Judge Blanche Manning. Mr. Tharp is currently a partner in the Chicago office of Mayer Brown, where he is the coleader of the firm's securities litigation and enforcement practice.

He was born into a military family as the son of a lieutenant colonel in the Marine Corps. He attended Duke University on an ROTC scholarship, received his undergraduate degree summa cum laude, and was commissioned as a second lieutenant in the Marine Corps. Jay Tharp served in Active Duty in the Marines for 6 years, achieving the rank of captain and earning the Navy Achievement Medal and the Navy Distinguished Midshipman Award.

After his military service, Mr. Tharp attended Northwestern University Law School, graduating magna cum laude, and served on the Northwestern University Law Review.

Upon graduation, he served as a judicial clerk for Judge Joel Flaum on the Seventh Circuit Court of Appeals and then worked as an assistant U.S. attorney for 6 years in Chicago.

After his tenure as a Federal prosecutor, he joined Mayer Brown, where his practice specializes in complex commercial litigation and criminal investigations. He has received numerous recognitions.

Mr. Tharp has served as an adjunct professor of trial advocacy at Northwestern University Law School, and he also serves as a member of the Law Fund Board at Northwestern, which oversees fundraising efforts by law school alumni.

These are two extraordinarily good nominees who went through the bipartisan process together, were approved by Senator KIRK and approved by me, went through their investigative period in the White House together, came to the committee together, were reported out together, came to the calendar together but were separated out. That is unfair.

I hope by the end of this work period Mr. Tharp will join John Lee on the Federal bench. They are two exceptionally good nominees. On behalf of Senator KIRK, I will do everything to make sure this happens in the days ahead.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. PRYOR. Mr. President, I rise today to speak on behalf of a friend of mine who is going to be voted on by the Senate shortly to be a U.S. district court judge for the Eastern District of Arkansas. But before I do, I need to offer a few comments on what the Senator from Iowa and the Senator from Illinois said a few moments ago that I agree with.

It is taking too long to get these nominees to this point in the process. There are too many games that are being played. From my stand, both sides are at fault. I would hope my colleagues would stop playing games and stop even the blame game, but let's get to work and let's help clear up the backlog in the Federal judiciary.

Right now, it is underresourced. We do have a judicial emergency in this particular district I am about to talk about. As they say, justice delayed is justice denied. We need these judges on the bench, and I would hope the partisanship would stop.

In Arkansas we are very fortunate to have very strong Federal judges. We have a history of that. Part of the reason we do is because our judges are, for the most part, nonpolitical. Sure, they come from various backgrounds, but there is a consensus on these judges that they are going to be good judges, and that is the tradition we have in our State.

We have a total of eight district court judges in our State, and Kris Baker fits perfectly in that line. She has a true record of distinguished service in the legal community. She is well known and well respected, and she will be a great U.S. district court judge for the Eastern District of Arkansas.

The court right now, nationwide, is about 20 percent understaffed. That is why it is great to have someone who has an ABA ''well-qualified'' recommendation to go along with her nomination.

She came out of the Judiciary Committee on a very large bipartisan vote. The reason is she has been with a midsized law firm in Little Rock since 2000, she regularly has accepted prisoner and other appointment cases from the Federal courts, she has played a leadership role not just in the legal community but in other organizations in the larger community, and she is going to be a fantastic addition to the Federal bench, not just for Arkansas but nationwide.

Whenever I look at these nominees, I ask myself three questions: First, can they be fair and impartial? I think for Kris, absolutely the answer is yes.

Second, do they bring to the bench credentials that represent the best and the brightest in the legal community? In her case, the answer is yes.

Third—this is especially important for trial court judges—do they have the proper judicial temperament? For Kris Baker, the answer to all three of these questions is a resounding yes.

So I would ask my colleagues to give her a favorable voice vote, as I understand it, in a few moments. But that tells us how noncontroversial she is and what a great credit she has been to the legal community and how excited we are to have her as a member of the Federal judiciary.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I rise to speak in strong support of Judge Jacqueline Nguyen's nomination. She was unanimously approved by the Judiciary Committee. She is an outstanding jurist with a 10-year track record of success as a trial judge in my State.

I recommended Judge Nguyen to President Obama to the district court in 2009 after my bipartisan judicial selection committee gave her its highest recommendation. The Senate confirmed her then unanimously 97 to 0 in 2009. I have no doubt she will be an outstanding circuit court judge, and I hope my colleagues will support her nomination.

Judge Nguyen earned her bachelor's degree from Occidental College and her law degree from the UCLA School of Law.

After law school, she practiced commercial law for 4 years with the law firm of Musick, Peeler & Garrett. She then moved into public service, becoming an assistant U.S. attorney in Los Angeles. During her 7 years there, she prosecuted a broad array of crimes, including violent crimes, narcotics trafficking, organized crime, gun cases, and all kinds of fraud.

In 2000 she received a special commendation from FBI Director Louis Freeh for obtaining the first conviction ever in the United States against a defendant for providing material support to a designated terrorist organization.

The Justice Department recognized her with numerous other awards and commendations for superior performance, and she was promoted to Deputy Chief of the General Crimes Section.

In 2002 Governor Gray Davis appointed Judge Nguyen to the Los Angeles superior court, where she established a track record of success as a distinguished jurist.

In 2009 President Obama nominated her to the district court on my recommendation, and she was confirmed unanimously.

Over nearly 10 years, as a State and Federal judge, Judge Nguyen has presided over thousands of cases, including 75 jury trials and 12 bench trials. She prizes fairness and integrity, and treats all parties fairly and with respect.

Those who know Judge Nguyen—including two former U.S. attorneys appointed by President George W. Bush—have praised Judge Nguyen for her first-rate legal mind and judicial temperament.

Debra Yang, who led the U.S. Attorney's Office from 2002 to 2006, after being appointed by President George W. Bush, submitted a letter to the Judiciary Committee in support of Judge Nguyen's nomination.

Yang says that she ''would make an excellent Federal . . . court judge.'' She also reports that her ''reputation among . . . colleagues is tremendous.''

Thomas O'Brien, who was appointed U.S. attorney by President Bush in 2007, has also submitted a letter endorsing Judge Nguyen's nomination. O'Brien says Judge Nguyen ''handled complex and controversial cases with technical finesse and grace'' and that Judge Nguyen is a ''highly qualified nominee who is intelligent, skilled, and exercises sound judgment.''

But she also has an inspiring life story. She was born in South Vietnam in the midst of the Vietnam war. She came to America at the age of 10. Her family lived in a tent in a San Diego refugee camp for 3 months before moving to Los Angeles, where her parents worked two or three jobs at a time.

Judge Nguyen and her five siblings helped their parents after school and on weekends. They helped to clean dental offices and to peel and cut apples. They helped run a small doughnut shop, which their parents scrimped and saved to open.

Judge Nguyen worked her way up—through school, as a lawyer and prosecutor, and as a trial judge. If she is confirmed today, she will be the first Asian-American female Federal appeals court judge, and I am proud to express my very strong support for her nomination.

I would like to conclude by expressing my view that it is absolutely critical that cooperation on judicial nominations continue.

Nearly 10 percent of judicial positions are currently vacant, Mr. President, as you well know—twice as many as when President Bush left office. This high vacancy rate is today being felt more than anywhere else by States in the Ninth Circuit. California and Arizona are home to some of the busiest Federal trial courts in the Nation. This means businesses, individuals, and prosecutors already are struggling with severely overburdened Federal courts.

The Ninth Circuit is also the busiest Federal appellate court in the country. It has over 1,400 appeals pending per three-judge panel—the most of any circuit by a wide margin, and over twice the average of the other circuits.

The Judicial Conference of the United States has declared each Ninth Circuit vacancy a judicial emergency.

Judge Nguyen's confirmation today will help ease the burden, but it will not do enough. Paul Watford is another outstanding Ninth Circuit nominee from California. He was approved by the Judiciary Committee 3 months ago. Based on the calendar, he should be the next circuit court nominee to receive a confirmation vote in this body.

He has sterling qualifications. He has worked as a Federal prosecutor and an appellate attorney at a prestigious law firm. He clerked for Chief Judge Alex Kozinski and for Justice Ruth Bader Ginsburg. He is a moderate nominee, well schooled in the law. He has support on both sides of the aisle, including from two former presidents of the Los Angeles chapter of the Federalist Society.

So I hope the Senate will consider Mr. Watford's nomination very soon. It is a judicial emergency.

So, once again, I thank the leaders on both sides for agreeing to bring Judge Nguyen's nomination to the floor. I urge my colleagues to support this nomination. I hope we will continue to confirm highly qualified nominees to our Federal courts, which is especially important to the Ninth Circuit.

Mrs. BOXER. Mr. President, I wish to express my strong support for California District Court Judge Jacqueline Nguyen, who has been nominated for a seat on the Ninth Circuit Court of Appeals. When confirmed, Judge Nguyen will make history as the first Asian-American woman to serve on the Federal courts of appeals.

Judge Nguyen has had a distinguished career. She is a former Federal prosecutor who secured the first-ever conviction of a defendant for providing material support to a designated foreign terrorist group. She served as a California Superior Court judge from 2002 until 2009, when she was nominated for a seat on the U.S. District Court for the Central District of California. She was confirmed by a vote of 97 to 0.

I congratulate Judge Nguyen and her family on this important and historic day and urge my colleagues to vote to confirm this well-qualified nominee to the Ninth Circuit.

I thank the Chair and yield the floor.

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

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

Mr. CONRAD. Mr. President, I ask for the yeas and nays on the first nomination.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Jacqueline H. Nguyen, of California, to be United States Circuit Judge for the Ninth Circuit?

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. INOUYE) is necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from South Carolina (Mr. DEMINT), the Senator from South Carolina (Mr. GRAHAM), the Senator from Illinois (Mr. KIRK), the Senator from Indiana (Mr. LUGAR), and the Senator from Alaska (MS. MURKOWSKI).

Further, if present and voting, the Senator from South Carolina (Mr. DEMINT) would have voted ''nay.''

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

The result was announced—yeas 91, nays 3, as follows:

[Rollcall Vote No. 88 Ex.]

YEAS—91

Akaka	Feinstein	Moran
Alexander	Franken	Murray
Ayotte	Gillibrand	Nelson (NE)
Barrasso	Grassley	Nelson (FL)
Baucus	Hagan	Paul
Begich	Harkin	Portman
Bennet	Hatch	Pryor
Bingaman	Heller	Reed
Blumenthal	Hoeven	Reid
Blunt	Hutchison	Risch
Boozman	Inhofe	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	Udall (CO)
Collins	Lieberman	Udall (NM)
Conrad	Manchin	Warner
Coons	McCain	Webb
Corker	McCaskill	Whitehouse
Cornyn	McConnell	Wicker
Crapo	Menendez	Wyden
Durbin	Merkley	
Enzi	Mikulski	

NAYS—3

Lee	Toomey	Vitter

NOT VOTING—6

DeMint	Inouye	Lugar
Graham	Kirk	Murkowski

The nomination was confirmed.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Kristine Gerhard Baker, of Arkansas, to be United States District Judge for the Eastern District of Arkansas.

The nomination was confirmed.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of John Z. Lee, of Illinois, to be United States District Judge for the Northern District of Illinois.

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid on the table. The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. BROWN of Ohio. I ask unanimous consent to speak as in morning business for up to 10 minutes.

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

VOTING RIGHTS

Mr. BROWN of Ohio. Madam President, earlier today, Senator DURBIN and the Senate Judiciary Subcommittee on the Constitution, Civil Rights and Human Rights held a hearing in Cleveland to examine efforts that could hinder the ability of Ohioans to exercise one of their fundamental constitutional rights, the right to vote. These efforts, in the guise of preventing fraud, are part of a cynical effort to impede access to the ballot. Specifically, H.B. 194 in Ohio repeals a number of commonsense measures that assist people with voting.

For 8 years I served as secretary of state of Ohio, charged with administering elections, so I understand what goes into ensuring the fundamental right to vote. Inherent in that responsibility is ensuring that voting is accessible, free of intimidation and roadblocks.

As a State, over a period of decades, Ohio legislators undertook a bipartisan—and I underscore that word ''bipartisan''—effort to help Ohioans get access to the polls. When I was secretary of state, we had significant input and assistance from Republicans as we made voting laws work for huge numbers of people. We understood Ohioans had many priorities pulling them in many directions so we ought to make registration accessible. People could register using utility bills. The electric company included registration forms in utility bills. McDonald's, at my request, printed 1 million tray liners so people could actually fill them out to register to vote. At the Bureau of Motor Vehicles, people could register to vote. This was bipartisan. The legislature, when acting, would expand this right to vote, make sure this right to vote was protected. It was generally bipartisan.

Today, rather than protecting the right to vote, we are seeing brazen attempts to undermine it. We are told this bill and laws similar to it will reduce costs and reduce the risk of voter fraud. The overwhelming evidence, however, indicates that voter fraud is virtually nonexistent and these new laws will make it harder and more costly for hundreds of thousands of Ohioans to exercise the right to vote and more costly for the election system, meaning taxpayer—county boards of elections and all that.

Voters are simply not going to awaken one morning in Cleveland and vote and then drive to Elyria and then vote and then drive to Norwalk and then vote, then drive to Adena and then vote and then drive to Mansfield and then vote. People are not going to defraud the system that way. Why? No. 1, they are going to get caught, probably; and second, they are going to go to jail—all to take the risk of giving Barack Obama or Mitt Romney five more votes in a State of 11 million people. That is not going to happen.

Yet the people who are attacking our voting rights are claiming individuals are going to do things such as that to defraud—college students voting in college and then voting back in their hometown. People are not going to do that because the disincentives are too strong, the penalties are too harsh. There is simply no reason, so one can vote one extra time, that someone would possibly do that.

Let me tell a little bit about this new law. The new law—and what is disappointing to me—this new law repeals what was a bipartisan effort in 2006. In 2006, in response to some election problems of 2004 in the Presidential race, where people stood in long lines to vote, and there were other problems—in 2006, the Republican House and the Republican Senate in Columbus and the Republican Governor—with support from Democrats, so it was clearly bipartisan—passed voter reforms to set up early voting, to set up 1 week where voting and voter registration and early voting overlapped so people could actually register and vote during that week in early October. We did other things that made registration and voting more accessible.

But in spite of that, in spite of the consensus in Ohio about voting, now there is an effort to undercut that consensus. First, the law significantly reduces the early voting window. It takes away Saturday, Sunday, and Monday voting before the election, when over 100,000 people voted in Ohio that year, in 2008. This reduction in early voting was made despite the fact that evidence overwhelmingly indicates that limiting early voting will actually cost the taxpayers, boards of elections, money. Make no mistake, cutting Sunday voting was intended to suppress voting.

On the Sunday before election, Ohioans, who work long hours during the week, often go to the polls after church, fulfilling their civic and spiritual obligations on the same day. By ending early voting, the lines outside polling stations on election day will only get longer. The costs will only increase. This increases frustration and limits voting.

Another burden posed by H.R. 194 is that it bars poll workers from performing one of their most basic functions, helping voters find their right precinct. This law no longer requires that poll workers assist a confused, elderly, disabled or young voter in getting to their correct precinct. Here is how it works. We have tried to save money. As more people voted earlier, relieving some of the pressure on election day, the boards of elections have combined voting precincts. Instead, we will have fewer precincts in the same county and have to hire fewer poll workers. What that also means is sometimes they combine these precincts in these voting stations into one building so people might walk into a polling station and go to the wrong table. Under the law now, the poll worker is not required to help that person and say: No, you can't vote here, but you can vote across in the room next door, at this church or at this school. Someone today might walk in and the poll worker will simply say you are not eligible to vote in this precinct and they will walk home and not vote. This law discourages in many ways. Because these poll workers are people who live in the neighborhoods it discourages neighbors helping neighbors.

This is a solution in search of a problem. It is not something we need to do. There was consensus in Ohio that things needed to change after 2004. The laws enacted in 2006 led to shorter lines, more clarity, and less frustration for voters. While none of the changes I mention today make it impossible to vote, they build burdens to voting, burdens that have no good reason. That will mean fewer minority voters, fewer young voters, fewer elderly voters, fewer disabled voters. That may be what some politicians in this town want, but it is not what the people of Ohio want. Ohio deserves better when it comes to protecting our most fundamental constitutional rights.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. BROWN of Ohio. Madam 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.

RECOGNIZING THE 65TH ANNIVERSARY OF THE LAS VEGAS NEWS BUREAU

Mr. REID. Madam President, today I rise to honor and commemorate the 65th anniversary of the Las Vegas News Bureau. Since its inception in 1947, the News Bureau has captured photos and videos of the colorful history of Las Vegas. Community leaders started the News Bureau as a way to generate publicity for Las Vegas through the use of photography and film, and in doing so, they preserved the history of the city.

The News Bureau has been at the forefront of documenting and publicizing Las Vegas as the world's leading destination for decades. Over the years, they have captured memorable moments of some of Vegas's most famous entertainers, illustrated the growth of the iconic skyline, and archived the scenic imagery of the surrounding Las Vegas landscape.

Amidst their archives, the News Bureau captured unforgettable moments of show biz legends and Las Vegas regulars, like Elvis, Liberace, Wayne Newton, and Frank Sinatra, among others. The archive also houses historical moments such as President Kennedy's trip to visit the troops at the Nevada Test Site, where the atomic bomb was detonated during the 1950s and 1960s. And alongside the many photographs of celebrities and familiar faces are millions of photos documenting the various parades, events, and tourists that helped make Las Vegas the thriving destination that it remains today.

The Las Vegas News Bureau plays a unique role in marketing southern Nevada as a one-of-a-kind destination. Their iconic images of Las Vegas provide a competitive advantage that helps distinguish Las Vegas from other destinations, while also acting as an invaluable resource to journalists and historians alike. The unforgettable pictures of the neon lights of historic Fremont Street and glamorous images of Las Vegas show biz are more than just pieces of Las Vegas history: They represent what made Las Vegas the universally renowned city that it is today.

For the past 65 years, the News Bureau has chronicled the rise of Las Vegas into the Entertainment Capital of the World. I am proud to recognize their accomplishments before the Senate today, and I know that they will continue to tell the story of Las Vegas for years to come.

FOOD EMERGENCY

Mr. INHOFE. Madam President, today I wish to submit for the RECORD my remarks and a speech by Taiwan's top diplomat in Washington, Jason C. Yuan, of the Taipei Economic and Cultural Representative Office, who announced on April 25, 2012, the donation by his government of 1,150 metric tons of rice to Kenya through Feed the Children, a well-known and respected charity based in my home State of Oklahoma.

The food emergency in the Horn of Africa is a stark humanitarian crisis and Kenya simply has not received enough rain to feed its people. Record-high food prices, internal conflicts, and insecurity in the region have exacerbated the situation. With malnutrition and disease on the rise, dane Kenyan families are required to travel long distances in search of food. It is evident that outside help must be provided.

The people of Taiwan are providing that help. Its generous gift will have an immediate impact on relieving the hardships brought on by this first drought of the 21st century.

Ronald Reagan once said that ''a hungry child knows no politics,'' meaning that the American people are always willing to open up their hearts and the blessings of their bounty to the less fortunate around the world. The people of Taiwan are doing the same thing today through this generous donation.

Some may say that this gracious donation of rice is a mere drop in the bucket compared to the overall need in Africa. Yet one must remember that every mighty wave starts with a tiny ripple.

I ask unanimous consent to have printed in the RECORD remarks from Ambassador Jason C. Yuan.

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

AMBASSADOR JASON C. YUAN'S REMARKS AT THE TWIN OAKS ESTATE

APRI1 25, 2012

Mr. Steve Whetstone, Congressman Dan Burton, Ms. Barbara Schrage of AIT/W, Mr. Mark Powers and Ms. Kiersten Powers of Senator James Inhofe's Office, ladies and gentlemen, good morning!

On behalf of my government, I am pleased to announce that the Ministry of Foreign Affairs (MOFA) of the Republic of China (Taiwan), in cooperation with the Red Cross of the Republic of China and Feed the Children have decided to form an alliance to donate 1,150 metric tons of rice to Kenya, a country currently suffering a famine. This partnership will allow the rice donation from Taiwan to be distributed with the help of FTC in refugee camps, to ongoing relief efforts in Turkana and to primary schools in Mombasa, Kenya.

Feed the Children is one of the largest international charities, with its headquarters in Oklahoma City, Oklahoma, and based on Christian values. It has been dedicated to providing hope and resources for those without life's essentials throughout the United States and the world for decades.

Taiwan and FTC have associated in the past and successfully cooperated in 2005 to deliver 10,000 metric tons of rice to the tsunami ravaged areas in Indonesia. In 2006 Taiwan donated 52 containers of new clothing to FTC worth approximately US $17.6 million, which were later distributed to more than 16,000 children, orphans, elderly, abandoned and others in need in 11 countries (Honduras, Nicaragua, Guatemala, El Salvador, Indonesia, Sri Lanka, Cambodia, Azerbaijan, Russia, Armenia, and Ukraine). In 2007, Taiwan donated 5,000 metric tons of rice to Kenya and 5,000 metric tons of rice to Malawi through FTC, to help people in those two countries suffering from famine. In 2011, Taiwan donated 100 metric tons of rice to restart the Mombasa Kenya School Feeding Program, benefiting 27,000 children for 2 school terms.

Enhancing Taiwan's contributions to international development is one of the three lines of defense that President Ma Ying-jeou has outlined for the ROC's national security. As a maturing democracy and thriving economy, Taiwan has been shouldering our own responsibilities in the world. Humanitarian work has become an especially important platform for Taiwan's contributions to the international community. Taiwan's democracy and economic prosperity have combined to give rise to a vibrant society of numerous non-profit organizations. In almost every major disaster relief program that has occurred in the world recently, Taiwan has been an important contributor, whether this meant providing financial aid to help rebuild homes in Sichuan, or giving life-sustaining medical aid to Haitian children. Taiwan was also one of the first to arrive with emergency relief supplies and rescue teams when Japan was struck by the triple disaster of an earthquake, tsunami and nuclear incident. In fact, Taiwan ended up donating more than US $200 million to the Japanese people.

Last week, President Ma just wrapped up a 12-day official visit to Burkina Faso, Gambia and Swaziland, our three allies in Africa. Pursuing a policy of viable diplomacy that requires that all foreign assistance must be justified, legitimate and efficient, President Ma announced a donation of US $2.1 million worth of support to Mali refugee assistance efforts in Burkina Faso, and US $3 million to emergency food programs in Gambia. The project ''A Lamp Lighting up Africa'' also helps the students of our West African allies study at night with LED lamps.

The Republic of China used to be a country that received economic assistance from other countries, particularly the United States. Now that we are better off, the least we can do is to help other people in need. So we look forward to future cooperation with Feed the Children or other NGOs in the United States for the good cause. Thank you!

FREEDOM OF EXPRESSION IN ECUADOR

Mr. LEAHY. Madam President, May 3 was World Press Freedom Day. In this country, we recognize freedom of expression as our most cherished right. It forms the foundation for every other freedom, and an independent press is essential to its exercise. Yet in many countries expression is often censored and punished. Journalists are threatened, imprisoned, and killed for exposing official corruption and criticizing government repression. Not only is the media targeted and silenced, the entire population is denied access to accurate reporting.

The Senate was in recess on May 3, but I would like to call other Senators'

attention to troubling events that currently pose one of the gravest threats to freedom of expression in this hemisphere. I am speaking about the actions of Ecuador's President Rafael Correa and officials in his government to silence independent broadcasters and publishers and watchdog organizations, undermining the fundamental right of free expression in ways that resemble what we have come to expect in Cuba, Nicaragua, and Venezuela.

There is no institution more fundamental to democracy than a free and independent press. A free press helps protect the rule of law, to ensure that no person or group is above the rules and procedures that govern a democratic society. A free press helps ensure transparency to prod governments to be honest and accountable to their citizens.

Unfortunately, recent events in Ecuador suggest a deliberate shift away from these democratic traditions, and this could pose grave consequences for democracy in Ecuador.

Although wavering at times, Ecuador has a history of democratic government of which its citizens can be proud. Ecuador's first Constitution, written in 1830, stipulated that ''every citizen can express their thoughts and publish them freely through the press.'' Ecuador's 1998 Constitution guarantees the right of journalists and social communicators to ''seek, receive, learn, and disseminate'' events of general interest, with the goal of ''preserving the values of the community.'' Even Ecuador's latest constitution, ratified just four years ago, protects each citizen's right ''to voice one's opinion and express one's thinking freely and in all of its forms and manifestations.'' However, it appears that these protections—a vital part of Ecuador's history of democratically elected, representative government—now only apply at the discretion of President Correa.

During President Correa's term in office, the number of state-owned media organizations has exploded—growing from just one government-run news outlet to a media conglomerate that today is made up of more than a dozen outlets. He has pursued criminal charges against columnists and newspaper owners, including legal actions aimed at El Universo, one of Ecuador's most respected newspapers. In the El Universo case, President Correa won a $42 million award, and several journalists were sentenced to 3 years in prison following a hearing before a temporary—and recently appointed—magistrate. Although President Correa later pardoned the journalists, an Ecuadoran court rejected his pardon, and their fates remain unresolved. The fear of being charged and dragged through the expensive legal system also silences many other journalists or compels them to temper criticism of the government.

President Correa and his government are not only targeting journalists. Some 200 activists, many of them indigenous people protesting environmentally destructive mining projects, have been criminally charged and detained. The pattern of arresting or threatening to arrest social activists has suppressed the free flow of information in Ecuador, silencing dissenting voices either by legal action or self-censorship.

Perhaps most insidious to the principles of democracy, President Correa's government has ushered in new reforms that could make illegal almost all reporting about electoral campaigns. All censorship is bruising to a democracy, but electoral censorship is a fatal blow. With Presidential elections occurring in Ecuador in the next year, there is growing concern that President Correa's actions represent an attempt to influence the democratic process to his own political and personal benefit.

Dr. Catalina Botero, the special rapporteur for freedom of expression at the Organization of American States, OAS, has rightly criticized President Correa's crusade against the press. In response, President Correa has expanded his campaign of censorship beyond Ecuador's borders and targeted Dr. Botero's office, proposing to the OAS earlier this year a plan that would have restricted the ability of Dr. Botero's office to issue independent reports and cutting off some of its funding. Although the plan was rejected by the member states of the OAS, President Correa's intent remains clear. No longer content to silence his political opponents in Ecuador, he is now targeting his critics elsewhere.

President Correa has tried to cloak his actions in populist vocabulary, declaring that his censorship is motivated by a desire to free the public from the corrupt interests of the business organizations that often ran newspapers before the establishment of a law forbidding anyone with a significant stake in a media company from owning other businesses. Challenging viewpoints expressed in the media of course is legitimate, common, and healthy in any society, but preventing those views from being heard is not.

Mr. President, we should denounce attacks on the press in Ecuador and elsewhere in this hemisphere. We should strongly support Dr. Botero and her office. Protecting freedom of expression, a fundamental right enshrined in the Universal Declaration of Human Rights and the American Declaration of the Rights and Duties of Man is everyone's concern and responsibility. In doing so, we stand with the people of Ecuador and their right to be heard and for the future of their democracy.

WAR IN BOSNIA

Mr. CARDIN. Madam President, as we consider the many important issues currently before us, I believe it is worthwhile for us also to pause and recall past events that remain relevant to our work today.

As a member of the Senate Foreign Relations Committee and a long-time member and Co-Chairman of the Helsinki Commission, I would like to remind my colleagues that it was approximately 20 years ago that the conflict in Bosnia-Herzegovina began. While seeking to find a peaceful path out of the Yugoslavia which was collapsing around it, Bosnia and its people instead became chief victims of the clearly senseless violence associated with that collapse.

The ethnic cleansing of villages and the shelling of Sarajevo which we first saw in April 1992 were horrific, and little did we know how much worse things would get in subsequent months and years. It was in July and August of 1992 that we first saw the shocking pictures of the detainees in Omarska and other camps run by nationalist, militant Serbs, in northeastern Bosnia. The next year, we saw Croat militants destroy the famous bridge in Mostar for which the city got its name. In 1995, we saw Srebrenica before and after the genocide in which 8,000 people, mostly men and boys, perished.

While the United States and its friends and allies brought the conflict in Bosnia to an end with the Dayton Agreement in 1995, the action we took came too late for those who were ethnically cleansed and displaced, those who were tortured or raped, and those who were injured or killed. It is never too late, however, to provide justice. I am glad that people like Slobodan Milosevic, Ratko Mladic and Radovan Karadzic and all others indicted for war crimes, crimes against humanity and genocide were apprehended and transferred to the International Criminal Tribunal for the former Yugoslavia in The Hague. I am also glad that the United States and some other countries persevered to make this happen despite the resistance to cooperation and the protection afforded these individuals. I want to thank my colleagues who joined me in supporting justice in Bosnia as a matter of U.S. policy.

I think it is important not only to remember the victims and culprits of the conflict in Bosnia but also to remember the heroes. There were those who opposed extreme nationalism and aggression against neighbors. I particularly want to note the small group of human rights advocates and democratic forces in Serbia who opposed what Milosevic was doing allegedly in their name, even when he appeared to be getting away with it. I have met some of these courageous individuals over the years, including last July when I visited Belgrade, and they are truly inspiring people.

Today, Bosnia has recovered from the more than 3 years of brutal, destructive conflict that started 2 decades ago, and the country aspires to join both NATO and the European Union. I believe it is important that we support the people of Bosnia and their desires for integration by holding firm against the lingering forces of ethnic exclusivity, which remain particularly

strong in the entity of Republika Srpska created by the Dayton Agreement, and at the same time encourage practical reforms so that Bosnia can function more effectively as a European partner. When one talks to the young people that represent Bosnia's future, as several of us have, it is clear they do not want to forget the past but they certainly do not want to repeat it. They want a future in Europe, and their political leaders need to give them that future. I hope the United States, which has invested so much in Bosnia thus far, will be there as necessary to help.

DIAGNOSTIC IMAGING SERVICES

Mr. CARDIN. Madam President, I have introduced the Diagnostic Imaging Services Access Protection Act of 2012, joined by my colleague from Louisiana, Senator DAVID VITTER. Our goal is to preserve Medicare beneficiaries' access to life-saving advanced diagnostic imaging services, such as magnetic resonance imaging, MRI, computed tomography, CT, and ultrasound.

Let me explain why this legislation is necessary. Medicare reimbursement for radiology services is based on two components: technical and professional. The technical component comprises the cost of equipment, nonphysician personnel, and medical supplies associated with the imaging process. The professional component is calculated by factoring in the radiologist's time, effort, and skill involved in interpreting images, rendering patient diagnoses, and reporting the findings in the patient's medical record. In recent years, the Centers for Medicare and Medicaid Services sought to control imaging growth by cutting reimbursement for the technical component—reducing payment for multiple imaging services administered by the same physician to the same patient during a single office visit. This policy is referred to as the multiple procedure payment reduction, or MPPR. It is designed to take into account the efficiencies achieved by doing same-day procedures on the same patient, and for the technical component of radiology, it makes sense.

However this year, CMS decided to apply the MPPR to the professional component as well. The 2012 fee schedule rule, which took effect on January 1, cut the professional component reimbursement for radiologists by 25 percent for additional images. This payment reduction ignores the realities of medical practice. It is not supported by sound data, nor was it developed with meaningful physician input. Because each imaging study produces its own set of images that require individual interpretation, radiologists are ethically and professionally obligated to expend the same amount of time and effort interpreting each one, regardless of the number of images, the section of the body being examined, or the date of service.

Further, because radiologists are referral-based physicians who rarely order the studies they interpret, MPPR is an ineffective tool to reduce inappropriate utilization. Beneficiaries receiving multiple imaging studies often represent the sickest and most complex cases. They may have advanced cancer or be recovering from a stroke, serious car accidents, multiple gunshot wounds, or other forms of deadly trauma.

Not only will CMS' flawed policy disproportionately affect the most vulnerable patients, it may also create incentives to shift services away from the private practice setting, where the physician fee schedule applies, to the more expensive hospital outpatient setting.

Our legislation will ensure that CMS does not arbitrarily undervalue the role of the radiologist within the health care delivery system. It would cancel the MPPR cut to the professional component of radiology services through the end of 2012 and prevent it from taking effect in future years, pending more comprehensive study of the matter. Specifically, the Secretary of Health and Human Services would be prohibited from taking this action unless the reduction is based on the data, analysis, and conclusions of an independent expert panel convened by the Institute of Medicine.

A similar bill, HR 3269, has been introduced in the House of Representatives and it enjoys the strong bipartisan support of more than 240 cosponsors. I urge my colleagues to support this bipartisan and budget-neutral approach to preserving patient access to community-based diagnostic imaging services.

REMEMBERING DICK CLARK

Mrs. BOXER. Madam President, today I ask my colleagues to join me in honoring the memory of Dick Clark, one of our country's most beloved cultural icons who entertained grateful viewers in America and around the world for more than 60 years. He passed away on April 17, 2012, at age 82.

Richard Wagstaff Clark was born on November 30, 1929 in Mount Vernon, NY. As a child, Dick looked up to his older brother, Bradley, who became a pilot in the U.S. Army Air Corps during World War II and was killed in the Battle of the Bulge. Dick became depressed after his brother's death, and the only thing that lifted his spirits was music.

In some ways, Dick Clark was destined to work in the broadcasting industry. As a child, he became interested in radio after his parents took him to a live broadcast of the Jimmy Durante and Garry Moore show. Ever the affable young man, Dick participated in A.B. Davis High School's drama club and was elected class president.

After graduating from Syracuse University with a degree in business administration, Dick began working on ''Bandstand'' at Philadelphia's WFIL Radio. The popularity of this program led WFIL TV to begin broadcasting it as an afternoon television show, which Dick started hosting in 1956. The following year, he pitched the show to the American Broadcasting Company, and it became nationally broadcast as ''American Bandstand.''

''American Bandstand'' became a phenomenon, a trendsetting show that touched people around the world across lines of race, culture, and ethnicity. ''Bandstand 's'' integration of African Americans as musicians and dancers played a role breaking down racial barriers at a time when the civil rights movement was coming to the forefront. Over the next three decades, while the show moved from weekdays to Saturdays and from Philadelphia to Los Angeles, Dick Clark introduced American families to many artists who later became icons, including the Supremes, Michael Jackson, Madonna, and Prince. Aretha Franklin recently noted, ''If you didn't go on 'American Bandstand,' you hadn't made it yet.''

Over the course of his career, Dick Clark came to be known as one of the most hard-working people in show business. With Dick Clark Productions, founded in 1956, Clark produced television shows, made-for-TV movies, award shows, and beauty pageants. Unistar, which he cofounded and owned, distributed Clark's radio shows including ''Countdown America'' and ''Dick Clark's Rock, Roll & Remembers.''

In 1972 ''Rockin' Eve'' premiered, and since then generations of Americans have welcomed in the New Year with Dick Clark and watched with him as the ball dropped in New York City—a tradition that continued for 40 years. Throughout his time as host, Dick Clark only missed one New Year's Eve celebration in 2005 due to a stroke. The following year he was once again on the air welcoming the New Year with his beloved wife Kari and showing all of us that with tenacity, anything is possible.

Throughout his career, Clark left an indelible mark on the landscape of American music and television, from his 1974 creation of the American Music Awards to his productions of the Academy of Country Music Awards, Golden Globe Awards, Emmy Awards, Live Aid, and Farm Aid. For his successful career and tireless work ethic, Dick Clark was honored with Daytime and Primetime Emmy Awards, Daytime and Primetime Lifetime Achievement Awards, and inductions into the Radio Hall of Fame, the Rock 'n Roll Hall of Fame, the Academy of Television Arts & Sciences Hall of Fame, and the Philadelphia Walk of Fame.

I extend my heartfelt condolences to Dick's wife Kari, his sons Richard Augustus II and Duane, his daughter Cindy, and his grandchildren. He will be missed by the millions of people worldwide who were touched by his work.

REMEMBERING DEPUTY ROBERT PARIS

Mrs. BOXER. Madam President, I ask my colleagues to join me in honoring the memory of Deputy Robert ''Bob'' Paris, a dedicated public servant in the Stanislaus County Sheriff's Office and a kind and loyal colleague, friend, and family man. On the morning of April 12, 2012, Deputy Paris was tragically killed in the line of duty while serving an eviction notice in north Modesto.

A graduate of Tracy High School and the Ray Simon Criminal Justice Training Center in Modesto, Bob Paris joined the Stanislaus Sheriff's Department as a reserve deputy in May 1996 and became a full-time employee in 1998. During his tenure with the department, he served the community as a court bailiff, a patrol deputy, and as a member of the sheriff's water enforcement team. He was also the department's first-aid and CPR instructor at the sheriff's academy.

For the past 16 years, Deputy Paris dutifully served the citizens and communities of Stanislaus County with great pride, integrity, and valor. His devotion to helping others, along with his passion for law enforcement, helped him become a respected member of the Stanislaus County Sheriff's Department.

Deputy Paris served Stanislaus County with honor and bravery, and I send my heartfelt sympathies to his family, friends, and colleagues.

HONOR FLIGHT NORTHERN COLORADO

Mr. UDALL of Colorado. Madam President, today I wish to speak on behalf of my colleagues and a grateful Nation as we welcome to the Nation's capital the 122 men and women of Honor Flight Northern Colorado. Together, they represent soldiers, sailors, airmen, and marines from WWII, Korea, and Vietnam. These heroes embody the dedication, honor, and selfless service that make this country great. We owe them and all servicemembers a debt that can never be repaid.

Throughout the history of our great Republic, our men and women in uniform have shielded this country from the harm that others wish to inflict on it. We have always asked a great deal from these individuals; that they leave their families to fight in an unknown land against a deadly enemy. They have always bravely answered the call, placing themselves between this country and harm's way.

On this flight are World War II veterans from every branch of service.

From the Army we have:

Robert Barnd, Loveland; Frank Brown, Fort Collins; William Castor, Loveland; Lowell Dart, Berthoud; Donald Draxler, Loveland; Jose Duran, Log Lane Village; Joseph Edwards, Scottsdale; George Emerick, Fort Morgan; Warren Garst, Fort Collins; Joseph Graham, Palo Alto; Roland Kaiser, Longmont; Victor Lazar, Sandy; David Leon, Alliance; Russell Malm, Greeley; W. Dennis McHenry, Estes Park; Raymond Mega, Longmont; Gerald Monroe, LaSalle; Bernard Nettesheim, Loveland; Richard Porter, Longmont; James Rauenbuehler, Fort Collins; Frederick Reck, Julesburg; Walter Sapp, Fort Collins; Alan Shultes, Longmont; Theodore Wahler, Loveland; Evans Woodhouse, Mead.

Army Air Corps veterans include:

Carson Bright, Longmont; Wayne Bullock, Fort Collins; Robert Duntsch, Bozeman; Marvin Fowler, Lamar; Donald Morrison, Limon; Homer Phillips, Jr., Fort Collins; Gilbert Rohde, Longmont; Charles Smoot, Loveland; Gene Thorson, Strasburg; Crowell Werner, Fort Collins.

From the Navy are:

Charles Agnew, Wheat Ridge; Eugene Bonkiewicz, Greeley; Jack Endacott, Estes Park; Robert Gillham, Peetz; William Hampton, Gering; Willis Kramer, Greeley; Harry Livingston, Estes Park; Gilbert Lopez, Denver; Armin Moser, Loveland; Reynold Olson, Estes Park; Marion Raines, Limon; Henry Schmitt, Jr., Longmont; Waldo Smith, Highlands Ranch; Fredrick Stein, Fort Collins; William Stromberg, Sr., Loveland; Clyde Treadway, Brush; Arthur Wartburg, Boulder; James White, Estes Park; Robert Williams, Johnstown.

We welcome Marine Corps veteran Lewis Ashcraft, Littleton.

And finally, from the Women's Auxiliary Corps, we have Mary Livingston, Estes Park.

Also on the flight are veterans from the Korean War.

Help me welcome Army veterans:

Darryl Anderson, Fort Morgan; Raymond Anderson, Gill; Donald Armagost, Greeley; Eugene Ball, Windsor; Harry Bell, Fort Collins; Orlis Charboneau, Pierce; Robert Cupp, Loveland; Samuel Ehrlich, Longmont; Alvin Eurich, Simla; John Hess, Loveland; Donald Hoffner, Eaton; Robert Kramer, Fort Lupton; Robert Kruger, Platteville; Lindy Leifheit, Irvine; Chester McCoy, Brush; William Miller, Fort Collins; James Ochsner, Windsor; Arnold Piel, Stoneham; Wayne Pimple, Greeley; Richard Reagan, Wellington; Gerald Rice, Fort Collins; Joseph Sellers, Ault; William Shirey, Estes Park; Norris Slechta, Berthoud.

Air Force veterans include:

James Ball, Denver; Dale Crist, Frederick; Bobbie Desmond, Loveland; Francis Fleming, Jr., Berthoud; Virgil Hanson, Greeley; Marguerite Ingram, Evans; Harry Rieger, Brush; Edward Roebuck, Greeley; Robert Stanley, Greeley; Darrell Viegut, Loveland.

From the Navy we have:

Emil Badjar, Longmont; Leslie Brumley, Greeley; Edward Eson, Greeley; Clarence Ehlbert, Fort Collins; Leslie Fraley, Jr., Fort Collins; George Frysinger III, Fort Collins; John Goad, Severance; Roman Herrmann, Longmont; Chester McGuire, Loveland; Raymond Nuss, Greeley; Louis Peterson, Longmont; Marshall Petring, Fort Collins; Gerald Ross, Fort Collins; Alan Seaman, Longmont; Clarence Strahan, Jr., Fort Collins; William Striffler, Fort Collins; Irvin Tregoning, Johnstown; Jimmie Tregoning, Greeley; Merril Tregoning, Windsor; Sam Warner, Loveland.

Representing the Marine Corps are:

Timothy Daley, Fort Collins; Richard Gero, Loveland; Billy Hettinger, Fort Collins.

And from the Women's Auxiliary Corps is Elizabeth Strahan, Fort Collins.

Veterans from the Vietnam War are on this flight as well.

From the Army we have:

Dennis Henneberg, Loveland; Donald Hess, Greeley; Jack Roberts, Greeley.

Representing the Navy are:

Edward Fast, Fort Collins; Daniel Menzies, Loveland.

And finally, Marine Corps veterans include:

Doyle Biggs, Loveland; Paul Delgado, Greeley; Steven White, Greeley.

Join me in thanking these Colorado veterans and the volunteers of Honor Flight Northern Colorado for their tremendous service to this great Nation.

RECOGNIZING THE WILLIAM J. MOTTO BIOSCIENCE SCHOLARSHIP

Mr. PORTMAN. Madam President, today I wish to recognize the establishment of the William J. Motto Annual Bioscience Scholarship at Cincinnati State Technical and Community College.

To commemorate the 35th anniversary of its founding, Meridian Bioscience, Inc., is funding a $5,000 annual scholarship to support a deserving student each year at Cincinnati State.

The scholarship is named in honor of Meridian bioscience executive chairman and Founder, William ''Bill'' Motto, who has a passion for creating opportunities for hard-working individuals who wish to improve their lives and our community.

Bill Motto founded Meridian in 1977 in the basement of his home, not far from the company's headquarters in Newtown, just outside of Cincinnati. Today, Meridian is a fully integrated life science company that manufactures, markets, and distributes a broad range of diagnostic test kits, purified reagents, and biopharmaceutical enabling technologies. In addition to products used in the early diagnosis and treatment of common medical conditions, Meridian develops and manufactures a variety of biological and nonbiological materials used in proficiency testing programs.

The scholarship will be geared toward students majoring in biosciences, as the college prepares to open a new bioscience lab in its Health Professions Building. In addition, the college has expanded its curriculum to help students become lab technicians or to pursue bachelor's or other specialized degrees.

Cincinnati State offers more than 75 associate degree and certificate programs in business technologies, health and public safety, engineering technologies, humanities and sciences, and information technologies. Cincinnati State also has one of the largest cooperative education programs in the United States, including a full slate of outstanding workforce training programs and courses. Cincinnati State's Workforce Development Center provides practical, hands-on learning experiences delivering both the professional and educational expertise so critical to effective, efficient workforce training.

Mr. President, I would like to congratulate Cincinnati State and commend Meridian Bioscience and its founder, Bill Motto for giving back to southwest Ohio and the future leaders of bioscience fields in our State.

TRIBUTE TO RICHARD AND TIM SMUCKER

Mr. PORTMAN. Madam President, today I wish to congratulate Richard and Tim Smucker for being awarded the Harvard Business School Club of Northeastern Ohio's 2012 Leadership Award. These two brothers carry the legacy of a company created by Jerome Monroe Smucker over a century ago in 1897. Today, Smucker's employs more than 4,000 people and manages 29 domestic and 5 international brands, including Jif, Folgers, and Crisco. I have visited the company's headquarters and manufacturing facilities and seen firsthand how they have kept this great Ohio company at the forefront.

Richard Smucker has been a Smucker's director, having also served as president, co-chief executive, and executive chairman. In August of 2011, Richard was named chief executive officer of the company and continues to serve in this role.

Tim Smucker became a company director in 1973. He has also served as the company's chairman, as well as its co-chief executive. Since August of 2011, Timothy has served as the company's chairman of the board.

Mr. President, Richard and Tim Smucker received the 2012 Leadership Award for their continued and steadfast commitment to the J.M. Smucker Company, its brands, and its employees. I wish them both continued success in the future and commend them for their outstanding leadership in our State.

ADDITIONAL STATEMENTS

RECOGNIZING MAYOR MIKE WOOLSTON

● Mr. BLUNT. Mr. President, on May 22, 2011, the city of Joplin, MO, was struck by an EF5 tornado. The path of devastation was an incredible 6 miles long and almost 1 mile wide. The destruction was beyond words. Too many were lost, and lives were upended. Homes, schools, and businesses were destroyed. Joplin's mayor that terrible day was Mike Woolston. Mayor Woolston showed the world that Joplin was up to the challenge of not only surviving but rebuilding.

Mayor Woolston grew up in Joplin. Mike graduated from Joplin's Parkwood High School and Missouri Southern State University. After graduation from MSSU, Mike served his country in the U.S. Marine Corps at a number of locations at home and abroad. In 1988 Mike returned to Joplin and embarked on a career in real estate. For nearly 25 years Mike has been active in the Joplin community, serving on a number of community organizations such as United Way of Southwest Missouri, Community Blood Center of the Ozarks, American Red Cross, Salvation Army, and Joplin public schools' Bright Futures Program.

Mike was elected to the Joplin City Council in 2002. In 2010 his council peers elected him mayor. Mike was serving in that position when the most destructive tornado of the last 60 years struck the city of Joplin. Mayor Mike Woolston spent countless hours guiding the city through rescue, recovery, and eventually the beginning of the rebuilding process. Mayor Woolston's calm demeanor, positive attitude, and recognition of the thousands of others who were involved in every stage of post-tornado actions gave the citizens of the Joplin area hope for the future. As the face and voice for the city of Joplin, Mayor Woolston gave the Nation and the world a shining example of the spirit of cooperation and can-do work ethic which exemplifies Joplin, MO.

I hereby recognize and thank Michael R. Woolston for his leadership of the city of Joplin in the wake of the May 22, 2011, tornado and for his commitment to the citizens of his community.●

RECOGNIZING THE JONES BAR-B-Q DINER

● Mr. BOOZMAN. Mr. President, today I wish to recognize the owners of one of the oldest African-American-owned restaurants in America, the Jones Bar-B-Q Diner in Marianna, AR, which has been honored by the James Beard Foundation Awards.

The foundation recognized Jones Bar-B-Q as one of five restaurants from across the country in the ''America's Classics'' category at the 2012 annual awards ceremony taking place today at the Lincoln Center in New York City.

Foodies will tell you this honor is a big one. Arkansas writer Rex Nelson calls the Beard award the equivalent of the Pulitzer Prize for journalism—certainly high praise for a small operation that began on a back porch, but this is no ordinary run-of-the-mill barbecue.

This honor is a long time in the making. Jones Bar-B-Q Diner has been in operation, in some form, since at least the 1910s. Walter Jones, the founder and first pitmaster, lived in a bare wood dogtrot house and first served barbecue from the screened-in back porch on Fridays and Saturdays. The family recalls that original cooking setup as a ''hole in the ground, some iron pipes, a piece of fence wire and two pieces of tin.''

Eventually, Walter moved from selling the meat on the back porch to a small place in town called the Hole in the Wall. It was literally a window in a wall from which he would sell meat from a washtub. The modern incarnation, the Jones Bar-B-Q Diner, opened in 1964.

The business today remains true to its smalltown, family roots. Hubert Jones, Walter's son, is the present day proprietor and his son, James, tends the pits. The pork shoulder is still smoked with a simple setup over the pit. They still serve a very limited menu that centers around smoked pork hacked into bits and served on white bread with the Jones' vinegary sauce.

The James Beard Foundation—which is a not-for-profit 501(c)(3) organization dedicated to celebrating, preserving, and nurturing America's culinary heritage—only awards its ''America Classics'' distinction to restaurants with ''timeless appeal . . . that are beloved for quality food that reflects the character of their community.''

To qualify for the ''America's Classics'' award, establishments must have been in existence at 10 years and they must be locally owned. The honorees are selected each year by the James Beard Foundation's Restaurant Committee, which is comprised of 17 people throughout the country, many of whom are notable food critics and culinary writers. The foundation is acutely aware of how special Jones Bar-B-Q Diner is to Marianna, the State of Arkansas, and southern cuisine.

I will leave you with one piece of advice. If you want some of Jones' famous smoke pork, it is best to arrive early. The diner usually opens around 7:30 a.m. Monday through Saturday and then closes by early afternoons when all the meat runs out. So get there early, bring your appetite, and be sure to congratulate the Jones family for being recognized by the James Beard Foundation. Their restaurant is definitely an integral part of the community and of Arkansas's culture. I am proud of Jones family's contribution to the Natural State's heritage and commend them for receiving this honor. The Jones Bar-B-Q Diner in Marianna truly is an American classic.●

RECOGNIZING THE ALASKA QUARTERLY REVIEW

● Ms. MURKOWSKI. Mr. President. I wish to recognize one of our Nation's literary magazines, the Alaska Quarterly Review. This quiet giant in the Alaska arts scene has earned numerous accolades and high praise. Today I

want to specifically recognize the magazine for reaching its 30-year anniversary and for its continued literary excellence.

Since the magazine's birth at the Anchorage campus of the University of Alaska in 1982, the Alaska Quarterly Review has served as an instrument to give voice to Alaska writers and poets as well as also publishing excellent material from non-Alaskan authors. In other words, while it is firmly rooted in Alaska, it has maintained a national perspective, bridging the distance between the literary centers across the country and Alaska. This balanced presentation of views over the years has earned the Review local, regional, national, and even international recognition.

The founding editor of the Review, Mr. Ronald Spatz, envisioned the Review as a way to break through stereotypes and present Alaska to the greater literary community as a partner. With the Review under his direction for three decades, he has also continued his focus on publishing new and emerging writers. After 30 years of hard work at the Review, each issue still contains the same labor of love and excitement from edition to edition.

Advances in technology have turned publishing on its head, but the Review has remained both a faithful forum for conventional work and an outlet for work that challenges accepted forms and modes of expression. It has established itself as distinctly Alaskan because it is strongly influenced by the place, the people, and the cultural traditions, without ever being restricted by its geographical location. The magazine's body of work is eclectic.

Through its stories, oral histories, folk tales, and poems, the literary magazine seeks to portray Alaska's rich and diverse Native cultures. It pays tribute to the Native language speakers and tradition bearers that keep their cultures alive through their stories and through their words. Over the years Alaskans have learned that one of the best ways to protect the social fabric of Native Alaskans is to protect their culture, thus maintaining their pride in their history and their heritage. In this vein, Ronald Spatz has published stories in Eyak, Haida, Tlingit, Tsimshian, Alutiq, Central Yup'ik, St. Lawrence Island Yup'ik, Inupiaq, and Dena'ina. The Review has done much to preserve the culture and history of Alaska and her people.

To help commemorate these achievements and reaching the 30-year benchmark, the Review is producing an ambitious photojournalism collection in their spring/summer issue. The collection, called ''Liberty and Justice (For All): A Global Photo Mosaic,'' pays tribute to photojournalists Tim Hetherington and Chris Hondros, who died in Libya in 2011. The biannual publication will also feature a special section in the fall/winter edition in the form of 60 poems by 60 different poets.

Alaska, and America, is far richer because of the Alaska Quarterly Review. I commend it and its contributors for its many achievements, as well as the University of Alaska board of regents and the leadership of the University of Alaska Anchorage for its support of the publication. It has taken a tremendous commitment to academic and artistic excellence to continue publication these 30 years. Again, congratulations to the Alaska Quarterly Review for reaching 30 years of continued literary excellence.●

RECOGNIZING THE CITIZENS' HOSE COMPANY NO. 1

● Mr. CARPER. Mr. President on behalf of Senator CHRIS COONS, Congressman JOHN CARNEY, and myself, I wish to offer my congratulations to fire chief Isaac Willis, president S. Christopher Hudson, and the entire Citizens' Hose Company No. 1 as they celebrate the Company's 125th anniversary of service to the town of Smyrna in Delaware. The success of the Citizens' Hose Company is a tribute to the many dedicated men and women who not only have served in this company but have served this community in a number of ways.

In 1885, the town of Smyrna installed water mains and fire hydrants throughout the town in preparation of the founding of the Citizens' Hose Company. Since that time the members of this company have protected the property and residents throughout this historic community. The company has reached many milestones throughout the last 125 years—initially fighting fires with a man-drawn hose tender and ladder cart to now answering fire calls using a 100-foot KME Kovatch ladder truck which, in 1999, was the first ladder truck the company purchased new. Additional milestones included the formation of the Ladies Auxiliary in 1950, as well as the expansion of the station in 1985 to accommodate office space and future growth. With over 440 members today, the Citizens' Hose Company No. 1 maintains the highest level of excellence. Over the last several years, the Citizens' Hose Company has answered an average of 475 calls per year and are on pace to keep that record in 2012.

The Citizens' Hose Company serves as a great neighbor to all in the Smyrna area. The company participates in numerous community activities throughout the year and has a renowned company band. Since 1947, the Citizens' Hose Company Band has provided music for the marching unit of the company during parades and other community gatherings. An annual participant in the Delaware Volunteer Firefighter's Association Parade, the Citizens' Hose Company has won the prestigious Governor's Cup Award a record 31 times. The company band has had the honor of playing music throughout Delaware as well as in Dublin, Ireland, New York City, and even represented the First State at the inaugural parades of both President Bill Clinton and President Barack Obama in Washington, DC.

Delaware's firefighters are dedicated and caring professionals who willingly put themselves at risk—day and night, in all kinds of weather. As their congressional delegation, we are all sincerely grateful for the continued service of the men and women of Citizens' Hose Company. The hard work and commitment of these devoted volunteers is an inspiration to us all. Moreover, the Citizens' Hose Company No. 1 has crafted a tradition of superior and selfless service.

Today, we send our warmest congratulations to the members, volunteers and families of Citizens' Hose Company No. 1 on this momentous anniversary, and we look forward to hearing of their continued success and exemplary service for another 125 years and beyond.●

RECOGNIZING 15TH ANNIVERSARY OF NUMBERSUSA

● Mr. SESSIONS. Mr. President, I wish to recognize the 15th anniversary of NumbersUSA, a national grassroots organization that advocates for immigration policies that seek to serve the national interest.

NumbersUSA was formed in 1997 by Roy Beck, a former journalist who has been recognized by the Houston Chronicle as ''one of the five leading thinkers in the national immigration debate.'' Under his leadership, NumbersUSA has grown from a mostly Internet-based organization of about 2,000 grassroots members to nearly 1.3 million activists, giving a voice to American citizens on the important issue of immigration and securing our border.

Those who were in Congress during the 2006 and 2007 debates on comprehensive immigration reform will confirm just how effective NumbersUSA is. NumbersUSA was an active leader in an outgunned coalition that stood up to virtually all the elites in Washington. The big lobbies pulled out all the stops, spent millions of dollars, and bore down hard in their push for mass amnesty. But Goliath fell to the grassroots David, whose faxes, e-mails, rallies, visits to our offices, and phone calls registered the clear message that the American people would not accept Washington rewarding lawbreaking. The overwhelming grassroots response actuated by the NumbersUSA coalition was most evident when citizens called Capitol Hill in such volume that it shut down the Senate's telephone system.

NumbersUSA approaches the important and sensitive issue of immigration by emphasizing the number of immigrants that are lawfully admitted to the United States. Their approach is captured in a statement prominently placed on their website: ''To talk about changing immigration numbers is to say nothing against the individual immigrants in this country. Rather, it is about deciding how many foreign citizens living in their own countries right

now should be allowed to immigrate in the future'' and ''about protecting and enhancing the United States' unique experiment in democracy for all Americans, including recent immigrants, regardless of their particular ethnicity.''

I commend NumbersUSA for speaking out effectively on these important issues for America. Their voice has added a valuable perspective to the discussion. I congratulate them on a successful first 15 years and wish them even greater success over its next 15 years.●

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of January 5, 2011, the Secretary of the Senate, on April 27, 2012, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 43. Concurrent resolution providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives.

MESSAGE FROM THE HOUSE

At 2:08 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2050. An act to authorize the continued use of certain water diversions located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in the State of Idaho, and for other purposes.

H.R. 2096. An act to advance cybersecurity research, development, and technical standards, and for other purposes.

H.R. 2240. An act 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.

H.R. 3523. An act 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.

H.R. 3834. An act to amend the High-Performance Computing Act of 1991 to authorize activities for support of networking and information technology research, and for other purposes.

H.R. 4257. An act to amend chapter 35 of title 44, United States Code, to revise requirements relating to Federal information security, and for other purposes.

H.R. 4628. An act to extend student loan interest rates for undergraduate Federal Direct Stafford Loans.

H.R. 4849. An act 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.

The message also announced that pursuant to section 201(b) of the International Religious Freedom Act of 1998 (22 U.S.C. 6431 note) as amended, and the order of the House of January 5, 2011, the Speaker appoints the following member on the part of the House of Representatives to the Commission on International Religious Freedom for a term ending May 14, 2014: Mr. Samuel Gejdenson of Branford, Connecticut.

MEASURES REFERRED

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

H.R. 2096. An act to advance cybersecurity research, development, and technical standards, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 3523. An act 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; to the Committee on Intelligence.

H.R. 3834. An act to amend the High-Performance Computing Act of 1991 to authorize activities for support of networking and information technology research, and for other purposes: to the Committee on Commerce, Science, and Transportation.

H.R. 4257. An act to amend chapter 35 of title 44, United States Code, to revise requirements relating to Federal information security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

MEASURES READ THE FIRST TIME

The following bills were read the first time:

H.R. 2050. An act to authorize the continued use of certain water diversions located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in the State of Idaho, and for other purposes.

H.R. 2240. An act 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.

H.R. 4628. An act to extend student loan interest rates for undergraduate Federal Direct Stafford Loans.

H.R. 4849. An act 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.

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 5924. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Metconazole; Pesticide Tolerances'' (FRL No. 9345 6) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC 5925. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Carfentrazone-ethyl; Pesticide Tolerances'' (FRL No. 9346 5) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC 5926. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Dimethomorph; Pesticide Tolerances'' (FRL No. 9346 6) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC 5927. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Fluoxastrobin; Pesticide Tolerances'' (FRL No. 9345 3) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC 5928. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Thiamethoxam; Pesticide Tolerances; Technical Correction'' (FRL No. 9344 9) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC 5929. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Acequinocyl; Pesticide Tolerances'' (FRL No. 9346 4) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC 5930. A communication from the Secretary of the Commission, Division of Market Oversight, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled ''Commodity Options'' (RIN3038 AD62) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC 5931. 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 China; to the Committee on Banking, Housing, and Urban Affairs.

EC 5932. 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 Brazil; to the Committee on Banking, Housing, and Urban Affairs.

EC 5933. 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 Korea; to the Committee on Banking, Housing, and Urban Affairs.

EC 5934. 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 Chile; to the Committee on Banking, Housing, and Urban Affairs.

EC 5935. A communication from the Acting Administrator of the U.S. Energy Information Administration, Department of Energy, transmitting, pursuant to law, a report entitled ''The Availability and Price of Petroleum and Petroleum Products Produced in Countries Other Than Iran''; to the Committee on Energy and Natural Resources.

EC 5936. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Maryland; Approval of 2011 Consent Decree to Control Emissions From the GenOn Chalk Point Generating Station; Removal of 1978 and 1979 Consent Orders'' (FRL No. 9666 3) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Environment and Public Works.

EC 5937. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Effluent Limitations Guidelines and New Source Performance Standards for the Airport Deicing Category'' (FRL No. 9667 6) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Environment and Public Works.

EC 5938. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; North Carolina; Charlotte; Ozone 2002 Base Year Emissions Inventory'' (FRL No. 9666 7) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Environment and Public Works.

EC 5939. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to Final Response to Petition From New Jersey Regarding SO2 Emissions From the Portland Generating Station'' (FRL No. RIN2060 AR42) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Environment and Public Works.

EC 5940. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Removal of Regulations Requiring 3% Withholding by Government Entities'' (RIN1545 BK83) received during adjournment of the Senate in the Office of the President of the Senate on April 27, 2012; to the Committee on Finance.

EC 5941. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Treatment of Gain Recognized with Respect to Stock in Certain Foreign Corporations Upon Distributions'' (RIN1545 BI41) received during adjournment of the Senate in the Office of the President of the Senate on April 27, 2012; to the Committee on Finance.

EC 5942. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Purchase Price Safe Harbors for Sections 143 and 25'' (Rev. Proc. 2012 25) received during adjournment of the Senate in the Office of the President of the Senate on April 27, 2012; to the Committee on Finance.

EC 5943. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Applicable Federal Rates—May 2012'' (Rev. Rul. 2012 13) received in the Office of the President of the Senate on April 26, 2012; to the Committee on Finance.

EC 5944. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Implementation of Nonresident Alien Deposit Interest Regulations'' (Rev. Proc. 2012 24) received in the Office of the President of the Senate on April 26, 2012; to the Committee on Finance.

EC 5945. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, certification for the export of various calibers of center and rim bolt action rifles to the Country of Belgium in the amount of $1,000,000 or more; to the Committee on Foreign Relations.

EC 5946. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed agreement for the export of defense articles, including, technical data, or defense services for the design, development, manufacture, test, on-ground launch-site delivery, completion of in-orbit testing and long-term support for the MEXSAT Commercial Communication Satellite Program; to the Committee on Foreign Relations.

EC 5947. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a manufacturing license agreement to include the export of defense articles, including, technical data, and defense services to the Republic of Korea for the manufacture of FA 50 Light Attack Aircraft in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC 5948. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement to include the export of defense articles, including, technical data, and defense services to support the Proton launch of the W3D Commercial Communication Satellites from the Baikonur Cosmodrome in Kazakhstan in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC 5949. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement to include the export of defense articles, including, technical data, and defense services to support the design, manufacturing and delivery phases of the SES 8 Commercial Communications Satellite Program for the Netherlands in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC 5950. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a technical assistance agreement to France, Italy, Belgium and Spain for the design, manufacture, and delivery of Satellite Subsystems On-Board Processors for the Iridium NEXT program in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC 5951. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement to include the export of defense articles, including technical data, and defense services to the United Kingdom in support of the sale of one C 17 Globemaster III transport aircraft in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC 5952. A communication from the Deputy Director for Policy, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits'' (RIN1212 AB04) received in the Office of the President of the Senate on April 26, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC 5953. A communication from the General Counsel, Federal Retirement Thrift Investment Board, transmitting, pursuant to law, the report of a rule entitled ''Roth Feature to the Thrift Savings Plan and Miscellaneous Uniformed Services Account Amendments'' (5 CFR Parts 1600, 1601, 1604, 1605, 1650, 1651, 1653, 1655, and 1690) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC 5954. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19 345 ''Raising the Expectations for Education Outcomes Omnibus Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC 5955. A communication from the Administrator, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, a report relative to the cost of response and recovery efforts for FEMA 3335 EM in the State of Maryland having exceeded the $5,000,000 limit for a single emergency declaration; to the Committee on Homeland Security and Governmental Affairs.

EC 5956. A communication from the Chairman of the Board of Governors, Federal Reserve System, transmitting, pursuant to law, the Inspector General's Semiannual Report for the six-month period from October 1, 2011 through March 31, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC 5957. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, an annual report on applications made by the Government for authority to conduct electronic surveillance and physical searches during calendar year 2011; to the Committee on the Judiciary.

EC 5958. A communication from the Chair, U.S. Sentencing Commission, transmitting, pursuant to law, the amendments to the federal sentencing guidelines that were proposed by the Commission during the 2011 2012 amendment cycle; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment:

H.R. 2668. A bill to designate the station of the United States Border Patrol located at 2136 South Naco Highway in Bisbee, Arizona, as the ''Brian A. Terry Border Patrol Station''.

By Mr. KERRY, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and with an amended preamble:

S. Res. 435. A resolution calling for democratic change in Syria, and for other purposes.

By Mr. HARKIN, from the Committee on Health, Education, Labor, and Pensions, without amendment:

S. 2516. An original bill to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and medical devices, to establish user-fee programs for generic drugs and biosimilars, and for other purposes.

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. BLUMENTHAL:

S. 2508. A bill to suspend temporarily the duty on carbonic dihydrazide; to the Committee on Finance.

By Mr. HARKIN:

S. 2509. A bill to suspend temporarily the duty on programmable controllers certified by the importer as designed for use in agricultural and off-road construction vehicles to control vehicle accessories and auxiliary functions; to the Committee on Finance.

By Mr. HARKIN:

S. 2510. A bill to suspend temporarily the duty on certain drive axles designed for use in off-road construction loaders and backhoes; to the Committee on Finance.

By Mr. HARKIN:

S. 2511. A bill to reduce temporarily the duty on certain forged ring gear components and certain other parts of crankshafts and connecting rods; to the Committee on Finance.

By Mr. HARKIN:

S. 2512. A bill to suspend temporarily the duty on Captan; to the Committee on Finance.

By Mr. HARKIN:

S. 2513. A bill to suspend temporarily the duty on Fosamine; to the Committee on Finance.

By Mr. HARKIN:

S. 2514. A bill to suspend temporarily the duty on orthotoluidine; to the Committee on Finance.

By Ms. COLLINS (for herself and Mr. DURBIN):

S. 2515. A bill to promote the use of clean cookstoves and fuels to save lives, improve livelihoods, empower women, and combat harmful pollution by creating a thriving global market for clean and efficient household cooking solutions; to the Committee on Foreign Relations.

By Mr. HARKIN:

S. 2516. An original bill to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and medical devices, to establish user-fee programs for generic drugs and biosimilars, and for other purposes; from the Committee on Health, Education, Labor, and Pensions; placed on the calendar.

By Ms. LANDRIEU:

S. 2517. A bill to suspend temporarily the duty on tertiobutyl catechol flakes and tertiobutyl catechol with 85% water or methanol; to the Committee on Finance.

By Ms. LANDRIEU:

S. 2518. A bill to suspend temporarily the duty on aqueous mixtures of polyvinyl alcohol and polyvinyl pyrrolidone; to the Committee on Finance.

By Ms. LANDRIEU:

S. 2519. A bill to reduce temporarily the duty on s-Metolachlor; to the Committee on Finance.

By Ms. LANDRIEU:

S. 2520. A bill to extend the temporary suspension of duty on glyoxylic acid; to the Committee on Finance.

By Ms. LANDRIEU:

S. 2521. A bill to extend the temporary suspension of duty on Mandipropamid; to the Committee on Finance.

By Ms. LANDRIEU:

S. 2522. A bill to extend the temporary suspension of duty on onitrophenol; to the Committee on Finance.

By Ms. LANDRIEU:

S. 2523. A bill to extend the temporary suspension of duty on 1-Chloro-2-propanone; to the Committee on Finance.

By Ms. LANDRIEU:

S. 2524. A bill to extend the temporary suspension of duty on DEMBB; to the Committee on Finance.

By Ms. LANDRIEU:

S. 2525. A bill to extend the temporary suspension of duty on Mesotrione; to the Committee on Finance.

By Ms. LANDRIEU:

S. 2526. A bill to suspend temporarily the duty on triflic anhydride; to the Committee on Finance.

By Ms. LANDRIEU:

S. 2527. A bill to suspend temporarily the duty on triflic acid; to the Committee on Finance.

By Ms. LANDRIEU:

S. 2528. A bill to suspend temporarily the duty on para-methoxyphenol or hydroquinone monomethylether; to the Committee on Finance.

By Mr. ROCKEFELLER:

S. 2529. A bill to reduce temporarily the duty on certain truck cabs; to the Committee on Finance.

By Mr. KOHL:

S. 2530. A bill to suspend temporarily the duty on certain compression-ignition internal combustion piston engines; to the Committee on Finance.

By Mr. KOHL:

S. 2531. A bill to suspend temporarily the duty on certain portable personal area mosquito repellants; to the Committee on Finance.

By Mr. LEVIN:

S. 2532. A bill to suspend temporarily the duty on Laromer PE 55 F; to the Committee on Finance.

By Mr. LEVIN:

S. 2533. A bill to suspend temporarily the duty on poly(urea/formaldehyde/isobutyraldehyde); to the Committee on Finance.

By Mr. REID:

S. 2534. A bill to suspend temporarily the duty on specially designed vehicles, not elsewhere specified or indicated; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2535. A bill to renew the temporary suspension of duty on calcium chloride phosphate phosphor activated by manganese and antimony; to the Committee on Finance.

By Mr. REID:

S. 2536. A bill to suspend temporarily the duty on drinking glasses valued not over $0.30; to the Committee on Finance.

By Mr. REID:

S. 2537. A bill to suspend temporarily the duty on formaldehyde, polymer with methylphenol, 2-hydroxy-3[(1-oxo-2-propenyl)oxy]propyl ether and formaldehyde, polymer with (chloromethyl) oxirane and methylphenol, 4-cyclohexene-1,2-dicarboxylate 2-propenoate; to the Committee on Finance.

By Mr. REID:

S. 2538. A bill to suspend temporarily the duty on 2-propenoic acid, reaction products with o-cresol-epichlorohydrin-formaldehyde polymer and 3a,4,7,7a-tetrahydro-1,3-isobenzofurandione; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2539. A bill to renew the temporary suspension of duty on Basic Violet 11; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2540. A bill to renew the temporary suspension of duty on Basic Violet 11:1; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2541. A bill to suspend temporarily the duty on phosphorescent pigment; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2542. A bill to suspend temporarily the duty on Solvent Orange 115, Marigold Orange; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2543. A bill to suspend temporarily the duty on Solvent Yellow 131, Fluorescent Yellow M, Mohawk; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2544. A bill to renew the temporary suspension of duty on compound of barium magnesium aluminate phosphor, activated by europium or manganese; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2545. A bill to amend the Harmonized Tariff Schedule of the United States to clarify the duty on sanitary towels and tampons, diapers and diaper liners for babies, and similar articles, of any material; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2546. A bill to suspend temporarily the duty on Reactive Red; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2547. A bill to renew the temporary suspension of duty on strontium halophosphate doped with europium; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2548. A bill to suspend temporarily the duty on Solvent Yellow 195; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2549. A bill to suspend temporarily the duty on Huron Yellow Dye; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2550. A bill to suspend temporarily the duty on Invisible Blue Dye; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2551. A bill to suspend temporarily the duty on Solvent Yellow 160:1, Potomac; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2552. A bill to renew the temporary suspension of duty on yttrium oxide phosphor, activated by europium; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2553. A bill to renew the temporary suspension of duty on lanthanum phosphate phosphor, activated by cerium and terbium; to the Committee on Finance.

By Mr. LEAHY (for himself, Mr. SCHUMER, Mr. WHITEHOUSE, Mr. COONS, Ms. MIKULSKI, Mr. KOHL, and Ms. KLOBUCHAR):

S. 2554. A bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to extend the authorization of the Bulletproof Vest Partnership Grant Program through fiscal year 2017; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 2555. A bill to extend the temporary suspension of duty on certain parts and accessories of measuring or checking instruments; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 2556. A bill to extend the temporary suspension of duty on oysters (other than smoked), prepared or preserved; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 2557. A bill to extend the temporary suspension of duty on artichokes, prepared or

preserved by vinegar or acetic acid; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 2558. A bill to extend the temporary suspension of duty on artichokes, prepared or preserved otherwise than by vinegar or acetic acid, not frozen; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 2559. A bill to suspend temporarily the duty on certain infant products; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 2560. A bill to extend the temporary suspension of duty on certain bags for toys; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 2561. A bill to extend the temporary suspension of duty on certain educational toys or devices; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 2562. A bill to extend the temporary suspension of duty on certain cases or containers to be used for electronic drawing toys, electronic games, or educational toys; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 2563. A bill to suspend temporarily the duty on certain protective cases of molded silicone for toys; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 2564. A bill to suspend temporarily the duty on certain zippered cases of textile materials with textile straps for toys; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 2565. A bill to suspend temporarily the duty on certain carrying cases of plastics with molded handles shaped to hold toys; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 2566. A bill to suspend temporarily the duty on certain plastic stylus pens for use with toys; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 2567. A bill to suspend temporarily the duty on certain headphones, AC adapters, and protective cases of molded silicone; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 2568. A bill to suspend temporarily the duty on certain mechanics' work gloves; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 2569. A bill to suspend temporarily the duty on certain mechanics' work gloves; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 2570. A bill to suspend temporarily the duty on certain mechanics' work gloves; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 2571. A bill to suspend temporarily the duty on certain mechanics' work gloves; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 2572. A bill to suspend temporarily the duty on certain wide-range high sensitivity zoom security cameras; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 2573. A bill to extend and modify the temporary suspension of duty on metal halide lamps designed for use in video projectors; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 2574. A bill to suspend temporarily the duty on certain mechanics' work gloves; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 2575. A bill to reduce the duty on golf club putter heads; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 2576. A bill to suspend temporarily the duty on certain toric shaped polarized materials; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 2577. A bill to suspend temporarily the duty on certain non-toric shaped polarized materials of 80mm or less diameter; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 2578. A bill to suspend temporarily the duty on certain non-toric shaped polarized materials of more than 80mm diameter; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 2579. A bill to suspend temporarily the duty on insulated food or beverage bags with outer surface of man made fiber, with removable inner liner of hard plastic, certified by the importer as containing over 40 percent by weight of recycled plastics, exceeding 300 mm in length; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 2580. A bill to suspend temporarily the duty on insulated food or beverage bags with outer surface of man made fiber, with removable inner liner of hard plastic, certified by the importer as containing over 40 percent by weight of recycled plastics, not to exceed 300 mm in length; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 2581. A bill to suspend temporarily the duty on certain plastic device book style covers; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 2582. A bill to suspend temporarily the duty on certain textile device book style covers; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 2583. A bill to suspend temporarily the duty on certain textile device covers and stands; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 2584. A bill to suspend temporarily the duty on certain plastic device covers and stands; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 2585. A bill to suspend temporarily the duty on floor coverings and mats, of over 30% recycled Polyethylene (PE) or Ethylene-Vinyl Acetate (EVA), of the kind used for temporary cushioning for children and adults; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 2586. A bill to extend the temporary suspension of duty on certain subassemblies for measuring equipment for telecommunications; to the Committee on Finance.

By Mr. MANCHIN (for himself and Mr. ROCKEFELLER):

S. 2587. A bill to extend the temporary suspension of duty on Carbaryl; to the Committee on Finance.

By Mr. MANCHIN:

S. 2588. A bill to suspend temporarily the duty on 2-amino-5-cyano-N,3-dimethylbenzamide; to the Committee on Finance.

By Mr. MANCHIN:

S. 2589. A bill to suspend temporarily the duty on Picoxystrobin; to the Committee on Finance.

By Mr. MANCHIN:

S. 2590. A bill to suspend temporarily the duty on A5546 sulfonamide; to the Committee on Finance.

By Mr. CARPER (for himself and Mr. COONS):

S. 2591. A bill to suspend temporarily the duty on ultraviolet lamps filled with deuterium gas; to the Committee on Finance.

By Mr. CARPER (for himself and Mr. COONS):

S. 2592. A bill to extend the temporary duty on staple fibers of viscose rayon, not carded, combed, or otherwise processed for spinning; to the Committee on Finance.

By Mr. CARPER (for himself and Mr. COONS):

S. 2593. A bill to extend the suspension of duty on trifloxysulfuron-sodium; to the Committee on Finance.

By Mr. CARPER (for himself and Mr. COONS):

S. 2594. A bill to extend and modify the temporary reduction of duty on Thiamethoxam; to the Committee on Finance.

By Mr. CARPER (for himself and Mr. COONS):

S. 2595. A bill to extend the suspension of duty on phosphoric acid, tris (2-ethylhexyl) ester; to the Committee on Finance.

By Mr. CARPER (for himself and Mr. COONS):

S. 2596. A bill to renew the temporary suspension of duty on Triasulfuron; to the Committee on Finance.

By Mr. CARPER (for himself and Mr. COONS):

S. 2597. A bill to extend the temporary suspension of duty on benzene, 2,4-dichloro-1,3-dinitro-5-(trifluoromethyl); to the Committee on Finance.

By Mr. CARPER (for himself and Mr. COONS):

S. 2598. A bill to suspend temporarily the duty on dichloroacetyl chloride; to the Committee on Finance.

By Mr. CARPER (for himself and Mr. COONS):

S. 2599. A bill to suspend temporarily the duty on Fenpyroximate; to the Committee on Finance.

By Mr. CARPER (for himself and Mr. COONS):

S. 2600. A bill to suspend temporarily the duty on Pyraflufen-ethyl; to the Committee on Finance.

By Mr. CARPER (for himself and Mr. COONS):

S. 2601. A bill to extend temporarily the suspension of duty on Flutolanil; to the Committee on Finance.

By Mr. CARPER (for himself and Mr. COONS):

S. 2602. A bill to suspend temporarily the duty on Buprofezin; to the Committee on Finance.

By Mr. CARPER (for himself and Mr. COONS):

S. 2603. A bill to suspend temporarily the duty on tolfenpyrad technical; to the Committee on Finance.

By Mr. CARPER (for himself and Mr. COONS):

S. 2604. A bill to extend and modify the temporary reduction of duty on cyan 854 inkjet printing ink; to the Committee on Finance.

By Mr. CARPER (for himself and Mr. COONS):

S. 2605. A bill to extend and modify the temporary reduction of duty on cyan 1 RO inkjet printing ink; to the Committee on Finance.

By Mr. CARPER (for himself and Mr. COONS):

S. 2606. A bill to extend and modify the temporary reduction of duty on black 661 inkjet printing ink; to the Committee on Finance.

By Mr. CARPER (for himself and Mr. COONS):

S. 2607. A bill to extend and modify the temporary reduction of duty on black 820 inkjet printing ink; to the Committee on Finance.

By Mr. COONS:

S. 2608. A bill to extend the temporary suspension of duty on methyl 4-trifluoromethoxyphenyl-N-(chlorocarbonyl) carbamate; to the Committee on Finance.

By Mr. COONS:

S. 2609. A bill to extend the temporary suspension of duty on Famoxadone, Cymoxanil, and application adjuvants; to the Committee on Finance.

By Mr. COONS:

S. 2610. A bill to extend the temporary suspension of duty on Esfenvalerate technical; to the Committee on Finance.

By Mr. COONS:

S. 2611. A bill to extend the temporary suspension of duty on phenyl (4,6-dimethoxypyrimidin-2-yl) carbamate; to the Committee on Finance.

By Mr. COONS:

S. 2612. A bill to extend the temporary suspension of duty on mixtures of methyl 2-[[[[[4-(dimethylamino)-6-(2,2,2-trifluoroethoxy)-1,3,5-triazin-2-yl]amino]carbonyl]amino]-sulfonyl]-3-methylbenzoate and application adjuvants; to the Committee on Finance.

By Mr. COONS:

S. 2613. A bill to extend the temporary suspension of duty on Pyrithiobac-sodium; to the Committee on Finance.

By Mr. COONS:

S. 2614. A bill to extend the temporary suspension of duty on ethyl 2-(Isocyanatosulfonyl)benzoate; to the Committee on Finance.

By Mr. COONS:

S. 2615. A bill to extend the temporary suspension of duty on Benzyl carbazate; to the Committee on Finance.

By Mr. COONS (for himself and Mr. CARPER):

S. 2616. A bill to suspend temporarily the duty on pyraflufen-ethyl; to the Committee on Finance.

By Mr. COONS (for himself and Mr. CARPER):

S. 2617. A bill to suspend temporarily the duty on flubendiamide; to the Committee on Finance.

By Mr. COONS (for himself and Mr. CARPER):

S. 2618. A bill to extend the temporary suspension of duty on mixtures of difenoconazole and mefenoxam; to the Committee on Finance.

By Mr. COONS (for himself and Mr. CARPER):

S. 2619. A bill to extend the temporary suspension of duty on 1,3-benzenedicarbonitrile; to the Committee on Finance.

By Mr. SCHUMER (for himself and Mr. GRASSLEY):

S. 2620. A bill to amend title XVIII of the Social Security Act to provide for an extension of the Medicare-dependent hospital (MDH) program and the increased payments under the Medicare low-volume hospital program; to the Committee on Finance.

By Mr. LIEBERMAN:

S. 2621. A bill to suspend temporarily the duty on certain rooftop cargo bags; to the Committee on Finance.

By Mr. LIEBERMAN:

S. 2622. A bill to suspend temporarily the duty on 2-aminopyridine; to the Committee on Finance.

By Mr. LIEBERMAN:

S. 2623. A bill to suspend temporarily the duty on 4-chloro-3-nitrobenzoic acid; to the Committee on Finance.

By Mr. NELSON of Nebraska:

S. 2624. A bill to extend and modify the temporary suspension of duty on Avermectin B; to the Committee on Finance.

By Mr. NELSON of Nebraska:

S. 2625. A bill to extend the temporary suspension of duty on Cyproconazole; to the Committee on Finance.

By Mr. NELSON of Nebraska:

S. 2626. A bill to extend and modify the temporary reduction of duty on clodinafop-propargyl; to the Committee on Finance.

By Mr. NELSON of Nebraska:

S. 2627. A bill to extend and modify the temporary reduction of duty on fludioxonil; to the Committee on Finance.

By Mr. NELSON of Nebraska:

S. 2628. A bill to extend the temporary suspension of duty on formulations of Thiamethoxam, Difenoconazole, Fludioxinil, and Mefenoxam; to the Committee on Finance.

By Mr. NELSON of Nebraska:

S. 2629. A bill to extend and modify the temporary suspension of duty on (R,S)—2-((2,6-dimethylphenyl)methoxyacetylamino) propionic acid, methyl ester; to the Committee on Finance.

By Mr. NELSON of Nebraska:

S. 2630. A bill to extend the temporary suspension of duty on Pymetrozine; to the Committee on Finance.

By Mr. NELSON of Nebraska:

S. 2631. A bill to extend and modify the temporary reduction of duty on azoxystrobin; to the Committee on Finance.

By Mr. NELSON of Nebraska:

S. 2632. A bill to extend the temporary suspension of duty on Cloquintocet-mexyl; to the Committee on Finance.

By Mr. NELSON of Nebraska:

S. 2633. A bill to extend and modify the temporary reduction of duty on Pinoxaden; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2634. A bill to extend the temporary suspension of duty on perfluorocarbon amines; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2635. A bill to extend the temporary suspension of duty on C5-8 perfluorocarbonalkanes; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2636. A bill to extend the temporary suspension of duty on mixtures of C5-18 perfluorocarbon alkanes, perfluorocarbon amines, and/or perfluorocarbon ethers; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2637. A bill to extend the temporary suspension of duty on C1-3 perfluoroalkyl perfluoromorpholine; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2638. A bill to suspend temporarily the duty on copoly(acrylic acid/itaconic acid); to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2639. A bill to suspend temporarily the duty on bisphenol A Bis(3-methacryloyloxypropyl) ether substituted dimethacylate; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2640. A bill to suspend temporarily the duty on potassium persulfate encapsulated in cellulose acetate butyrate; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2641. A bill to extend the temporary suspension of duty on fluoropolymers containing 95 percent or more by weight of the monomer units tetrafluoroethylene, hexafluoropropylene, and vinylidene fluoride; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2642. A bill to suspend temporarily the duty on certain polycrystalline fibers; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2643. A bill to extend the temporary suspension of duty on perfluorobutanesulfonyl fluoride; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2644. A bill to suspend temporarily the duty on certain catalytic converter mats of glass fibers; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2645. A bill to extend the temporary suspension of duty on certain catalytic converter mounting mats; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2646. A bill to suspend temporarily the duty on ascorbic acid encapsulated in cellulose acetate butyrate; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2647. A bill to extend and modify the temporary reduction of duty on certain bicycle brakes; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2648. A bill to extend and modify the temporary reduction of duty on bicycle wheel rims; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2649. A bill to extend and modify the temporary reduction of duty on bicycle speedometers; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2650. A bill to suspend temporarily the duty on wide angle reflectors; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2651. A bill to suspend temporarily the duty on baby or child carriers designed for use on bicycles; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2652. A bill to suspend temporarily the duty on bicycle speedometer parts; to the Committee on Finance.

By Mr. CASEY:

S. 2653. A bill to suspend temporarily the duty on diethenyl-benzene polymer with ethenylbenzene and ethenylethylbenzene, sulfonated; to the Committee on Finance.

By Mr. CASEY:

S. 2654. A bill to extend the temporary suspension of duty on 2 propenoic acid, polymer with diethenylbenzene; to the Committee on Finance.

By Mr. CASEY:

S. 2655. A bill to sextend the temporary suspension of duty on Styrene, ar-ethyl-, polymer with divinylbenzene and styrene beads having low ash content; to the Committee on Finance.

By Mr. CASEY:

S. 2656. A bill to extend the temporary suspension of duty on ion exchange resin powder comprising a copolymer of methacrylic acid crosslinked with divinylbenzene, in the potassium ionic form; to the Committee on Finance.

By Mr. CASEY:

S. 2657. A bill to extend the temporary suspension of duty on macroporous ion-exchange resin comprising a copolymer of styrene crosslinked with divinylbenzene, thio functionalized; to the Committee on Finance.

By Mr. CASEY:

S. 2658. A bill to suspend temporarily the duty on ion exchange resin—Methanamine, N methyl reaction products with chloromethylated divinylbenzene-styrene polymer; to the Committee on Finance.

By Mr. CASEY:

S. 2659. A bill to suspend temporarily the duty on methylated and butylated melamine-formaldehyde polymer; to the Committee on Finance.

By Mr. CASEY:

S. 2660. A bill to suspend temporarily the duty on Brine Electrolysis Ion Exchange Apparatus; to the Committee on Finance.

By Mr. CASEY:

S. 2661. A bill to suspend temporarily the duty on Agilon 400; to the Committee on Finance.

By Mr. CASEY:

S. 2662. A bill to suspend temporarily the duty on pigments based on titanium dioxide; to the Committee on Finance.

By Mr. CASEY:

S. 2663. A bill to suspend temporarily the duty on Pigment Violet 23; to the Committee on Finance.

By Mr. CASEY:

S. 2664. A bill to suspend temporarily the duty on 2,3-dichloronitrobenzene; to the Committee on Finance.

By Mr. CASEY:

S. 2665. A bill to suspend temporarily the duty on phenyl isocyanate; to the Committee on Finance.

By Mr. CASEY:

S. 2666. A bill to suspend temporarily the duty on tungsten concentrate; to the Committee on Finance.

By Mr. CASEY:

S. 2667. A bill to suspend temporarily the duty on Vacuum-Grade Ferroniobium; to the Committee on Finance.

By Mr. CASEY:

S. 2668. A bill to suspend temporarily the duty on tungsten oxide; to the Committee on Finance.

By Mr. CASEY:

S. 2669. A bill to suspend temporarily the duty on Metallic Manganese; to the Committee on Finance.

By Mr. CASEY:

S. 2670. A bill to suspend temporarily the duty on tungsten carbide; to the Committee on Finance.

By Mr. CASEY:

S. 2671. A bill to suspend temporarily the duty on 1-(2-chloroethyl)-4-ethyl-1,4-dihydro-5H-tetraxol-5-one; to the Committee on Finance.

By Mr. CASEY:

S. 2672. A bill to suspend temporarily the duty on 1,1-cyclobutanedicarboxylic acid; to the Committee on Finance.

By Mr. CASEY:

S. 2673. A bill to suspend temporarily the duty on ferroniobium; to the Committee on Finance.

By Mr. CASEY:

S. 2674. A bill to suspend temporarily the duty on N-[(4-methoxymethyl)-1-phenylmethyl-4-piperidinyl]N-phenylpropanamide-etha edioate; to the Committee on Finance.

By Mr. CASEY:

S. 2675. A bill to suspend temporarily the duty on Ancamine 2422 Curing Agent; to the Committee on Finance.

By Mr. CASEY:

S. 2676. A bill to suspend temporarily the duty on 2-butyl-5-chloro-3H-imidazole-4-carbaldhyde; to the Committee on Finance.

By Mr. CASEY:

S. 2677. A bill to suspend temporarily the duty on 1-benzyl-4-phenyl-4-piperdine carboxylic acid ethyl ester HCl; to the Committee on Finance.

By Mr. CASEY:

S. 2678. A bill to suspend temporarily the duty on 1,2,4 Triazole; to the Committee on Finance.

By Mr. CASEY:

S. 2679. A bill to suspend temporarily the duty on certain rolled glass in sheets; to the Committee on Finance.

By Mr. CASEY:

S. 2680. A bill to suspend temporarily the duty on mixtures containing fluopyram and tebuconazole; to the Committee on Finance.

By Mr. CASEY:

S. 2681. A bill to suspend temporarily the duty on mixtures containing flupyram and application adjuvants; to the Committee on Finance.

By Mr. CASEY:

S. 2682. A bill to suspend temporarily the duty on Strong Base Anionic Resin-Quaternary amine styrene divinylbenzene copolymer in the chloride form; to the Committee on Finance.

By Mr. CASEY:

S. 2683. A bill to suspend temporarily the duty on ion exchange resin of benzene, diethenyl, polymer, with ethnylbenzene and ethenylethylbenzene, chloromethylated, trimethylaminoquaternized; to the Committee on Finance.

By Mr. CASEY:

S. 2684. A bill to extend the temporary suspension of duty on Disflamoll TOF; to the Committee on Finance.

By Mr. CASEY:

S. 2685. A bill to suspend temporarily the duty on 2,5-dimethyl-2, 5-hexanediol; to the Committee on Finance.

By Mr. CASEY:

S. 2686. A bill to suspend temporarily the duty on Preventol ON Extra Preservative; to the Committee on Finance.

By Mr. CASEY:

S. 2687. A bill to suspend temporarily the duty on dimethylisopropylamine; to the Committee on Finance.

By Mr. CASEY:

S. 2688. A bill to suspend temporarily the duty on P-Toluidine; to the Committee on Finance.

By Mr. CASEY:

S. 2689. A bill to suspend temporarily the duty on poly(styrene-co-methyl methacrylate); to the Committee on Finance.

By Mr. CASEY:

S. 2690. A bill to suspend temporarily the duty on poly(methyl methacrylate); to the Committee on Finance.

By Mr. CASEY:

S. 2691. A bill to suspend temporarily the duty on p-Nitrotoluene; to the Committee on Finance.

By Mr. CASEY:

S. 2692. A bill to suspend temporarily the duty on mixtures of phenyl esters of C10 C18 alkylsulfonic acids; to the Committee on Finance.

By Mr. CASEY:

S. 2693. A bill to extend the temporary suspension of duty on micro-porous, ultrafine, spherical polyamide powders of polyamide 6; polyamide-12; and polyamide 6, 12; to the Committee on Finance.

By Mr. CASEY:

S. 2694. A bill to suspend temporarily the duty on chlorobenzene; to the Committee on Finance.

By Mr. CASEY:

S. 2695. A bill to suspend temporarily the duty on p-dichlorobenzene; to the Committee on Finance.

By Mr. CASEY:

S. 2696. A bill to suspend temporarily the duty on piperazine co-polymerized copolyamide resin high-temperature melt adhesive pellets; to the Committee on Finance.

By Mr. CASEY:

S. 2697. A bill to suspend temporarily the duty on dimethyl dicarbonate; to the Committee on Finance.

By Mr. CASEY:

S. 2698. A bill to extend and modify the temporary duty on 11-aminoundecanoic acid; to the Committee on Finance.

By Mr. CASEY:

S. 2699. A bill to suspend temporarily the duty on phosphorous sulfochloride; to the Committee on Finance.

By Mr. CASEY:

S. 2700. A bill to extend the temporary suspension of duty on pyrimethanil; to the Committee on Finance.

By Mr. CASEY:

S. 2701. A bill to extend the temporary suspension of duty on Phenmedipham; to the Committee on Finance.

By Mr. CASEY:

S. 2702. A bill to extend the temporary suspension of duty on Spirodiclofen; to the Committee on Finance.

By Mr. CASEY:

S. 2703. A bill to extend the temporary suspension of duty on 2-acetylbutyrolactone; to the Committee on Finance.

By Mr. CASEY:

S. 2704. A bill to extend the temporary suspension of duty on Fosetyl-Al; to the Committee on Finance.

By Mr. CASEY:

S. 2705. A bill to extend the temporary suspension of duty on certain smooth nonwoven fiberglass sheets of a type primarily used as acoustical facing for ceiling panels; to the Committee on Finance.

By Mr. CASEY:

S. 2706. A bill to extend the temporary suspension of duty on Iminodisuccinate; to the Committee on Finance.

By Mr. CASEY:

S. 2707. A bill to extend the temporary suspension of duty on Levapren-Levamel; to the Committee on Finance.

By Mr. CASEY:

S. 2708. A bill to suspend temporarily the duty on certain fiberglass sheets used in flooring; to the Committee on Finance.

By Mr. CASEY:

S. 2709. A bill to extend the temporary suspension of duty on Bayderm Bottom DLV-N; to the Committee on Finance.

By Mr. CASEY:

S. 2710. A bill to extend the temporary suspension of duty on thionyl chloride; to the Committee on Finance.

By Mr. CASEY:

S. 2711. A bill to suspend temporarily the duty on Di-cup Organic Peroxide; to the Committee on Finance.

By Mr. CASEY:

S. 2712. A bill to extend the temporary suspension of duty on Bayowet C4; to the Committee on Finance.

By Mr. CASEY:

S. 2713. A bill to suspend temporarily the duty on 2-chlorotoluene; to the Committee on Finance.

By Mr. CASEY:

S. 2714. A bill to suspend temporarily the duty on methanesulfonic acid; to the Committee on Finance.

By Mr. CASEY:

S. 2715. A bill to suspend temporarily the duty on chloromethylbenzene; to the Committee on Finance.

By Mr. CASEY:

S. 2716. A bill to extend the temporary suspension of duty on tetraethylammonium perfluoroctanesulfonate; to the Committee on Finance.

By Mr. CASEY:

S. 2717. A bill to suspend temporarily the duty on methanesulfonyl chloride; to the Committee on Finance.

By Mr. CASEY:

S. 2718. A bill to extend the temporary suspension of duty on disflamoll DPK; to the Committee on Finance.

By Mr. CASEY:

S. 2719. A bill to suspend temporarily the duty on mixtures containing fluopyram and prothioconazole; to the Committee on Finance.

By Mr. CASEY:

S. 2720. A bill to suspend temporarily the duty on mixtures containing fluopyram and trifloxystrobin; to the Committee on Finance.

By Mr. CASEY:

S. 2721. A bill to suspend temporarily the duty on mixtures containing fluopyram and pyrimethanil; to the Committee on Finance.

By Mr. CASEY:

S. 2722. A bill to suspend temporarily the duty on spirotetramat; to the Committee on Finance.

By Mr. CASEY:

S. 2723. A bill to suspend temporarily the duty on thiacloprid; to the Committee on Finance.

By Mr. CASEY:

S. 2724. A bill to suspend temporarily the duty on (RS)-1-(B-allyloxy-2,4-dichlorophenethyl)imidazole; to the Committee on Finance.

By Mr. CASEY:

S. 2725. A bill to suspend temporarily the duty on thidiazuron; to the Committee on Finance.

By Mr. CASEY:

S. 2726. A bill to suspend temporarily the duty on mixtures of cyprosulfamide; to the Committee on Finance.

By Mr. CASEY:

S. 2727. A bill to suspend temporarily the duty on modified aliphatic amine mixtures containing benzyl alcohol, formaldehyde, polymer with 1,3-benezenedimethanamine and phenol, 1,3-benzenedimethanamine, phenol, 4,4′-(1-methylethylidene)bis-, polymer with 2-(chloromethyl)oxirane, reaction products with ethylene-diamine; to the Committee on Finance.

By Mr. CASEY:

S. 2728. A bill to suspend temporarily the rate of duty on phenyl-2-pyridyl acetamide; to the Committee on Finance.

By Mr. CASEY:

S. 2729. A bill to suspend temporarily the duty on triethylenediamine; to the Committee on Finance.

By Mr. CASEY:

S. 2730. A bill to suspend temporarily the duty on alpha-threo phenyl-2-piperidyl acetamide; to the Committee on Finance.

By Mr. CASEY:

S. 2731. A bill to extend the temporary suspension of duty on certain pressure distillation columns; to the Committee on Finance.

By Mr. CASEY:

S. 2732. A bill to suspend temporarily the rate of duty on alpha-phenyl-2-piperdylacetic acid; to the Committee on Finance.

By Mr. CASEY:

S. 2733. A bill to extend the temporary suspension of duty on aqueous emulsion of a modified aliphatic amine mixture of: decanedioic acid, compounds with 1,3-benzene-dimethanamine-bisphenol A-bisphenol A diglycidyl ether-diethylenetriamine glycidyl phenyl ether reaction product-epichlorohydrinformaldehyde- propylene oxide-triethylenetetramine polymer; to the Committee on Finance.

By Mr. CASEY:

S. 2734. A bill to suspend temporarily the rate of duty on 4-bromobenzyl bromide; to the Committee on Finance.

By Mr. CASEY:

S. 2735. A bill to extend the temporary suspension of duty on helium; to the Committee on Finance.

By Mr. CASEY:

S. 2736. A bill to suspend temporarily the duty on 5(1,1-dimethylheptyl) resorcinol; to the Committee on Finance.

By Mr. CASEY:

S. 2737. A bill to extend and modify the temporary reduction of duty on cast stainless steel single-piece exhaust gas manifolds; to the Committee on Finance.

By Mr. CASEY:

S. 2738. A bill to extend the temporary suspension of duty on mixtures of formaldehyde polymers with aniline and with 4,4′-methylendianiline; to the Committee on Finance.

By Mr. CASEY:

S. 2739. A bill to suspend temporarily the duty on cerium nitrate; to the Committee on Finance.

By Mr. CASEY:

S. 2740. A bill to extend the temporary suspension of duty on mixtures of alkene polylmers with maleic anhydride, 2-(1-piperazinyl) ethylimides, diisononyl phthalate and bis(1-methylethyl)-naphthalene; to the Committee on Finance.

By Mr. CASEY:

S. 2741. A bill to suspend temporarily the duty on gadolinium oxide; to the Committee on Finance.

By Mr. CASEY:

S. 2742. A bill to suspend temporarily the duty on lanthanum oxide; to the Committee on Finance.

By Mr. CASEY:

S. 2743. A bill to suspend temporarily the duty on knitted or crocheted fabrics of a width exceeding 30 cm, containing by weight 5 percent or more of elastomeric yarn but not containing rubber thread; to the Committee on Finance.

By Mr. CASEY:

S. 2744. A bill to renew the temporary suspension of duty on europium oxide; to the Committee on Finance.

By Mr. CASEY:

S. 2745. A bill to extend the temporary suspension of duty on mixed xylidines; to the Committee on Finance.

By Mr. CASEY:

S. 2746. A bill to extend and modify the temporary suspension of duty on yttrium oxide; to the Committee on Finance.

By Mr. CASEY:

S. 2747. A bill to extend the temporary suspension of duty on mixtures or coprecipitates of lanthanum phosphate, cerium-doped lanthanum phosphate, cerium phosphate, and terbium phosphate; to the Committee on Finance.

By Mr. CASEY:

S. 2748. A bill to suspend temporarily the duty on benzamine, dodecyl-, branched; to the Committee on Finance.

By Mr. CASEY:

S. 2749. A bill to extend the temporary suspension of duty on mixtures or coprecitates of yttrium oxide and europium oxide; to the Committee on Finance.

By Mr. CASEY:

S. 2750. A bill to suspend temporarily the duty on mixtures of aminocyclopyrachlor and inert ingredients; to the Committee on Finance.

By Mr. CASEY:

S. 2751. A bill to suspend temporarily the duty on n-ethyl-n-benzyl aniline; to the Committee on Finance.

By Mr. CASEY:

S. 2752. A bill to suspend temporarily the duty on picoxystrobin; to the Committee on Finance.

By Mr. CASEY:

S. 2753. A bill to suspend temporarily the duty on potassium 1,3-dioxo-1H,3H-naphthol[1,8-cd]pyran-6-sulfonate; to the Committee on Finance.

By Mr. CASEY:

S. 2754. A bill to extend the temporary suspension of duty on 4,4′-oxydianiline; to the Committee on Finance.

By Mr. CASEY:

S. 2755. A bill to extend the temporary suspension of duty on 3,3′,4,4′-biphenyltetracarboxylic dianhydride; to the Committee on Finance.

By Mr. CASEY:

S. 2756. A bill to suspend temporarily the duty on nitroaniline; to the Committee on Finance.

By Mr. CASEY:

S. 2757. A bill to extend temporary suspension of duty on pyromellitic dianhydride; to the Committee on Finance.

By Mr. CASEY:

S. 2758. A bill to extend the temporary reduction of duty on Aspirin; to the Committee on Finance.

By Mr. CASEY:

S. 2759. A bill to suspend temporarily the duty on 3,5,5-trimethylhexylamine; to the Committee on Finance.

By Mr. CASEY:

S. 2760. A bill to extend and modify the temporary suspension of duty on poly(toluene diisocyanate); to the Committee on Finance.

By Mr. CASEY:

S. 2761. A bill to suspend temporarily the duty on 2-ethylhexylamine; to the Committee on Finance.

By Mr. CASEY:

S. 2762. A bill to extend and modify the temporary suspension of duty on mixtures of tris(4-isocyanatophenyl)thiophosphate; to the Committee on Finance.

By Mr. CASEY:

S. 2763. A bill to suspend temporarily the duty on dimethyl carbonate polymer with 1,6-hexanediol and 2-oxepanone; to the Committee on Finance.

By Mr. CASEY:

S. 2764. A bill to suspend temporarily the duty on Vat Violet 10; to the Committee on Finance.

By Mr. CASEY:

S. 2765. A bill to suspend temporarily the duty on copoly(dimethyl carbonate/1,6-hexanediol); to the Committee on Finance.

By Mr. CASEY:

S. 2766. A bill to extend the temporary suspension of duty on Lambda-Cy; to the Committee on Finance.

By Mr. CASEY:

S. 2767. A bill to suspend temporarily the duty on dimethyl carbonate polymer with 1,6-hexanediol and 1,5-pentanediol; to the Committee on Finance.

By Mr. CASEY:

S. 2768. A bill to suspend temporarily the duty on oxyfluorfen; to the Committee on Finance.

By Mr. CASEY:

S. 2769. A bill to extend the temporary reduction of duty on liquid-filled glass bulbs designed for sprinkler systems and other release devices; to the Committee on Finance.

By Mr. CASEY:

S. 2770. A bill to suspend temporarily the duty on reaction product of 3,5-dimethyl-1,2-diazole with polymer of hexane-1,6-diyl diisocyanate; to the Committee on Finance.

By Mr. CASEY:

S. 2771. A bill to suspend temporarily the duty on captan; to the Committee on Finance.

By Mr. CASEY:

S. 2772. A bill to suspend temporarily the duty on oxirane, 2-methyl-, polymer with oxirane, ether with 1,2,3-propanetriol (3:1), polymer with 2,4-diisocyanato-1-methylbenzene and a-hydro-w-hydroxypoly[oxy(methyl-1,2-ethanediyl)] ether with 2-ethyl-2-(hydroxymethyl)-1,3-propanediol (3:1), caprolactam-blocked; to the Committee on Finance.

By Mr. CASEY:

S. 2773. A bill to suspend temporarily the duty on hexanedioic acid, dihydrazide, polymer with 5-amino-1,3,3-trimethylcyclohexanemethanamine, 1,3-butanediol and 1,1′-methylenebis[4-isocyanatocyclohexane], Me Et ketone oxime- and polyethylene glycol mono-Me ether-blocked; to the Committee on Finance.

By Mr. CASEY:

S. 2774. A bill to suspend temporarily the duty on N-[methoxy(methylthio) phosphinoyl] acetamide formulation; to the Committee on Finance.

By Mr. CASEY:

S. 2775. A bill to suspend temporarily the duty on N,N′N″-[(2,4,5-trioxo-1,3,5-triazine-1,3,5(2H,4H,6H)-triyl)tris[methylene(3,5,5-trimetyl-3,1-cyclohexanediyl)]]tris[hexahydro-2-oxo-1H-azepine-1-carboxamide]; to the Committee on Finance.

By Mr. CASEY:

S. 2776. A bill to extend the temporary suspension of duty on mixtures of thiophanate methyl and application adjuvants; to the Committee on Finance.

By Mr. CASEY:

S. 2777. A bill to extend the temporary suspension of duty on methyl sulfanilylcarbamate, sodium salt; to the Committee on Finance.

By Mr. CASEY:

S. 2778. A bill to suspend temporarily the duty on reaction product of 3,5-dimethyl-1,2-diazole with polymer of hexane-1,6-diyl diisocyanate; to the Committee on Finance.

By Mr. CASEY:

S. 2779. A bill to suspend temporarily the duty on poly(1,6-diisocyanatohexane-block-polyethylene-block-poly-propylene glycol monobutyl ether); to the Committee on Finance.

By Mr. CASEY:

S. 2780. A bill to extend the temporary suspension of duty on Cypermethrin; to the Committee on Finance.

By Mr. CASEY:

S. 2781. A bill to suspend temporarily the duty on water-dispersible polyisocyanate products based on nexamethylene

diisocyanate trimer and cyclohexanamine, N,N-dimethyl-, compounds with 3-(cyclohexylamino)-1-propanesulfonic acid-blocked 1,6-diisocyanatohexane homopolymer; to the Committee on Finance.

By Mr. CASEY:

S. 2782. A bill to extend the temporary suspension of duty on Oryzalin; to the Committee on Finance.

By Mr. CASEY:

S. 2783. A bill to extend the temporary suspension of duty on 2-oxepanone polymer with 1,4-butanediol and 5-isocyanato-1-(isocyanatomethyl)-1,3,3-trimethylcyclohexane, 2-ethyl-1-hexanol-blocked; to the Committee on Finance.

By Mr. CASEY:

S. 2784. A bill to extend the temporary suspension of duty on 1,2,3-propanetriol, polymer with 2,4-diisocyanato-1-methylbenzene, 2-ethyl-2-(hydroxymethyl)-1,3-propanediol, methyloxirane and oxirane; to the Committee on Finance.

By Mr. CASEY:

S. 2785. A bill to extend the temporary suspension of duty on zinc dimethyldithiocarbamate; to the Committee on Finance.

By Mr. CASEY:

S. 2786. A bill to extend and modify the temporary suspension of duty on 1,3-diisocyanatomethylbenzene, polymer with 1,6-diisocyanatohexane; to the Committee on Finance.

By Mr. CASEY:

S. 2787. A bill to extend the temporary suspension of duty on temporary suspension of duty on thiophanate methyl; to the Committee on Finance.

By Mr. CASEY:

S. 2788. A bill to extend and modify the temporary suspension of duty on polyisocyanate cross linking agent products containing triphenylmethane triisocyanate in solvents; to the Committee on Finance.

By Mr. CASEY:

S. 2789. A bill to extend the temporary suspension of duty on Preventol O Extra; to the Committee on Finance.

By Mr. BLUMENTHAL:

S. 2790. A bill to suspend temporarily the duty on 2-benzothiazolythio butanedioic acid (2BBA); to the Committee on Finance.

By Mr. BLUMENTHAL:

S. 2791. A bill to suspend temporarily the duty on stannic oxide; to the Committee on Finance.

By Mr. BLUMENTHAL:

S. 2792. A bill to suspend temporarily the duty on 1-methylimidazole; to the Committee on Finance.

By Mr. BLUMENTHAL:

S. 2793. A bill to suspend temporarily the duty on copper peptide (GHK-Cu 1:1); to the Committee on Finance.

By Mr. BLUMENTHAL:

S. 2794. A bill to suspend temporarily the duty on 4-oxo-4-p-tolylbutyric acid adduct with 4-ethylmorpholine (NEM Salt); to the Committee on Finance.

By Mr. BLUMENTHAL:

S. 2795. A bill to suspend temporarily the duty on copper peptide (AHK-Cu); to the Committee on Finance.

By Mr. BLUMENTHAL:

S. 2796. A bill to suspend temporarily the duty on hydrazine hydrate, aqueous solution; to the Committee on Finance.

By Mr. KERRY (for himself and Mrs. MURRAY):

S. 2797. A bill to extend the temporary suspension of duty on leather basketballs; to the Committee on Finance.

By Mr. KERRY (for himself and Mrs. MURRAY):

S. 2798. A bill to extend the temporary reduction of duty on basketballs having an external surface other than leather or rubber; to the Committee on Finance.

By Mr. KERRY (for himself and Mrs. MURRAY):

S. 2799. A bill to extend the temporary reduction of duty on rubber basketballs; to the Committee on Finance.

By Mr. KERRY (for himself, Mr. REID, and Mrs. MURRAY):

S. 2800. A bill to extend the temporary suspension of duty on volleyballs; to the Committee on Finance.

By Mr. KERRY:

S. 2801. A bill to suspend temporarily the duty on Pigment Yellow 180; to the Committee on Finance.

By Mr. KERRY:

S. 2802. A bill to suspend temporarily the duty on benzenesulfonic acid, 4-chloro-2-[[4,5-dihydro-3-methyl-5-oxo-1-(3-sulfophenyl)-1H-pyrazol-4-yl]azo]-5-methyl-, calcium salt; to the Committee on Finance.

By Mr. KERRY:

S. 2803. A bill to suspend temporarily the duty on butanamide, N-(2,3-dihydro-2-oxo-1 H-benzimidazol-5-yl)-2-[2-(2-methoxyphenyl) diazenyl]-3-oxo; to the Committee on Finance.

By Mr. KERRY:

S. 2804. A bill to suspend temporarily the duty on certain high-performance loudspeakers; to the Committee on Finance.

By Mr. KERRY:

S. 2805. A bill to suspend temporarily the duty on certain electrical transformers rated at 40VA; to the Committee on Finance.

By Mr. KERRY:

S. 2806. A bill to reduce temporarily the duty on fasteners, in clips suitable for use in a mechanical attaching device; to the Committee on Finance.

By Mr. KERRY:

S. 2807. A bill to suspend temporarily the duty on hand tools designed for securing plastic fasteners; to the Committee on Finance.

By Mr. KERRY:

S. 2808. A bill to reduce temporarily the duty on golf club driver heads; to the Committee on Finance.

By Mr. KERRY:

S. 2809. A bill to suspend temporarily the duty on fairway wood heads; to the Committee on Finance.

By Mr. KERRY:

S. 2810. A bill to reduce temporarily the duty on golf club iron heads; to the Committee on Finance.

By Mr. KERRY:

S. 2811. A bill to reduce temporarily the duty on golf wedge club heads; to the Committee on Finance.

By Mr. KERRY:

S. 2812. A bill to suspend temporarily the duty on hybrid golf club heads; to the Committee on Finance.

By Mr. KERRY:

S. 2813. A bill to extend and modify the temporary suspension of duty on yttrium oxides having a purity of at least 99.9 percent; to the Committee on Finance.

By Mr. KERRY:

S. 2814. A bill to extend the temporary suspension of duty on certain synthetic filament yarns; to the Committee on Finance.

By Mr. KERRY:

S. 2815. A bill to extend the temporary suspension of duty on certain untwisted filament yarns; to the Committee on Finance.

By Mr. KERRY:

S. 2816. A bill to suspend temporarily the duty on cellular plastic sheets for micron-retention filters; to the Committee on Finance.

By Mr. KERRY:

S. 2817. A bill to extend the temporary suspension of duty on certain plastic fittings of perfluoroalkoxy; to the Committee on Finance.

By Mr. KERRY:

S. 2818. A bill to suspend temporarily the duty on plastic mesh for filters; to the Committee on Finance.

By Mr. KERRY:

S. 2819. A bill to suspend temporarily the duty on plastic mesh for filters (high flow); to the Committee on Finance.

By Mr. KERRY:

S. 2820. A bill to suspend temporarily the duty on cellular plastic sheets for nano-retention filters; to the Committee on Finance.

By Mr. KERRY:

S. 2821. A bill to extend the suspension of duty on acetoacetyl-2,5-dimethoxy-4-chloroanilide; to the Committee on Finance.

By Mr. KERRY:

S. 2822. A bill to extend the suspension of duty on p-Aminobenzamide (4-aminobenzamide); to the Committee on Finance.

By Mr. KERRY:

S. 2823. A bill to extend the suspension of duty on 3-amino-4-methylbenzamide; to the Committee on Finance.

By Mr. KERRY:

S. 2824. A bill to extend the suspension of duty on Basic Blue 7; to the Committee on Finance.

By Mr. KERRY:

S. 2825. A bill to extend the suspension of duty on Basic Red 1:1; to the Committee on Finance.

By Mr. KERRY:

S. 2826. A bill to extend the suspension of duty on Basic Red 1; to the Committee on Finance.

By Mr. KERRY:

S. 2827. A bill to extend the suspension of duty on Basic Violet 1; to the Committee on Finance.

By Mr. KERRY:

S. 2828. A bill to extend the suspension of duty on 5-chloro-3-hydroxy-2-methoxy-2-naphthanilide; to the Committee on Finance.

By Mr. KERRY:

S. 2829. A bill to extend the suspension of duty on 5-chloro-3-hydroxy-2-methyl-2-naphthanilide; to the Committee on Finance.

By Mr. KERRY:

S. 2830. 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 Finance.

By Mr. KERRY:

S. 2831. A bill to renew the temporary suspension of duty on Pigment Red 187; to the Committee on Finance.

By Mr. KERRY:

S. 2832. A bill to suspend temporarily the duty on Pigment Yellow 181; to the Committee on Finance.

By Ms. COLLINS:

S. 2833. A bill to suspend temporarily the duty on alginic acid, ammonium alginate, potassium alginate, calcium alginate, and magnesium alginate; to the Committee on Finance.

By Mr. BROWN of Massachusetts:

S. 2834. 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; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BROWN of Massachusetts:

S. 2835. A bill to amend the Higher Education Act of 1965 to require institutions of higher education to post certain IRS returns on their websites; to the Committee on Health, Education, Labor, and Pensions.

By Ms. COLLINS:

S. 2836. A bill to reduce temporarily the duty on sodium alginate; to the Committee on Finance.

By Ms. COLLINS:

S. 2837. A bill to suspend temporarily the duty on propylene glycol alginates; to the Committee on Finance.

By Ms. COLLINS:

S. 2838. A bill to extend and modify the temporary reduction of duty on viscose rayon staple fibers having a decitex of less than 5.0; to the Committee on Finance.

ADDITIONAL COSPONSORS

S. 584

At the request of Ms. MIKULSKI, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 584, a bill to establish the Social Work Reinvestment Commission to provide independent counsel to Congress and the Secretary of Health and Human Services on policy issues associated with recruitment, retention, research, and reinvestment in the profession of social work, and for other purposes.

S. 657

At the request of Mr. CARDIN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 657, a bill to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty.

S. 738

At the request of Ms. STABENOW, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 738, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of comprehensive Alzheimer's disease and related dementia diagnosis and services in order to improve care and outcomes for Americans living with Alzheimer's disease and related dementias by improving detection, diagnosis, and care planning.

S. 886

At the request of Mr. UDALL of New Mexico, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 886, a bill to amend the Interstate Horseracing Act of 1978 to prohibit the use of performance-enhancing drugs in horseracing, and for other purposes.

S. 1039

At the request of Mr. CARDIN, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 1039, a bill to impose sanctions on persons responsible for the detention, abuse, or death of Sergei Magnitsky, for the conspiracy to defraud the Russian Federation of taxes on corporate profits through fraudulent transactions and lawsuits against Hermitage, and for other gross violations of human rights in the Russian Federation, and for other purposes.

S. 1107

At the request of Mr. MENENDEZ, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1107, a bill to authorize and support psoriasis and psoriatic arthritis data collection, to express the sense of the Congress to encourage and leverage public and private investment in psoriasis research with a particular focus on interdisciplinary collaborative research on the relationship between psoriasis and its comorbid conditions, and for other purposes.

S. 1297

At the request of Mr. BURR, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of S. 1297, a bill to preserve State and institutional authority relating to State authorization and the definition of credit hour.

S. 1454

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1454, a bill to amend title XVIII of the Social Security Act to provide for extended months of Medicare coverage of immunosuppressive drugs for kidney transplant patients and other renal dialysis provisions.

S. 1561

At the request of Ms. STABENOW, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1561, a bill to amend the Internal Revenue Code of 1986 to provide for the deductibility of charitable contributions to agricultural research organizations, and for other purposes.

S. 1591

At the request of Mrs. GILLIBRAND, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 1591, a bill to award a Congressional Gold Medal to Raoul Wallenberg, in recognition of his achievements and heroic actions during the Holocaust.

S. 1629

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

S. 1670

At the request of Mr. CARDIN, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 1670, a bill to eliminate racial profiling by law enforcement, and for other purposes.

S. 1734

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

S. 1751

At the request of Mr. HOEVEN, the names of the Senator from Missouri (Mr. BLUNT), the Senator from Wisconsin (Mr. JOHNSON) and the Senator from Utah (Mr. LEE) were added as cosponsors of S. 1751, a bill to amend subtitle D of the Solid Waste Disposal Act to facilitate recovery and beneficial use, and provide for the proper management and disposal, of materials generated by the combustion of coal and other fossil fuels.

S. 1809

At the request of Mr. KERRY, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1809, a bill to amend the Public Health Service Act to revise and extend the program for viral hepatitis surveillance, education, and testing in order to prevent deaths from liver cancer, and for other purposes.

S. 1884

At the request of Mr. DURBIN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1884, a bill to provide States with incentives to require elementary schools and secondary schools to maintain, and permit school personnel to administer, epinephrine at schools.

S. 1935

At the request of Ms. COLLINS, the names of the Senator from Idaho (Mr. CRAPO) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 1935, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the 75th anniversary of the establishment of the March of Dimes Foundation.

S. 2050

At the request of Ms. SNOWE, the name of the Senator from Maryland (Ms. MIKULSKI) 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. 2060

At the request of Mr. KOHL, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 2060, a bill to provide for the payment of a benefit to members eligible for participation in the Post-Deployment/Mobilization Respite Absence program for days of nonparticipation due to Government error.

S. 2076

At the request of Mr. FRANKEN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2076, a bill to improve security at State and local courthouses.

S. 2112

At the request of Mr. BEGICH, the name of the Senator from South Dakota (Mr. JOHNSON) 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. 2143

At the request of Ms. STABENOW, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 2143, a bill to amend the Internal Revenue Code of 1986 to clarify that

paper which is commonly recycled does not constitute a qualified energy resource under the section 45 credit for renewable electricity production.

S. 2160

At the request of Mr. MORAN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 2160, a bill to improve the examination of depository institutions, and for other purposes.

S. 2165

At the request of Mrs. BOXER, the names of the Senator from New York (Mrs. GILLIBRAND), the Senator from North Carolina (Mrs. HAGAN) and the Senator from New Hampshire (Ms. AYOTTE) were added as cosponsors of S. 2165, a bill to enhance strategic cooperation between the United States and Israel, and for other purposes.

S. 2179

At the request of Mr. WEBB, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 2179, a bill to amend title 38, United States Code, to improve oversight of educational assistance provided under laws administered by the Secretary of Veterans Affairs and the Secretary of Defense, and for other purposes.

S. 2239

At the request of Mr. NELSON of Florida, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2239, a bill to direct the head of each agency to treat relevant military training as sufficient to satisfy training or certification requirements for Federal licenses.

S. 2241

At the request of Mrs. MURRAY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2241, a bill to ensure that veterans have the information and protections they require to make informed decisions regarding use of Post-9/11 Educational Assistance, and for other purposes.

S. 2244

At the request of Mr. PORTMAN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2244, a bill to direct the Secretary of Veterans Affairs to assist in the identification of unclaimed and abandoned human remains to determine if any such remains are eligible for burial in a national cemetery, and for other purposes.

S. 2299

At the request of Mrs. MURRAY, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 2299, a bill to amend the Servicemembers Civil Relief Act and title 38, United States Code, to improve the provision of civil relief to members of the uniformed services and to improve the enforcement of employment and reemployment rights of such members, and for other purposes.

S. 2320

At the request of Ms. AYOTTE, the names of the Senator from Massachusetts (Mr. KERRY), the Senator from Texas (Mrs. HUTCHISON) and the Senator from Hawaii (Mr. AKAKA) were added as cosponsors 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 Oregon (Mr. WYDEN) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 2325, a bill to authorize further assistance to Israel for the Iron Dome anti-missile defense system.

S. 2343

At the request of Mr. REID, the names of the Senator from California (Mrs. BOXER), the Senator from Hawaii (Mr. INOUYE), the Senator from Maryland (Ms. MIKULSKI), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from New York (Mr. SCHUMER) and the Senator from New Mexico (Mr. UDALL) 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. 2364

At the request of Ms. SNOWE, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 2364, a bill to extend the availability of low-interest refinancing under the local development business loan program of the Small Business Administration.

S. RES. 429

At the request of Mr. WICKER, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. Res. 429, a resolution supporting the goals and ideals of World Malaria Day.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS (for herself and Mr. DURBIN):

S. 2515. A bill to promote the use of clean cookstoves and fuels to save lives, improve livelihoods, empower women, and combat harmful pollution by creating a thriving global market for clean and efficient household cooking solutions; to the Committee on Foreign Relations.

Ms. COLLINS. Mr. President, I rise today to introduce The Clean Cookstoves Support Act, which addresses a serious global environmental and public health issue. I am pleased to be joined in this effort by my friend and colleague, Senator DURBIN.

Nearly half the world's population cooks food over open fires or inefficient, polluting, and unsafe cookstoves, using firewood, dung, or coal as fuel. Smoke from these traditional cookstoves and open fires is associated with a number of chronic and acute diseases, with women and young children affected disproportionately. The World Health Organization estimates cookstove smoke to be one of the top five threats to public health in poor, developing countries. This smoke may account for nearly two million deaths annually in the developing world, which is more than the deaths from malaria, tuberculosis, or HIV.

Traditional cookstoves also create serious environmental impacts. The amount of biomass cooking fuel required each year can reach up to two tons per family, and local environmental degradation can result where demand for fuel outstrips the natural regrowth of resources. Recent studies show that emissions of black carbon, or common soot, from biomass cookstoves significantly contribute to climate change, second only to carbon dioxide in impact.

These stoves should be replaced with modern alternatives to reverse these alarming health and environmental trends. Fortunately, modern stoves, designed to burn fuel efficiently, can eliminate up to 90 percent of the black carbon produced during cooking and home heating. This would be relatively inexpensive and could be done quickly it is what scientists call the ''low-hanging fruit'' of environmental fixes.

Through the leadership of Secretary of State Hilary Clinton and the United Nations Foundation, the Global Alliance for Clean Cookstoves was formed in 2010. Recognizing the severity of the global health and environmental issues, this public-private partnership aims to save lives, improve livelihoods, empower women, and combat pollution by creating a thriving global market for clean and efficient household cooking solutions. The Alliance partners are working to help overcome the market barriers that currently impede the production, deployment, and use of clean cookstoves in the developing world.

To assist in this important endeavor, several Federal agencies the Departments of State, Energy, and Health and Human Services, including NIH and CDC, the United States Agency for International Development, the Environmental Protection Agency, and the Overseas Private Investment Corporation have committed to contribute to the Alliance in three key areas.

First: support for research and development to improve design, lower costs, and develop global industry standards and testing protocols for cookstoves. Second: diplomatic engagement to encourage a commercial market for clean stoves and promote several strategies, including reducing trade barriers, promoting consumer awareness, and improving access to financing. Third: the launch of international development projects to distribute the clean stoves to targeted areas, including refugee camps, disaster relief efforts, and long-term aid programs, as well as projects

aimed at women and girls. These contributions will assist the Alliance in reaching its goal of spurring the adoption of clean cookstoves in 100 million households by 2020.

Our legislation reinforces the commitment these U.S. agencies have made to the Alliance and requires the Secretary of State in consultation with the relevant Federal agencies, and in coordination with relevant international nongovernmental organizations and private and governmental entities to work to advance the goals of the Alliance. In addition, our bill formally authorizes the agency's funding commitments to ensure that these crucial pledges toward preventing unnecessary illness and reducing pollution around the globe are met.

By supporting the work of the Alliance to replace primitive stoves with modern versions that emit far less soot, this legislation would directly benefit some of the world's poorest people and reduce harmful pollution that affects us all.

This measure addresses an important global pollutant and alleviates a serious public health and environmental concern affecting developing nations. I urge my colleagues to join us in supporting The Clean Cookstoves Support Act.

By Mr. LEAHY (for himself, Mr. SCHUMER, Mr. WHITEHOUSE, Mr. COONS, Ms. MIKULSKI, Mr. KOHL, and Ms. KLOBUCHAR):

S. 2554. A bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to extend the authorization of the Bulletproof Vest Partnership Grant Program through fiscal year 2017; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, today I am proud to introduce a bill to reauthorize the Bulletproof Vest Partnership Grant Act.

I am pleased that Senator COONS, Senator WHITEHOUSE, and Senator SCHUMER have joined me in this effort. When enacted, this legislation will continue for another five years the lifesaving grant program that Senator Campbell and I authored in 1998. This measure will continue Congress' strong commitment to the safety and security of our Nation's law enforcement officers.

The Bulletproof Vest Partnership Grant Program, administered by the Department of Justice, provides financial assistance to State law enforcement agencies to help purchase bulletproof vests. This program is an important part of the Federal Government's overall policy to assist and support State and local law enforcement partners around the country.

In February, the Judiciary Committee held a hearing on this program and the need for reauthorization to emphasize just how important and effective this program has been. At that hearing, a representative from the Government Accountability Office testified that since 1987, data shows that body armor has saved the lives of 3,000 law enforcement officers. That is 3,000 men and women who may not otherwise have made it home to their families and loved ones. The BVP Program has assisted State and local jurisdictions with the purchase of nearly one million bulletproof vests since 1999. That is a measure of success all Senators should be proud of. I hope we can support the continuation of this program unanimously, as the Senate did most recently in 2008.

Despite the progress that has been made in the improvement of lifesaving equipment and training, there is much work to be done. The year 2011 was an especially tragic one for the law enforcement community. Last year, 163 State and Federal law enforcement officers lost their lives and thousands were injured or disabled in the line of duty. This is an increase from 2010 and a grim reminder of the sacrifices far too many individuals make in the service of their communities and fellow citizens. The Senate should continue to do its part to help reverse the trend of the last several years.

The safety and support of law enforcement officers across the United States should be something on which we can all agree. As we look toward National Police Week this month, Senators have an opportunity with this legislation to help make a difference and to show the thousands of law enforcement officers and their family members who will be in Washington that the Senate stands with them. I encourage their support and I look forward to the enactment of this legislation.

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. 2554

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 ''Bulletproof Vest Partnership Grant Act of 2012''.

SEC. 2. REAUTHORIZATION.

Section 1001(a)(23) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(23)) is amended by striking ''2012'' and inserting ''2017''.

NOTICES OF HEARINGS

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Thursday, May 10, 2012, at 10 a.m. in SD 430 Dirksen Senate Office Building to conduct a hearing entitled ''Beyond Mother's Day: Helping the Middle Class Balance Work and Family.''

For further information regarding this meeting, please contact the committee on (202) 224 5441.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources. The hearing will be held on Thursday, May 10, 2012, at 9:30 a.m., in room SD 366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to receive testimony on S. 2374, The Helium Stewardship Act of 2012.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510 6150, or by email to *Abigail*__Campbell@energy. senate.gov.

For further information, please contact Kelly Kryc at (202) 224 0537, or Abigail Campbell at (202) 224 1219.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources. The hearing will be held on Thursday, May 17, 2012, at 9:30 a.m. in room SD 366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on S. 2146, the Clean Energy Standard Act of 2012.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, room 304 of the Dirksen Senate Office Building, Washington, DC 20510 6150, or by email to Meagan__Gins@energy .senate.gov.

For further information, please contact Kevin Rennert at (202) 224 7826 or Meagan Gins at (202) 224 0883.

NOTICE: PUBLIC FINANCIAL DISCLOSURE REPORTS

The filing date for the 2011 Public Financial Disclosure reports is Tuesday, May 15, 2012. Senators, political fund designees and staff members whose salaries exceed 120% of the GS 15 pay scale must file reports.

Public Financial Disclosure reports should be submitted to the Senate Office of Public Records, 232 Hart Building, Washington, DC. 20510.

The Public Records office will be open from 9:00 a.m. to 6:00 p.m. on the filing date to accept these filings. For further information, please contact the Public Records office at (202) 224 0322.

MEASURES READ THE FIRST TIME—H.R. 2050, H.R. 2240, H.R. 4628, AND H.R. 4849

Mr. BROWN of Ohio. Madam President, I understand there are four bills at the desk, and I ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will read the bills by title for the first time en bloc.

The legislative clerk read as follows:

A 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.

A 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.

A bill (H.R. 4628) to extend student loan interest rates for undergraduate Federal Direct Stafford Loans.

A bill (H.R. 4849) 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.

Mr. BROWN of Ohio. Madam President, I now ask for a second reading en bloc, and I object to my own request en bloc.

The PRESIDING OFFICER. Objection having been heard, the bills will be read for the second time on the next legislative day.

ORDERS FOR TUESDAY, MAY 8, 2012

Mr. BROWN of Ohio. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until Tuesday, May 8, at 10 a.m.; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that the Senate resume consideration of the motion to proceed to S. 2343, the Stop Student Loan Interest Rate Hike Act, with the time until noon evenly divided and controlled between the two leaders or their designees; and that following the remarks of the two leaders, the majority control the first 30 minutes and the Republicans control the second 30 minutes; and that following the cloture vote on the motion to proceed to S. 2343, the Senate recess until 2:15 p.m. to allow for the weekly caucus meetings.

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

PROGRAM

Mr. BROWN of Ohio. Madam President, the first vote tomorrow will be at noon on the motion to invoke cloture on the motion to proceed to S. 2343, the Stop Student Loan Interest Rate Hike Act.

ADJOURNMENT

Mr. BROWN of Ohio. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:46 p.m., adjourned until Tuesday, May 8, 2012, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 7, 2012:

THE JUDICIARY

JACQUELINE H. NGUYEN, OF CALIFORNIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT.

FEDERAL COMMUNICATIONS COMMISSION

AJIT VARADARAJ PAI, OF KANSAS, TO BE A MEMBER OF THE FEDERAL COMMUNICATIONS COMMISSION FOR A TERM OF FIVE YEARS FROM JULY 1, 2011.

JESSICA ROSENWORCEL, OF CONNECTICUT, TO BE A MEMBER OF THE FEDERAL COMMUNICATIONS COMMISSION FOR A TERM OF FIVE YEARS FROM JULY 1, 2010.

THE JUDICIARY

KRISTINE GERHARD BAKER, OF ARKANSAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF ARKANSAS.

JOHN Z. LEE, OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS.