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Senate

The Senate met at 10 a.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.

Almighty God, as our lawmakers seek to meet their responsibilities, give them the awareness to look not only to the immediate needs and the concerns of the moment but to be enlightened by the majesty of Your creation and Your eternal spirit. Strengthened by Your spirit, give them the wisdom to refuse to do anything which would bring them regret, remorse or shame. May they never do anything they would have to hide and about which they should be ashamed that others should know.

Lord, today we confess our human inadequacies and our need for You to infuse us with Your strength. May this be a day in which we all sense Your presence and receive Your power.

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, June 5, 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.

PAYCHECK FAIRNESS ACT—MOTION TO PROCEED—Resumed

Mr. REID. Mr. President, I move to proceed to Calendar No. 410, S. 3220.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 410, S. 3220, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

SCHEDULE

Mr. REID. Mr. President, we are now on the motion to proceed to the Paycheck Fairness Act.

Following my remarks and those of the Republican leader, the time until 12:30 will be equally divided. The majority will control the first 30 minutes and the Republicans will control the second 30 minutes.

The Senate will recess from 12:30 until 2:15 p.m. to allow for the weekly caucus meetings.

I ask unanimous consent the cloture vote on the motion to invoke cloture on the motion to proceed to S. 3220 occur at 2:30 p.m. and that the time from 2:15 p.m. until 2:30 p.m. be equally divided between the two leaders, with the majority controlling the final half.

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

Mr. REID. Mr. President, as I indicated, we are on the Paycheck Fairness Act, and we will have that cloture vote at 2:30 p.m. today.

Mr. REID. Mr. President, most Americans believe if they get an education, they work hard and play by the rules, they will have a fair shot at success. But for millions of American women, no amount of talent or dedication will bring pay equality with their male coworkers. In the minds of many employers, they simply are not equal.

American women take home 77 cents for every $1 their male colleagues earn for doing the exact same work. That stunning fact holds true whether the woman has a college degree, regardless of how many hours she spends in the office each week or on some manufacturing floor and regardless of what job she holds—77 cents applies.

But listen to this. If she is an African-American or Hispanic woman, the disparity is even starker. African-American women make 62 cents on the dollar and Hispanic women 54 cents on the dollar compared to White men working the same hours and doing the same jobs. They are not working at different jobs; these are the exact same jobs. If someone is Hispanic and they are a woman, they get about half as much as a man doing the same job. If they are African American, they get about 62 cents compared to every $1 a man makes.

While landmark pieces of legislation such as the Equal Pay Act and the Lilly Ledbetter Fair Pay Act have narrowed the pay gap, they have not closed the gap, and that is obvious by the numbers I just announced to the Senate. So Congress must do more. This act that is before the Senate would give workers stronger tools to combat wage discrimination.

One of the tools of retaliation employers have is they fire workers if they discuss how much they make with another worker. Our legislation would bar retaliation against workers for discussing salary information. Why do we

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

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have this in the bill? We have this landmark legislation that we had to pass because the Supreme Court ruled against Lilly Ledbetter.

Lilly Ledbetter is a woman who worked in Alabama for many years, and she didn't know she was being paid far less than her male counterparts who did the same work. So when she learned of this, she filed a lawsuit in the Supreme Court, and the Supreme Court said: Sorry, Lilly. You didn't file it in time; the statute of limitations has run, meaning she had to file within a certain period of time.

We have many different places in the law where we do not start tolling the statute until someone learns something is wrong. For example, we had to go back on medical malpractice cases where people were treated negligently by physicians, but the poor patient didn't realize this until long after. For example, in the State of Nevada, there is a 2-year statute of limitations. So we changed that in most places in the country, and we need to make sure people understand, in this instance—now that we passed the Lilly Ledbetter legislation—the time doesn't start running until one has learned they are being cheated.

Our legislation would bar retaliation against workers for discussing salary information, and it would help secure adequate compensation for victims of gender-based pay discrimination. Let's look at the State of Nevada. Over their lifetimes, Nevada women will earn about $475 million less than their male counterparts—almost $500 million.

This is not just an issue for women; it is a family issue. Why? Because every year millions of American families are cheated out of money they could spend on groceries, rent, and gas. Every year wage discrimination puts almost 400,000 Nevada children at risk.

For many families in Nevada and across the country a woman is the only income generator in that family. For many more women that person is the primary breadwinner. Yet Republicans have vowed to block this legislation. It is in all the news today. Every headline in the news talks about this bill coming up today and the Republicans are saying they are going to vote against it because it creates too much bookwork.

They vowed to block legislation that would even the playing field and help women provide for their families even though Americans overwhelmingly support this legislation. Nine out of ten Americans—including 81 percent of men and 77 percent of the Republicans—support pay equity legislation.

Once again, the only Republicans who are against our commonsense measure are the ones who are in Congress in Washington. Even Mitt Romney has refused to publicly oppose this legislation. He may oppose it, but he is afraid to say anything about it. Why? Because it is obvious why. He should show some leadership. In my opinion, Governor Romney should tell his fellow Republicans that opposing fair pay for all Americans is shameful. Instead, no one knows where he stands, but we know where Democrats stand. Everyone knows. We stand firmly on the side of equality for every working woman.

Democrats stand with middle-class women who are working to keep their families afloat during these difficult times. We stand with young women pursuing a college education who are hoping to get a good-paying job when they graduate. We stand with little girls whose mothers taught them there is no limit to their dreams.

This evening Americans will see where Republicans stand on this issue. It is unfortunate they, once again, favor obstruction over equality.

RECOGNITION OF THE REPUBLICAN LEADER

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

STUDENT LOANS

Mr. MCCONNELL. Mr. President, I would like to continue to discuss the student loan issue this morning because the administration's approach to this problem is nothing short of surreal.

I have in my hand a letter that has been signed by the top four Republicans in Congress: Speaker BOEHNER, Leader CANTOR, minority whip JON KYL, and myself. It lists no fewer than four good-faith bipartisan proposals to resolve the issue, all of which are based on offsets the President has proposed himself in the past.

Let me say that again: We have recommended to the President four offsets that he, himself, has proposed in the past to achieve what we all want to achieve, which is a 1-year extension of the current student loan interest rates. We sent this letter to the President 5 days ago. Yet we have now learned that in spite of the fact they have a proposal recommending that on a bipartisan basis we accept offsets that they have previously recommended, we have now learned the Vice President will have a group of college presidents over to the White House today to ''reassert the call for Congress to stop the student loan interest rate from doubling.''

Congress has acted. We have given the administration four offsets they previously proposed. We are waiting for a response so we can solve this problem. Why doesn't the Vice President simply pick up the phone, choose one of the proposals we laid out in our letter, and then announce at the meeting the problem has been resolved? That way he will give these folks some good news to bring back to their campuses instead of just asking them to be props in this elaborate farce the White House political team cooked up on this issue. It is an elaborate farce. This can be solved very easily with offsets the administration itself has recommended.

The only people dragging their feet on this issue are over at the White House. Republicans in Congress have been crystal clear for weeks. We are ready to resolve the issue to give students the certainty they need about their loan payments. The President may find it politically useful to keep these young people off-balance, but we don't think they should have to wait another day. It is inexcusable for the President to allow this impasse to persist. That is why we bent over backward to find a solution, and it is simply disingenuous for the President to claim otherwise, which brings me to larger point.

We all realize the President is concerned about his reelection. I understand he is placing a higher priority on fundraising and trying to make Republicans look bad as he ramps up to November. I get his rationale for running a negative campaign. If I were he, I wouldn't want to brag about my record either. I get it. But I would remind him he is still the President, even though the campaign is going on, and that Americans are looking for leadership and the economic problems we face will only get worse if he avoids them for 6 more months.

So whether it is the student loan issue or the prospect of a massive tax hike at the end of the year, Republicans are ready to work with the President to provide the kind of certainty the American people need right now. But it is a two-way street. We will never solve these problems if the President continues to mislead the American people about what Republicans in Congress are willing and eager to do to help.

Mr. President, I ask unanimous consent to have the letter I previously referred to printed in the RECORD.

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

CONGRESS OF THE UNITED STATES,
Washington, DC, May 31, 2012.

The PRESIDENT,
The White House, Pennsylvania Avenue, Washington, DC.

DEAR MR. PRESIDENT: Earlier this year you asked Congress to extend for another year the reduced interest rate for subsidized Stafford student loans. Last month the House of Representatives passed a bill to do just that and to pay for the cost with a repeal of the Prevention and Public Health Fund created as part of the Patient Protection and Affordable Care Act. Despite the fact that you have previously signed into law legislation reducing this fund by $5 billion to offset the cost of preventing a reduction in Medicare physician payments, your Administration indicated that you would veto a bill that would use additional savings from the fund to offset the cost of extending lower student loan interest rates.

More recently. Senate Majority Leader Reid and his conference have put forward a proposal to pay for extending the reduced interest rate by raising taxes on small businesses. As you know, this proposal cannot pass the Senate and is unacceptable to the House of Representatives.

We believe our alternative is reasonable and responsible. but in the interest of finding common ground on a way to pay for a one year extension of the current student loan interest rate we are open to other solutions that we have all supported in the past.

The non-partisan Congressional Budget Office has estimated that a one-year extension will increase the deficit by $5.985 billion over

the 2012 to 2017 budget window. We have reviewed your Fiscal Year 2013 budget request. and based on areas of common agreement we believe it is possible to fully offset this cost by 2018 with additional savings in the ten year window and beyond dedicated to much-needed deficit reduction.

We have attached two options for fully offsetting the cost of extending the student interest rate reduction. The policies in both options are either policies that you recommended in their entirety or a subset of a policy you recommended. We are prepared to support either option.

There is no reason we cannot quickly and in a bipartisan manner enact fiscally responsible legislation.

Sincerely,

JOHN BOEHNER,
ERIC CANTOR,
MITCH MCCONNELL,
JON KYL.

ATTACHMENT

OPTION 1

Student Loan Interest Rate: Extend for one year (July 1, 2012 to June 30, 2013) the 3.40 percent interest rate for new subsidized Stafford student loans. (CBO estimates this proposal will increase the deficit by $5.985 billion over the 2012 to 2017 period and $5.985 billion over the 2012 to 2022 period.)

Increase Federal Employee Retirement Contributions: As part of the Fiscal Year 2013 Budget, the Administration proposes to increase current employee contributions to the Civil Service Retirement System (CSRS) and the Federal Employee Retirement System (FERS) by 0.4% in each of the next three calendar years—2013, 2014, and 2015—for a cumulative increase of 1.2% of pay over current contributions. The House of Representatives has passed a substantially larger increase in contributions (5% over current law levels phased-in over five years for regular CSRS and FERS employees) as part of the Sequester Replacement Reconciliation Act. (CBO estimates that the Administration's proposal would reduce the deficit by $8 billion over the 2012 to 2017 period and $18 billion over the 2012 to 2022 period. Note: This estimate reflects that contribution levels have already been increased for new hires as part of the Middle Class Tax Relief and Job Creation Act, Public Law 112–96.)

OPTION 2

Student Loan Interest Rate: Extend for one year (July 1, 2012 to June 30, 2013) the 3.40 percent interest rate for new subsidized Stafford student loans. (CBO estimates this proposal will increase the deficit by $5.985 billion over the 2012 to 2017 period and $5.985 billion over the 2012 to 2022 period.)

Limit Length of In-School Interest Subsidy: As part of the Fiscal Year 2013 Budget, the Administration proposes to limit the duration of borrowers' in-school interest subsidy for subsidized Stafford loans to 150 percent of the normal time required to complete their educational programs. According to the Department of Education, ''The Budget request eliminates the in-school interest subsidy for borrowers who do not complete their program within 150 percent of their program length. Beyond that point, these borrowers no longer receive the interest subsidy for the Subsidized Stafford loans they have taken out, and interest will immediately begin to accrue on these loans. As with the 12 semester Pell limitation enacted this fall, students who attend school half-time would have their benefits adjusted accordingly.'' (CBO estimates that the Administration's proposal would reduce the deficit by $475 million over the 2012 to 2017 period and $1.055 billion over the 2012 to 2022 period.)

Revise Medicaid Provider Tax Threshold: Under current law, states may not tax health care providers and return the tax revenues to those same providers through higher Medicaid payment rates or through other offsets and guarantees (known as a ''hold harmless'' arrangement). An exception to this provision is that the federal government will not deem a hold harmless arrangement to exist if the provider taxes collected from given providers are less than 6 percent of the providers' revenues. As part of the Fiscal Year 2013 Budget, the Administration proposes to phase down the Medicaid provider tax threshold to 3.5% from Fiscal Year 2015 to Fiscal Year 2017. The House-passed Sequester Replacement Reconciliation Act would lower the allowable percentage threshold to 5.5 percent starting in 2013. (CBO estimates that the House-passed proposal would reduce the deficit by $4.65 billion over the 2012 to 2017 period and $11.3 billion over the 2012 to 2022 period.)

Improve Collection of Pension Information from States and Localities: Both the Administration's Budget Proposal for Fiscal Year 2013 and the House-passed Middle Class Tax Relief and Job Creation Act (December 2011) include a proposal to prevent Social Security overpayments by improving coordination with States and local governments. By requiring State and local government pension payers to identify whether a worker's pension is based on government employment, the Social Security Administration (SSA) can improve enforcement of two benefit offset provisions affecting certain government workers. (CBO estimates that the Administration's proposal would reduce the deficit by $358 million over the 2012 to 2017 period and $2 billion over the 2012 to 2022 period.)

WAR ON COAL

Mr. MCCONNELL. Mr. President, hearings on the Environmental Protection Agency's regulatory agenda will be held in Kentucky this week. One hearing will be held today in Frankfort and another later this week in Pikeville. Since Congress is in session this week, I will not be able to attend these important hearings in person, but I will have a representative on hand at each hearing, and I wish to express my thoughts on the matter on the Senate floor.

Similar to most of the country, Kentucky is suffering from very difficult economic times. Far too many Kentuckians are unemployed, and the prospect for future employment remains daunting. That is why it is especially irritating that this administration has blindly followed ideological policies that eliminate jobs in our communities. The people of Kentucky are amongst the hardest working people on the planet, but how can they be expected to compete if our own government is actually working against them?

Simply put, my constituents are under siege from the Obama administration's regulatory agenda, and the EPA is the worst offender—the very worst.

Perhaps the clearest example of this administration's regulatory assault is its war on coal. Since being sworn in, President Obama's EPA has set out to circumvent the will of Congress and the American people by turning the already cumbersome mine permitting process into a backdoor means of shutting down coal mines. Mr. President, 18,000 Kentuckians work in coal mining, and nearly 200,000 more, including farmers, realtors, and transportation workers, rely on the coal industry for their jobs. Coal brings in more than $3.5 billion from out of State and pays more than $1 billion in direct wages every year. Attacking an industry so important to Kentucky will only succeed in putting people out of work, impeding future job growth, and increasing energy prices.

A former senior EPA official under the Obama administration recently summed up the regulatory philosophy of the Agency with respect to those working in the coal business by saying it wants to ''crucify'' them. Let me say that again. This was a regulator, with respect to those working in the coal business, saying it wants to ''crucify'' them. With this radical environmental anticoal agenda, it is no wonder the administration has failed to answer the call of the American people for greater domestic energy production. The real-world impact of their fantasy world energy policy is that people are losing their jobs and energy prices will rise even further.

It is high time the Obama administration stop treating the Kentucky coal industry as the problem and start recognizing that it has been and will continue to be part of the solution.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

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

Under the previous order, the time until 12:30 p.m. will be equally divided and controlled by the two leaders or their designees, with the majority controlling the first 30 minutes and the Republicans controlling the second 30 minutes.

The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I come to the floor today to urge my colleagues to affirmatively and unabashedly vote for cloture on the Paycheck Fairness Act that we wish to bring before the Senate. This is part of a very long march the women of the United States of America have been walking for a very long time.

In 1963 President Lyndon Johnson wanted to create a great society, and he envisioned three civil rights acts to right the wrongs of the past. One was equal pay—the Equal Pay Act—which would ensure that women would get equal pay for equal work. The second was the benchmark Civil Rights Act, and the third was the Voting Rights Act.

Lyndon Johnson picked the Equal Pay Act as his first action because he felt it would be one of the easier ones to pass and to implement. Little did he know that the corporate wrath that was against women in the past would come to that legislation. However, a Democratically controlled Senate moved that bill and began the long march for civil rights. But guess what happened in the ensuing 49 years. On

June 10, 1963, President Johnson signed that bill. Forty-nine years later, women still make less than men. Women in the United States of America make only 77 cents for every dollar men make doing the same job. This is unfair, and it is un-American.

Remember from where we have come. Everybody likes to say to us: Oh, you have come a long way. Well, we don't think we have come a long way. We have only gained 18 cents in 49 years. In 1963 we made 59 cents for every dollar men made, and now it is 77 cents. So what does that mean? It means every 5 years we make an advancement of one penny.

Oh, no. No more. We are just not going to take it anymore.

When I talk to my constituents, they say to me that they are mad as hell and they don't want to take it anymore. They go to school, they get the job, they do the job, they want to be paid for the job, and we agree with them. We want to do it not only with words, but we want to do it with deeds, and we want to pass the Paycheck Fairness Act that would ensure equal pay.

Women fight every day for equal pay, and when they do, they are side-lined, red-lined, and pink-slipped. Right now in the marketplace, it is legal to fire a woman if she asks about pay, whether she goes to the personnel director or whether she asks the person next to her at the water cooler. Women are often harassed and intimidated for just asking: What do you make for the work you do? So we are ready to fight for women to get equal pay, and the best way to do it is to do it right here on the Senate floor.

People say to me: Senator BARB, you led the fight on Lilly Ledbetter. Didn't that solve all the problems?

It solved a big problem. We made a downpayment to keep the courthouse door open for women who are discriminated against, but it did not close the loopholes that were in the original Civil Rights Act. What Lilly Ledbetter did was change the statute of limitations to file a lawsuit from the date of each discriminatory paycheck. Now we need to pass paycheck fairness to close the loopholes that allow discrimination to happen in the very first place.

What does this bill do? It is actually very simple. If we listened to the right-wing pundits, we would think this is complicated and it is going to rend asunder the American economy and so on. This is fundamental fairness.

What does it do? First of all, no longer will employers be able to retaliate against workers for sharing information about wages. Remember what I said earlier: If you ask someone how much they get paid, you can get fired. For years, Lilly Ledbetter and those she represents were humiliated and harassed for just asking questions. No longer will women be able to seek only back pay when they are discriminated against; they will also be able to seek punitive damages. No longer will employers be able to use almost any reason to justify paying a woman less: Oh, the guys do harder jobs; oh, the guys do dangerous jobs; oh, they have a better education. We are talking about equal pay for equal work that requires the same education. No longer will women be on their own because we are going to include various education and training programs.

As I said, in 1963 we made 59 cents for every dollar men made. Women now make 77 cents compared to every dollar a man makes. That is not progress. The consequences of this are severe.

What does this mean? Well, let's take the college graduate, the woman who has had the benefit and privilege of an education. It starts the minute she tosses her hat in the air. When she goes for that job, say, in information technology or even in some of the innovative economic fields, she will be making less. At the rate we are going, by the time she retires there will be a $434,000 income pay gap. This is serious because it not only affects one's income as one goes through life, but it affects one's Social Security and it affects one's pension. It affects absolutely everything. The negative impact multiplies. It is like compound interest in reverse. It is compound disinterest. It is compounded unfairness. So these are real grievances. That is why the Paycheck Fairness Act will be able to do this.

When we look at the life of being a woman, we women know that being a woman often means we pay more. We certainly pay more for health insurance than men with the same coverage for the exact same age or health status. What does that mean? It means women pay estimates of thousands of dollars more in medical insurance over their lifetime. We are often on the hook for childcare, and there are a variety of things on which we could elaborate.

I believe people should be judged in the workplace for skills and competence and that once you get the job and you show you can do the job, you should be paid to do that job.

For my colleagues who argue that 20 cents per hour doesn't matter, let me share some numbers. That means $4,000 less per year for a working family, $434,000 over a lifetime. It means we get paid 23 percent less than a man doing the same work who has the same education.

The Presiding Officer is a smart guy. He knows that when women go to get a mortgage, we don't get a 23-percent discount. When we go to buy food, we don't get a 23-percent discount. When we go to pay our utility bills, they don't say: Oh, you are paid less, so we are going to give you a discount. No. We get charged the same, and often more, but we are paid less.

We are not going to accept being paid less. We are paying attention to this problem. We have listened to the voices of the people. This isn't just Senator BARB sounding off on her women's rights agenda. My women's rights agenda is about the economic empowerment of women, so they have a chance in this great country to be able to move ahead.

I listened to a constituent in Silver Spring with years of teaching experience, and even in public employment, she was paid less.

Then we listened to a trauma surgeon who e-mailed me from Florida—highly educated. She filed suit because she found out that a male surgeon doing the exact same surgery was paid $25,000 more than she was.

Another woman e-mailed me from Virginia. She claimed she was told by her supervisor that hiring a woman would simply be a liability. You are going to get pregnant. You are going to miss work. We don't know if we want you here. That is a whole other issue. Then she said: We don't need to pay you that. You don't head up a household, so why should you get the same money as some guy who does head up a household?

We have faced old prejudices, but we are in a new economy and in a new world. More and more women are in the workplace, we want to be treated with respect, and we want to have equal pay for equal work.

Mr. President, I note that my colleague Senator MURRAY is here. I yield her 5 minutes.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. Mr. President, I wish to start off by giving a true and heartfelt thank-you to Senator MIKULSKI. There is no denying she is such a strong and steadfast leader on this issue, and we all so appreciate it. So I am very proud to come to the Senate floor this morning with her and many others to strongly support the Paycheck Fairness Act and to urge Republicans to join with us to pass this critical bill.

Over the past few months, many of us have stood together to fight back against partisan attacks on policies that impact women across America. We have not started these fights, but we were not going to stand by and watch as others tried to roll back the clock. But every time we stood up to defend women, our friends on the other side of the aisle would jump right up and say we were creating distractions or manufactured issues. They said we should be focused on the economy, as if we were the ones changing the subject and making the partisan attacks. Well, we are not going to stop standing up for women and families.

To those of our colleagues who claim to be so concerned about the economy and the middle class, now is their chance to prove to their constituents that they really mean what they say because the Paycheck Fairness Act is not just about women and it is not just about fairness, it is about the economy. When women are not paid what they deserve, middle-class families and communities pay the price.

In 1963 the Equal Pay Act marked one of the first steps toward narrowing the gap between men and women. In 2009 this Senate took another step by passing the Lilly Ledbetter Fair Pay Act to reverse the Supreme Court's Ledbetter v. Goodyear case which made it almost impossible for our workers who suffered from discrimination to seek justice.

Although we have made progress since we passed the Equal Pay Act almost 50 years ago, pay discrimination has not gone away. Women in my home State of Washington still earn 77 cents on the dollar. That is a pay gap that averages $11,834 in lost earnings each year. That is an extra 90 weeks of groceries or 179 tanks of gasoline. To women in Washington and to most women across America, that is certainly not a manufactured issue. It is very real.

This comes at a time when more and more families rely on women's wages to put food on the table or stay in their home or build a nest egg, their retirement, or help pay for their children's education.

The importance of women in the workplace has never been as critical as today, and this has become even more evident in this tough economy. The fact is that women are now participating in the workforce at higher rates than ever before, according to the Bureau of Labor Statistics. So it would seem most appropriate for this Senate to move our country once again toward eliminating pay discrimination and unfairness in the workplace.

The Paycheck Fairness Act that we are going to have a vote on today tackles pay discrimination head-on, and it should not be a partisan issue or only a women's issue. It is good for women, it is good for families, and it levels the playing field for businesses in America that are doing the right thing and paying their workers fairly.

The Paycheck Fairness Act is good for business too. It recognizes employers for excellence in their pay practices, and it strengthens Federal outreach and assistance to all businesses to help them improve equal pay practices. It is time to address this issue and finally close the wage gap for our working women and their families.

I was very proud to stand with Senator MIKULSKI and other Members of Congress and the President as he signed the Lilly Ledbetter Fair Pay Act of 2009 to give women who are victims of pay discrimination the tools they need to seek justice. But our work is far from complete. We are still not yet at the point where our daughters can expect to earn the same amount over their lifetime as our sons. That has to change. Now we need to pass the Paycheck Fairness Act as quickly as possible to keep our Nation moving in the right direction.

Again, I thank Senator BARBARA MIKULSKI for her tremendous leadership and steadfastness on this issue and her hard work to make this a reality for every working woman in this country.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, there will be other Democratic Senators speaking during this time. I thank Senator MURRAY because she has been a real champion on this issue. She has been a champion on making sure women are treated with respect in the workplace and in the U.S. military. She has been a particular champion for ensuring that women in the military and women in the VA system get treated with fairness. We have a long way to go. This is 2012, and you would think at times it was 1812. But in 1812 we in Baltimore fought another revolution, and we will fight in 2012. So we thank her for her advocacy and look forward to having her vote this afternoon.

This is not only a women's issue where the women's rights groups are pounding the table. We have the support and endorsement of the American Bar Association. I have a letter which I ask unanimous consent to have printed in the RECORD in which the ABA absolutely endorses this legislation.

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

AMERICAN BAR ASSOCIATION,
Chicago, IL, May 31, 2012.

Re Support S. 797, the Paycheck Fairness Act

U.S. SENATE,
Washington, DC.

DEAR SENATOR: On behalf of the American Bar Association, I am writing to urge you to vote for floor consideration of S. 797, the Paycheck Fairness Act. This legislation has the widespread support of women across the country and deserves a full and informed floor debate on its merits. The ABA unequivocally supports S. 797 in its current form and urges its prompt passage.

Congress declared that equal pay for equal work was the law of the land when it passed the Equal Pay Act of 1963. But, in the 50 years since its passage, this historic legislation has become outdated and ineffective, and wage discrimination remains a persistent, widespread, and pernicious problem. Women today, regardless of their educational level, their occupation, or their state of residence, still receive unequal pay for equal work, even in jobs such as secretary or nurse that are predominantly held by women.

The Paycheck Fairness Act would update key provisions of the Equal Pay Act of 1963 without altering the basic scheme of this historic statute or imposing excessive, novel burdens on employers; indeed, the majority of its proposed changes are borrowed from other civil rights statutes that have proved more effective in eradicating workplace discrimination.

In anticipation of floor consideration, we offer the following comments to address what we believe are mischaracterizations and areas of confusion:

The provisions of this bill apply equally to men and women who experience sex-based wage discrimination. S. 797 is most often described as a bill that will help working women because women still are the primary victims of sex-based wage discrimination. However, the bill clearly covers both sexes.

Enactment of this bill will not make employers liable for any and every wage differential. As with the current Equal Pay Act, the Paycheck Fairness Act provides that an employer is not guilty of wage discrimination if a pay differential is based on seniority, merit, quantity or quality of production, or "any other factor other than sex." The legislation closes an existing loophole by clarifying that the "factor other than sex" defense is valid only when it is based on a bona fide factor (like education or training) that is job-related, consistent with business necessity, and where there is no other alternate practice that would serve the same business purpose without producing the wage differential. This standard, adapted from Title VII discrimination cases, is one with which courts already are familiar.

Enactment of this bill will not encourage excessive verdicts against employers that will bankrupt businesses and jeopardize the recovery of our economy. In fact, the ABA expects the opposite result. It is true that the bill would strengthen and update the remedies available under the EPA by allowing prevailing plaintiffs to recover compensatory and punitive damages but, as with Title VII cases, the Paycheck Fairness Act would permit an award of punitive damages only upon a showing of malice or reckless indifference by the employer. That is a very high standard to meet and, on top of that, numerous existing limitations in current law that guard against improperly high verdicts assure that compensatory and punitive damages will not unduly burden employers.

Enhanced remedies should make businesses more cognizant of their legal obligations and more careful about how they set wages. A renewed commitment by businesses to non-discrimination will help their bottom line by reducing future lawsuits and creating a positive work environment.

Furthermore, by helping improve the present and future economic welfare of working women who make up about one-half of the work force and who are the primary breadwinners in more than 12 million families, the Paycheck Fairness Act will foster financial security and a strong economy.

Enactment of this bill will not impose unduly burdensome and unnecessary reporting requirements on businesses. Data collection is critical because it provides necessary documentation of existing wage discrimination and enables us to analyze the degree of success that various programs have on eradicating it.

The bill contains provisions to safeguard against burdensome regulations by requiring the Equal Employment Opportunity Commission to "consider factors including the imposition of burdens on the employers, the frequency of required data collection reports . . . and the most effective format for data collection." It also directs the Secretary of Labor to engage in research, education, and outreach and to develop technical assistance material to assist small businesses in complying with the requirements of the Act.

It is clear that lip service alone to the American ideal of a workplace free from discrimination will not help eradicate gender-based wage discrimination. We urge you to transform rhetoric into action by supporting floor consideration and voting in favor of this much-needed remedial legislation.

Please contact Denise A. Cardman, Deputy Director of the Governmental Affairs Office, at denise.cardman@Aamericanbar.org if we can provide additional information or assistance.

Sincerely,

WM. T. (BILL) ROBINSON III,
President.

Ms. MIKULSKI. The ABA, which we know is a prestigious, distinguished representation of the American bar, says that when we passed the "equal

pay for equal work'' act, it was landmark. Quoting again from their letter:

> But, in the 50 years since its passage, this historic legislation has become outdated and ineffective, and wage discrimination remains a persistent, wide-spread, and pernicious problem.

In commenting on this bill, the ABA says:

> The Paycheck Fairness Act would update key provisions of the Equal Pay Act of 1963 without altering the basic scheme of this historic statute or imposing excessive, novel burdens on employers.

Remember, again, this is not Senator MIKULSKI, this is the ABA saying it will not impose excessive or novel burdens on employers. Indeed, most of the proposed changes are borrowed from other civil rights statutes that prove more effective in eradicating workplace discrimination. This goes to what the ABA says.

But now, Mr. President, I would like to yield 6 minutes to the distinguished gentlelady from New Hampshire—a Governor, a Senator, a real advocate who has had to not only be a leader in passing legislation but in implementing it. We welcome her insights and advocacy.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I am so pleased to be able to join our colleague and leader on so many issues that affect women and families, Senator MIKULSKI. I am here today to join her and our other colleagues who will be coming to the floor to talk about something that is a real matter of fundamental importance for our country.

Workers should have equal access to every opportunity that will help them put food on the table, send their children to school, and save for retirement. Unfortunately, here we are in 2012 and still millions of American women lose nearly a quarter of their potential earnings to pay discrimination. Almost 50 years after the landmark Equal Pay Act banned wage discrimination based on gender, women in our country continue to be paid just over three-quarters of what their male counterparts receive for performing the exact same work. Every day this wage gap exists is a further injustice to current workers, such as my daughters, and to future members of the workforce, such as my granddaughters and so many other granddaughters of Members of this body.

Pay discrimination does not just hurt the employee, it endangers the families who depend on these women. One in three working moms is her family's only source of income. With the money that mother loses to pay discrimination every year, she could be paying housing and utility costs on her home or she could be feeding her family, with money to spare.

Back in the early 1980s, I chaired a task force for New Hampshire's Commission on the Status of Women looking at women and employment. What we found was discrimination in a whole range of areas, including, of course, pay discrimination. The conclusion of the report was that kind of discrimination against women does not just hurt women who are affected, it hurts their families, their children, their husbands, and it has a ripple effect throughout our economy.

As Governor, I signed a law to prohibit gender-based pay discrimination in New Hampshire and to require equal pay for equal work. In the year before that law was signed, women in New Hampshire made 69 percent of their male colleagues' wages. Today they make 78 percent. When President Kennedy signed the Equal Pay Act into law in 1963, women made less than 60 cents for each $1 earned by men. Today we make 77 cents. So we have made some progress, but clearly we still have a long way to go and a lot of work to do.

I recently heard from a woman named Marie in New Boston, NH, about her experience with pay discrimination. She wrote:

> I worked for many years in a male-dominated company where the fresh-out-of-college boys were paid substantially more than I was for the same position.

She continued to recount that she actually trained these same men to do their jobs, and yet she still was not paid at the same rate.

Since the Equal Pay Act was enacted in 1963, the gender gap impacting wages has only narrowed by an average of half a cent per year. So at this rate, it is going to take another 45 years for that gap to close entirely.

The Paycheck Fairness Act would make commonsense updates to the law by requiring pay differences to be based on legitimate business reasons. It would also protect women whose employers try to shirk their responsibilities by prohibiting employees from discussing their salaries. Finally, this important legislation would create a program to strengthen women and girls' negotiation skills so they can seek directly the pay they deserve.

It is long past time for us to pass the Paycheck Fairness Act. I urge all of our colleagues to support this legislation. It is bipartisan. It is good for women and their families, and it is good for the country.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I thank the Senator from New Hampshire.

Now I would like to yield the floor for 7 minutes to our colleague from California, Senator BOXER. She and I served in the House. We serve in the Senate. We have been fighting this for a long time. Mr. President, I think you will find her words welcome and insightful. Her passion and her devotion to women is legendary. I yield 7 minutes to Senator BOXER.

The ACTING PRESIDENT pro tempore. The Senator from California.

Mrs. BOXER. Mr. President, I thank Senator MIKULSKI so much not only for yielding to me but for her extraordinary leadership in the Senate on so many issues of fairness and justice for women, for families, for children, and for our seniors. It is really a legendary record that she has amassed, and this is just one more example.

I also thank President Obama for his leadership in calling attention to this important legislation, the Paycheck Fairness Act.

If you were to stop someone on the street and in the simplest terms say: Do you think it is right to pay people differently for the same job? Do you think that is right—they have the same experience, the same education, the same qualifications—people would say: No, that is not right. Yet that is what has been happening to America's women, even though we have, since the 1960s, a very important law in place that is supposed to guarantee fair pay to everyone, including women. But women earn 77 cents for every $1 earned by a man. When you drill down to those numbers, you find out in a vast number of cases they are doing the same work as the man, making less.

Of course, Lilly Ledbetter made a very important point about this and became quite famous with a Supreme Court case where she had been doing the same things as her male counterparts—working in a tire factory, being a manager, being skilled, being strong, and yet underpaid. When she discovered it, trying to seek justice, she was unable to do so. The Senate stepped to the plate, and with Democrats moving forward, we passed the Lilly Ledbetter law, which does take care of the statute of limitations. It allows you to take as long as you have to to get to court to make your case. For Lilly, it was too late, and she never was able to recover what she deserved.

So now what Senator MIKULSKI has done with the Paycheck Fairness Act is to say we are going to go the next step. We are going to make sure that women have justice in the workplace, that women have rights.

Why is this important to families—not just to women but to families? It is because over a lifetime of discrimination that so many women face, it is not like here where you are a Senator, you are a Senator, you are a Senator, woman or man, out there it is different. When you are discriminated against over a lifetime and are only getting 77 cents—and some, by the way, only make 56 cents or 62 cents on the dollar—the average wage loss over a working lifetime is over $400,000. If you take a look at what our families could do with $400,000—educate a child, make sure people get the best of medical care, make sure the family has enough so they can all take a break together and have a decent vacation or buy a better car—this is an issue that not only involves women but our families and our economy because, guess what, if that $400,000 during a lifetime was with the family rather than the corporate CEO, who is making millions,

you would see the economy stimulated because middle-class families spend those dollars.

They do not hoard those dollars. So I am going to close by giving a couple of real-life examples. Mr. President, how much time do I have remaining?

The ACTING PRESIDENT pro tempore. There is 2½ minutes remaining.

Mrs. BOXER. I am going to tell you some real stories.

A woman from California had an identical advanced degree as her husband. They both landed exact jobs but in different parts of the company—different worksites. The husband was offered $5,000 more in starting salary. They were shocked. The same resume. The same qualifications.

Then there was the health care worker in Long Island who discovered she had been earning $10 an hour less than her male colleagues. When she brought it up to her superiors, she was reprimanded for even asking about the rationale behind the wage gap.

Senator MIKULSKI's bill says a person cannot be reprimanded or punished because they are trying to find out if they are being paid fairly. That is why we have to pass this law. Anyone voting against it is taking a stand against women, is taking a stand against fairness, is taking a stand against justice, is taking a stand against our families.

Then there was a female employee for a major corporation in Florida who was told when she was hired that to disclose her salary to other workers was grounds for dismissal. Since then she realized her male counterparts made more than she did. But she did not have any written proof.

Another, a female employee at that company was told because her husband picked her up from work in a nice car that she did not need to get a salary increase. One woman retired after 15 years as an award-winning CEO of a public agency. Her male replacement, who had little experience, was hired at a higher salary.

After having a child, a California woman was fired from her job at a nonprofit. Her replacement, a man with less experience, was given 30 percent more in starting salary. We have example after example after example.

How the Republican side of the aisle could filibuster this bill is beyond my imagination. I do not know what they are thinking. They will give an excuse. They will come up with some excuse. They will say: Oh, it will hurt jobs. It will hurt this and that. It is all made up. It is all made up.

In this great Nation, when we move toward equality, we all prosper together. I urge an ''aye'' vote. I thank Senator MIKULSKI for this moment to be able to support this important bill.

I yield the floor.

The ACTING PRESIDENT pro tempore. The time for the majority has expired.

Ms. MIKULSKI. Mr. President, might I ask the parliamentary situation?

The ACTING PRESIDENT pro tempore. There is now 30 minutes under the control of the Republicans.

The Senator from Arkansas.

Mr. BOOZMAN. Mr. President, given that it is an election year, the American people are going to hear a lot of highly charged political rhetoric over the next few months. They are likely already tired of what they have heard. The Arkansans I talked with during the last week while traveling the State certainly have told me that much.

They do not want to see the finger-pointing. They want us to fix the problems we face. They are tired of the back-and-forth. They are tired of us seeking credit and placing blame. They see an economy in shambles and nobody willing to take responsibility.

To put it bluntly, they are frustrated. I think we all hear that message when we go home. I think we can all agree that more can and needs to be done. The jobs report that came out last Friday certainly reinforces that. When the President pushed through his massive stimulus package in 2009, he claimed unemployment would be below 6 percent today.

With a national unemployment rate of 8.2 percent, we are not even close to 6 percent, much less below it. To make matters worse, we are moving further away from the mark. This is the 40th straight month where the unemployment rate has remained above 8 percent, and 12.7 million Americans are unemployed. Millions more are underemployed. The economic picture is especially troubling for young Americans looking to enter the workforce.

America has the lowest employment-to-population ratio for young adults since 1948. Millions of Americans who are looking for work cannot find it. This is unprecedented, it is unacceptable, and it is unsustainable.

The President met the report with a call for another round of stimulus spending. Look, we have tried that. It did not work. More of the same will not work either. More government spending will not solve this problem. Paying for that spending by raising taxes on small businesses, the people we are counting on to turn our economy around, is certainly counterintuitive.

When the people we are counting on to spur the recovery tell us the country is going in the wrong direction, then we should listen. In almost every poll small business owners have responded that the uncertainty coming out of Washington is what is preventing them from hiring. Quite simply, they fear what the next wave of regulations is going to be and the proposed taxes, what that will do to their ability to grow their business.

Small business owners are afraid to invest any capital because they do not know what their taxes will be. They are afraid to hire another employee because they are nervous about what that will do to their health care costs and afraid to expand until they know how big their energy bill is going to be.

Washington has to change course. My colleagues and I have a better path to a healthy economy that restores economic security and opportunity. Our market-based reforms are focused on creating a healthier environment for businesses to hire and to expand. We want to cut through regulations instead of adding more. We want to fix the Tax Code to incentivize hiring instead of passing the tab for more wasteful spending on to small business.

We want to reduce their costs by encouraging the production of domestic sources of energy instead of driving costs up by continuing our reliance on other countries for our needs. Three years of trying to tax and spend our way out of this problem has not worked. The American people are rightfully frustrated.

All we are saying is we tried the President's way and it has not worked. Let's try our market-based approach. But here is where we run into the old election-year problem. Ever since the numbers were released, all the media has been talking about is what the report means in terms of the Presidential election. This, in turn, has Washington digging in deeper to its respective trenches. That angle of the story misses the most important part. This is about more than numbers, more than a report, more than a political talking point. It is real people, all of whom are looking to Washington for help. It is past time we started fighting for them instead of for our political futures.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Nevada.

Mr. HELLER. Mr. President, I rise today in support of equal pay for equal work. The importance of women in the workplace is clear to every American. We all have women in families who have been a proud part of the workforce. For two decades my mother worked hard in a school cafeteria. My wife, a substitute teacher, has long been part of Nevada's workforce. My oldest daughter, in this economy, was fortunate enough to get a job after graduating from college just a few years ago. My youngest daughter, 16, recently got a summer job at a local food lot. Sixty percent of my Senate staff is female.

America is a land of opportunity, and Americans are equally united against discrimination in any form. If my mother, my wife, or my daughters experienced workplace discrimination based on their gender, I would be the first to come to their defense and ensure any inequities were addressed.

Congress passed the Equal Pay Act in 1963 to ensure every individual received equal pay for equal work regardless of gender. It is a strict liability statute that requires evidence of intent to discriminate. If there is evidence of intentional discrimination, appropriate remedies, including punitive and compensatory damages are available under the Civil Rights Act.

Let me be clear: Pay discrimination based upon gender is unacceptable. Despite the political rhetoric around here, everyone agrees on this fact.

The question is, Will the Paycheck Fairness Act actually address workplace inequality? The simple answer is no. Unfortunately, the only winners under this legislation would be trial lawyers, giving them a windfall, exposing employers to unlimited punitive damages.

This legislation opens the door to frivolous lawsuits which already cost our economy billions of dollars every year. Legitimate cases that could be addressed under the current system would be lost in a flood of lawsuits initiated by lawyers hoping to win a few large judgments.

These lawsuits, if successful, could transfer billions of dollars from employers to trial lawyers. In an economy already marked by uncertainty, this legislation would surely mean lost jobs, limitations on benefits, and pay cuts. These changes would mean much harder times ahead for Nevada's unemployed and underemployed, so many of whom are women.

Instead of a trial lawyer bailout, let's address the issue of equal pay. Instead of holding votes designed for press releases, let's actually work to solve our Nation's problems. Congress can strengthen the Equal Pay Act without handing trial lawyers a blank check.

The Wall Street Journal today referred to this legislation as ''a trial lawyer doozy just in time for the 2012 election ads.'' It goes on to say the bill ought to be called the ''Trial Lawyer Paycheck Act,'' since it is a recipe for a class action boom. The law automatically lists women as plaintiffs in class actions when lawyers sue employers, thereby requiring female employees to opt out of litigation with which they do not agree.

Businesses would be treated as guilty until they are shown to be innocent. You cannot be projobs and antibusiness. This is just another example of the Democrats' war on free enterprise while Americans suffer with joblessness and underemployment.

In fact, under this President there are 766,000 more women unemployed today than when he took office. I truly wish today's discussion was about leveling the playing field, truly ensuring pay equality and improving the economy. But years-old legislation mired in politics will not get us any closer to either ending gender discrimination in the workplace or ensuring that all women who want a job have a job.

This proposal could not pass when Democrats controlled both Chambers of Congress. Yet here we are today voting on the same measure again and again. Those who are actually victims of workplace discrimination are only getting lipservice from Washington. Like many of my colleagues, I worry about this proposal that will only increase litigation and do little to actually address the problems of pay inequality.

Advancements in pay parity have been made, but more needs to be done. Congress would better serve the hard-working women of our Nation if we focused on solutions that have actually worked. To this end, I have introduced the End Pay Discrimination Through Information Act. This legislation would protect employees who are trying to determine whether they are experiencing pay discrimination.

No one in this body should be so naive to say that pay discrimination has been eradicated. What we need to do is ensure that employees can find the information they need to determine whether they have a legitimate claim against their employer. The End Pay Discrimination Through Information Act provides antiretaliation and whistleblower protections which both sides should be able to agree upon. My legislation is a solution within the existing framework of our legal system that does not provide a handout to trial lawyers as the underlying bill would do. My bill also recognizes the role of women in America's workforce and the fact that an increasing number of U.S. households depend upon the income of working women.

My legislation states that ''equal pay for equal work is a principle and practice that should be observed by all employers.'' Every day working women are going above and beyond, balancing their responsibilities at home and at work to provide for their families. The least we can do is ensure that employers who intentionally discriminate on the basis of sex should be held accountable for their wrongdoing.

I believe my bill is a reasonable bipartisan step in the right direction. Instead of bringing up legislation that has failed in the past and will in the future, this Congress needs to give our Nation the economic certainty needed to create good-paying jobs so hard-working women across this country will be able to provide for their families and achieve the career successes they deserve.

I yield the floor.

The PRESIDING OFFICER (Mr. MANCHIN). The Senator from Kansas.

MEDICAL RESEARCH

Mr. MORAN. Mr. President, throughout history, medical research has been responsible for hundreds of groundbreaking discoveries that have improved and saved lives, enabled health care to become more effective and efficient, and lowered overall health care costs.

May was National Cancer Research Month, and I wish to take a few minutes and recognize the importance of medical research and the invaluable contributions made by scientists, doctors, and researchers across the United States who are working not only to overcome cancer but many other devastating diseases.

With decades of research, cancer mortality rates have steadily declined since 1990, and today more than 12 million Americans are cancer survivors. In fact, the number of survivors have quadrupled since the mid-1970s, and the overall 5-year survival rate for all cancers has improved to more than 65 percent.

Decades of research and technological advances have brought us into a new era of medical care for cancer. We can now sequence all the genes of a tumor and use that information to determine the biological causes of cancer. This greater understanding of the causes of cancer has led to advances in prevention, early detection, and treatment that have saved countless lives.

Despite significant advances in research over the last few decades, much work remains to be done. More than 1.5 million Americans are expected to be diagnosed this year with cancer. It is estimated that one out of every three women and one out of every two men will develop cancer during their lifetime. In America, cancer is still the leading cause of death.

But history demonstrates that with a strong commitment to medical research, we can change these statistics not only for cancer patients but for many other patients as well. Congress's longstanding bipartisan support of the National Institutes of Health has been an integral part of establishing the United States as a world leader in research and innovation.

NIH is the focal point of our Nation's medical research and plays a critical role in laying the groundwork for the private sector to develop new drugs and treatments for cancer and other diseases.

I have seen firsthand how medical research at NIH is being translated into new treatments with a visit to the NIH Clinical Center in Bethesda, MD, which is the Nation's largest hospital devoted to clinical research.

The Center is uniquely designed to enable researchers to work directly alongside a wide range of specialists who deliver the best possible care to patients with the most advanced treatments available. This powerful arrangement has led to a long list of revolutionary medical discoveries, including chemotherapy for cancer, the first tests to detect AIDS/HIV, and the first treatment of AIDS.

Medical research leading to successful discoveries often takes years, requiring the institutional knowledge and intellect of numerous highly qualified, committed researchers. Given the vast amount of progress made over the last century and the great potential current research holds, we must not waiver on America's commitment to advancing disease cures and treatments.

If researchers cannot rely on consistent support from Congress, we will squander current progress, stunt America's global competitiveness, and lose younger generations of doctors and scientists to alternative career paths. Our Nation's researchers and scientists must know Congress supports their work and will ensure they have the resources needed to carry out their important work.

The next century holds great promise for future discoveries. By investing in

medical research, we are investing in our future.

In Kansas, the bioscience industry has grown at a faster rate than the national sector since 2001. This growth opens the doors for new medical and technological advancements.

Kansas has already become a leader in advancing biomedical and bioscience research. One example of this is the University of Kansas Cancer Center in Kansas City, which has formally applied to the National Cancer Institute to become an NCI-designated cancer center.

The National Cancer Institute is a component of NIH, and it is our Nation's principal agency for cancer research and training. Obtaining NCI designation would dramatically enhance the KU Cancer Center's ability to discover, develop, and deliver innovative treatments to patients in our State, improving their quality of life.

Currently, there are no NCI-designated centers in Kansas. With that NCI designation, KU Cancer Center patients would have access to the latest clinical trials and the most advanced cancer treatments close to home.

Because NCI designation is the highest recognition for an academic cancer center, KU Cancer Center would also be in a better position to recruit the best and brightest researchers and scientists to develop cutting-edge treatments and cures in Kansas.

In addition to saving and improving lives, medical research helps create thousands of jobs and drives economic growth across our country. NIH directly supports 350,000 jobs nationwide and indirectly drives more than 6 million jobs across our country.

Medical research also lowers costs by advancing treatments to chronic, debilitating diseases and improving early detection and wellness promotion. During a Senate Appropriations health subcommittee hearing last year, I asked NIH Director Francis Collins to explain how medical research at NIH could reduce health care spending. In his response, Dr. Collins pointed to the potential impact of medical research on Alzheimer's.

Today, annual costs related to Alzheimer's disease are roughly $180 billion, and those numbers are expected to rise to roughly $1 trillion by 2050. However, medical research leading to treatments that delay the onset of Alzheimer's disease could not only bring a better quality of life to thousands of families but also save billions of dollars.

Medical research has changed the lives of millions of Americans and has the potential to impact millions more because the possibilities are endless. But in order to plan for the future, scientists and researchers need certainty.

Today, Congress faces the difficult task of identifying our government's funding priorities, while at the same time righting our Nation's fiscal course. I will continue to advocate for fiscal responsibility, and I will also prioritize programs that effectively serve the American people.

Our consistent, sustained support of medical research is essential to saving and improving lives, growing our economy, and maintaining America's role as a global leader in medical innovation. This commitment will benefit our children and our country for generations to come. Most important, it will give us what we all desire, which is hope.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Ms. MIKULSKI. Mr. President, how much time remains on the minority side?

The PRESIDING OFFICER. There is 50 seconds remaining.

Ms. MIKULSKI. Mr. President, I yield the floor.

Has all time expired on the minority side?

The PRESIDING OFFICER. Yes.

Ms. MIKULSKI. Mr. President, I now yield 5 minutes to the Senator from Delaware, Mr. COONS. The women of the Senate welcome those men who stand with us on this very important battle, and Senator COONS has been an outstanding advocate on this and other economic empowerment issues related to women, such as safety in the workplace and sexual harassment.

I yield the Senator 5 minutes.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Mr. President, I rise in strong support of the Paycheck Fairness Act, legislation to ensure the women of this country earn equal pay for equal work. I am grateful to Senator MIKULSKI—and many of our cosponsors—for her strong and able leadership on this important bill, S. 3220, which we will take up later this afternoon.

The principle of equal pay for equal work is a simple, powerful principle of basic fairness. In this year of 2012, no one should earn less for doing the same job just because of their gender. This legislation is an important step forward. It would plug holes and make critical changes in the law that would ensure the promise of equal pay that was first enshrined in our law decades ago.

This legislation will deter wage discrimination by closing loopholes in the Equal Pay Act and bar retaliation against workers who disclose their wages to colleagues. Knowledge is power, Mr. President. Women who don't know their male coworkers are earning more for doing the same job can't speak up and demand to be treated fairly.

My wife Annie and I are raising three wonderful children, all of whom are equally bright and driven and capable. As any parent knows, one of the phrases we hear more than any other from our own children is, ''That is not fair.'' When we pick out one for more entertainment or more opportunity, for more travel or more close family time, the first thing we hear from their siblings is, ''But, Dad, that is just not fair.'' As Annie and I raise our wonderful twin boys and our tremendous and talented daughter, we try as best we can to be fair. Yet I know my daughter Maggie, like other women and girls all across our country, will earn less than her brothers even if she chooses the exact same career track. That is just not fair. That is unacceptable. That violates our bedrock belief as a country in equality of opportunity and the American dream that if people work hard, nothing will stand in the way of their success.

I am hopeful by the time my daughter Maggie enters the workforce we will have reduced or ended the gender pay gap in this country. I believe by then our Nation's economy will be back to full strength. But the fact is thousands of families across my home State of Delaware, the Presiding Officer's home State of West Virginia, and my neighboring State of Maryland can't afford to wait for things to get better in the economy and in our legal system. They are struggling right now to pay their bills every month, and unfair pay discrimination adds to their burden.

Women in Delaware, on average, earn 81 cents for every dollar paid to men. Over their lifetime that means they will earn nearly $½ million—or $464,000—less than their male counterparts. Women make up just a shade under half of Delaware's workforce, and close to 40 percent of married, employed mothers in Delaware are their families' primary wage earners. When women are paid less than men for doing exactly the same job, it hurts whole families. Over 135,000 children in Delaware live in households that depend on their mothers' earnings.

I heard from one of those mothers—Patricia from Dagsboro, DE. She wrote to my office urging me to support this legislation. She wrote:

> Without my paycheck, we could not have afforded to pay for the college tuition for two of our children. If I had been paid equally for equal work, experience and education, it is likely neither of them would have had to take out student loans to make ends meet.

Patricia urged me to support the Paycheck Fairness Act.

Mr. President, paycheck fairness has wide-ranging consequences—from covering the cost of higher education to mortgage payments to everyday bills and consumer spending. Income earned by women is a key driver, a key contributor to our economy.

Some on this floor have attributed the pay gap to differing priorities or to the idea that some women choose to work fewer hours in order to spend

more time with their families or to meet their family care commitment. But the facts simply do not bear out this theory. Women earn less starting the very moment they graduate from school, before they have made any choices about family or worklife balance. That shows us pay discrimination is real. Study after study has shown it is pervasive and, in my view and that of many of my colleagues, it needs to finally be stopped.

The gender pay gap persists across all occupations and educational levels. But it is especially hard on minorities and female-headed households, which are much more likely, as a consequence, to be low income. The consequences of the gender pay gap remain even when a woman stops working because after a lifetime of lower earnings, the average Social Security benefit for American women under 65 is about $12,000 compared to $16,000 for men of the same age.

If I might say, in conclusion, then, Mr. President, there is not a Member of this body who would dispute women are just as educated, just as trained, just as capable in so many ways as their male colleagues across our whole society and there should be no difference in the equality of the pay they receive for that work.

I support the Paycheck Fairness Act because it will help women fight for the equal pay they have earned, and I urge my colleagues to do the same.

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

The PRESIDING OFFICER. Who yields time?

The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I wish to yield time to the Senator from North Carolina, Mrs. HAGAN.

Senator HAGAN is a freshman Senator, but she is certainly not new to this issue. Both in North Carolina's legislative body and in the Senate her work has always been for the economic empowerment of women, especially those women who stand every day and do those jobs requiring standing on their feet and at the end of the day have earned less pay and will get less in their pensions. As they stand for work, she stands for them on the Senate floor.

I yield Senator HAGAN 5 minutes.

The PRESIDING OFFICER. The Senator from North Carolina.

Mrs. HAGAN. Mr. President, I certainly want to congratulate Senator MIKULSKI for all the hard work she has done, not only on this bill but on all the bills on which she has worked so hard on behalf of women in our country. I applaud her for her efforts.

I join with my colleagues to discuss an issue that affects women and families across America every day; it is the wage gap. Almost 50 years have passed since the Equal Pay Act was signed into law, and the wage gap between men and women remains wide today. It is time to bring the wages of women in line with those of their male counterparts.

I am proud to be an original cosponsor of the Paycheck Fairness Act. Yet some question why we need this bill. Well, the numbers make it pretty clear. Women in the United States earn 77 cents for every dollar that men earn. In North Carolina, it is a little better but not equal. Women earn 81 cents for every dollar earned by men doing the same work, the same job. Over the course of 1 year, women in North Carolina experience nearly $8,000 in lost wages. That is $8,000 from what her male counterparts earn.

With that $8,000, a woman could spend for her family an extra $110 a week on groceries for 73 weeks. She could buy another 2,200 gallons of gas at $3.60 a gallon. If women were paid the same as men for the same work, these are just a few of the expenses they would be able to afford more easily.

The wage gap is not isolated in one industry either. It exists across virtually every sector of our economy. The wage gap exists regardless of education level. In many cases, the most educated women are paid less for the same work, and it exists regardless of a woman's personal choices, such as becoming a mother. Working mothers should not pay a penalty for having children.

A group in North Carolina called MomsRising told me in the last few months they have heard from women across the State—from Wilmington, from Durham, from Greensboro, and from Raleigh—that once these women actually had children, they got overlooked for promotions, overlooked for pay raises, and overlooked for the projects on which they wanted to work. However, this collective group of women are afraid to speak out about their wage discrimination because in this economy they are worried about getting fired from the job they need to support their families.

Yesterday I met with women and small business owners in Charlotte to discuss the Paycheck Fairness Act. My visit with those fantastic women reinforced for me the importance of this bill, the Paycheck Fairness Act. One woman brought her young son with her to the event and they both wore T-shirts that each had a number on the front. The mom's shirt said 94 and the son's shirt said 50. If earnings continue at the slow pace they are going now, those numbers signify the ages that mom and that son will be when pay equality is achieved in our country. Sadly, at the rate we are going, most of us in the Senate will not live to see that day.

This wage gap has real consequences, not just for women but for their children too. In North Carolina alone, women head over 500,000 households. The economic security of women and families is put at risk when they are paid less than men for performing the same jobs. Later today I will be voting to help close this gap, to help bring the wages of women in line with those of their male counterparts. I am hopeful that petty partisan gamesmanship does not get in the way of a bipartisan issue that both Democrats and Republicans, men and women, overwhelmingly support.

In a recent poll, 81 percent of men and 87 percent of women supported having a law to provide women more tools to get fair pay in the workplace. This poll also showed support for such a law from 77 percent of Republicans and 87 percent of Independents and 91 percent of Democrats. With such widespread approval, we should be able to address this issue right away.

We need Paycheck Fairness to prohibit employers from retaliating against employees who discuss salary information with their coworkers. We need Paycheck Fairness to strengthen the legal remedies available for women to ensure they can be compensated for pay discrimination. We need Paycheck Fairness to provide businesses, especially small ones, assistance with equal pay practices.

On the eve of the anniversary of the Equal Pay Act, we need to close the loopholes that allow pay discrimination to happen. The Paycheck Fairness Act would do just that by helping women successfully fight for full pay.

The PRESIDING OFFICER. The time of the Senator has expired.

Mrs. HAGAN. I ask unanimous consent for 30 additional seconds.

Ms. MIKULSKI. I yield the Senator an additional 2 minutes.

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

Mrs. HAGAN. Equal pay for equal work to me is just basic common sense. I hope this body can come together to address this disparity that exists in North Carolina and around our country.

I again thank Senator MIKULSKI for the work she is doing on behalf of this very important bill that is truly going to make a difference in the lives of women throughout our country, as well as their families.

I yield the floor.

The PRESIDING OFFICER (Mr. TESTER). The Senator from Maryland is recognized.

Ms. MIKULSKI. Mr. President, this is time for both Republicans and Democrats to speak. We invite our Republican colleagues to come and speak. Even within the Republican Party, we know there are those who agree with us and those who do not. For those who agree, we would love to hear their voices. For those who do not, let's have a debate. Let's take a look at what are some of the issues being raised as a criticism of the bill. We are ready to talk about it.

I have heard some of the most outrageous things on cable TV about why we should not pass this bill. One was accusing us that this will undermine small business. Small business has protections under the Equal Pay Act. Under the existing law—which this would not change—the Equal Pay Act

already exempted small businesses that make less than $500,000 in annual revenue per year. It keeps the Equal Pay Act exemption intact.

We also have the support of the U.S. Women's Chamber of Commerce. This is a chamber of commerce of small business owners. They support this bill. So we do not believe that is a valid argument.

There is another argument going around that for some reason if we pass the Paycheck Fairness Act, somehow or another, we are going to lower the wages men make. That is absolutely one of the most ridiculous, rhetorical, twist-and-turn arguments. It is not factual and it is not legal. It is illegal now to remedy wage discrimination by reducing wages of other employees. I will quote—it is illegal under the other labor protection laws—and I don't mean labor such as in union, I mean labor such as in workers—it is illegal to remedy wage discrimination by reducing wages of other employees.

The Paycheck Fairness Act doesn't alter any other affirmative defense available to employers. Employers may still pay different wages to male or female employees if it is based on seniority or quality of production. If someone is a guy on an assembly line and he makes more hubcaps than women, fine. But we find that is no longer true in the information age economy.

Equal pay, I wish to say again, is not only a women's issue, it is a family issue. Sometimes we find we are discriminated against by great guys at the water cooler who tell us where it is. What people need to know is that right now it is legal to fire someone if they make an inquiry about how much they are making and how much their male counterpart is making. It is illegal or they can be subject to all kinds of harassment and humiliation.

You ought to hear some of the horror stories we hear from women just because they wanted to know: George, how much are you making?

We thank the good men who supported us. They have often been business whistleblowers, where they told us what they are making. They know we are working just as hard. We worked as hard to get the education to do the job, we worked that hard on the job, but we continue to have to work hard to get equal pay for equal work.

I wish to make it clear once again, this legislation will not result in a lower paycheck for men.

There is also a bona fide question, which is: Why are we doing paycheck fairness? Didn't we solve these issues in Lilly Ledbetter? Paycheck fairness was a downpayment on this because it kept the courthouse door open. Paycheck fairness makes it harder to discriminate in the first place. Right now, as I said, employers have the ability to retaliate against workers who share salary information. Ledbetter did not address this issue. Paycheck fairness does. Women can now, under Paycheck Fairness, sue for punitive damages. Lilly Ledbetter did not address this. This would deal with that.

There are a variety of things I can elaborate on, but I see one of the real champions for justice, civil rights, and the empowerment—especially the economic empowerment—of women, my colleague from Michigan, Senator STABENOW. I yield Senator STABENOW 7 minutes and thank her for her longstanding advocacy and work. She has raised her voice for those who often do not have a voice in high places of power.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, first, let me say thank you to the champion. We have just been hearing from the champion, not only in the Senate but in the Congress, on so many issues that have led to empowerment for women and equality for all people to have a chance to succeed in our economy. Certainly, whether it is preventive health for women or the Paycheck Fairness Act, I thank Senator MIKULSKI for leading the way and being the person we look to. I am proud to stand with Senator MIKULSKI on the floor of the Senate.

Since our founding, our country has been a destination for those who seek equal treatment and equal opportunity. Across the world, America is known as the land of opportunity. I am very proud we have that label. Our hard work and ingenuity built the country, brick by brick, city by city. My home State of Michigan was right in the middle of it—building the tools, the vehicles that built our country and that, frankly, built the middle class of our country. Those looking for new opportunity, those with entrepreneurial spirit have always been welcome here in America.

People still make the journey to this country in search of a better life. We tell the world that everyone has equal opportunity, that if they put in just as much hard work as their neighbor, they will earn a decent living and be able to provide for their family. But that is only half true. Everyone can work hard, everyone can be successful, but for some reason it is acceptable that women do not need to be paid as much as men for the exact same work. This is unacceptable. That is what this legislation is all about.

Nationally, women make 77 cents for every $1 a man makes for the exact same job. In Michigan, the numbers are even worse. Women make 74 cents on every $1 for the exact same job. I received countless letters from constituents describing how this affects their lives and their families' lives. Teresa from Detroit is a single mom with two daughters. One daughter is in college. Teresa tries to help her out as much as she can, but she gets paid less than her male coworkers for doing the same work so it is tough.

Pamela from Romulus, MI, is the sole breadwinner in her house, supporting her husband who is a disabled Vietnam veteran and their children. She works at a corporation and took over a man's job. Then the company changed the title so they could pay her less.

Craig from Lowell wrote in to tell me his story. By the way, this is a common story in Michigan over the last number of years. He lost his job in 2008 because of the recession. His wife had to support their entire family of four. The family had to go on food assistance, something they never thought in their wildest dreams they would have to do because Craig's wife has been working at the same company for 23 years but has not gotten a raise in the last 4 years and makes several dollars an hour less than her male counterparts.

Melissa from Ann Arbor is the sole breadwinner in a family of four. She figured out if she were paid the same as her male colleagues, she would take home an extra $1,000 a month after taxes. She said that $1,000 would make her family more stable and let Melissa and her husband take her children on trips, give them new opportunities, allow them to be enrolled in sports and save for retirement—that extra $1000 a month.

Cheryl from Okemos has had to take a second job just to make as much as her male counterparts at her day job, and it has cut down on how much time she can spend with her family. She has a second job just so she can make as much as her colleagues who work one job—she has two jobs. The tradeoff for her is as a mom spending less time with her family. She is able to feed and clothe their children, but she says she is missing out on watching them grow up—also a very important value we talk about all the time on the floor of the Senate, in terms of values for families.

Linda from South Lyon wrote about her lifetime of being discriminated against just because she is a woman. Over her career she has consistently made less than men in the same industry with the same job description. One executive even told her he only hires women because they work harder and he can pay them less. They work harder, but he should not be able to pay them less.

Sandra from Marshall has worked as an engineer at the same company for 28 years. She has been rated as one of the company's best performers. Despite this, she has never risen to the level where she earns bonuses and a better pension—a level in her company that is dominated by men. She has countless people she has hired and trained and watched them pass her by. These stories are real.

Jennifer, from the west side of Michigan, is a university teacher and athletic coach. She was the head coach of a varsity women's team and taught six classes. She saw men in the same position make more money while they taught fewer classes. She watched them receive tenure with master's degrees while she was required to work toward a Ph.D. to be eligible for the

same tenure. She was denied tenure despite good performance evaluations. Yet a male assistant coach at the university was given tenure without a Ph.D. because he had a family. These are real stories.

This is about families, economic opportunities, and security for families. America is known as the land of opportunity, and people still make the journey to our great country in search of a better life. Everyone has an equal chance to work hard and everyone can be successful, but not everyone gets the same opportunity to be successful.

Women in Michigan make 74 cents for every dollar a man earns for the exact same job. There are so many families in Michigan struggling right now. It should not be harder on them just because the primary breadwinners are women. It is just not right.

Middle-class families need economic security, and that is why we need the Paycheck Fairness Act. We have made strides to move forward. This is not complicated. It is not rocket science. It is very simple. This is about equal pay for equal work. We talk the talk all the time. It is time to walk the walk and to pass this bill.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I yield 5 minutes to the gentleman from Illinois and thank him for his persistent advocacy on this issue. Senator DURBIN was one of the people in public leadership who said we have to really address this as we approach the 49th anniversary of the Equal Pay Act. We thank the Senator for his work, and we thank him for his voice today.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, let me just say to those who are following this debate, if we go to the dictionary and look up the word ''persistent,'' there will be a picture of Senator BARBARA MIKULSKI of Maryland. She has been our leader on so many important issues.

The very first bill signed by President Barack Obama—and she remembers the day, as I do—we were standing there when he signed the Lilly Ledbetter law, which protected the principle of equal pay for equal work by allowing workers to pursue pay discrimination cases beyond the arbitrary, unreasonable window that had been set up by the Supreme Court. When President Obama signed that first bill, his first bill as President of the United States, he handed the first pen of that signing to Senator BARBARA MIKULSKI. It was entirely appropriate. No one has dedicated more of her professional and public life to this cause of justice than Senator MIKULSKI.

It is nearly 50 years after the passage of the Equal Pay Act. Now we have to ask ourselves, well, how are things going in America when it comes to equal pay? It turns out that when it comes to the managerial positions of women and men, women make 81 cents for every dollar paid to a man when they are managers of a business. According to the U.S. Census Bureau, the gap grows larger—77 cents for your daughter as opposed to a dollar for your son—when you look at the entire working population. As the father of a daughter and a son, that is unfair.

According to the Joint Economic Committee, on average, women in my State of Illinois earn about 78 cents for every dollar paid to a man. What does that add up to over a lifetime? That adds up to over $480,000 in wages that are denied to a woman who is doing exactly the same work as a man. That is money that could be used to pay the mortgage, to buy the groceries, to put kids through school, and maybe even fill the gas tank. That money is denied to women day after day, week after week, month after month because of basic discrimination in the workplace.

We cannot ignore this gender wage gap. It is too large and, unfortunately, shrinking too slowly. The Paycheck Fairness Act—when we have a chance to vote on it—will narrow that pay gap by clarifying that the difference between a man and a woman is not an adequate reason to differentiate pay. It also guarantees that women facing discrimination have access to the same remedies under the law as men and, under the law, as are afforded to racial and ethnic groups based on discrimination.

I am afraid to say it—and I hope I am wrong—that this afternoon when the rollcall is taken, it will be a partisan rollcall. There will be Democrats in favor of ending this discrimination, and virtually all Republicans—and I hope I am wrong about this—are going to vote against it.

Instead, the Republicans want to bring a different bill to the floor. I am not going to dwell on it other than to say that I like Senator RUBIO, he is a friend of mine from Florida, but his bill is a very bad idea. It is called the RAISE Act. Simply stated, it innocently says that an employer who is party to a collective bargaining agreement with a union would be allowed to give a unilateral pay raise to selected employees of that employer's choice. Well, who is against a pay raise? So you take a closer look at it. What it does is it allows managers and employers to pick and choose among employees for these pay raises and, sadly, without any basis other than their personal decision. I am afraid I know where that leads. Unfortunately, it leads to the same kind of wage discrimination we see today between men and women. It may lead to nepotism. It may lead to kind of favorable treatment for some employees for reasons that have nothing to do with the workplace. This sounds so innocent, but it is not.

Under current law, unions and employers can agree to link pay increases and bonuses to performance, and that is the way it should be. In fact, many collective bargaining agreements already provide for merit-based pay increases. The Rubio approach is not good news for workers across America. It is no help to women across America facing wage discrimination.

This is not the first time or the only time we have had these battles of gender equity on the floor of the Senate on the question of whether we are going to have basic funding for health care for women across America. For over 40 years, we have been committed to title 10, and yet we have faced the elimination of title 10 funding from the Republican leadership in the past. In fact, they threatened to shut down the government rather than provide this health care that women need. Many can remember a few weeks back on the Senate floor when Senator BLUNT of Missouri filed an amendment to the Transportation bill allowing any employer or insurance company to deny health insurance for any essential or preventive health care service that the employer objected to because of his undefined religious or moral convictions. They could—for any reason—deny health coverage to an employee. Well, we defeated the Blunt of Missouri amendment. It was another attempt to try to give employers a way to discriminate against employees and, in many cases, against the women who work for them.

We have tried our very best to push through bipartisan legislation, such as the Violence Against Women Act, which in the past has passed overwhelmingly by a voice vote. Have you visited a domestic violence shelter? Have you seen a woman who has been a victim of domestic violence? I have. In Champagne, IL, a woman sitting across the table from me had a baby on her lap and had a big black eye. She had been punched in the face by her husband, and she came to the shelter looking for a helping hand. You can't look into the teary-eyed face of a mother and think that this is not a good cause and a just cause. Instead, it turned out to be a political battle here as to whether we were going to pass the Violence Against Women Act. We did, and I am glad we did. It stalled over in the House of Representatives because they refused to move that forward so we could provide this kind of protection.

Time and time again, the basic legislation to protect women, families, and children used to be done on a bipartisan basis, used to be done unanimously, with supporters from both sides of the aisle, and it has now turned into partisan political bickering. Let's hope that when it comes to this bill, this question of fairness in the paychecks of women and men across America, that maybe I will be just flatout wrong. Maybe at 2:30 we are going to see a return to that thrilling era in the Senate history when Democrats and Republicans stood together for fairness and justice. We will give our colleagues a chance at 2:30.

I thank Senator MIKULSKI for bringing this important and historic matter to the floor.

I yield the floor.

Ms. MIKULSKI. Mr. President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Maryland.

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

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

Ms. MIKULSKI. Mr. President, I now yield 5 minutes to the Senator from Louisiana, who chairs the Small Business Committee and really knows the impact of the economic issues related to the empowerment of women. She has worked on a bipartisan basis on this issue. Hopefully, she will comment on how this bill will have no negative impact on small businesses.

I yield to Senator LANDRIEU for 5 minutes.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, let me begin by acknowledging the leadership of the Senator from Maryland and the other Senators who have come to the floor this morning to speak on behalf of a bill whose time has come and, some might say, a bill whose time has passed. It has been almost 50 years since the original gender equity in the workplace bill was passed, and it has not been modernized in over five decades. So, in large measure, this is really a bill whose time has come, and we hope to make that law happen in the next few weeks. With support from both Democrats and Republicans and by putting common sense and heart and compassion and good business sense, might I say, before political talking points, this, in fact, could be done.

The reason this bill is so important is because 50 years ago women were not major breadwinners in families. As the Presiding Officer knows, there was tremendous hiring discrimination against women and minorities. Happily, that seems to be passing and fading. There are women now at the highest ranks of corporate America. We have had women serving in the highest positions here in Washington, DC, and around our country. While there still is a gap that can be recognized both in the private and public sector, the ability for women, with the right credentials and the right background, to get hired is easier today and is happening more than ever before.

The problem is that when we look at the wage gap, unfortunately, it still persists. With women now in many instances being the major breadwinners in their families, this is really a family issue. It is paying some families much less than others based on the fact that there is a woman as the breadwinner instead of a man. That is hurting families throughout America. It is not fair, and it should not be tolerated. That is why this bill, introduced by Senator MIKULSKI and cosponsored by many of us, is important.

Wage discrimination is against the law and it has been for 50 years, but the consequences and the actions individuals can take if they feel as though they are being discriminated against are, in effect, different and not where they need to be. So this law updates the Equal Pay Act that was passed in 1963 to basically put the final nail in the coffin of wage discrimination.

In 1967 women only earned 58 cents to every dollar a man earned in an equal—in an exact—position. That was grossly unfair, but it is still unfair today that women in the same job are still making only 77 cents for every dollar a man earns. It is not right, and it must be corrected. We can correct it by passing this law that gives people who believe they are being discriminated against better access to the court and, might I say, it also gives businesses that potentially are the ones being sued—even small companies or large companies—more protections in this bill than other businesses have in similar discrimination cases. In other words, frivolous lawsuits will not be allowed, and if a case is not strong, there is a screen that is tighter in this bill than in other pieces of legislation.

I realize there is some opposition from the business community that contends that this bill will simply usher in more controversy or more courtroom time. But the fact is that is exactly the way our system was created. Congress passes laws and enforces equal pay for equal work. If people feel as though they are not being treated fairly under the law, they are supposed to try to modify that behavior out of court, and if they can't, then we ask them—we, in fact, want them—to go to court to try to get it settled. That is the American system. We don't want people to overuse courts or to abuse courts, but we most certainly want people who feel as though they are not being treated fairly under the law to have access to a court system.

Might I say that despite the fact that our court system is regularly criticized, I would much prefer to show up in a court here than in Iraq or in Egypt or in Afghanistan or even in some places in Europe or most certainly some countries in Africa. America has a very transparent, fairly sophisticated and modern judiciary system, and it really is a model for the world.

Sometimes I think we overlitigate in some areas, but where are these women supposed to go? What are they supposed to do—have an appointment with their Congressman, show the Congressman their paycheck? No. Congressmen don't do that. Judges do. And when they get their day in court, they can show their pay stubs, and they can then demonstrate that they have been doing the same job as the man next door but they have been getting paid 77 cents on the man's dollar. That is why this bill is important.

I don't know for the life of me why the chamber of commerce is opposed. I think there are a lot of women in the chamber of commerce as business owners and as women who used to work for other businesses before they owned their own. I had hoped they would stand and speak for women everywhere, that when a woman shows up early in the morning and works until late at night, they deserve to be paid the same as a man doing that exact job.

According to the American Bar Association, in the 50 years since its passage, the Equal Pay Act has become outdated, ineffective, and wage discrimination remains persistent, widespread and pernicious.

The PRESIDING OFFICER. The Senator's time has expired.

Ms. LANDRIEU. I ask unanimous consent for 30 more seconds.

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

Ms. LANDRIEU. In my home State of Louisiana, wage discrimination based on gender is particularly problematic. According to the Joint Economic Committee Report, women in Louisiana do not earn 77 cents, they earn 69 cents for every $1 paid to men, which is significantly less than the national average.

At the same time, women make up almost half—48 percent—of the Louisiana workforce, and 24 percent of married, employed mothers in Louisiana are their family's primary wage earners.

This bill is the next step. It is the right step. It is the commonsense step to fight against wage discrimination, and I am proud to join my colleague from Baltimore, from the State of Maryland, in championing this particular bill.

Again, I thank the Senator from Maryland and I look forward to working with her and my colleagues to try to get this bill to the President's desk in the next few weeks. This is an economic development issue, as the Senator from Maryland knows.

I yield the floor.

Ms. MIKULSKI. Mr. President, before the Senator leaves the floor, first of all, we thank her for her statement. I wonder if she would yield for a question.

Ms. LANDRIEU. Yes, I will.

Ms. MIKULSKI. The Senator chairs the Committee on Small Business and has been steadfast and has worked with the ranking member, Senator OLYMPIA SNOWE. Much has been said on cable TV about how this is going to smash and decimate small businesses. Is that true? I come from a small business family. My father owned a small grocery store. But cashiers are cashiers, male or female.

Ms. LANDRIEU. Absolutely. And it is not. That is why I stressed, I say to the Senator from Maryland, that in this bill, which the Senator has so ably

sponsored and written, the screen to get into court is tighter than in other wage discrimination laws on the books. That is for the protection of all businesses, small and large, so they are not clobbered with frivolous lawsuits.

But as the Presiding Officer knows, many women are employed in small businesses—I mean between 1 and 5 employees or 1 and 10 employees. They need to be protected in the workplace. Hopefully, we have created a balance between the owners of the business and their employees, whether they are union or not.

Ms. MIKULSKI. I thank the Senator for her comments and clarification.

I now yield 3 minutes to the Senator from Connecticut, Mr. BLUMENTHAL, a newcomer, but certainly he is one whose experience in Connecticut as an attorney general, who has actually had to litigate some of these cases, brings excellent insight to this issue, and we welcome his remarks.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, first, let me join so many of my colleagues in thanking the Senator from Maryland for being such a steadfast and strong champion and a model for me as a newcomer of leadership in the Senate. I thank all the women who have spoken today—the women of the Senate—who are, on this issue and so often on other issues, our conscience in this body. They are cutting through the unfounded—indeed, counterfactual—arguments made against this measure, which is simply a commonsense fulfillment of the American precept that people who work equally hard and equally well should be paid equally.

The question before this body is, are women worth less than men? The answer today and every day should be no. They are worth every bit as much as men when they work as hard and well, and they should be entitled to equal pay for equal work. Yet in too many jobs in Connecticut and around the country, women continue to earn substantially less than men.

In Connecticut, the number is 78 cents on the dollar, and that fact is unacceptable.

This issue goes beyond the women who are affected individually. It is about their families. Because, on average, mothers in Connecticut contribute 40 percent to their family's earnings.

Closing the pay gap for women would strengthen the finances of families around Connecticut and across the country.

This issue is about more than just women and families; it is about children. The burden of wage discrimination weighs heavily on the 549,000 Connecticut children in households dependent on the money earned by their moms. The victims of this gender pay gap are the children of families whose mothers are discriminated against.

This issue is about the economy. Those women who are denied equal pay have less to spend. If the wage gap were eliminated, working women in Connecticut would have additional earnings to purchase 109 more weeks of food for the average family, make 7 more months of mortgage payments or purchase 3,000 additional gallons of gasoline.

I urge my colleagues to be on the right side of history. As Martin Luther King, Jr., said: The arc of history is long, but it bends towards justice. Let us do justice today in this measure and pass the Paycheck Fairness Act.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I now yield the floor to Senator HARKIN, the chairman of the HELP Committee, which is where this bill originated. We thank him again for all his hard work on this issue and others related to any wage discrimination and standing up for women. I yield the chairman of the committee such time as he requires.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I thank Senator MIKULSKI for her tremendous leadership on this issue—a lot of issues, quite frankly. But she has focused laser-like attention on this issue for so long, and I would hope, when we have this vote at 2:30, we can at least get to the bill and debate the bill and have amendments on the bill. But I am afraid our Republican colleagues are not going to let us do that.

Again, I applaud the senior Senator from Maryland, Ms. MIKULSKI, for introducing the Paycheck Fairness Act and fighting so hard for so long for it.

Again, to repeat what has been said before—but I think it needs to be repeated time and time again—in 1963, Congress responded to wage disparities between men and women by passing the Equal Pay Act of 1963. At that time, 25 million female workers earned just 60 percent of the average pay for men.

Now, nearly half a century after the passage of that landmark law, we have made some progress toward eliminating this gross inequality, but it is not enough. There should be no gap. But today, a wage gap continues to exist within every segment of our economy, at all education levels and in all occupations. So for every $1 a man earns now, a woman earns just 77 cents. That is better than 60 cents, as it was in 1963. But one would think a half a century later we would at least be equivalent. But now it is still just 77 cents.

Women's lower wages add up tremendously over a career. Over the course of a 40-year career, women, on average, earn nearly $400,000 less than men. Women with a college degree or more face a career wage gap of more than $700,000 over a lifetime of work when compared with men with the same education.

The consequences of the gender pay gap are enormous, impacting not just women but families as well. In today's economy, women represent half of all workers and earn an increasing share of family income. Two-thirds of mothers are major contributors to family income. In today's economy, when a mother earns less than her male colleagues, it is her family—her family—that often must sacrifice even the basic necessities, such as purchasing needed pharmaceuticals and putting healthy food on the table. In many cases, women have to work more hours to earn the same paycheck as men, reducing time spent with their family.

While many factors influence a worker's earnings—including occupation, education, and work experience—there is overwhelming evidence that actual gender discrimination accounts for much of the disparity between men's and women's pay. But, unfortunately, our laws have not done enough to prevent this discrimination.

While I am pleased that the first piece of legislation President Obama signed into law was the Lilly Ledbetter Fair Pay Act—again, that was only a first step; we need to do much more—too many women are still not getting paid equally for doing the exact same job as men. This is illegal, but it happens every day. There are just too many loopholes in our existing laws and too many barriers to effective enforcement.

That is why we need to pass the Paycheck Fairness Act. I thank Senator MIKULSKI for her leadership in advancing this bill. In 2010, we had a hearing on this in our committee, and I was hopeful it would pass in the last Congress. But as has happened too often in recent years, Senate Republicans filibustered the bill. So understand this: 58 U.S. Senators—58; that is more than just a small majority, that is a big majority—voted to support this legislation. But because of Republican obstructionism and filibusters, we could not even proceed to debate the bill because we had to have 60. We had 58 Senators supporting the bill. That was 2 years ago.

Two years later, Republican obstructionism continues. I want the American people to understand this. Republicans—the minority party—are preventing this Senate from even considering the issue of unequal wages and gender discrimination. Let me repeat: Republicans are not just preventing this important legislation from receiving an up-or-down vote, they are preventing the Senate—supposedly the world's greatest deliberative body—from even debating and considering the bill. Millions of women and their families are concerned about the fact that they get paid less than their male colleagues. Nevertheless, Republicans will not even allow a debate on the issue in this body, debate and amendment on the bill.

As an aside, I might say another reason why we need filibuster reform. This country cannot go on like this. This country cannot go on with gridlock as

we have had it in the Senate. We need to reform and do away with the filibuster as it now is being used. We need to do away with it when the Senate reconvenes after the election next January.

Strengthening our existing laws by passing the Paycheck Fairness Act is the next step toward wage equality, but it cannot be the last one. We must also tackle the more subtle discrimination that occurs when we systematically undervalue the work traditionally done by women—I repeat, when we undervalue the work traditionally done by women.

The fact is, millions of female-dominated jobs—jobs that are equivalent in skills, effort, responsibility, and working conditions to similar jobs dominated by men—pay significantly less than the male-dominated jobs. This is hard to fathom and impossible to justify.

Let me point out a couple things. Why is a housekeeper worth less than a janitor? Mr. President, 89 percent of maids are female; 67 percent of janitors are male. While the jobs are equivalent, the median weekly earnings for a maid is $387; for a janitor, it is $463.

Truckdrivers—a job that is 95 percent male—have a median weekly earnings of $686. In contrast, a childcare worker—a job that is 95 percent female—OK, we got that: truckdrivers are 95 percent male, they get $686 a week, median; a childcare worker, 95 percent female, has median weekly earnings of $400.

Why do we value someone who moves products more than we value someone who looks after the safety and well-being of our children? I am not here to say the truckdriver is overpaid; it is to say that jobs we consider ''women's work'' are underpaid.

When we connect these things we say: You are right. Jobs we think of traditionally as being women's jobs are totally undervalued in our society. That is why in every session of Congress since 1996 I have introduced the Fair Pay Act along with Congresswoman ELEANOR HOLMES NORTON, which would require employers to require equal pay for equivalent jobs—equalize pay for equal jobs. This bill would require employers to provide equal pay for jobs that are equivalent in skill, effort, responsibility, and working conditions.

Now, one might say: Well, that sounds way out. How can we do that? Well, in 1982, the State of Minnesota implemented a pay equity plan for its State employees. They found that women were segregated into historically female-dominated jobs, and these jobs paid 20 percent less than male-dominated jobs. So the State of Minnesota instituted this law. Pay equity wage adjustments were phased in over 4 years, leading to an average pay increase of $200 per month for women in female-dominated jobs. The wage gap closed by approximately 9 percent.

In 1984, the Republican Governor, Republican Legislature, passed similar legislation in the State of Iowa: pay equity for equivalent jobs—equivalent jobs. So this is not unheard of in this country. It is unheard of for us to do it at the Federal level covering everybody, but some States have already taken leave—as I said, Minnesota in 1982 and Iowa in 1984.

This bill would require employers to publicly disclose their job categories and pay scales—not individual employees' pay but their categories and pay scales. That way a woman would know whether she needed to negotiate a better deal. Right now women who believe they are the victim of pay discrimination must file a lawsuit and endure a drawn-out legal discovery process to find out whether they make less than the man working beside them. Well, with pay statistics readily available for categories and pay scales, this whole process could be avoided.

I asked Lilly Ledbetter at a hearing once: If the Fair Pay Act, the one I am talking about now, had been law, would it have obviated your wage discrimination case? She said with the information about pay scales this bill provides, she would have known she was a victim of discrimination and could have addressed the problem much sooner, before it caused a lifelong drop in her earnings and before she had to go all the way to the Supreme Court to try to make things right.

If Republicans allowed us to proceed to the bill, I would offer the Fair Pay Act as an amendment. Yet I emphasize again, because of the Republican obstructionism, we cannot even debate or amend the bill. We cannot even bring it up and amend the bill.

Finally, I want to comment on the RAISE Act. My Republican colleagues would have us believe that we can solve the pay gap by allowing employers to give merit-based pay increases above levels negotiated in a collective bargaining agreement. Well, this is nonsense. The RAISE Act has nothing do with women's pay. Rather than seriously discussing gender discrimination, the Republicans have tried to change the subject by resorting to yet another partisan attack on organized labor—on labor unions.

In fact, not only does the RAISE Act do nothing to address the discrimination faced by women in this country, the RAISE Act would both exacerbate the wage gap and lower pay for all workers. Collective bargaining agreements raise wages for all workers. The RAISE Act would undermine collective bargaining by requiring that all union contracts include provisions allowing employers to unilaterally grant wage increases to select employees.

The primary effect would be to weaken the union's ability to bargain for higher wages for all workers. It would also give employers unfettered discretion to dole out pay increases to preferred employees. That is a recipe for more discrimination, not less.

I urge my colleagues to stand with Senator MIKULSKI in support of the Paycheck Fairness Act today. It is a simple, commonsense piece of legislation. There is no reason we should not take it up and pass it right away. Once we have closed the loopholes and ensured effective enforcement of the Equal Pay Act, we must turn our attention to the millions of women, especially low-wage workers, whose work is undervalued. Think of childcare workers. Think of the women who are now taking care of our elderly who are living longer but need supportive care in their later years, mostly women. Why is that work being undervalued? We must ensure they receive the recognition and fair treatment and fair pay they deserve by passing the Fair Pay Act.

In closing, the fight for economic equality is far from over. It should not be over until every working woman in America receives a fair day's pay for a fair day's work.

As the chair of the HELP Committee, I plan to keep advocating for fair pay and focusing on equal wages until we have achieved real equality for women across the country. But first things first. It is time for our Republican colleagues to end the filibuster and allow the Pay Check Fairness Act to come to the floor this afternoon for debate, amendments, and a final vote.

I yield the floor.

Mr. LEAHY. Mr. President, today, we have an opportunity to take another long overdue step to close the wage gap between men and women. Equal pay for equal work should not be a Democratic nor a Republican issue but an American issue of basic fairness. It is shameful that gender discrimination still exists in our country and more so at a time when women make an ever-increasing number of heads of households. That is why I am proud to join Senator MIKULSKI as a cosponsor of the Paycheck Fairness Act.

Vermont has been a leader in the fight of equal pay for equal work. According to a recent report by the American Association of University Women, the State of Vermont leads the Nation, second only to the District of Columbia, in equal pay issues, yet Vermont women still make just 84 cents on the dollar compared to their male counterparts. Over a decade ago, the Vermont Legislature passed legislation requiring equal pay for equal work, barring employers from retaliating against employees for disclosing the amount of their wages, and made it easier to file wage discrimination claims. Unfortunately, not all States offer these protections. The Paycheck Fairness Act is a step in the right direction to bring Vermont's inclusive example to the Federal level.

The Paycheck Fairness Act sets out a clear path to address the systemic problems that result from pay disparities. It takes critical steps to ensure that employers follow the law; prohibits retaliation against workers for disclosing their own wage information or for filing a charge in an Equal Pay

Act proceeding; strengthens penalties for equal pay violations; adds programs for training, research, technical assistance to help better identify and handle wage disputes; and establishes a national award for pay equity in the workplace recognizing employers who demonstrate ''substantial effort to eliminate pay disparities between men and women.''

The Paycheck Fairness Act would also narrow the criteria under which an employer can defend pay disparities and enlist the Department of Labor to help eliminate gender-based pay gaps. This bill would ensure that American women and their families aren't taking home smaller paychecks because of their gender. Another piece of this legislation specifically deals with reforming the procedures and remedies for enforcing the law. It would mandate record-keeping and data collection for better enforcement of the law. Under this bill, the Equal Employment Opportunity Commission would be directed to issue regulations for the collection of wage data from employers based on sex, race, and ethnicity.

This legislation would be another in a series of bills seeking to address the harms against working women. The Equal Pay Act was enacted in 1963 to protect employees against wage discrimination with respect to an individual's race, ethnicity, religion, or sex. It is true that we have closed the wage gap for women versus their male counterparts from 61 cents on the dollar in 1961 to 77 cents today, according to the Bureau of Labor Statistics. However, that decreases to 62 cents on the dollar for African-American women and just 53 cents on the dollar for Hispanic-American women. Being 77 percent right is not good enough. The efforts to achieve parity for women in the workplace must continue.

In 2009, I joined Senator MIKULSKI and others in introducing the Lilly Ledbetter Fair Pay Restoration Act. That bill was necessary to remedy the Supreme Court's divided decision in Ledbetter v. Goodyear, which struck a severe blow to the rights of working families across our country. The Ledbetter decision stripped back 40 years of progress to eliminate workplace discrimination.

In that case, Ms. Ledbetter worked for nearly 20 years as a manager at a Goodyear factory in Gadsden, AL. After decades of service, she learned through an anonymous note that her employer had been discriminating against her for years. She was the only woman among 16 employees at her management level, yet Ms. Ledbetter was paid between 15 and 40 percent less than all of her male colleagues, including several who had significantly less seniority. After filing a complaint with the Equal Employment Opportunity Commission, a Federal jury found that Ms. Ledbetter was owed almost $225,000 in back pay. However, five members of the Supreme Court overturned her jury verdict because she had filed her lawsuit more than 180 days after her employer's original discriminatory act. The Lilly Ledbetter Fair Pay Restoration Act restored victims' ability to file suit for pay discrimination and was among the first bills to be signed into law by President Obama. It is not surprising that yesterday the administration announced its strong support for the Paycheck Fairness Act. Congress should send this legislation to President Obama to be signed into law, without delay.

Wage discrimination affects women of every generation and every socioeconomic background. It is not limited to one line of work or level of education. The Paycheck Fairness Act is a step in securing that equal pay for equal work is more than just a slogan or an ideal but a reality for every American, regardless of gender, race, or any other factor that does not evaluate people on the basis of what they can offer and what they can contribute to the workforce. I urge all Senators to join in passing the Paycheck Fairness Act to ensure all of our daughters and granddaughters and future generations of Americans are not subject to the same injustice that has plagued women for decades.

Mr. INOUYE. Mr. President, above my desk in Washington is a copy of the labor contract that was signed by my grandfather, Asakichi Inouye, in July 1899. In the agreement, my grandfather would be paid $15 a month to work at the McBryde Sugar Company on the Island of Kauai. My grandmother, Moyo, would be paid $10 a month. Women like my grandmother were an important part of the workforce for Hawaii's sugar plantations, but they were paid less for doing the same type of work as men and did not receive the same advancement opportunities. While our Nation has made great strides in promoting gender equity since 1899, there is still more to do.

According to the Joint Economic Committee, women in Hawaii today earn 76 cents for every dollar paid to men. Over a 40-year career, a woman in Hawaii would earn $433,000 less than her male counterparts. Women represent 48 percent of my State's workforce and 41 percent of married women are their families' primary wage earner. Studies have shown that the gender wage gap affects women regardless of their educational level or occupational field. Eliminating the wage gap is not only a matter of fairness for equal pay for equal work; it is also one of economic security for middle-class families.

In a challenging economy, men are more likely than women to lose their jobs. This means that families across the country increasingly have had to rely on a woman's paycheck to make ends meet. For vulnerable families hard hit by unemployment, closing the wage gap would help put food on the table or pay the mortgage. Let us also remember that the wage gap undermines women's retirement security through reduced Social Security benefits.

S. 3220, the Paycheck Fairness Act, strengthens the foundations of the Equal Pay Act of 1963 and the Lilly Ledbetter Fair Pay Act of 2009. The Paycheck Fairness Act would provide for stronger enforcement of prohibitions against wage discrimination. It would also prohibit retaliation against workers who ask about pay practices or disclose their own pay. In short, the Paycheck Fairness Act would help women successfully fight for the equal pay they have earned.

In 1963, when Congress passed the Equal Pay Act, women earned 59 cents to every dollar earned by men. Today, women earn 77 cents to the dollar. At this rate, the wage gap would take more than 40 years to close. Women and their families cannot wait any longer. My vote today is not only to recognize and honor the work of women since my grandmother's generation, but it is also a vote for economic justice for future generations of young women like my granddaughter. I urge my colleagues to join me in supporting the Paycheck Fairness Act.

Mrs. FEINSTEIN. Mr. President, I rise today to stand in support of equal pay for equal work.

Forty-nine years ago, the Equal Pay Act was signed into law. Yet, gender-based wage discrimination remains a serious problem for women in the U.S. workplace and it has very real implications for their families.

Today we will vote on legislation that is a matter of basic justice and fairness. The Paycheck Fairness Act will update the Equal Pay Act by closing loopholes and strengthening incentives to prevent pay discrimination by employers.

Without a doubt, the Equal Pay Act has helped women achieve significant progress in the workplace. However, the gender pay gap remains just as real today as it was almost 50 years ago.

It is true: Although women make up about half of today's workforce, women still earn only about 77 percent of what men earn. That's wrong.

Women in the workplace, the women who head households or earn the only paycheck in a family—the women in the trenches of this economy—know this fundamental truth:

The gender wage gap exists—it is not a myth.

It has implications for families and our economy.

It has been with us too long and we have a chance and obligation to fix it.

I have heard lots of stories about paycheck disparities in California. I know my colleagues have heard similar stories from women in their states.

In-depth studies reveal the existence of gender pay disparities, regardless of age, occupation, education or marital status.

According to the National Partnership for Women & Families, the pay gap has been narrowing by one-half of a cent every year since 1963.

This means, without Congressional action, women will not achieve pay parity with men until the year 2056.

Let me share a story about a woman from Sylmar, CA who worked at a local retail store. She wrote me a letter and said:

> I know firsthand about unequal pay for equal jobs. I worked with two male associates, all doing the same job. I was hired at 25 cents more an hour than the two males because I had more job experience.
>
> Less than six months later, I learned that one of the males had received a 'merit raise' which put his hourly rate higher than mine. He had been absent many times.
>
> When I asked for a merit raise, based on no absences, good customer comments and always going above and beyond in my job, I was told by male management: ''You don't deserve a merit raise.''

The discrimination was obvious.

In California, there are 5.3 million children—2.6 million households—wholly or partially dependent on a mother's earnings.

According to recent census estimates, in California, the average pay for a woman working full time, year round is $41,302 per year, while the average for a man is $49,453.

This means that women are paid 84 cents for every dollar paid to men.

Put another way, this amounts to a yearly gap of $8,151 between full-time working men and women in the State.

The figures are even worse for women of color. African American women earned about 62 cents and Latinas only 57 cents for every $1 earned by a male.

As a group, full-time working women in California lose approximately $36 billion each year due to the wage gap.

According to the National Partnership for Women and Families, if the wage gap were eliminated, a working woman in California would have enough money for approximately 62 more weeks of food, four more months of mortgage and utilities payments, seven more months of rent, 25 more months of family health insurance premiums or 1,914 additional gallons of gas.

Equal pay in not only a women's issue—millions of families rely on a woman's paycheck for its family's earnings.

Women are critical to driving this economy. So ensuring equal pay for equal work benefits the entire economy.

When women earn less than men, fewer dollars are available to go back into the economy as consumer spending.

As we emerge from one of the worst recessions in history, the Paycheck Fairness Act would ensure that American women and their families aren't bringing home smaller paychecks because of discrimination. Let's pass this commonsense bill and move one step closer to paycheck fairness.

Mr. KERRY. Mr. President, at a time when families across America are struggling to make ends meet, equal pay for equal work isn't just a women's issue, it is a family issue. As the father of two daughters, I also see it as a fairness issue. I am an original cosponsor of the Paycheck Fairness Act because all of our daughters deserve the right to be compensated and valued fairly. This bill would take strong action to address the gender pay gap by helping women successfully fight for the equal pay they earn.

This bill would address the pay gap by enhancing enforcement of equal pay laws. Specifically, it would prohibit retaliation against workers who ask about or discuss wage information, and would provide more effective remedies for women subjected to discriminatory pay practices. It also requires the Equal Employment Opportunity Commission to collect pay data to enable better enforcement of laws prohibiting pay discrimination.

Across the Nation, women continue to earn substantially less than men for performing the same work. Women earn only 77 cents for every $1 men earn, with women of color at an even greater disadvantage with 64 cents on the dollar for African-American women and 56 cents for Hispanic women. As more and more American families rely on women's wages for a significant portion of their income, the pay gap hurts not only women, but the families that depend on them.

Today, in my home State of Massachusetts, women make up 49 percent of the state workforce and 31 percent of married employed mothers in Massachusetts are their families' primary wage earners.

Unfortunately, women in Massachusetts earn less across all occupations and educational levels. Research clearly demonstrates that regardless of occupation, education, industry, marital status, and other factors, pay for women lags behind their male counterparts. Women's median earnings are less than men's median earnings in almost every major occupation.

This burden of wage discrimination weighs heavily on the almost 1 million Massachusetts children in households dependent on their mothers' earnings. As the main breadwinners, women are asked to carry a greater economic load while only earning 81 cents for every $1 paid to men. Over their lifetimes, these Massachusetts women will earn $475,000 less than their male counterparts. This pay gap has harmed the families of roughly 1,576,000 women in the Massachusetts workforce, especially as the workforce participation rate of women has risen. On average, mothers in Massachusetts contribute to 37 percent of their family's earnings. Closing the gender pay gap would strengthen the finances of these families, and the State economy. If the wage gap is eliminated, these families would have additional earnings to purchase 83 more weeks of food or 5 months of mortgage payments or more than 2,500 additional gallons of gasoline.

I am disappointed and frustrated that the Senate failed to move ahead on this important legislation due to minority opposition. Republicans filibustered this commonsense legislation that would ensure fair pay for equal work—and then not a single Republican Senator voted in favor of moving it forward. It is incomprehensible to me that Members who claim to want to strengthen the economy and provide jobs for everyone would vote to ignore half of our population. Economic security should be for all Americans and legislation ensuring a level playing field just makes sense. Eliminating the pay gap will make Massachusetts families and families across the Nation more secure.

Mr. LEVIN. Mr. President, today the Senate is once again attempting to move forward with the Paycheck Fairness Act. This legislation would strengthen and modernize the Equal Pay Act of 1963 by providing new tools to combat gender-based wage discrimination. Among other things, this bill would require employers to demonstrate that wage differences between genders for comparable work are due to business decisions, and not gender. It also would prohibit employers from retaliating against employees who inquire about wage practices or share salary information with their colleagues. And it would strengthen penalties for equal pay violations.

Closing the gender pay gap is always an important and worthwhile goal, but this is the case especially in the current tough economic climate where it is increasingly common for women to be the primary or even sole bread winner in a family. For example, in Michigan, over a third of families with dependent children rely on a working mother's salary for their primary income. This represents the families of over half a million children. And here is the important part—while the averages have varied, current figures indicate that women still only make 77 cents for every dollar made by their male counterparts.

These are prolonged, tough, economic times, and there is no justifiable reason for the U.S. Senate not to do everything in its power to support policies that can help women in this country support themselves and their families by ensuring they are being paid the same wage as their male counterparts for comparable work. This is not just an issue of gender equality; it is one of economic equality and fairness. It is deeply discouraging for our Republican colleagues to be filibustering this measure.

Mr. ENZI. Mr. President, when the Senate rejected this legislation 20 months ago in a bipartisan vote it did so for the right reasons. The fact is, discriminatory pay practices are already illegal, and properly so. Congress has put two laws on the books to combat such discrimination—Title VII of the Civil Rights Act of 1964 and the Equal Pay Act of 1963. These are both

good laws that have been well-utilized to combat discrimination where it exists, and I support full enforcement of those laws. When a female or male employee is being paid less simply because of gender it must be corrected and penalized. According to the Equal Employment Opportunity Commission, EEOC, employees received more than $150 million through successfully-resolved Title VII and EPA discrimination claims last year, the largest amount awarded in 15 years.

I am confident that there is no member of this Senate who would tolerate paying a woman less for the same work simply because she is a woman. As husbands, fathers and mothers of working women, I believe we all recognize the gross inequity of discrimination in pay based on gender. But what the majority is trying to push through here today is of a very different nature. The so-called Paycheck Fairness Act is misnamed. It should actually be called a Profiteering Trial Lawyers Bonanza bill. The primary beneficiary of this legislation will be trial lawyers. They will be able to bring bigger class action lawsuits without even getting the consent of plaintiffs, and they will have the weapon of ''uncapped damages'' to force employers to settle lawsuits even when they know they have done nothing wrong. The litigation bonanza this bill would create would extend even to the smallest of small businesses, only further hampering the lagging economic recovery.

With unemployment trending back up to 8.2 percent, this is simply not a chance we can afford to take. When the Senate last rejected this bill, unemployment had been above 8% for 20 months. Now, it has doubled to 40 months, and it is trending higher. If we include the significant numbers of people that have simply dropped out of the workforce, the unemployment rate is over 14 percent. The United States is in very dangerous territory right now. This is not the time to pass this harmful legislation.

There are a number of other concerning provisions of this bill, such as authorizing the government to require reporting of every employer's wage data by sex, race and national origin. Had this bill gone through committee mark up under regular Senate order, we may have been able to address some of these concerns. But this bill, like so many others this Congress, has circumvented regular order.

The Senate rejected this identical bill on a bipartisan basis 20 months ago because it will insert the Federal Government into workplace management decisions like never before. This intrusion will benefit trial lawyers and harm job growth and employment, which will affect both women and men.

Supporters of the bill cite wage data that the Bureau of Labor Statistics itself says ''do not control for many factors that can be significant in explaining earning differences.'' In fact, studies show that if you factor in observable choices such as part-time work, seniority and occupational choice, the pay gap stands between 5 to 7 percent. Some of these choices are simply personal prerogative, and I would not question the choices that anyone makes with regard to family obligations, job security and the quality of fringe benefits such as health, retirement and childcare. But to a large extent this remaining gap is due to occupational choice. It is unfortunate that this Congress has not done more to foster a job growth environment and improve job training programs like the Workforce Investment Act that could prepare more women to enter higher earning occupational fields. Surely this would be a more reasonable solution than a trial lawyer bonanza sure to disadvantage all employers and depress job growth to the disadvantage of all employees.

I ask unanimous consent to have printed in the RECORD letters of opposition to S. 3220. I urge my colleagues to oppose this motion.

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

MAY 24, 2012.

Hon. HARRY REID,
Majority Leader, U.S. Senate, Washington, DC.
Hon. MITCH MCCONNELL,
Minority Leader, U.S. Senate, Washington, DC.

DEAR LEADERS REID AND MCCONNELL: The undersigned urge you and your colleagues to VOTE NO on cloture on the motion to proceed to the Paycheck Fairness Act (S. 3220). The vote is currently scheduled for June 5. Our organizations represent millions of employers who are committed to ensuring equal employment opportunities for men and women alike. While we have no tolerance for unlawful discrimination, we vigorously oppose S. 3220.

The Paycheck Fairness Act would impose unprecedented government control over how employees are paid at even the nation's smallest employers. This flawed legislation could outlaw many legitimate practices that employers currently use to set employee pay rates, even where there is no evidence of intentional discrimination. Common practices that a court could find unlawful under S. 3220 include providing premium pay for professional experience, education, shift differentials or hazardous work, as well as pay differentials based on local labor market rates or an organization's profitability. This level of government intervention in employee compensation is both unprecedented and unwarranted in the United States.

The provisions of the Paycheck Fairness Act would harm employers of all sizes, as the bill would apply to employers with as few as two employees. The threat the bill poses to small business is particularly troubling given the draconian penalties found in this legislation, which include unlimited damages regardless of whether a pay discrepancy was unintentional.

A number of federal laws already specifically protect employees from pay discrimination, including the Equal Pay Act, the Civil Rights Act and the Lilly Ledbetter Fair Pay Act. These laws prohibit pay disparities based on gender and provide robust remedies and damages to victims of pay discrimination. As The Washington Post editorial board stated in 2009, adding the Paycheck Fairness Act to these existing laws ''risks tilting the scales too far against employers and would remove, rather than restore, a sense of balance.'' In 2010, the Boston Globe wrote ''the measure as a whole is too broad'' and the Chicago Tribune described the bill as ''grossly intrusive.''

Once again, we urge all senators to oppose the Paycheck Fairness Act.

Sincerely,

American Bakers Association, American Bankers Association, American Hotel & Lodging Association, Associated Builders & Contractors, Inc., College and University Professional Association for Human Resources, Food Marketing Institute, HR Policy Association, International Public Management Association for Human Resources, National Association of Manufacturers, National Association of Wholesaler-Distributors, National Council of Chain Restaurants, National Council of Textile Organizations, National Federation of Independent Business, National Public Employer Labor Relations Association, National Restaurant Association, National Retail Federation, National Roofing Contractors Association, Printing Industries of America, Retail Industry Leaders Association, Small Business & Entrepreneurship Council, Society for Human Resource Management, U.S. Chamber of Commerce.

U.S. CHAMBER OF COMMERCE,
CONGRESSIONAL & PUBLIC AFFAIRS,
Washington, DC, June 4, 2012.

TO THE MEMBERS OF THE UNITED STATES SENATE: The U.S. Chamber of Commerce, the world's largest business federation representing the interests of more than three million businesses and organizations of every size, sector, and region, strongly opposes S. 3220, the ''Paycheck Fairness Act.'' The Chamber strongly supports equal employment opportunity and appropriate enforcement of the Equal Pay Act (EPA) and Title VII of the Civil Rights Act of 1964. However, this bill would, among other things, expand remedies under the EPA to include unlimited punitive and compensatory damages, significantly erode employer defenses for legitimate pay disparities, and imposes invalid tools for enforcement by the Labor Department.

The EPA, while allowing recovery for lost back pay, does not provide for compensatory and punitive damages, nor should it. The EPA is a strict liability statute in that there is no requirement that the employer intend to act unlawfully. It strains logic to mandate that damages conceived and designed to punish and deter wrongful conduct should apply to claims of inadvertent, unintentional conduct that has the effect of violating the EPA. If a plaintiff can demonstrate that a wage disparity is due to intentional discrimination, then he or she should bring a claim under Title VII of the Civil Rights Act of 1964, where punitive and compensatory damages (capped at certain levels) are available.

S. 3220 would also significantly erode the defenses available to employers under the EPA. For example, the bill would permit plaintiffs to challenge otherwise legitimate employer pay decisions by showing that some other employment practice might achieve the same business purpose without creating the disparity. Further, the employment decision in question must also be proven to be required by ''business necessity.'' These provisions would open up compensation and employment decisions to limitless review by courts and juries and would ultimately lead to an inefficient, cumbersome, and costly salary-setting process. In addition, the bill would modify existing rules concerning collective actions, making it easier for plaintiffs' attorneys to mount class action suits.

In addition, the bill would make a number of regulatory changes at the Labor Department related to equal employment opportunity requirements for federal contractors. Re-imposing the flawed Equal Opportunity Survey and requiring use of dubious statistical models for determining whether employers engage in systematic compensation discrimination, would do nothing to combat discrimination and instead would waste both enforcement and employer resources.

Litigation in employment discrimination has exploded since the inclusion of compensatory and punitive damages under Title VII, resulting in increased costs associated with attorneys' fees and employment investigations as employers must respond to each charge filed, whether frivolous or not. Further increasing the opportunity for frivolous litigation will only further serve to undermine our nation's civil rights laws.

The Chamber strongly opposes S. 3220 and urges you to vote against this legislation. The Chamber may consider including votes on, or in relation to, S. 3220—including on procedural votes and any motion to proceed—in our annual How They Voted scorecard.

Sincerely,

R. BRUCE JOSTEN.

NATIONAL RETAIL FEDERATION,
Washington, DC, May 31, 2012.

Hon. MICHAEL B. ENZI,
U.S. Senate, Russell Senate Office Building, Washington, DC.

DEAR SENATOR ENZI: On behalf of the National Retail Federation, I am writing to urge you to oppose S. 3220, legislation that would greatly increase government involvement in pay decisions in businesses of all sizes and give trial lawyers an incentive to pursue unlimited litigation against American employers. Votes on S. 3220 will be considered a ''key vote'' by the National Retail Federation and the retail industry.

Retailers strongly oppose discrimination of all types. Sex discrimination in employment is no exception. Two federal laws protect employees from gender-based pay inequity: Title VII of the Civil Rights Act of 1964 and the Equal Pay Act of 1963. Both laws have broad coverage, prohibit intentional gender-based pay discrimination and impose liability on employers for gender-pay differences, even where there is no evidence of intentional discrimination if the employer fails to justify the pay discrepancies.

The pending legislation, S. 3220, would dramatically expand the Equal Pay Act to allow workers who claim they are the victims of gender-based wage discrimination to sue for unlimited compensatory and punitive damages. Moreover, its provisions would allow business owners to be sued if wage differentials exist due to local market rates, revenue production, or profitability. As a result, S. 3220 could effectively block retailers from considering issues such as store location and local economic conditions in setting wage rates.

Furthermore, the bill expedites class action lawsuits by requiring employees to ''opt-out'' of the class, effectively using size to force settlements against the Main Street businesses that will become its target. The legislation would also direct the Equal Employment Opportunity Commission (EEOC) to collect employee pay and compensation data from covered employers. Nothing in the bill would prevent this data from being publicly disclosed by the EEOC or made available through a Freedom of Information Act request.

Again, the National Retail Federation strongly urges you to oppose S. 3220, and we will consider a vote on this legislation a key vote for the retail industry.

Sincerely,

DAVID FRENCH,
Senior Vice President, Government Relations.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:37 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. WEBB).

PAYCHECK FAIRNESS ACT—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. Under the previous order, the time until 2:30 will be equally divided, with the minority controlling the first half.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mrs. MURRAY. Mr. President, we are coming to a very critical vote. Today we have the opportunity to address an issue that affects the bottom line of nearly every American family. The paychecks that American women take home at the end of each week or each month are as tied to our economic health as just about anything else. It is what helps sustain local businesses. It is what pays grocery bills at the end of the month. It makes mortgage payments. Ultimately, the pay women receive as we continue to make up a larger and larger part of our workforce is going to be critical to the growth of this Nation. Yet over the course of the past week, as we have debated this bill in the Senate and across the country, we have been met by either silence or resistance from those on the other side of the aisle. Time and again we have heard the same excuses on why we cannot join together to provide the guaranteed fairness women deserve.

First, we heard this was a ''manufactured issue.'' Mr. President, if you talk to American women all across our country, you will quickly learn what some of my colleagues have called ''manufactured'' is an all-too-real part of everyday American women's lives. Women will tell you that at a time when families across America are struggling to make ends meet, equal pay for equal work should not be a pipe dream; it should be law. They will tell you that nearly 50 years after the Equal Pay Act was signed, the pay gap between what men and women earn is just as real today as it was back then. They will tell you women still earn 77 cents for every dollar earned by men. They will tell you this gap undermines their retirement security because they receive reduced Social Security benefits. Then, most importantly, they will tell you women are not worth less than men.

The other argument we have heard is that this critical vote is in some way a distraction from the economic issues we face, as if somehow the pay of women—who compromise nearly half of all American workers—is not at its very core an economic issue. Let me be very clear. When women are not paid what they deserve, middle-class families, communities, and our economic growth pay the price.

Let's consider that in my home State of Washington where women still earn 77 cents on the dollar—or a pay gap that averages over $11,000 in lost earnings every year—for the average family that is an extra 90 weeks of groceries, it is 7 months of mortgage payments or it is 179 tanks of gasoline—all at a time when women are participating in the workforce at higher rates than ever before.

Surely, my friends and colleagues on the other side of the aisle realize this is not the time to be denying American families this extra income they need to make ends meet. Surely, we should be guaranteeing American women and their families the fairness they deserve. This should not be a partisan issue. Throughout the history of the Senate, we have joined together to root out discriminatory practices and provide the protections American workers deserve. Today, as American families struggle, it is time to make sure unfair practices are not contributing to those struggles.

Today we have an opportunity to close loopholes in the system that allows for pay discrimination, to create strong incentives for employers to obey the laws that are in place, and to strengthen Federal outreach and enforcement efforts on behalf of women.

Today we all have an opportunity to say the status quo is not good enough. We have the opportunity to tell our daughters we are not going to let another generation face a pay gap because we are unwilling to stand and fight. We have the chance to improve our economy right now. So to those of my colleagues who claim to be so concerned about the economy and the struggles of the middle class, now is your chance to prove to your constituents you mean what you say. Now is the chance to provide nearly half of all Americans with the economic fairness they deserve. Now is the time to guarantee American women equal pay for equal work.

I yield the floor and yield back the remainder of our time.

The PRESIDING OFFICER. The clerk will report the motion to invoke cloture.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the

Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 410, S. 3220, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

Barbara A. Mikulski, Harry Reid, Maria Cantwell, Patty Murray, Frank R. Lautenberg, Jeff Bingaman, Sheldon Whitehouse, John F. Kerry, Kent Conrad, Jeanne Shaheen, Bernard Sanders, Tom Udall, Amy Klobuchar, Carl Levin, Mark R. Warner, Mark Pryor, Jack Reed, Kirsten E. Gillibrand.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 3220, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes, shall be brought to a close? The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

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

The yeas and nays resulted—yeas 52, nays 47, as follows:

[Rollcall Vote No. 115 Leg.]

YEAS—52

Akaka	Hagan	Nelson (NE)
Baucus	Harkin	Nelson (FL)
Begich	Inouye	Pryor
Bennet	Johnson (SD)	Reed
Bingaman	Kerry	Rockefeller
Blumenthal	Klobuchar	Sanders
Boxer	Kohl	Schumer
Brown (OH)	Landrieu	Shaheen
Cantwell	Lautenberg	Stabenow
Cardin	Leahy	Tester
Carper	Levin	Udall (CO)
Casey	Lieberman	Udall (NM)
Conrad	Manchin	Warner
Coons	McCaskill	Webb
Durbin	Menendez	Whitehouse
Feinstein	Merkley	Wyden
Franken	Mikulski	
Gillibrand	Murray	

NAYS—47

Alexander	Enzi	Moran
Ayotte	Graham	Murkowski
Barrasso	Grassley	Paul
Blunt	Hatch	Portman
Boozman	Heller	Reid
Brown (MA)	Hoeven	Risch
Burr	Hutchison	Roberts
Chambliss	Inhofe	Rubio
Coats	Isakson	Sessions
Coburn	Johanns	Shelby
Cochran	Johnson (WI)	Snowe
Collins	Kyl	Thune
Corker	Lee	Toomey
Cornyn	Lugar	Vitter
Crapo	McCain	Wicker
DeMint	McConnell	

NOT VOTING—1

Kirk

The PRESIDING OFFICER. On this vote, the yeas are 52, the nays are 47. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader.

Mr. REID. Mr. President, I enter a motion to reconsider the vote by which cloture was not invoked.

The PRESIDING OFFICER. The motion is entered.

Mr. REID. I now withdraw my motion to proceed to Calendar No. 410, S. 3220.

The PRESIDING OFFICER. The motion is withdrawn.

AGRICULTURE REFORM, FOOD, AND JOBS ACT OF 2012—MOTION TO PROCEED

Mr. REID. I now move to proceed to Calendar No. 415, S. 3240.

The PRESIDING OFFICER. The motion is pending. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 415, S. 3240, a bill to reauthorize agricultural programs through 2017, and for other purposes.

CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion at the desk on the motion to proceed to this matter.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 415, S. 3240, a bill to reauthorize agricultural programs through 2017, and for other purposes.

Harry Reid, Debbie Stabenow, Carl Levin, Kent Conrad, Jeff Bingaman, Herb Kohl, Patrick J. Leahy, Michael F. Bennet, Christopher A. Coons, Al Franken, Max Baucus, Barbara A. Mikulski, Ben Nelson, Amy Klobuchar, Sherrod Brown, Jeff Merkley, Robert P. Casey, Jr.

Mr. REID. Mr. President, I now ask unanimous consent that the mandatory quorum under rule XXII be waived.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

PAYCHECK FAIRNESS ACT

Ms. MIKULSKI. Will the leader yield for a question?

Mr. Leader, I noted that on the last vote, you voted no. Was that so the bill could be reconsidered?

Mr. REID. I say to my friend, through the Chair, there is no one in this body who has a reputation for a bigger and better fighter than BARBARA MIKULSKI, the senior Senator from Maryland. I entered the motion to reconsider the vote because I want the fight to continue.

Ms. MIKULSKI. I would like to respond to the majority leader. We want to fight too. We thank him for his vote and his voice. I want him to know that although we lost the vote today, we are not going to give up on this vote. It is a very sad day here in the Senate, but it is a sadder day every day when paycheck day comes and women continue to make less than men.

We are sorry that this vote occurred strictly on party lines. Under the leader's effort to reconsider, we hope to bring up this bill again. We hope to forge a bipartisan vote. We are coming up on the 49th anniversary of equal pay for equal work. We are not going to let this bill die in parliamentary entanglements. The majority should rule in the Senate.

I want to say this, in the words of Abigail Adams. While John Adams and all the guys were sitting around Philadelphia writing the Constitution, she wrote him a letter and said, ''Don't forget the ladies.'' And they did it for 150 years, and then they forget, too, to get rid of the loopholes in the Equal Pay Act now. Well, Abigail said: If you forget us, we will foment our revolution, and we are going to foment our revolution.

So I say to the women here, to the good men who support us, to the women out there in America, let's keep this fight going. Put on your lipstick, square your shoulders, suit up, and let's fight for this new American revolution where women are paid equal pay for equal work. Let's end wage discrimination in this century once and for all.

Mr. REID. Mr. President, I appreciate very much the statement made by the Senator from Maryland, as usual. She will outline a way to proceed on this matter that will be dignified and strong.

I filed cloture on this motion to proceed to this very important bill relating to farm programs in America and nutrition programs in America—extremely important legislation. I am confident—maybe it is the wrong thing in the temperament of the Senate today—that we are going to be able to complete this bill. It is an important bill for America. It will be a good thing for this Congress to do this farm bill. The two managers of this bill, Senator STABENOW of Michigan and Senator ROBERTS of Kansas, have done a remarkably good job. This bill creates jobs and reduces subsidies by a significant amount. Where else would you find a bill that reduces the debt of this country by $24 billion? This is a fine piece of legislation, and I hope we can work something out so we do not have to have a vote on this matter on Thursday, that we can start legislating.

We have had good fortune shine upon us on the last couple of big bills we brought through here. We had the managers work with floor staff to work on the relevant amendments and then have a way to finish the bill. I hope we can do that.

I repeat, I have confidence in Senator STABENOW and Senator ROBERTS. They are very good legislators. We need to proceed on this bill. This bill is not a Democratic bill or Republican bill, it is a bill for America.

Mrs. BOXER. Will the Senator yield for a question?

Mr. REID. I will be happy to.

Mrs. BOXER. I want to say that I agree with my friend's comments about

Senator STABENOW and Senator ROBERTS. I consider both my friends. They are terrific legislators.

THE PAYCHECK FAIRNESS ACT

I do want to go back to the vote that just occurred. I would note that we had present in the Chamber some of the House Members, women of the House. I think they are gone now. It was to underscore the importance of this vote and what it means.

My question goes to this: Is my colleague aware that women in their lifetime are so shortchanged that the average woman, in the course of her career, by the end of her career has made $400,000 less than her male counterpart? Is my friend aware of that?

Mr. REID. Yes. In the State of Nevada—I am sure it is maybe more than that in California—in the State of Nevada, women earn $400,000 less. A man in his lifetime makes X number of dollars, and in Nevada a woman makes $400,000 less—in fact, a little more.

Mrs. BOXER. I think it is important for people to understand what just occurred. We had a straight party-line vote on an issue that impacts every single woman in this country. I think when people say there is a difference between the parties—I like working with my colleagues on the other side of the aisle. I have good relationships with them. But for goodness' sake, how can you have a party that, to a person here, votes against equal pay for equal work?

I will close with this question to my friend. It is my understanding that 90 percent of the people support the idea of equal pay for equal work. Is my leader aware of this, and when does he think he might bring this back before the body?

Mr. REID. I say to my friend, through the Chair, she is absolutely right. Seventy-seven percent of Republicans across America support this legislation. Eighty-one percent of men across America support this legislation.

Mrs. BOXER. I thank the Senator.

The PRESIDING OFFICER (Mr. FRANKEN). The Senator from Michigan.

Ms. STABENOW. Mr. President, before speaking about moving forward on the Agriculture Reform, Food and Jobs Act, I want to thank our leader. I also want to thank Senator MIKULSKI. Together we have brought forward the issue of equal pay for equal work, and we intend to focus on that until we make this truly the law of the land.

Mr. President, I rise today to urge my colleagues to allow us to proceed to the Agriculture Reform, Food and Jobs Act, commonly known as the farm bill. I first want to thank my friend, colleague, and partner as we moved through the committee process, Senator ROBERTS. It has been terrific working with my ranking member and his staff. We worked in a truly bipartisan way. I think that is reflected in the fact that this bill came out of committee with a strong bipartisan vote of 16 Members and only 5 dissenting. We are looking forward to working with all of our colleagues on the floor of the Senate to have this same kind of strong bipartisan vote as we move through the process in the Senate.

There are 16 million people in this country who have a job that relies on the strength of American agriculture. The farm bill is a jobs bill. Over the last few years when our Nation's economy has seen some very rough times, agriculture has been one of the few bright spots. In fact, in Michigan, during our toughest times in manufacturing, agriculture was growing five times faster than any other part of our economy. Agriculture is one of the only parts of the economy with a trade surplus. I think it is, in fact, our No. 1 trade surplus with $42.5 billion in trade surplus.

We are growing it here, we are processing it here, developing it here, selling it overseas, but the jobs are here. This farm bill is all about keeping it that way. Last year our farmers exported $136 billion worth of goods, which is a 270-percent increase in the last 10 years. This is about jobs, and we want to continue our leadership not only in this country but internationally in agriculture through this important bill.

We also know our country is facing serious deficits. Last August the Senate passed the Budget Control Act by a vote of 74 to 26. That law created a deficit reduction committee, which we called the supercommittee. They set out a process to find significant savings, and I am very proud of the fact that the Agriculture Committee came together in the House and the Senate. The chairman and the ranking member in the House—along with me and the ranking member in the Senate—did some very tough negotiating and made tough decisions, worked long hours, and came up with a detailed deficit reduction plan. I wish we had that same kind of opportunity with every committee.

Unfortunately, in the end, the Agriculture Committee was the only committee that did that. We did our part, and we believe the work we did in the fall helped to not only build relationships that are important to allow us to work together, but also set up a foundation from which we have written what we call the farm bill, or the Agriculture Reform, Food and Jobs Act.

We have built into this bill a real deficit reduction of $23 billion. Let me emphasize that the Agriculture Committee passed a bipartisan bill that strengthens the economy and cuts the Federal deficit. This $23 billion is roughly 2 percent of what the Budget Control Act put in place in terms of sequestration next January of $1.2 trillion. We are roughly 2 percent of Federal outlays. In those efforts are agriculture production, conservation, and nutrition through the UFDA.

The UFDA is roughly 2 percent of Federal outlays. We are taking responsibility for 2 percent of the cuts, and this is more than is actually required in the Budget Control Act, and it is double what was recommended in Simpson-Bowles and the Gang of 6.

So agriculture is doing its fair share, and we are doing it in a responsible way that focuses on reform and strengthening those efforts to make sure we have a strong agricultural economy, strong conservation practices, and support for jobs through energy and other important nutrition efforts.

We end direct payments. That means no more paying farmers for crops they don't grow and no more payments for farmers when they are already doing very well. In fact, the biggest savings in the bill comes from eliminating direct payments and consolidating three other commodity subsidy programs. America's farmers know in order to lower the deficit we all need to do our fair share. Agriculture has stepped up and is willing to do that.

We also make sure millionaires no longer get payments from commodity programs. We tightened payment limits to half of what farmers currently are able to receive. We closed what is known as the managers' loophole that lets people get farm payments when they are not farming. Instead, we support a strong safety net based on crop insurance and risk.

If someone has a risk, if they have a loss, then it is critically important we stand with American agriculture. We have the safest and most affordable food supply in the world, and it is critically important that we have the risk management tools available for our Nation's farmers.

We heard over and over when Senator ROBERTS was in Michigan—and I am grateful he joined me. I was pleased to have joined him in Kansas. We heard the same issues in our hearings in DC and around the country that crop insurance was the most important tool for our producers.

Nobody wants to see a family farm—some passed down from generation to generation—go out of business because of a few days of bad weather or because of other changes in the markets beyond their control. I cannot think of a more high-risk venture, frankly, than agriculture.

This year in my State when it got very warm in February and March, the cherry blossoms, apple blossoms, peaches, and grapevines all thought it was spring and the blossoms came out. Then when the freeze and the snow came, we were literally wiped out of tart and sweet cherries, apples, peaches, and grapes. Everything across the board was devastated. I can't think of any other business that has to go through that kind of risk other than farmers.

So we put in place a strengthened program so more specialty crops and more fruit and vegetable growers can get access to crop insurance. We have new capacity to support expanded risk tools. We substituted that with a market-oriented, risk-based approach that

supports farmers in the bad times; so they will not get a government check in the good times but in the bad times when we need to make sure our farmers can survive and thrive.

This bill does not set a government price. It focuses on what is happening in the marketplace. The farmers are choosing what to plant from the market. We make sure no farmer goes off the cliff when a price drops immediately, and that crop insurance is there for them as well. Independent economists have said this is a fair system that is equitable to all regions and all commodities.

We have a very diverse country. We know we have colleagues that still have concerns, and we are certainly working with them to fine-tune this bill, but we also know moving to a risk-based system treats all regions fairly. It is the kind of reform people across the country, including taxpayers, are asking us to do.

This bill is much more than just a bill related to production agriculture—as important as production agriculture is. I am very proud of what we have been able to do on conservation. We have gone through every program, streamlined them, and increased flexibility. We have done what families and farmers across the country are doing, analyzing and stretching every dollar.

Frankly, we have a conservation title that does more with less. We have taken 23 programs, consolidated them into 13, and put them into four different areas with a lot of flexibility. We are maintaining our conservation tools and strengthening key priorities. There are certain areas that did not have any funding when this farm bill ends on September 30. We have been able to combine that into a larger effort, and we are now able to continue and strengthen conservation. That is why we have heard from 643 conservation groups in all 50 States that support the approach we have taken in this bill. We continue the important work done in the farm bill around nutrition and helping families who are most in need.

I have heard from so many people in Michigan in the last few years, with the huge recession we have gone through, who never imagined in their lives they would need help putting food on the table. They paid taxes all their lives and never thought they would have to ask somebody to help them and their children get through the month but are now in that situation. I am committed to making sure every single dollar goes to people who need it.

We are cracking down on trafficking. We have had at least two situations in Michigan where lottery winners somehow maintained food assistance. Obviously, that is crazy, and so that will not happen anymore under this bill.

Students who live at home with their parents and have been able to go through the loopholes to get food help, it is not right. That is not where it is intended. We address that as well. We have tightened a number of areas on accountability. We know there are areas where we can make sure there is accountability, there is transparency and, in fact, families in need know they can help feed their children during these tough economic times.

We are also recognizing the diversity of agriculture in America by strengthening support for fruits and vegetables and other specialty crops. We are making sure we are getting those healthy foods into schools, supporting organic farmers, farmers' markets, and food hubs locally. By the way, that also creates jobs.

We are continuing our work on energy and helping farmers save money on their bills while getting America off of foreign oil. We are opening opportunities for new innovative companies involved in biomanufacturing. This is an exciting area for me as we look at how we make and grow things in this country and bring those two together. I think that is why we have a middle class in America—because we make and grow things.

Biomanufacturing is the process of taking raw materials from agricultural products, whether it is soybean oil, corn byproducts, wheat husk, biomass materials, and using them to create products and replace chemicals and petroleum in plastics, for example, with biodegradable bio-based products, which is very important for our future in so many ways. That is what the Agriculture Reform, Food and Jobs Act is all about.

As we go further in this debate, I will have much more to say about all of the specifics in the titles. But let me just end with this before turning to my friend to speak.

The current farm bill, the Agriculture Reform, Food and Jobs Act—the current farm bill expires this September 30, when farmers are getting ready for the harvest. If Congress cannot come together in a bipartisan way, as we did in the Agriculture Committee and as we did in the fall with the agricultural leaders, and pass this bill before then, it will create tremendous uncertainty and job losses in communities all across America, and it will have a serious impact on our economic recovery. I hope our colleagues will work with us, will join with us to make sure that does not happen.

We have received broad support for this legislation from 125 farm groups, healthy food groups, and other stakeholders. I am very grateful to 45 of our colleagues who, on a bipartisan basis in a letter to leadership, urged that this bill be taken up. It is clear there is broad support in Congress and across the country for the farm bill. So I urge my colleagues to let us begin the debate on this important jobs bill that affects 16 million people across this country.

Thank you.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Mr. President, I intend to give my full opening comments in regard to the farm bill tomorrow, but I wish to quickly say thank you to the chairwoman for helping to bring us to this point. I thank her for her leadership. It has truly been a bipartisan effort. It has been a team effort.

I wish to reiterate what the chairwoman has said. I wish to tell our colleagues this is a true reform bill. I could say that 10 times over for emphasis, but it is a true reform bill. It also reduces and streamlines the Department of Agriculture programs—long overdue. We cut $23 billion in mandatory spending, and it was voluntarily, without any direction from the Budget Committee or anybody else, and it is real money. It is mandatory money.

The Super Committee tried to work out a deal, and they weren't so super. They tried hard. I am not trying to criticize a tough deal. We are the only authorizing committee that I know of in the Senate that has voluntarily come forth and said: Here is real deficit reduction in mandatory spending—over $23 billion. It is rather remarkable that people who tend to be critical of agriculture would all of a sudden discover it is the Agriculture Committee, in a bipartisan effort, that has cut real money, real mandatory money.

How many times have we heard folks back home say: Why don't you work together? Why can't we all get along? Why can't you reach across the aisle and accomplish something? We did that in our committee, with strong bipartisan support, and we achieved this true spending reduction. We eliminated four of the commodity programs.

I just had a colleague come in to visit with me this morning. He said: I looked at this farm bill and I couldn't figure it out. It is so complex I don't know how anybody can figure it out. That is pretty true in farm country too—trying to figure out all of the complexities, and when they go down to the farm service agency, trying to figure out what is in each program and which one they should pick. We eliminated four commodity programs and made it much simpler. We strengthened and improved crop insurance, which is the No. 1 issue we heard about in every hearing we had. We eliminated $6 billion in conservation spending while streamlining 23 programs into 13 to eliminate duplication. When have we heard: When are you going to start to streamline and reduce duplication? We have done that. We cut $4 billion in nutrition programs—a painful cut for some, I understand that. But it is not going to affect anybody's payments so much as it is the $4 billion—that is 82 percent, by the way, of the agriculture budget is in nutrition.

We have eliminated a grand total of more than 100 programs. Get this: We have eliminated a grand total of more than 100 programs—I don't know of any other committee that has done that—and authorizations totaling nearly $2 billion in reduced authorizations alone. So we dealt with not only mandatory spending but also $2 billion in authorizations.

This is, as I have said, a reform bill. We need to get this thing passed. We need to get the farm bill passed. The current law expires on September 30 of this year. Failure to pass the bill means we revert to permanent 1949 law that would provide absolute chaos in the countryside. If we don't pass this bill by September 30, then we are back here voting on an extension. Who wants to extend the current farm bill? It is yesterday's farm bill. This is tomorrow's farm bill. We can't go back to 1949, and I do not think we need to be in any business of trying to extend the current act when we have a true reform bill and one that is fiscally sound.

The big thing is we need to provide set guidance to our producers and their lenders—our farmers, ranchers, bankers, all up and down Main Street who depend on agriculture, including every rural community and, for that matter, anybody who eats, every consumer. We are talking about the hometown banker and the farm credit agencies so they can know exactly what this farm bill looks like when, as early as this August, they will begin to discuss their operating loans for the coming year.

I know we are debating the motion to proceed at this time, but the chairwoman and I and our staffs are available. We are available. If someone has heartburn, we are available. We have the Rolaids; don't worry about it. Our staffs are available. Come to us if a colleague wants to discuss a possible amendment. Come to us and talk to us. We are working together in a bipartisan effort. I urge Members who intend to offer amendments to please come to us and allow us to begin working with them now. We stand ready and willing and, with the help of Members, able.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. I ask unanimous consent to speak as in morning business.

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

ALWAYS FREE HONOR FLIGHT

Mr. MANCHIN. Mr. President, I rise to recognize a very special event taking place tomorrow in our Nation's Capital: West Virginia's first ever Always Free Honor Flight, a free trip for our veterans to see the monuments built for their service and sacrifice.

I have always said West Virginia is one of the most patriotic States in this great Nation, and we are so proud of the number of veterans and Active-Duty members who have served our country with honor and distinction. The 31 veterans who are traveling to the Capitol tomorrow embody our State's history and contributions to the freedom of this Nation: 12 of them served in World War II, 3 in the Korean war, and 16 in Vietnam.

I wish to tell my colleagues a little bit about this very special group. These heroes engaged in combat across the globe, fighting in the Aleutian Islands, England, Normandy, France, Germany, Luxembourg, the South Pacific, the Philippines, Japan, Korea, and Vietnam. Some served here at home, servicing aircraft with ammunition. Some served in historic events such as the Battle of the Bulge, the liberation of the Philippines, and the front in Japan. They took on different roles, serving as infantrymen, door gunners, ammunition soldiers, combat fighters, tactical fighters, and medics. One brave World War II veteran received the Legion of Honor Chevalier Award from the French Embassy.

These veterans come from all parts of our great State—from Welch to Beckley, to Huntington, to Princeton, to Bluefield, to Lester, and all the places in between.

I especially wish to point out one special person. His name is Gene Cecil Pennington of Princeton, WV, and he will be joining us tomorrow also. He is the youngest West Virginia veteran of World War II, and that is because he lied about his age to join the Navy in the 1940s and first saw combat—think of this—first saw combat at the age of 16. He is 83 now, and we are so proud he will be visiting with us.

In addition to the veterans visiting us, a number of volunteer escorts will also be accompanying them. Seven of these escorts will be representing their deceased fathers who served in various wars throughout the years. Three of our World War II veterans are accompanied by their sons who themselves are veterans of the Vietnam war. Service is truly a family tradition in our State and in this Nation.

Our veterans have a full day's journey ahead of them tomorrow. They will leave Princeton, WV, at 2:15 in the morning, traveling here by bus. They will return to West Virginia after touring our beautiful Capitol Building, the World War II Memorial, the Korean War Memorial, the Vietnam War Memorial, and the Iwo Jima Memorial. These monuments to service and sacrifice have important meaning to everyone in this country, but I know our veterans will find special meaning tomorrow when they tour these sites.

This is the first time for many of these veterans to see these monuments, which is why I am very grateful for the hard work of the West Virginians who made this trip possible by bringing the Honor Flight Network to our State—the Denver Foundation and Little Buddy Radio located in Princeton, WV. These nonprofits were founded by Bob Denver—also known as Gilligan from ''Gilligan's Island''—and his wife Dreama, a West Virginia native. Their love of West Virginia, their vision, and their dedication to service have truly been a gift to our great State.

The Honor Flight Network is an idea that started with Earl Morse, a physician assistant and retired Air Force captain who wanted to honor the veterans he had cared for over 27 years. Earl found that many of his patients couldn't afford to see the monuments built to honor their service, so he took it upon himself to make that happen.

Earl was also a private pilot, and he offered a free flight to a World War II veteran who was also his patient. One free trip led to another, and with the help of more volunteers, Earl's efforts grew into the Honor Flight Network. The first flight took place in May of 2005, and by the end of that year, Honor Flight had taken 137 World War II veterans to visit their memorial. The Honor Flight Network has expanded to cities and States around the country, and in 2011, the network transported 18,055 veterans to see their memorials—at no cost to those veterans.

In West Virginia, we are lucky to have had the operations manager at Little Buddy Radio in Princeton, WV, Charlie Thomas, introduce the Honor Flight to our State. Tomorrow, Charlie will be representing his deceased father, Clifford Richardson, who served in the Navy during World War II.

I would also like to take a moment to thank the Vice President of the Always Free Honor Flight, Dreama Denver, who is the widow of ''Gilligan''—Bob Denver. She is representing her deceased father, Glen E. Peery, who served in the Army during the Korean War.

I would like to thank Pam Coulbourne, who has been instrumental in planning West Virginia's first Honor Flight. She is representing her father Francis Fluharty, an Air Force aerial photographer on a B–24 Liberator during World War II.

Thanks to Charlie, Dreama, Bob Denver, Pam, and the hard work of so many others, 31 veterans will be traveling to Washington tomorrow on this very special journey. I commend them for their dedication and for giving West Virginia just one more way to say thank you to our veterans for their service and sacrifice.

I have always said we owe our men and women who have served more than a debt of gratitude. Showing our appreciation is something we should do each and every day. But tomorrow is a special day where we can pay tribute to those who have made the ultimate sacrifice for our great Nation. I am so pleased I am able to greet some of our most courageous West Virginia veterans who are all heroes. I ask the Senate to join me in honoring these 31 veterans and welcome them and their close friends and family to Washington, DC, tomorrow.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

The Senator from Arizona.

SECURITY LEAKS

Mr. McCAIN. Madam President, over the past few months there has been a

disturbing stream of articles in the media and common among them, they cite elite, classified, or highly sensitive information in what appears to be a broader effort by the administration to paint a portrait of the President of the United States as a strong leader on national security issues—information for which there is no legitimate reason whatsoever to believe should be in the public domain. Indeed, the release of this information in these articles harms our national security and puts in danger the lives of the men and women who are sworn to protect it.

What price did the administration apparently pay to proliferate such a Presidential persona—highly valued in an election year? Access. Access to senior administration officials who appear to have served as anonymous sources divulging extremely sensitive military and intelligence information and operations.

With the leaks that these articles were based on, our enemies now know much more than they did the day before they came out about important aspects of our Nation's unconventional offensive capabilities and how we use them. Such disclosures can only undermine similar ongoing or future operations and, in this sense, compromise our national security. For this reason, regardless of how politically useful these leaks may have been to the President, they have to stop. These leaks have to stop.

The fact that this administration would aggressively pursue leaks perpetrated by a 22-year-old Army private in the Wikileaks matter and former CIA employees in other leaks cases but apparently sanction leaks made by senior administration officials for political purposes is simply unacceptable. It also calls for the need for a special counsel to investigate what happened.

I am also pleased to report that Chairman CARL LEVIN has agreed, at my request, to hold a hearing on these leaks in the Senate Armed Services Committee. The Senate Armed Services Committee has a responsibility here, and I am grateful that Chairman LEVIN has agreed to hold a hearing.

In the latest of the recently published articles—published on June 1, 2012, just a few days ago—the New York Times documented in rich detail the President's secret decision to accelerate cyber attacks on Iran's nuclear enrichment facilities with a computer virus that came to be known as Stuxnet. The author of the article, Mr. David Sanger, clearly states that former and current American officials spoke to him but refused to do so on the record because the program is both highly classified and parts of it are ongoing. I repeat, the administration officials discussed a most highly classified operation that is both highly classified and still ongoing, an operation that was clearly one of the most tightly held national security secrets in our country until now. And I might point out to my colleagues that this is all about the Iranian effort to acquire nuclear weapons, which is one of the most difficult national security challenges this Nation faces.

Other recent articles divulged critical and classified information regarding U.S. plans to expand the secret drone campaign against terrorists in Yemen and the Horn of Africa. One of these pieces was a sorry excuse for journalism that the New York Times published on May 29, 2012, which Charles Krauthammer rightly observed should have been entitled ''Barack Obama—Drone Warrior.''

Finally, there was a recent so-called article about the so-called ''kill list''—the highly classified list of counterterrorism targets against whom the President has authorized lethal action—in other words, to kill. It was reported in that article on May 29, 2012, in the New York Times that David Axelrod, the President's chief political adviser—who is running the reelection campaign as we speak—began attending the meetings in which this list was discussed. I repeat, the President's campaign manager was present and attending the meetings where lists of possible people to be eliminated through drone strikes was discussed and decisions were made. The only conceivable motive for such damaging and compromising leaks of classified information is that it makes the President look good.

These are not the only times I have been frustrated about national security-related leaks coming from this administration. The administration similarly helped journalists publish some of the highly sensitive tactics, techniques, and procedures that enabled our special operations forces—including the classified name of the unit involved—to carry out the operation to kill Osama bin Laden last year. It is entirely possible that this flurry of anonymous boasting was responsible for divulging the identity of Dr. Shakil Afridi, the Pakistani doctor who assisted us in our search for Osama bin Laden and whose public exposure led to his detention and a 33-year prison sentence in Pakistan. His name was divulged by members of the administration, and he has been basically given a death sentence, a 33-year sentence in prison in Pakistan. Our friends are not the only ones who read the New York Times; our enemies do, too.

Let me be clear. I am fully in favor of transparency in government. I have spent my entire career in Congress furthering that principle. But what separates these sorts of leaks from, say, the whistleblowing that fosters open government or a free press is that these leaks expose no violations of law, abuses of authority, or threats to public health or safety. They are gratuitous and utterly self-serving.

These leaks may inhibit the Nation's ability to employ the same or similar measures in its own defense in the future. How effectively the United States can conduct unmanned drone strikes against belligerents, cyber attacks against Iran's nuclear program, or military operations against terrorists in the future depends on the secrecy with which these programs are conducted. Such activities are classified or enormously sensitive for good reason—in many cases, for reasons related to operational security or diplomacy. Their public disclosure should have no place in how this or any other administration conducts itself. These are the kinds of operations and intelligence matters no one should discuss publicly, not even the President.

With this in mind, I call on the President to take immediate and decisive action, including the appointment of a special counsel, to aggressively investigate the leak of any classified information on which the recent stories were based and, where appropriate, to prosecute those responsible. A special counsel will be needed because the articles on the U.S. cyber attacks on Iran and expanded plans by the United States to use drones in Yemen were sourced to—and I quote from the articles—''participants in the [cyber-attack] program'' and ''members of the [P]resident's national security team.'' In the cyber attacks article, in particular, the author stated that ''current and former American officials'' spoke to him anonymously about the program because ''the effort remains highly classified and parts of it continue to this day.''

What could be worse?

The suggestion that misconduct occurred within the executive branch is right there in black and white and is why a special counsel is needed.

As part of this investigation, this special counsel should also scrutinize the book from which the New York Times cyber attacks article was adapted, which was just released yesterday, for other improper or illegal disclosures.

Where classified information regarding cyber operations was leaked, the President should assess any damage that those leaks may have caused to national security and how that damage can be mitigated.

In my view, the administration should be taking these leaks, apparently perpetrated by senior administration officials, as seriously as it pursued those made by relatively low government personnel such as the Army private in the WikiLeaks matter or the former CIA employee who provided the New York Times with classified information about U.S. attempts to sabotage the Iranian nuclear program. The failure of the administration to do so would confirm what today is only an inference—that these leaks were, in fact, sanctioned by the administration to serve a pure political purpose.

As I continue to closely monitor developments in this matter, I hope to be proved wrong.

There is a Wall Street Journal article, ''FBI Probes Leaks about Cyberattacks by U.S.'' I am glad the FBI is going to probe that. It says Mr. Sanger, in an appearance on CBS News ''Face the Nation,'' suggested that deliberate White House leaking ''wasn't my experience.''

He added:

I spent a year working on the story from the bottom up and then went to the administration and told them what I had. Then they had to make some decisions about how much they wanted to talk about . . . I'm sure the political side of the White House probably likes reading about the President acting with drones and cyber and so forth. National security side has got very mixed emotions about it because these are classified programs.

Mr. Sanger again is authenticating that senior members of the White House and our intelligence community decided to talk to him about classified programs. Their motivation for doing so—perhaps we don't know particularly at this time, but I don't think one could argue that these articles have all conveyed the impression that the President is a very strong warrior in carrying out his responsibilities as Commander in Chief, something I have disputed as far as Iraq, Afghanistan, and other national security issues, which I will discuss on another day.

I don't know how one could draw any conclusion but that senior members of this administration in the national security arena have either leaked or confirmed information of the most highly classified and sensitive nature. Some of these leaks have concerned ongoing operations. Since they were highly classified and sensitive information, that classification was there for a reason—the reason being that if that information was classified, it could harm our national security.

These are very serious actions on their part. They are very serious actions when ongoing operations in the war against terror and the issue of Iranian acquisition of nuclear weapons could trigger attacks either by Israel or the United States to prevent such an eventuality. We now find leaks which have exposed, not only to the American people but to the Iranians as well, exactly what American activity is of the most sensitive nature. This is not a proud day for the United States of America.

I ask unanimous consent that following the remarks of Senator CHAMBLISS, he and I be permitted to engage in a colloquy.

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

(Disturbance in the Visitors' Galleries)

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CHAMBLISS. Mr. President, I wish to thank my friend from Arizona for his very direct comments on this very sensitive issue. As vice chairman of the Senate Select Committee on Intelligence, I can say without a doubt that these ongoing leaks of classified information are extraordinarily harmful to our intelligence operations.

Every day we ask our intelligence officers and agents to be out there on the frontlines, putting their life in harm's way, gathering information, meeting sources, and using a variety of highly sensitive collection techniques. Depending on where these officers are around the world, the operating environment can be both dangerous and downright hostile. This means they have to be as much or more on guard to ensure that operations don't get blown and their own lives and the lives of our sources are not jeopardized.

But each time classified information shows up in the media, the intelligence community's ability to do these dangerous assignments becomes that much more difficult. Not only do these leaks tell our enemies how we do our jobs and therefore how they can block or impede our efforts, but with each leak our friends and allies are left to wonder how much they can trust us with their own secrets.

These are not hypothetical concerns. Senator MCCAIN alluded to a couple of anecdotes. Also, a few weeks ago, in the middle of an ongoing operation, we all—friends and enemies alike—learned the details of efforts to disrupt an al-Qaida plot to bomb a civilian aircraft. Up to that point, most Members of Congress knew nothing about this operation. That is how sensitive we were told it was. Unfortunately, rather than quietly recognize our—and, frankly, our partners'—successes and move on with the business of protecting the American people, some in the administration apparently decided that scoring political points in an election year outweighed protecting our intelligence operations as well as our liaison relationship with our intelligence partners around the world.

Whether we could have learned more from an operation that was cut short by this leak will now never be known, but we have been warned by some of our allies they will think twice before they share highly classified information with us.

Unfortunately, the leak of the airline plot was no isolated incident. From kill lists and bin Laden movies to cyber warfare, it appears nothing is off-limits, nothing is too secret, no operation is too sensitive, and no source is too valuable to be used as a prop in this election year posturing. The doctor associated with the bin Laden operation appears to be paying the price for this posturing. Following public disclosures of his involvement, he has been sentenced to 33 years in prison—a true life sentence of 33 years in prison in Pakistan. This hardly provides incentive for anyone else to help us.

These disclosures—whether quietly sanctioned or not—are simply unacceptable, and they are against the law. This administration reminds us repeatedly that they are prosecuting more people for leaking classified information than ever before, and I support that effort. But just as we hold ordinary government employees accountable for violating their oaths to protect our Nation's secrets, we must also hold the most senior administration officials accountable. Recently, the FBI began an investigation into the scenario surrounding this latest bomb plot, and I applaud the FBI's efforts. Following the public disclosure in the press reports on comments made by senior administration officials, I sent a letter to Director Mueller and asked him to please include this aspect of these leaks in his investigation. I received a letter back today that he is indeed going to do that, and I applaud that. I don't know whether the reports are true. I have no idea. But if they are, they are serious violations of the law having been conducted by senior administration officials.

Beyond that, we still have to do more. So today I join with my good friend Senator MCCAIN from Arizona in calling for the appointment of a special counsel to investigate this pattern of recent leaks. Leaks should never be tolerated, but leaking for political advantage is especially troubling. There must be swift and clear accountability for those responsible for playing this dangerous game with our national security.

The Senator from Arizona has been around here a lot longer than me. He has been involved in the world of national security for many years, both on the frontline himself as well as a Member of this body.

Has the Senator from Arizona ever seen anything as egregious as the purported leaks that are coming from this administration on these highly classified and sensitive number of programs that we have seen in the last few days and weeks?

Mr. MCCAIN. As my colleague well knows, the leaks are part of the way the environment exists in our Nation's capital, and leaks will always be part of the relationship between media and both elected and appointed officials. I understand that. I think my colleague would agree there have been times where abuses have been uncovered and exposed because of leaks so this information was made public, and we have always applauded that.

There has also continuously been a problem of overclassification of information so government officials don't have to—be it Republican or Democratic administrations—discuss what is going on publicly.

But I have to tell my friend, I do not know a greater challenge that the United States faces in the short term than this entire issue of Iran acquiring nuclear weapons. The President of the United States said it would be ''unacceptable.'' We all know the Israelis are going through an agonizing decision-making process as to whether they need to attack Iran before they reach ''breakout,'' which means they have enough parts and equipment to assemble a nuclear weapon in a short period of time.

Here we are exposing something that, frankly, I was never told about. I was never informed of Stuxnet, and it is ongoing, at least according to the media reports. So aren't the Iranians going to

learn from this? I would ask my colleague, aren't the Iranians going to become more and more aware?

Drone strikes are now one of the leading methods of going after al-Qaida and those radical terrorists who are intent on destroying America. So now al-Qaida and our enemies, both real and others who plan to be, are very aware of the entire decisionmaking process in the White House.

I guess the most disturbing part—and I would ask my friend—it is one thing to have a private, in the WikiLeaks matter, who had access to it, low-level members of certain agencies, one in the CIA who I know was prosecuted, but this is, according to the articles that are written, the highest levels in the White House are confirming this classified information and maybe even volunteering it, for all we know.

But there, obviously, has been a very serious breach of perhaps the two most important challenges we face: the Iranian nuclear process and, of course, the continued presence and efforts of al-Qaida to attack America.

I wonder if my friend from Georgia would agree that these are two of the most challenging national security issues America faces.

Mr. CHAMBLISS. Mr. President, I think my friend from Arizona is exactly right. There have been rumors of the drone program for actually a couple years now, maybe back almost into some period back into the Bush administration. As a member of the Intelligence Committee, we were always told—and rightfully so—this is a covert program and we simply cannot discuss it. So we never have. Now we pick up the newspaper, and over the last several weeks we have seen the President of the United States discussing the drone program. We have seen the Attorney General of the United States discussing the drone program. We have seen the National Security Adviser discussing the drone program. Yet, technically, we as Members of Congress—particularly members of the Intelligence Committee—cannot talk about this because they are covert programs.

So there is simply no question but that our enemy is better prepared today because of these various leaks and public disclosures.

Let me move to the other issue the Senator has talked about, though, the issue of the nuclear weaponization of Iran. There is no more important national security issue in the world today. It is a daily discussion at the United Nations, it is a daily discussion at the Pentagon, it is a daily discussion in Israel and in virtually every part of the Middle East that we cannot allow for the country of Iran to become nuclear weaponized. Here, all of a sudden, we see public disclosure, whether all of it is true or not, in a newspaper article on the front page of an American newspaper, detailing a purported program of attack against that Iranian program.

What are our friends in the intelligence community to think? What are our friends in Israel to think? How much cooperation are they going to now give us from the standpoint of disclosing information to the U.S. Intelligence community on any program if they can expect that—if this is, in fact, true—what they tell us is going to be on the front page of the New York Times? Not only that, but it is not coming from some private who went on the Internet and found a bunch of classified documents. It is coming from statements made, supposedly, by high-level administration officials.

It puts us in a real—not a quandary. This is not a quandary. It puts us in a position of having to defend ourselves with our allies over certain statements that purportedly are made by high senior administration officials. I simply can never remember a scenario of information being leaked where we have the level of administration officials that now supposedly have made these comments, and they are quoted by name in some instances.

Mr. MCCAIN. Could I finally add, the disturbing aspect of this is that one could draw the conclusion, from reading these articles, that it is an attempt to further the President's political ambitions for the sake of his election at the expense of our national security. That is what is disturbing about this entire situation.

I see our friend from Oregon is waiting to illuminate us, so I yield the floor. I thank my friend from Oregon for his patience.

The PRESIDING OFFICER. The Senator from Oregon.

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

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

FOREST SERVICE AIRTANKER FLEET

Mr. WYDEN. Mr. President, yesterday I joined with Chairman BINGAMAN to introduce legislation to address an urgent threat to America's national forests: the lack of resources to fight serious wildfires that at this very moment are burning on more than 300,000 acres in our country. To date—and it is certainly early in the fire season—more than 830,000 acres already have burned.

The heart of the problem is, as the fires have gotten bigger, the Forest Service airtanker fleet to fight these fires has gotten smaller. In 2006, the Forest Service had 44 large airtankers under contract in their fleet. Last week, they had just 11 large airtankers under contract, and 10 of those averaged 50 years of age.

After the very tragic events of this past weekend—in which one of those airtankers crashed and its courageous pilots were killed and another had a failure of its landing gear and sustained serious damage—the Forest Service is down to nine large airtankers. This is an extraordinarily serious problem and a solution is long overdue.

The reason I have come to the floor this afternoon is that Congress has an opportunity to expedite what could be the beginning of a solution. The Forest Service now is ready to begin awarding contracts for the next generation of airtankers, consistent with their large airtanker modernization strategy.

On May 25, as is required by law, under 41 U.S.C. 3903(d), the Forest Service gave Congress a 30-day notification of its intent to award four multiyear contracts, which contain cancellation ceilings in excess of $10 million and require congressional notification.

These four contracts would, in effect, begin to fill the Federal Government's need for large airtankers to fight wildfires. The 30-day waiting period is simply delaying urgently needed action. Without congressional action, these contracts will not be awarded until June 25. My view is, with hundreds of thousands of acres burning and a severely depleted capacity for sending airtankers to battle these fires, I see nothing that can be served by the Congress sitting on its hands and waiting for those 30 days to expire.

The Forest Service requested that Congress waive the requirement to wait the full 30 days to award these important contracts. The sooner the Forest Service can award these contracts, the sooner the companies that receive the awards can begin to deliver those next-generation airtankers and get them out fighting the fires.

I wish to be clear that I do not know the details of these contracts and have no idea as to which companies that submitted bids are going to be the successful recipients, but I do know the Forest Service has complied with its obligation to notify the Congress. Congress has been notified with the required information, and I just fail to understand how the country is going to benefit by simply letting time pass. I urge my colleagues to see how important and how serious this fire situation is and approve the critical legislation I have introduced with Chairman BINGAMAN.

At this very moment, there are 11 uncontained large fires nationally, 152 new fires that have been reported in just the last 24 hours, and dire predictions about hot and dry conditions combining with strong winds, looming thunderstorms, and arid lands across much of our landscape. All these factors contribute to a dangerous fire situation on the ground. Yet, as we speak, the Forest Service now has only nine airtankers to assist those hard-working fire crews. Eight of those tankers are getting to the point where they ought to be considered museums in the sky.

While the Forest Service can and should use all possible assets—such as helicopters and innovative options such as the 20,000 gallon Very Large Airtankers—and the agency is likely to need to call in the National Guard, the large airtankers remain a critically important tool for fire suppression. In fact, the firefighting agencies mobilized airtankers 153 percent above the

10-year average in 2011. Yet these planes needed to assist on-the-ground firefighters have dwindled to the dire shortage—they have atrophied to the point I have described this afternoon.

This lack of resources is coming at a time when the Nation's forests are very vulnerable to fire. The fire season is early, but we are already seeing the production of record-breaking fires. Fire seasons are getting longer and they are more severe and we are seeing more and more of what the professional foresters called a megafire.

From 2000 to 2008, at least 10 States had fires of record-breaking size. The Forest Service indicated in its airtanker mobilization strategy that the agency will need up to 28 of these airtankers in order to adequately battle fire threats. So the Forest Service says we need 28. As of this moment, this afternoon, there are only nine.

I am asking today for the Senate to recognize the seriousness of the threat and let the Forest Service proceed in awarding these new contracts as rapidly as possible. The legislation Chairman BINGAMAN and I have introduced would enable the agency to do just that and begin to tackle this extraordinarily serious health problem.

In closing, I wish to express my thanks to all of America's courageous and dedicated firefighters. They put themselves in harm's way to protect our communities, and we should be grateful to them and to the pilots and companies and agency personnel who tirelessly battles these fires. I believe, on behalf of every Member of the Senate, it is appropriate to express our deepest condolences to the families and colleagues and friends of the recently deceased pilots. I hope by advancing the legislation I have described this afternoon, Congress will be sending a message to those courageous firefighters and those with whom they work that the Congress is beginning to put in place a system that would provide them real relief.

With that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

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

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

DREAM ACT

Mr. DURBIN. Mr. President, people wonder as they watch the Senate how bills get started. One of the bills that I have worked on probably the hardest in my career got started 11 years ago when there was a phone call to my Senate office in Chicago. It was a phone call from a friend of ours, Duffie Adleson, who was managing a program called the Merit Music Program.

It is a wonderful program in Chicago that offers opportunities for free musical instruments and free music lessons for kids from some of the poorest schools in town. The net result of it is a life-changing experience. One hundred of the Merit Music Program graduates go on to college. It is transformative.

Well, she had a story to tell me. It was about a young lady named Tereza Lee, Korean, who was a child prodigy when it came to the piano. She played it so well she had been offered many scholarships, including to the Manhattan Conservatory of Music. When she went to fill out her application, one of the questions was, What is your citizenship or nationality?

She turned to her mother and said: What is it, Mom? Her mom said: I do not know. You see, they brought Tereza to America when she was 2 years old on a visitor's visa. Her mom said: We never filed anything after that.

Mom and dad became citizens. Brother and sister born here automatically became citizens, but Tereza was a question mark. What am I? So she called Duffie. Duffie called the office, and we checked the law.

The law said Tereza Lee, who had lived in the United States for 16 years, had to leave for 10 years and after 10 years could apply to come back into the United States. She did not know where she would go. Her family had come to Chicago from Brazil, originally from Korea. There was no place to go, no other language that she spoke. This was the only country she ever knew.

So I wrote a bill and called it the DREAM Act. The DREAM Act said young people like her should be given a chance to become legal in America, to earn their way into legal status. The bill basically laid out some conditions: First, that they came to the United States as a child; second, they completed high school; third, they have no significant problems of moral character or a criminal record to speak of, and beyond that they had to do one of two things: finish at least 2 years of college or enlist in the American military.

Well, when I introduced this bill it was bipartisan. In fact, as many as 13 Republican Senators would vote with me. But we never quite got to that magic number of 60 votes in the Senate. We would get a majority but never quite get 60 votes. Then over the years this political issue started changing. Unfortunately, we started losing support on the Republican side of the aisle. Even those who were the original cosponsors of the bill started voting against it. They heard the talk about amnesty and all the criticism. They were swept into the belief that this should not pass.

But the bill is still very much alive, and it is the most important thing I have pending in the Senate, and has been for a long time. What it does, of course, is offer this opportunity.

I want to salute Senator MARCO RUBIO of Florida. He is a new Republican Senator, conservative, who took a look at this issue and said this is not an immigration issue; this is a humanitarian issue. We should offer these young people a chance, a chance to earn their way into legal status.

He is right. He remembered when 600,000 Cubans left to come to America to escape Castro's regime it was not the immigration system that welcomed them; it was the humanitarian effort by the United States to allow them to find a home. What a difference they have made, a positive difference in this country, not just in Florida but all over the country.

Look at MARCO RUBIO, a man who now represents Florida in the Senate. It was his father and grandfather who made it here because of that humanitarian gesture. He and I and many others are working now to try to find a bipartisan way to put this together again.

I have come to the floor countless times—dozens of times—to ask my colleagues to think about this issue in real human terms. Almost every week I come and tell the story of one of the students who would be affected by the DREAM Act. When I started on this issue, the DREAM Act students would hide in the shadows. They would wait in the darkness by my car to tell me: I am one of those undocumented immigrants. I am one of those students who has no place to go.

Well, times have changed. They are now stepping up and saying: Look at me. Know who I am. Realize, as Senator MENENDEZ has said on the floor many times, these are young people who spent their entire lives with their hands over their hearts pledging allegiance to the only country they ever knew. They only know one national anthem, and it is ours. They think it is theirs. But technically, legally, they have no legal standing.

Let me introduce you to a young man who has a great story. His name is Novi Roy. He grew up in Illinois. He was brought to the United States from India as a child. He was an especially good student. Novi attended Evanston Township High School just north of Chicago, graduated with a 3.9 grade point average.

During high school he volunteered working in the soup kitchen in Rogers Park and continues to do that even today. He went to the University of Illinois at Urbana-Champaign, which we are pretty proud of, and he graduated with a bachelor's degree in economics. Just last month he had two master's degrees awarded to him, one in business administration and one in human resources. He is 24 years old now.

His dream is to work in the health care field to try to provide health care protection to people who don't have it today. He said this in a letter he wrote me:

I love America for all its opportunities and, like any other aspiring student, I want

a chance to realize the American dream. I owe the State of Illinois, its taxpayers, and America a huge debt of gratitude for the level of education I have attained thus far. I am confident that my education will serve me well enough to make a difference in people's lives [and] there is nothing I [would] like more than to give back to the community that has been so good to me.

For the record, Novi, because he is DREAM Act eligible, is not eligible for Federal assistance for education. These young people, DREAM Act students, have to work harder, borrow a lot more money, if they can, or save it, and it will take longer to get through. But they do it anyway because they are so determined to have a good life.

Novi has been offered jobs with Fortune 100 companies, but he cannot work legally in America because he is undocumented. Novi came to the United States legally, and his family applied for legal permanent resident status. When their application was denied, Novi was placed in deportation proceedings.

He never committed a crime. He grew up in this country. We have already invested in Novi, obviously, with an outstanding education from a great university. He has a potential to make America a better place. Despite these facts, even at this moment, Novi could be deported from the United States.

In his letter to me, he said this about that possibility:

I have never entered the U.S. illegally, nor broken any of its laws at any time. Unfortunately, my immigration case has simply fallen through the cracks. I have lived here in Illinois for the last 10 years, and my entire identity is exclusively based on my life in the U.S. I have nothing to go back to—no friends, no family, nothing. America is my home.

My office contacted Immigration and Customs Enforcement and asked them to consider Novi's request that his deportation be placed on hold. We just learned yesterday this request had been granted. But the decision to put Novi's deportation on hold is temporary. It doesn't give Novi permanent legal status, and he still is at risk of deportation in the future. The only way for Novi to become a citizen is for the DREAM Act to become law.

Would America be stronger and better if Novi Roy was deported? Of course not. He has all these years of education and his graduation from Evanston Township High School with a high GPA, two degrees from the University of Illinois, and we would let him leave and go to some other country and use his talents to make their country better? That makes no sense.

He has overcome great odds to achieve the great success he has so far. He doesn't have any criminal background problems or pose any threats to this country. He would make America a better place.

Novi is not an isolated example. There are literally thousands of others just like him around the country.

The DREAM Act would give Novi and other bright, accomplished, and ambitious young people like him the chance to become America's future entrepreneurs, doctors, engineers, teachers, and soldiers.

Today, I again ask my colleagues to support the DREAM Act. Let's give Novi Roy and so many other young people like him a chance to contribute more completely to the country they call home. It is the right thing to do, and it will make America stronger.

OVERSEAS VISIT

Mr. DURBIN. Mr. President, last week during the Senate recess I traveled overseas to four countries: Ukraine, Turkey, Georgia, and Armenia. It was a lot of ground to cover in 5 days in a region with considerable history and great, challenging issues.

Before I go further on the matter, let me say for the record how impressed I am with the men and women who work representing the United States overseas. The ambassadors, all of their staff, the consular service, the military attaches, and those working through the Department of Agriculture do us proud every day. Many make a personal sacrifice to represent our country. They are on the front line.

I thank Ambassador John Tefft in Ukraine, Ambassador Ricciardone in Turkey, Ambassador Bass in Georgia, and Ambassador Heffern in Armenia for their public service. They are a reminder of why the relatively small amount of money we spend on our diplomatic and foreign assistance efforts makes a big difference in the world.

A visit through this region is a reminder of the legacy of the Soviet Union and the challenges facing countries such as Ukraine, Georgia, and Armenia as they try to rebuild independent and democratic nations. They inherited an environmental degradation that had been virtually destroyed by the Soviet Union, with broken economies built on a failed Soviet model and weak political and governing institutions. Sadly, these countries are not just trying to build modern nations, but must at times face continued and increased pressure from Russia on issues such as security and energy.

Ukraine is a good example when it comes to energy. They continue even though they face pressures from Russia to look west to the European Union, the United States, and NATO. They long to be in partnerships with the United States. We need to support that relationship, as well as the programs that help them transition away from the Soviet-era legacy.

There isn't enough time to cover all the issues facing these countries, but I will mention a few.

In Ukraine there has been a troubling development recently that threatens to overshadow so much of the economic and democratic progress they have made in recent decades. Specifically, this government currently in control has jailed former Prime Minister Yulia Tymoshenko over her alleged wrongdoing regarding a contract for natural gas with Russia. Many people have read about her detention and hunger strike.

One need not agree with policy decisions of former politicians—and I am not here to judge whether that gas contract was sound, but I can say in a democracy one should not make a practice of jailing political opponents. It kind of discourages people from running.

Doing so has the bad taste of Lukashenko's dictatorship in neighboring Belarus—not exactly the model a modern democratic Ukraine should follow. I have seen that firsthand where, the day after his election, the last dictator in Europe jailed all of his political opponents. Talk about discouraging people from running for office.

As long as no criminal activity occurred, in a democracy voters should decide at the ballot box if they did or didn't like policy decisions of an elected official.

I had a heart-breaking discussion with Tymoshenko's daughter Eugenia. I was deeply troubled by some of the stories I heard about her mother's detention.

I also had a hopeful meeting with Prime Minister Azarov and President Yanukovich on many issues of shared U.S. and Ukrainian cooperation, as well as the Tymoshenko detention. They are going to move on a timely basis to deal with this detention, and I assured them that the West was watching closely. I hope she will be released from her detention as quickly as possible.

My second stop was in Turkey. I have been there several times before. It is a growing power in a region and the world, a thriving Muslim democracy and a strong NATO partner of the United States.

Turkey most recently agreed to build an important NATO radar base on its soil, an installation that is absolutely critical in keeping an eye on Iran and its nuclear ambitions. It was a hard decision by Turkey to agree to this installation for NATO, and they made it. I thank them for that. It makes the world a safer place.

Turkey is hosting on its border more than 20,000 refugees who have fled the violence in Syria. I visited one of these refugee camps in the town of Kilis. Almost 10,000 refugees—more than 60 percent of them women and children—were given a good, clean safe place to stay there, education for the kids, as well as health care.

The Turkish Government needs to be commended for the generous hospitality and kindness they provided to their Syrian neighbors fleeing Syrian President Assad's brutality. I wonder if the United States would be as welcoming under those circumstances. Well, Turkey has been and they should be commended for it.

I spoke with many of the Syrians in the camp, and they told me deeply troubling stories about the violence

they faced and why they had to leave everything behind and flee to a neighboring country. They were worried about family and friends who are still in Syria—particularly given the massacre reported last week in Houla.

The international community must do more to end the violence and foster a representative transition to democracy in Syria.

I have to note for the record that I saw my colleague, JOHN MCCAIN, on the Senate floor. He, Senator LIEBERMAN, and others have been to the same place and have met with refugees and have strong feelings about Syria. I have to say, and I said this to the Syrian opposition I met with, I don't believe there is an appetite in America for invading another Muslim country or sending in our Army. We are war weary after more than 10 years at it. What we are looking for is an international organization or others who will join in the effort to stop Bashir al-Assad.

We encouraged Russia to step up. It has always had a special relationship with Syria. If Russia can bring the various parties together and end the violence and start a transition away from the brutality of Bashir al-Assad, it will be in the best interest of Russia and of the world.

The Arab League needs to raise its voice about solving those problems in Syria. We cannot let Assad bring any further embarrassment to the nations around the world. He has proven himself unworthy of the support of Russia or any country.

I urge Russia to join the United States and Turkey and others to find a timely way forward in Syria.

Georgia and Armenia are two other friends of the United States. In Georgia, President Saakashvili has made great progress on democratic and economic reforms. He was a leader in the Rose Revolution. His term is ending soon, and I hope the ensuing election will serve as a model for the region.

We should also not forget one important thing about Georgia. It is still dealing with the aftereffects of the 2008 war with Russia that resulted in the breakaway republics of Abkhazia and South Ossetia. I investigated the South Ossetia borderline, and I saw the permanent Russian facility there. It is clear that Putin is trying to create a provocative environment within Georgia today.

We need to take steps to make sure the EU six-point plan is worked out—a plan that wasn't implemented after the war. I hope displaced persons and communities in South Ossetia and those in Abkhazia as well will have a chance to be reintegrated back into Georgia where they belong.

We need to take the steps to eliminate and reduce unnecessary human suffering. The EU has an important monitoring mission there, and I urge Russia and Georgia to work with them.

One last point about Georgia is that a lieutenant colonel in the U.S. Marine Corps, stationed at Tbilisi in our Embassy, reported on what is a phenomenal thing going on. Georgia is not in NATO. President Obama has said they can be, and will be, and should be. At this moment, Georgia is contributing more forces and soldiers per capita than any nation on Earth to the NATO mission in Afghanistan. A lieutenant colonel in our Marine Corps, who is training Georgian soldiers, said they were great fighters. He went on to say: If you want to know how I can prove that, I am sending them to Afghanistan to stand next to our U.S. Marines and help us in the fight. That is as great an endorsement any marine could give to another fighting soldier.

Lastly, Armenia. There are so many Armenians across America who have made such a profound impact on our Nation—in fact, around the world. The diaspora of Armenian citizens is larger than the current population of that nation. They have lived through terrible brutality and loss of life. The genocide that occurred in the beginning of the last century may have claimed as many as 1.5 million lives as Armenians were displaced from eastern Turkey, and it is a legacy they will always remember.

I visited the Armenian Genocide Memorial and Museum to pay tribute and acknowledge the great loss of life that Armenia has suffered. There was a special tribute to Clara Barton, who may be remembered in American history for her work in establishing nursing and health care. She went late in her life—in her seventies—to Armenia to provide that same kind of assistance. She is given special recognition in the Government of Armenia today. The Armenian Genocide Memorial pays tribute to the many Armenians who died during this terrible period and the courageous leadership of those countries that went forward after their painful past.

I called on the President of Turkey, when I visited him, as I did several years ago, to work closely with the Armenians to try to resolve past differences and make an honest acknowledgement of the history between the two countries and try to work out a peaceful and cooperative relationship.

Mr. President, one encounter in Armenia in particular gave me hope that such a path forward is possible. I met with six Armenians who had participated in U.S.-supported cross-border reconciliation programs with Turkey. They were artists, journalists, business entrepreneurs, filmmakers, and high school students. Some of their stories were deeply moving.

One high school student named Victoria talked about the summer camp she visited in Vermont with Turkish high school counterparts and how they broke through stereotypes and started friendships. The filmmaker talked about joint films made with Turkish counterparts and then shown at the Istanbul Film Festival. An entrepreneur in Armenia talked about a service he set up to help businesspeople from Turkey work in Armenia and invest there.

These stories gave me hope that some of the painful wounds between these countries can be healed.

Let me close by saying what a reminder these countries are of the importance still played by American leadership all over the world. At a time with so many economic and security challenges around the world, now is not the time for the United States to retreat from the global stage.

I support the President's ending of the war in Iraq. I believe we should remove our troops from Afghanistan as quickly as possible. I know we have to remain engaged. The world still looks to us for leadership and values that they can build their countries' future on as well.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

MORNING BUSINESS

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

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

TRIBUTE TO PHILLIP D. MORSE, SR.

Mr. REID. Mr. President, today I rise to recognize the extraordinary career of Phillip D. Morse, Sr., who served the United States Capitol Police with great distinction for 27 years, serving the final 5½ years as Chief of Police.

Chief Morse entered duty with the Capitol Police in May 1985. After training, his first duty assignment was providing security and law enforcement to the Senate. Since that time, he has worked in many different areas throughout the department, including the Containment and Emergency Response Team, Patrol Mobile Response Division, Capitol Division, and Office of Professional Standards and Compliance. Chief Morse eventually moved to the Dignitary Protection Division, where he implemented new financial management controls for the division and managed the overall security planning for the 2004 Democratic and Republican Conventions.

In 2004, he was promoted to the rank of Captain and returned to the Capitol Division. Upon his promotion to Inspector, Chief Morse assumed command of the Capitol Division and oversaw all police, security, and protective operations at the Capitol Building. During this time, Chief Morse established a Capitol Security Survey,

which addressed emergency procedures and protocols for prevention, response, and mitigation of critical incidents. In addition, he planned the security, evacuation, and emergency response for the 55th Presidential Inauguration. He later served as deputy chief of the Uniformed Services Bureau, the largest component of the Capitol Police.

On October 30, 2006, he was appointed as chief of the Capitol Police. As leader of the nearly 1,800-officer force, Chief Morse has overseen enhancements in numerous areas, including recruiting, training, technology, community outreach, and emergency preparedness. During his tenure, Chief Morse oversaw the opening of the Capitol Visitor Center and the merger between the Capitol Police and Library of Congress Police.

Throughout his career, Chief Morse has continuously exhibited exceptional skills as a crisis manager, security coordinator, innovator, and team builder. Always leading by example, Chief Morse motivated all who came into contact with him through his enthusiasm and flexibility. Thanks to his leadership and service, the Capitol Police today is a stronger, more professional, and effective law enforcement agency.

Born in Wilmington, NC, Chief Morse holds a Bachelor of Science and a Master of Science degree in management from the Johns Hopkins University. He is a loving and devoted husband and father of three children.

Speaking both for himself and the ranks of law enforcement officers who serve the Congress, Chief Morse once stated, ''The security and protection of this great institution is not only our job, but we consider it a sacred duty and privilege to serve you, the Congressional staff, and the millions of visitors from every corner of the world who come to the United States Capitol complex every year.'' We have all benefited from his distinction and dedication.

On behalf of the U.S. Senate, I congratulate Chief Morse on his well-earned retirement from the United States Capitol Police and salute his distinguished career.

VOTE EXPLANATION

Mr. MENENDEZ. Mr. President, I was unavoidably detained for rollcall vote No. 114 on the nomination of Timothy S. Hillman to be a United States District Judge for the District of Massachusetts. Had I been present, I would have voted yea.

TRIBUTE TO JOHN M. CONNORS, JR.

Mr. BROWN of Massachusetts. Mr. President, I rise today in tribute to John M. ''Jack'' Connors, Jr., of Brookline, MA, a larger-than-life figure in a region with quite a few outsized personalities. A Massachusetts native, he grew up in the Roslindale section of Boston and graduated from Boston College. A born go-getter, to help pay for college Jack landed one of the greatest jobs in New England—selling hotdogs and peanuts at Fenway Park.

Not long after graduation, Jack cofounded Boston's Hill Holliday ad agency and spent the better part of 30 years as an ad man. Now a part of the Interpublic Group of Companies, Jack remains chairman emeritus of this leading agency. He is a fierce competitor in business and built hugely successful and profitable enterprises that employ tens of thousands and have contributed billions to the regional economy. In July, Jack will step down after a phenomenally successful 17-year tenure as chairman of the board of Partners Health Care Systems.

Partners began with the merger of two of our Nation's leading teaching hospitals, Massachusetts General Hospital and Brigham and Women's Hospital. Of course, the real work of any merger comes after the deal is signed, and when Jack was elected chairman of Partners' board in 1996, he helped lead the integration and growth of the new not-for-profit network.

Today, Partners is the largest health care network in Massachusetts, and with over 50,000 employees, the State's largest private employer. It is also one of our Nation's great medical research centers. In fact, Partners is the largest recipient of National Institutes of Health research grants, a testament to their world-class scientists and facilities.

Jack serves on the boards of many companies and organizations, including Covidien and Hasbro. He is also a trustee of Emmanuel College, his alma mater Boston College, and is a member of Harvard Medical School's Board of Fellows.

Throughout his career, Jack has been a relentless fighter for the less fortunate in the Boston area. From an early age, Jack worked closely with Boston's leading charities, often providing pro bono ad work for these nonprofits. Jack seemed to always know that any true measure of a successful life must include helping others.

Jack worked tirelessly to save many of the Boston Archdiocese's struggling schools. As a businessman, he knew that rescuing these schools required more than throwing money at the problem—and by some estimates, Jack raised about $70 million for the cause—it also required a more businesslike approach to running these schools. So Jack encouraged the archdiocese to build parochial academies such as Pope John Paul II Catholic Academy that serve more than one parish. These academies are now models of primary education and well over 95 percent of their students go on to college.

Over the years, Jack worked closely with Boston Mayor Tom Menino on a number of important projects to help enrich the lives of at-risk youth. Among their more ambitious—and hugely successful—is Camp Harbor View. This partnership with the city and the Boys & Girls Clubs of Boston has, in a few short years, created a summer haven for nearly 800 young people on Long Island off Quincy, MA. This remarkable program has a full-time staff which stays in contact with campers and their families during the school year.

In closing, it is a privilege for me to join Jack's friends, family, and colleagues in congratulating him on his retirement from Partners. And though Jack will be leaving Partners, we can be sure he will continue to have a larger-than-life presence in the educational, cultural, and business life of Boston. I thank Jack for his tremendous service to the people of Massachusetts and wish him and his wife Eileen all the best in the years ahead.

REMEMBERING SENATOR JAMES ABDNOR

Mr. JOHNSON of South Dakota. Mr. President, I rise today to mark the passing of a great public servant from South Dakota, Senator James Abdnor.

Senator Abdnor is remembered across South Dakota as a man that never lost touch with the people who elected him. Throughout his life, no matter what office he achieved, he was in his heart the same small town South Dakotan he had always been. He traveled the world, but wherever he went, he always took his hometown, Kennebec, SD, with him.

Before he was a U.S. Senator, Jim Abdnor served in the South Dakota State Senate in Pierre, and spent 3 years as Lieutenant Governor. In 1972, he was elected to Congress, where he served three terms in the U.S. House. In 1980, he defeated Senator George McGovern to serve in the Senate, and later headed the Small Business Administration for 2 years under President Reagan.

Beyond his official titles, Senator Abdnor was also the son of a Lebanese immigrant, an Army veteran, a farmer and rancher, an avid follower of small town baseball, and a father-figure to many of his staff members, who continue to carry out his legacy to this day.

Senator Abdnor was regarded as a decent and humble man, by both political supporters and opponents. He would be the first to admit that he was not a flashy speaker, but, one-on-one, he had a way of connecting with people. Plain spoken, straightforward, friendly, and accessible—there are few politicians like Senator Abdnor, and our Nation is poorer for it.

As one South Dakotan recently wrote,

> I may have voted for someone else, but I never voted against Jim.

His service inspired countless South Dakotans on both sides of the aisle, and we all mourn his passing.

ADDITIONAL STATEMENTS

REMEMBERING JUDGE ROBERT BOOCHEVER

• Mr. BEGICH. Mr. President, today I wish to memorialize the Honorable Robert Boochever, a retired jurist of the 9th Circuit Court of Appeals. Born in New York in 1917, Judge Boochever led a distinguished and balanced life while he helped to build a community, define the laws of a new State, and serve his country. Among the rarest of men, he is remembered as much for his love of family as for his commitment to community and dedication to duty.

As a graduate of Cornell University's School of Law, Bob joined the U.S. Army Infantry and in 1941 was stationed in Newfoundland. There, Captain Boochever met Connie, an Army nurse, who was to be his wife until her death in 1999. After his 1945 discharge, the couple came north to Alaska where Bob served as Assistant U.S. Attorney for the Alaska Territory.

In 1947 Bob entered private practice at the law firm Faulkner, Banfield, Boochever, and Doogan. For the next 25 years, he focused his diverse talents on his firm, his family and his community. As the leader on more than a dozen community and professional boards, he helped to shape the capital city of Juneau and the State of Alaska. Whether as president of the Juneau or Alaska Bar Association, Juneau Rotary, or the Juneau Chamber of Commerce, Bob had a hand in policy development and quality of life for a developing territory and State. He chaired Juneau's first city Planning Commission, helped to develop a comprehensive plan, and served on the selection committee to choose a site for the University of Alaska Southeast. He was recognized with an honorary doctorate at UAS, and in 1974, was chosen as ''The Man of the Year'' for the Juneau Chamber of Commerce. He also received a Distinguished Alumnus Award from Cornell Law School.

A quiet man of many talents, Bob was an accomplished athlete. He lettered in four sports during high school and two at Cornell—football and tennis. In the Army he learned to ski, so in Juneau he helped to develop Eaglecrest, a highly acclaimed community operated ski slope. His granddaughter, Hilary Lindh, got her start there and became a silver medalist at the 1992 Albertville Winter Olympics.

A quiet man with a twinkle in his eye, Bob loved his family and, with Connie, helped to raise four wonderful daughters. Complementing Connie's love and advocacy for the arts, he was a poet, a writer, and played the piano, creating stories and songs for each of his children. He championed family camping trips, bird watching, fly fishing, and made major expeditions to explore for new places to fish. He wrote stories for publication in Alaska Magazine about his travels.

In 1972, ready for a new professional challenge, Bob accepted Governor Bill Egan's appointment to the Alaska Supreme Court. During eight years on the bench, he served four as Chief Justice. Many cases in which he played an integral part are frequently referenced, in particular: Ravin v. State established the right to privacy in a person's home; and Aguchak v. Mongtomery Ward limited a creditor's ability to collect a debt against a rural Alaskan by filing a case in an Alaska court distant from their home.

Recognized for his protection of individual rights and liberties, Justice Boochever was tapped in 1980 by President Jimmy Carter to serve on the Nation's largest appellate court, the 9th Circuit Court of Appeals. The first Alaskan so appointed, he presided as an active member for six years before achieving senior status, which he held until his passing on October 9, 2011.

Praised as a man who wanted to improve the administration of justice, Judge Robert Boochever was someone who championed the rights of minorities and the disadvantaged. His colleagues have said he was the best writer on the bench—succinct, clear, and to the point. He was a person of integrity who was honest, warm and caring; and a gentle, generous man who was a tireless advocate.

Robert Boochever was among the best of men and a great Alaskan. We are better because of his caring and compassion for family and community, his commitment to public service and fair adjudication, and his outstanding contributions and investments in the humanities.

Our deepest condolences are extended to his family—daughters Barbara Lindh, Ann Boochever, Linda Boochever, and Miriam Medenica; stepdaughters Betty Thompson, Joan Stark and Laurie Craig; his 11 grandchildren; and his 3 great-grandchildren.•

TRIBUTE TO ERNIE YATES

• Mrs. BOXER. Mr. President, today I wish to pay tribute to my friend Ernie Yates, the dynamic California labor leader who is retiring next month after 49 years as a member, business agent, and officer of Teamsters Local 665 in San Francisco.

Ernie was born in San Francisco in 1946 and attended Mission High School. At age 17, he got a job at Allright Parking and joined Local 665.

In 1977, Ernie was appointed as the business agent for Local 665 and his assignments included policing labor agreements and processing grievances in a variety of crafts, including the rent-a-car, parking garage, shuttle bus, and taxicab industries. Three years later, he was elevated to the executive board of Local 665 and became its president. Throughout the next decade, Ernie negotiated Teamster regional, master, and white paper contracts in all of the core automotive industries under the local's jurisdiction.

In 1992, with the active support of hundreds of Local 665 members, Ernie was elected secretary-treasurer, the principal officer of the union, a position he has held until his announced retirement in 2012.

During his 35 years as an officer and business agent of Local 665, Ernie honed his skills as an expert labor negotiator. In both good and bad economic times, Ernie has used these skills to bring fair and just contract settlements to thousands of workers at Teamster worksites throughout the San Francisco Bay Area.

Ernie has been married to his beloved wife Janet for 47 years. Together they have two sons, Michael and Mark; a daughter, Kimberly; 12 grandchildren and 4 great-grandchildren.

On June 12, 2012, Teamsters Local 665 will celebrate Ernie's decades of service to the union's membership and the working families of California. I am honored to join them in saluting a great Californian and a great American, Ernie Yates.•

TRIBUTE TO SUE GLADHILL

• Mr. CARDIN. Mr. President, today I wish to recognize the extraordinary accomplishments of T. Susan Gladhill, MSW, who will be retiring as Chief Government & Community Affairs Officer and Vice President after more than three decades of service to the University of Maryland, Baltimore—UMB.

Sue began her career at UMB as an instructor at the School of Social Work, where she had earned her Master's degree in Social Work. Then, she joined the president's office, first as an assistant in government affairs. One of her first tasks was to secure passage of legislation to privatize the University of Maryland Hospital. During Sue's tenure, she has served as associate vice president for government affairs, vice president for government affairs, and—since 1995—vice president for external affairs, a position which also includes managing UMB's communications and development. Sue has done an admirable job representing the University of Maryland's legislative interests. She helped to acquire construction funding for the R. Adams Cowley Shock Trauma Center and she was involved in landmark legislation that re-established the University System of Maryland as a public corporation. She also worked on passage of the Public Private Partnership Act, which made it possible for university faculty to enter into business relationships with the private sector. This act was critically important with regard to establishing a highly successful technology transfer program.

Sue has also been a prolific fundraiser for the university, raising money for the Health Sciences & Human Service Library and the Schools of Social Work, Nursing, Law, Dentistry, Pharmacy, and Health Science Facilities I, II, and III. She has raised funds for renovating research space in Howard Hall. She was instrumental in establishing an institutional-affiliated foundation

known as the University of Maryland Baltimore Foundation, which has grown its assets to just under $200 million since 2000. She is the foundation's president and chief executive officer. Through it all, Sue has also managed to serve as an adjunct clinical associate professor at the University of Maryland School of Social Work.

I ask my colleagues to join me in thanking Sue Gladhill for her dedicated service and consummate leadership at the University of Maryland, Baltimore. She has contributed greatly to the success of the excellent education and services provided by the University of Maryland's prestigious graduate schools and medical center, and she will be missed. Please join me in wishing her well in her retirement. She certainly has earned it.●

AROOSTOOK COUNTY, MAINE

● Ms. COLLINS. Mr. President, Aroostook County in far northern Maine has long been a thriving center of farming and logging. In the early years of the 20th century, it seemed that the only barrier to growth and prosperity was a shortage of modern health care facilities and trained medical professionals.

Two local citizens took it upon themselves to remove this barrier. By horse and wagon, Frank White, an attorney, and Charles E. Hussey, a farmer, traveled through the countryside calling on their neighbors and collected $2,500 to establish a center for health care. In the spring of 1912, Presque Isle General Hospital opened with 20 beds, an operating theater with the latest equipment, four physicians, and a training school for nurses.

Much has changed during the past 100 years. What began in one three-story converted house as Presque Isle General is known today as the Aroostook Medical Center, TAMC, with facilities in Presque Isle, Mars Hill, and Fort Fairfield, an ambulance service, and outreach services, such as a dialysis center and primary care clinics, throughout the northern part of the largest county east of the Mississippi. It has a medical staff of more than 60 trained professionals and a workforce of more than 1,000, making it the region's largest employer.

What has not changed is the spirit of service that is the foundation of this remarkable organization. As one who was born and raised in Aroostook County, I am proud of what has been accomplished there and grateful for the contributions and dedication over the generations that have made this invaluable community resource possible.

The commitment that established the region's first public hospital in 1912 was not a one-time event. Less than a decade later, the growing population created the need for a larger hospital. Another, even more successful fund drive led to the opening in 1921 of a facility with more than twice the beds and vastly expanded services. In 1960, a capital campaign of unprecedented size for this area established the A.R. Gould Memorial Hospital that continues to grow and serve Aroostook residents.

The namesake of today's hospital is of special significance to my Senate colleagues. Arthur Robinson Gould was a Presque Isle entrepreneur who built a lumber mill, powerplants, and an electric railroad. In 1926, he was elected to the U.S. Senate to fill the term of Senator Bert M. Fernald, who died in office. Senator Gould is best remembered for the courageous stand he took against the Ku Klux Klan at a time when that hateful group was gaining prominence in American politics. Despite the esteem in which he was held, Senator Gould chose not to run for reelection in 1930, saying, ''I want to get back to my railroad and the pine forests of Maine.''

That simple statement describes the affection the people of Aroostook County have for their home and helps to explain how they could join together to create, sustain, and grow a modern health care organization. By proclamation of the Governor of Maine and the city of Presque Isle, June 9, 2012, is the official day of celebration for this great centennial. I am honored to commemorate the occasion by congratulating the men and women of the Aroostook Medical Center and the people of Aroostook County for 100 years of accomplishment, and I wish them the best in the years to come.●

60TH ANNIVERSARY OF THE B–52

● Mr. CONRAD. Mr. President, I would like to take this opportunity to recognize the men and women of our United States Air Force on the 60th anniversary of the B–52 Stratofortress strategic bomber.

On April 15, 1952, 60 years ago, America's first B–52 lifted off on its maiden flight. This year also marks 50 years since the last B–52, tail number 61–040, rolled off the assembly line in Wichita, KS, and was delivered to Minot Air Force Base in the great state of North Dakota. Through its unwavering service during and after the Cold War, the B–52 has shown itself as a time-tested and proven solution for the long-range strike and nuclear deterrence missions and become an iconic symbol around the world of America's dedication to ''peace through strength.'' Half a century after this jet was developed and fielded to guarantee nuclear deterrence of the Soviet Union, it played a critical role in military operations after September 11. No other airframe in the history of the Nation has done more to keep this country strong and safe than the B–52.

The Boeing Company originally built 744 B–52s. As the global environment evolved, many of these have since been retired. Nonetheless, 74 aircraft remain in the fleet—more than any other bomber. I sponsored legislation, later signed into law, which requires the B–52 fleet to be maintained at no less than 74 aircraft and preserves the fleet through 2018. With appropriate funding, we expect the remaining 74 B–52s to serve the Nation honorably until 2045.

The fact that the B–52 is still serving the United States today is a testament to the innovation and dedication of the men and women all around this Nation who designed, built, maintained, supported and employed the B–52 for over 50 years. In fact, these aircraft have been so thoroughly and effectively upgraded and modernized that they are projected to continue to play a critical role defending our country for the foreseeable future and beyond.

During this time of ever-tighter budgets, the B–52 is more important than ever, because it is the most cost effective bomber in our inventory. Or, as the military would say, the B–52 provides great ''economy of force,'' which means the B–52 brings a tremendous amount of ''bang'' for the taxpayer's dollar. B–52 modernization must be a top priority to ensure that ''the best bomb truck for the buck'' and its airmen can continue to meet emerging strategic challenges now and well into the future.

The longevity, cost-effectiveness, and adaptability of the B–52 are a testament to the quality of its design and procurement. In many ways, the B–52 is the last great success story of American bomber design and procurement. As the development of the new Long Range Strike Bomber moves forward, we must demand the same innovative thought and dedication that led to the development of the B–52 in the 1950s. Our new bomber must be cost-effective, reliable, and versatile. And it must be produced on schedule, on budget and in quantity. Anything less would be mismanagement we cannot afford, either fiscally or strategically.

2012 has been coined the ''Year of the B–52.'' This year, more than ever, we celebrate the American innovation and dedication that produced this time-tested and tireless workhorse for the Nation. We also celebrate and give our whole-hearted thanks to the men and women who keep these great aircraft flying and keep our Nation safe.●

RECOGNIZING THE 2011 SLOAN AWARD RECIPIENTS

● Mr. CRAPO. Mr. President, my colleague Senator HERB KOHL joins me today in congratulating the 2011 winners of the Alfred P. Sloan Award for Excellence in Workplace Effectiveness and Flexibility, which recognizes companies that have successfully used flexibility to enhance both business results and employee goals. The Sloan Awards are presented by the When Work Works initiative, which is a project of the Families and Work Institute and the Society for Human Resource Management. In 2011, the When Work Works initiative was sponsored by the Alfred P. Sloan Foundation.

We want to draw your attention to the Sloan Awards because these organizations are to be commended for their

excellence in providing workplace flexibility practices that benefit both employees and employers. Achieving greater flexibility in the workplace, to maximize productivity while attracting and retaining talented individuals, is one of the key challenges facing organizations in the 21st century.

Organizations in the following 25 communities were eligible for recognition through the 2011 Sloan Awards: Arizona, statewide; Aurora, CO; Boise, ID; Charleston, SC; Chicago, IL; Dallas, TX; Dayton, OH; Durham, NC; Georgia, statewide; Houston, TX; Long Beach, CA; Long Island, NY; Louisville, KY; Melbourne-Palm Bay, FL; Michigan, statewide; Milwaukee, WI; Morris County, NJ; New Hampshire, statewide; Oregon, statewide; Providence, RI; Richmond, VA; Rochester, MN; Salt Lake City, UT; Twin Cities and St. Cloud, MN; and Winona, MN. In addition, there are several winners recognized in the at-large category. In these communities, organizations applied for, and winners were selected for, the Sloan Awards through a process that included employees' views as well as employer practices.

We would like to take this opportunity to congratulate the 2011 winners of the Alfred P. Sloan Award for Excellence in Workplace Effectiveness and Flexibility. These organizations are to be commended for their excellence in providing workplace flexibility.

In Arizona, the winners are Arizona Foundation for Legal Services & Education; Arizona Health Care Cost Containment System, AHCCCS; Autohaus Arizona, Inc.; Children's Dental Village; Custom Accounting & Tax-Cave Creek; Henry & Horne, LLP; Infincom; Keats, Connelly and Associates LLC; Microchip Technology Inc.; Omega Legal Systems, Inc.; Point B; Rio Salado College; Scottsdale Healthcare; Southwest Institute of Healing Arts, SWIHA; Verde Valley Sanctuary; and Wist Office Products.

In Aurora, CO, the winners are Arapahoe/Douglas Works! and Aurora Mental Health Center.

In Boise, ID, the winners are Alliance Title & Escrow Corp.; American Geotechnics; Givens Pursley LLP; Mountain States Group, Inc.; Red Sky Public Relations; and TitleOne Corporation.

In Charleston, SC, the winners are Barling Bay, LLC; Charleston Metro Chamber of Commerce; Community Management Group; McKesson Corporation; and MMP School, Inc.

In Chicago, IL, the winners are AzulaySelden Law Group; Bryan Cave, LLP; Frost, Ruttenberg & Rothblatt, P.C.; Manpower; NCH Marketing Services-A Valassis Company; Ocean Tomo, LLC; Ounce of Prevention Fund; Perspectives, Ltd.; Recruit Training Command Great Lakes; Sanchez Daniels & Hoffman LLP; The Habitat Company; True Partners Consulting; Turner Construction Company; and Verizon Wireless.

In Dallas, TX, the winners are A. Miller Consulting Services, Inc.; Abernethy Media Professionals; Aguirre Roden Inc.; Dallas Convention & Visitor's Bureau; Delta Dallas; MHBT Inc.; Operation Kindnexx; and The Center for American and International Law.

In Dayton, OH, the winners are Azimuth Corporation; Barco, Inc.; Brower Insurance Agency LLC; Cornerstone Research Group; EAGLE Registrations Inc.; Eastway Behavioral Healthcare; Evanhoe & Associates Inc.; Greater Dayton Area Hospital Association; Macaulay-Brown; Premier Community Health; Radiance Technologies Inc.; Sebaly Shillito + Dyer; and Shumsky Enterprises, Inc.

In Durham, NC, the winners are American Institute for Certified Public Accountants (AICPA); American Journal Experts, LLC; Durham Convention & Visitor's Bureau; Hill, Chesson & Woody Employee Benefit Services; ICF International; McKinney; Rho, Inc.; Shodor Education Foundation, Inc.; and U.S. Environmental Protection Agency-RTP.

In Georgia, the winners are Hancock Askew & Co., LLP; Mom Corps; Synergis; and WellStar Health System.

In Houston, TX, the winners are Abel Design Group, Ltd.; Binkley & Barfield, Inc.; ContentActive, LLC; Fronterra Integrated Geosciences; Houston Academy of Medicine-Texas Medical Center Library; Klotz Associates Inc.; McDonald's USA LLC; Memorial Hermann Healthcare System; Null-Lairson, P.C.; PKF Texas; Skylla Engineering Ltd.; The Dow Chemical Company; The University of Texas Health Science Center at Houston; The VIA Group; University of Phoenix-Houston Campus; Vinson and Elkins; and Xvand Technology Corporation Provider of IsUtility.

In Long Beach, CA, the winners are Bryson Financial Group; La Strada; Molina Healthcare (Arco Location); and Molina Healthcare (Hughes Way Location).

In Long Island, NY, the winners are Albrecht, Viggiano, Zureck & Company, P.C.; America Institute of Physics; American Heart Association; Brookhaven Science Associates, LLC; Cerini & Associates, LLP; Creative Plan Designs, Ltd.; Jackson Lewis; P.W. Grosser Consulting, Inc.; and YES Community Counseling Center.

In Louisville, KY, the winners are Autodemo LLC; Emergint Technologies; Greater Louisville Inc.; Harding Shymanski and Company PSC; KIZAN Technologies LLC; Louis T. Roth & Co.; Lyndon Fire Protection District; McCauley Nicolas, CPAs & Advisors; Mediaura; Prestige Healthcare; Strothman & Company; The Tellennium Group; and Valassis Communication Inc.

In Melbourne-Palm Bay, FL, the winners are Courtyard by Marriott Melbourne; Early Learning Coalition of Brevard County, Inc.; Hoyman Dobson; Residence Inn by Marriott; and SunGuard Public Sector.

In Michigan, the winners are Altair Engineering; Brown & Brown of Detroit; Educational Data Systems, Inc.; E–IT Professionals Corp.; Farbman Group; Frank Haron Weiner; Kapnick Insurance Group; Menlo Innovations LLC; Michigan Occupational Safety and Health Administration; National Multiple Sclerosis Society; Peckham, Inc.; Public Policy Associates Inc.; Visteon Corporation; and Work Skills Corporation.

In Milwaukee, WI, the winners are Kforce Inc.; Kolb+Co SC; ManpowerGroup; Metropolitan Milwaukee Association of Commerce; MGIC; and Robert W. Baird & Co.

In Morris County, NJ, the winners are Piemonte & Liebhauser, LLC and Solix, Inc.

In New Hampshire, the winners are Families in Transition and MeetingMatrix International.

In Oregon, the winners are FMYI, Inc.; Full Access; gDiapers; Innovative Care Management, Inc.; Isler CPA; Mercy Corps; Metropolitan Family Service; NPC Research; Oregon Environmental Council; Oregon Research Institute; Our House; Portland State University; PREM Group, Inc.; Ride Connection; River Network; Rose City Mortgage; Stoel Rives LLP; and Swift Collective.

In Providence, RI, the winner is Rhode Island Housing.

In Richmond, VA, the winners are Heritage Wealth Advisors; Vaco Richmond; and VCU Health System.

In Rochester, MN, the winners are Cardinal of Minnesota, Ltd.; Custom Alarm/Custom Communications, Inc.; Express Employment Professionals; markit; Rochester Area Chamber of Commerce; Rochester Community and Technical College; Rochester Public Library; Southeast Service Cooperative; United Way of Olmsted County Inc; University of Minnesota Rochester; and Xylo Technologies.

In Salt Lake City, UT, the winners are 1–800 CONTACTS; AAA Fair Credit Foundation; Big Brothers Big Sisters of Utah; Cafe Rio Mexican Grill; Christopherson Business Travel; DigiCert; Equitable Life & Casualty Insurance Company; Futura Industries; Intermountain Healthcare; McKinnon-Mulherin, Inc.; Software Technology Group; Thompson Ostler & Olsen; and Vivint, Inc.

In Twin Cities and St. Cloud, MN, the winners are Dorsey & Whitney LLP; Health Dimensions Group; LaBreche; Mahoney Ulbrich Christiansen Russ PA; Netgain; Prevent Child Abuse Minnesota; TURCK Inc.; and Western National Mutual Insurance Company.

In Winona, MN, the winners are Catholic Charities of the Diocese of Winona; Eastwood Bank; Hiawatha Broadband Communications, Inc.; Home and Community Options; Mediascope, Inc.; Merchants Bank; Sport & Spine Physical Therapy of Winona Inc.; and Winona Work-force Center.

The At-large winners are ACS-Madison, WI; Anneken Huey & Moser PLLC; Averett Warmus Durkee Osburn

Henning; Bader Martin P.S.; Bottom Line Systems, Inc.; Career Path Services; Cascadia Consulting Group, Inc.; Center for Seabees & Facilities Engineering; Cornell University; cSubs; Decision Toolbox; Fesnak and Associates; Frankfort Regional Medical Center; Gallagher, Flynn & Company, LLP; George Mason University; Humanix; JA Counter & Associates, Inc.; Lexmark International; Miklos Systems, Inc.; MorganFranklin Corporation-McLean, VA; Navy Air Logistics Office; Next Wave Systems LLC; Northeast Editing, Inc.; NPower Northwest; OCLC; OpenEye Scientific Software Inc; PatchPlus Consulting, Inc.; People for Puget Sound; Personnel Detachment Afloat West; Pride, Inc.; Social Dynamics, LLC; Sturgill, Turner, Barker & Moloney, PLLC; Technology Transfer Services; Technomics, Inc.; Training Squadron Ten; U.S. Navy EODTEU TWO; and WithinReach.

Organizations with winners in multiple cities are BDO; Bon Secours; Booz Allen Hamilton; Capital One; Clifton Gunderson; Deloitte, Ernst & Young; GoDaddy.com; Intel Corporation; KPMG; Laughlin Constable; McGladrey; Microsoft; PricewaterhouseCoopers; Ryan LLC; Service Express Inc.; and The Novo Group.

Again, we congratulate the 2011 winners of the Sloan Award and encourage their community leaders to recognize these best practices.●

BICENTENNIAL OF THE WAR OF 1812

● Mr. ISAKSON. Mr. President, today I wish to commemorate the bicentennial of the beginning of the War of 1812, on June 18, 2012, in the RECORD.

President James Madison signed a declaration of war against Great Britain on June 18, 1812. The sacrifices by those soldiers, citizens, and their families who fought in the War of 1812 further defended the liberties previously won in the American Revolution. These sacrifices include heroic efforts by Dolley Madison to save some of our national treasures from destruction during the burning of the White House by the British on August 24, 1814. The conflict and bravery shown during this conflict would inspire Francis Scott Key to write a poem describing the bombardment of Fort McHenry in Baltimore Harbor, and this would later become our country's national anthem, known as the ''Star Spangled Banner.''

The War of 1812 further solidified the independence of the United States from Great Britain, and the Treaty of Ghent was signed on December 24, 1814, to end the War of 1812. Many Georgia residents can trace their lineages back to these patriotic early settlers.

Descendants of the veterans of the War of 1812 chartered the Georgia State Society within the General Society of the United States Daughters of 1812 on June 18, 1901, to promote a general awareness of the history of the War of 1812 among the citizens of Georgia and the Nation. As we observe the bicentennial of the War of 1812, I urge all citizens to become more knowledgeable of the role the War of 1812 played in the history of our great Nation and the State of Georgia.●

150TH ANNIVERSARY OF THE UNIVERSITY OF SOUTH DAKOTA

● Mr. JOHNSON of South Dakota. Mr. President, today I wish to pay tribute to my alma mater, the University of South Dakota, on their 150th anniversary. Throughout its history, USD has been a shining example of excellence in education, research, and service. USD consistently produces extraordinary graduates, prepared for the complex challenges of modern-day society.

Founded in 1862 in Vermillion, USD has the distinction of being South Dakota's oldest university. Since its founding, the campus has grown from one building to 63, serving a student population of nearly 10,000. USD offers a complete range of undergraduate and graduate programs of study, as well as the only schools of law and medicine in South Dakota. Students are well-served by USD's liberal arts tradition, which encourages interdisciplinary study. This produces adaptable, well-rounded graduates, prepared for the ever-changing world.

USD students have been awarded some of the most prestigious honors in academia including Rhodes, Fulbright, Truman, Udall, and Goldwater Scholarships. Graduate and undergraduate students frequently collaborate one-on-one with USD's dedicated faculty to conduct research. This high degree of collaboration is enabled by the university's 15–1 student-faculty ratio.

Athletics are an important part of university life, and USD is no exception. The iconic DakotaDome is the cornerstone of USD Coyote athletics. This multipurpose 145,000 square foot structure has brought fans and athletes together for more than 30 years. The Coyotes have made the jump to division I, bringing increased exposure and a higher level of competition to the athletic program.

It is a great pleasure to have this opportunity to honor the University of South Dakota for 150 years of academic success. USD is a family tradition; it is where I met my wife, Barbara, and when it was time for our three children to attend college they all chose USD. The world-class education I received at USD gave me skills and knowledge that serve me well to this today. I congratulate my good friend, President Jim Abbott, and the entire USD community on this milestone in the rich history of the university. As an alumnus, I would be remiss if I didn't close my statement with, ''Go Yotes!''●

100TH ANNIVERSARY OF THE ROYAL ROSARIANS

● Mr. MERKLEY. Mr. President, today I wish to commemorate the 100-year anniversary of the founding of the Royal Rosarians. The Royal Rosarians serve as Portland's official greeters and ambassadors by charter from the mayor's office. They also serve as ambassadors of goodwill for the Portland Rose Festival.

For the last century, the Royal Rosarians have represented the city of Portland at events around the world. They have planted roses in Buckingham Palace and knighted mayors of major international cities. Founded by Portland business and civic leaders, their official dress is white suits and straw hats, same as it was 100 years ago.

To Prime Minister Robert H. Hungerford and all Rosarians, past and present, thank you for your service to the city of Portland. You continue a proud tradition.●

MESSAGE FROM THE HOUSE

At 10:12 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 5743. An act to authorize appropriations for fiscal year 2013 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

H.R. 5854. An act making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2013, and for other purposes.

MEASURES REFERRED

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

H.R. 5743. An act to authorize appropriations for fiscal year 2013 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; to the Select Committee on Intelligence.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 5854. An act making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2013, 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. BEGICH (for himself and Ms. MURKOWSKI):

S. 3262. A bill to amend the Whaling Convention Act to require the Secretary of Commerce to authorize aboriginal subsistence whaling as permitted by the regulations of the International Whaling Commission and to set aboriginal subsistence catch limits for bowhead whales in the event the Commission fails to adopt such limits, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. BOXER (for herself and Ms. SNOWE):

S. 3263. A bill to require the Secretary of Transportation to modify the final rule relating to flightcrew member duty and rest requirements for passenger operations of air carriers to apply to all-cargo operations of air carriers, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. VITTER (for himself and Ms. LANDRIEU):

S. 3264. A bill to amend the Federal Water Pollution Control Act to reauthorize the Lake Pontchartrain Basin Restoration Program; to the Committee on Environment and Public Works.

By Ms. MURKOWSKI:

S. 3265. A bill to amend the Federal Power Act to remove the authority of the Federal Energy Regulatory Commission to collect land use fees for land that has been sold, exchanged, or otherwise transferred from Federal ownership but that is subject to a power site reservation; to the Committee on Energy and Natural Resources.

By Mr. DEMINT (for himself, Mr. BARRASSO, Mr. BLUNT, Mr. CHAMBLISS, Mr. ENZI, Mr. ISAKSON, Mr. LEE, Mr. GRAHAM, Mr. GRASSLEY, and Mr. RISCH):

S.J. Res. 42. A joint resolution proposing an amendment to the Constitution of the United States relative to parental rights; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

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

S. Res. 477. A resolution calling for the safe and immediate return of Noor and Ramsay Bower to the United States; considered and agreed to.

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

S. Res. 478. A resolution commemorating the 200th anniversary of the chartering of Hamilton College in Clinton, New York; considered and agreed to.

By Mr. JOHANNS (for himself and Mr. NELSON of Nebraska):

S. Res. 479. A resolution commemorating the dedication of the Strategic Air Command Memorial during the 20th anniversary of its stand down; considered and agreed to.

By Mr. JOHANNS (for himself and Mr. NELSON of Nebraska):

S. Res. 480. A resolution commemorating the 20th anniversary of United States Strategic Command; considered and agreed to.

By Mr. LUGAR (for himself, Mr. KERRY, Mr. INHOFE, Mr. WEBB, Ms. AYOTTE, Mr. COCHRAN, and Mr. INOUYE):

S. Res. 481. A resolution celebrating the 60th Anniversary of the United States-Philippines Mutual Defense Treaty and the vitality of the overall bilateral relationship; considered and agreed to.

By Mrs. HAGAN (for herself and Mr. BURR):

S. Con. Res. 45. A concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to award the Congressional Gold Medal, collectively, to the Montford Point Marines; considered and agreed to.

ADDITIONAL COSPONSORS ON JUNE 4, 2012

S. 219

At the request of Mr. TESTER, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 219, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 412

At the request of Mr. LEVIN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 412, a bill to ensure that amounts credited to the Harbor Maintenance Trust Fund are used for harbor maintenance.

S. 657

At the request of Mr. CARDIN, the name of the Senator from New Jersey (Mr. MENENDEZ) 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. 797

At the request of Ms. MIKULSKI, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 797, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 1174

At the request of Ms. STABENOW, the name of the Senator from Virginia (Mr. WEBB) was added as a cosponsor of S. 1174, a bill to provide predictability and certainty in the tax law, create jobs, and encourage investment.

S. 1221

At the request of Mrs. SHAHEEN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1221, a bill to provide grants to better understand and reduce gestational diabetes, and for other purposes.

S. 1512

At the request of Mr. CARDIN, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1512, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 1591

At the request of Mrs. GILLIBRAND, the name of the Senator from Missouri (Mrs. MCCASKILL) 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. 1600

At the request of Mr. MORAN, the name of the Senator from Nebraska (Mr. JOHANNS) was added as a cosponsor of S. 1600, a bill to enhance the ability of community banks to foster economic growth and serve their communities, boost small businesses, increase individual savings, and for other purposes.

S. 1613

At the request of Mr. REED, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1613, a bill to improve and enhance research and programs on childhood cancer survivorship, and for other purposes.

S. 1881

At the request of Mr. WHITEHOUSE, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1881, a bill to establish an integrated Federal program to respond to ongoing and expected impacts of climate variability and change by protecting, restoring, and conserving the natural resources of the United States and to maximize government efficiency and reduce costs, in cooperation with State, local, and tribal governments and other entities.

S. 1929

At the request of Mr. BLUMENTHAL, the names of the Senator from Maine (Ms. COLLINS), the Senator from Wyoming (Mr. ENZI), the Senator from New Mexico (Mr. UDALL) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 1929, a bill to require the Secretary of the Treasury to mint coins in commemoration of Mark Twain.

S. 1990

At the request of Mr. LIEBERMAN, the names of the Senator from Colorado (Mr. BENNET), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from South Dakota (Mr. JOHNSON) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 1990, a bill to require the Transportation Security Administration to comply with the Uniformed Services Employment and Reemployment Rights Act.

S. 2003

At the request of Mrs. FEINSTEIN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 2003, a bill to clarify that an authorization to use military force, a declaration of war, or any similar authority shall not authorize the detention without charge or trial of a citizen or lawful permanent resident of the United States and for other purposes.

S. 2123

At the request of Mr. MENENDEZ, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 2123, a bill to amend title V of the Social Security Act to extend funding for family-to-family health information centers to help families of children

with disabilities or special health care needs make informed choices about health care for their children.

S. 2201

At the request of Mr. GRASSLEY, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 2201, a bill to amend the Internal Revenue Code of 1986 to extend the renewable energy credit.

S. 2280

At the request of Mr. DURBIN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2280, a bill to amend the Truth in Lending Act and the Higher Education Act of 1965 to require certain creditors to obtain certifications from institutions of higher education, and for other purposes.

S. 2371

At the request of Mr. RUBIO, the names of the Senator from Georgia (Mr. CHAMBLISS), the Senator from Texas (Mr. CORNYN) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. 2371, a bill to amend the National Labor Relations Act to permit employers to pay higher wages to their employees.

S. 2374

At the request of Mr. BINGAMAN, the names of the Senator from Kansas (Mr. MORAN) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 2374, a bill to amend the Helium Act to ensure the expedient and responsible draw-down of the Federal Helium Reserve in a manner that protects the interests of private industry, the scientific, medical, and industrial communities, commercial users, and Federal agencies, and for other purposes.

S. 3203

At the request of Mr. LAUTENBERG, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 3203, a bill to amend title 10, United States Code, to limit increases in the certain costs of health care services under the health care programs of the Department of Defense, and for other purposes.

S. 3204

At the request of Mr. JOHANNS, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 3204, a bill to address fee disclosure requirements under the Electronic Fund Transfer Act, and for other purposes.

S. 3220

At the request of Ms. MIKULSKI, the names of the Senator from New Mexico (Mr. BINGAMAN), the Senator from Oregon (Mr. WYDEN), the Senator from New York (Mr. SCHUMER) and the Senator from Colorado (Mr. UDALL) were added as cosponsors of S. 3220, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 3221

At the request of Mr. RUBIO, the names of the Senator from Georgia (Mr. CHAMBLISS), the Senator from Texas (Mr. CORNYN), the Senator from Oklahoma (Mr. INHOFE) and the Senator from Tennessee (Mr. ALEXANDER) were added as cosponsors of S. 3221, a bill to amend the National Labor Relations Act to permit employers to pay higher wages to their employees.

S. 3225

At the request of Mr. WYDEN, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 3225, a bill to require the United States Trade Representative to provide documents relating to trade negotiations to Members of Congress and their staff upon request, and for other purposes.

S. 3239

At the request of Mrs. FEINSTEIN, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Massachusetts (Mr. BROWN), the Senator from Washington (Ms. CANTWELL), the Senator from Massachusetts (Mr. KERRY), the Senator from Oregon (Mr. MERKLEY), the Senator from Louisiana (Mr. VITTER) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 3239, a bill to provide for a uniform national standard for the housing and treatment of egg-laying hens, and for other purposes.

S.J. RES. 39

At the request of Mr. CARDIN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S.J. Res. 39, a joint resolution removing the deadline for the ratification of the equal rights amendment.

S. RES. 435

At the request of Mr. CASEY, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. Res. 435, a resolution calling for democratic change in Syria, and for other purposes.

ADDITIONAL COSPONSORS

S. 606

At the request of Mr. CASEY, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 606, a bill to amend the Federal Food, Drug, and Cosmetic Act to improve the priority review voucher incentive program relating to tropical and rare pediatric diseases.

S. 1299

At the request of Mr. MORAN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1299, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Lions Clubs International.

S. 1335

At the request of Mr. INHOFE, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 1335, a bill to amend title 49, United States Code, to provide rights for pilots, and for other purposes.

S. 1460

At the request of Mr. BAUCUS, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1460, a bill to grant the congressional gold medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II.

S. 1591

At the request of Mrs. GILLIBRAND, the names of the Senator from Minnesota (Mr. FRANKEN), the Senator from Georgia (Mr. ISAKSON), the Senator from New Mexico (Mr. BINGAMAN), the Senator from Florida (Mr. RUBIO) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 1591, a bill to award a Congressional Gold Medal to Raoul Wallenberg, in recognition of his achievements and heroic actions during the Holocaust.

S. 1696

At the request of Mr. LEAHY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1696, a bill to improve the Public Safety Officers' Benefits Program.

S. 1989

At the request of Ms. CANTWELL, the names of the Senator from Hawaii (Mr. INOUYE) and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of S. 1989, a bill to amend the Internal Revenue Code of 1986 to make permanent the minimum low-income housing tax credit rate for unsubsidized buildings and to provide a minimum 4 percent credit rate for existing buildings.

S. 2010

At the request of Mr. KERRY, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 2010, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 2120

At the request of Ms. MURKOWSKI, the names of the Senator from Wyoming (Mr. ENZI) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 2120, a bill to require the lender or servicer of a home mortgage upon a request by the homeowner for a short sale, to make a prompt decision whether to allow the sale.

S. 2123

At the request of Mr. MENENDEZ, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 2123, a bill to amend title V of the Social Security Act to extend funding for family-to-family health information centers to help families of children with disabilities or special health care needs make informed choices about health care for their children.

S. 2134

At the request of Mr. BLUMENTHAL, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2134, a bill to amend title 10, United States Code, to provide for certain requirements relating to the retirement, adoption, care, and recognition of military working dogs, and for other purposes.

S. 2149

At the request of Mr. MERKLEY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2149, a bill to exclude from consumer credit reports medical debt that has been in collection and has been fully paid or settled, and for other purposes.

S. 2165

At the request of Mrs. BOXER, the names of the Senator from Pennsylvania (Mr. TOOMEY) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 2165, a bill to enhance strategic cooperation between the United States and Israel, and for other purposes.

S. 2192

At the request of Mr. PRYOR, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 2192, a bill to amend the Public Health Service Act to provide for the participation of optometrists in the National Health Service Corps scholarship and loan repayment programs, and for other purposes.

S. 2219

At the request of Mr. WHITEHOUSE, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 2219, a bill to amend the Federal Election Campaign Act of 1971 to provide for additional disclosure requirements for corporations, labor organizations, Super PACs and other entities, and for other purposes.

S. 2235

At the request of Mr. NELSON of Nebraska, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2235, a bill to prohibit the establishment by air carriers and airport operators of expedited lines at airport screening checkpoints for specific categories of passengers, and for other purposes.

S. 2282

At the request of Mr. INHOFE, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 2282, a bill to extend the authorization of appropriations to carry out approved wetlands conservation projects under the North American Wetlands Conservation Act through fiscal year 2017.

S. 2371

At the request of Mr. RUBIO, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 2371, a bill to amend the National Labor Relations Act to permit employers to pay higher wages to their employees.

S. 3085

At the request of Mr. MENENDEZ, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 3085, a bill to provide for the expansion of affordable refinancing of mortgages held by the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation.

S. 3199

At the request of Mr. NELSON of Florida, his name was added as a cosponsor of S. 3199, a bill to amend the Immigration and Nationality Act to stimulate international tourism to the United States and for other purposes.

S. 3204

At the request of Mr. JOHANNS, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 3204, a bill to address fee disclosure requirements under the Electronic Fund Transfer Act, and for other purposes.

S. 3220

At the request of Ms. MIKULSKI, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 3220, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 3221

At the request of Mr. RUBIO, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 3221, a bill to amend the National Labor Relations Act to permit employers to pay higher wages to their employees.

S. 3236

At the request of Mr. PRYOR, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 3236, a bill to amend title 38, United States Code, to improve the protection and enforcement of employment and reemployment rights of members of the uniformed services, and for other purposes.

S. 3239

At the request of Mrs. FEINSTEIN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 3239, a bill to provide for a uniform national standard for the housing and treatment of egg-laying hens, and for other purposes.

S. 3257

At the request of Mr. COBURN, the names of the Senator from Arizona (Mr. MCCAIN) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. 3257, a bill to amend the Internal Revenue Code of 1986 to prohibit the use of public funds for political party conventions, and to provide for the return of previously distributed funds for deficit reduction.

S. RES. 448

At the request of Mrs. BOXER, the names of the Senator from Illinois (Mr. KIRK) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. Res. 448, a resolution recognizing the 100th anniversary of Hadassah, the Women's Zionist Organization of America, Inc.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. BOXER (for herself and Ms. SNOWE):

S. 3263. A bill to require the Secretary of Transportation to modify the final rule relating to flightcrew member duty and rest requirements for passenger operations of air carriers to apply to all-cargo operations of air carriers, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mrs. BOXER. Mr. President, today I am proud to join my colleague Senator SNOWE in once am introducing legislation to improve aviation safety.

The Safe Skies Act we are introducing today will close a loophole in the Department of Transportation's recent rule on pilot fatigue, and ensure that pilots of cargo planes are just as well rested and prepared for their important work as the pilots of passenger planes who they share airports and airways with.

Following the tragic crash of Flight 3407 in 2009, Senator SNOWE and I introduced legislation to address several important aviation safety issues, including the need to update pilot fatigue regulations to reflect new, scientific research.

Under the new rule issued by the Department of Transportation, pilots of passenger planes will be limited to flying eight or nine hours, depending on the start time. Minimum rest periods will be 10 hours, with the opportunity for eight hours of uninterrupted sleep.

Unfortunately, cargo pilots were left out of the rule—which undermines the one level of safety we are trying to achieve in our airline industry.

Current rules regarding cargo flight operations permit cargo pilots to be on duty as many as 16 hours during a 24-hour period, regardless of when they begin their shift. Compared to passenger pilots, cargo pilots are permitted to fly 60 percent more hours—as much as 48 hours in a 6-day period.

Keeping cargo pilots out of the improved flight and duty time regulations does not make sense; they too need rest in order to safely perform their jobs. And the safety of our skies depends on all pilots performing well.

This legislation directs the Secretary of Transportation to apply the same flight and duty time regulations for pilots of passenger planes to cargo pilots as well. This bill is supported by the Airline Pilots Association, the Independent Pilots Association and the Coalition of Airline Pilots Associations, and has been championed in the House by Representatives CHIP CRAVAACK and TIMOTHY H. BISHOP.

I look forward to working with my colleagues to pass this legislation as part of our ongoing efforts to improve the safety of our Nation's aviation system.

By Ms. MURKOWSKI:

S. 3265. A bill to amend the Federal Power Act to remove the authority of the Federal Energy Regulatory Commission to collect land use fees for land that has been sold, exchanged, or otherwise transferred from Federal ownership but that is subject to a power site reservation; to the Committee on Energy and Natural Resources.

Ms. MURKOWSKI. Mr. President, we often hear refrains of the need to make government policies more fair, clear, or simple—especially when these policies involve the collection of fees or taxes. Today I rise to introduce legislation to fix an inherently unfair policy by prohibiting the Federal Energy Regulatory Commission from charging land-use fees for hydropower projects that are no longer located on federal land.

FERC is responsible for licensing private, municipal and state hydropower projects. Pursuant to the Federal Power Act, the Commission is authorized to collect fees from project owners for those hydro projects located on federal lands. The rationale behind these land-use fees is to recompense the United States for the ''use, occupancy, or enjoyment'' of its federal lands. The Federal Government is, in some sense, a landlord for these types of projects, and can collect just and reasonable rent from its tenants. The current level of these rents is a separate issue—which I encourage all of my colleagues to examine as well since FERC is seeking to change its collection methodology and increase those fees—but today I am focused on how a technicality in federal law allows the government to continue to collect land-use fees even when the land at issue has been transferred out of federal ownership. Under current law, if the Federal Government sold the land underneath a hydropower project to the operator, or transferred it into state ownership, FERC would continue to assess full land use fees against the operator. This untenable situation is like a landlord continuing to collect rent from a tenant even after the tenant buys the house outright!

While the inherent unfairness of such a scenario is clear, the statutory and regulatory web that has created this snare is extremely complex. In addition to allowing for the collection of federal land-use fees, the Federal Power Act also contains a section regarding Power Site Classifications, or PSCs. A PSC attaches to the land when a preliminary hydropower license application is made, and entitles the government, or its designees, to enter the associated land and develop a hydropower project if some other person or operation is occupying it. These classifications are similar to easements, in that they permanently attach to the title of the lands. The purpose of PSCs is to make sure that hydropower can be developed in the limited number of areas on federal land that are suitable, and furthermore that once such an area is identified by a preliminary application, that the site is not then diverted to an alternate use.

However, FERC has interpreted the statutory fee collection provisions to give these PSCs another affect that is not in keeping with this purpose—to charge land-use fees from existing hydropower operators in cases where the Federal Government no longer owns the land. In such a case, there is no need for a PSC to preserve the hydropower value of land as it is already being used for power production. Nor is the Federal Government somehow missing out on other beneficial uses of the land, because it no longer owns the land at issue. But FERC's current interpretation of the FPA is that a PSC qualifies as a significant enough interest in the associated land to justify the collection of full land-use fees.

When I first learned of this issue, I asked FERC for a list of the hydropower projects for which it was collecting these PSC-based federal land-use fees. Apparently, while FERC has been perfectly capable of collecting these fees, it has been less diligent in keeping track of which projects are located on lands that 2 have since been transferred away from federal ownership. Despite numerous requests from my office, FERC was unable to produce even a possible list of impacted projects. Consequently, my staff attempted to survey the number of affected projects by consulting with both the National Hydropower Association and the Alaska Power Association. This search identified 15 possible projects subject to these PSC land use fee collections—10 of which are located in my home state of Alaska. While some may dismiss these fees as being relatively minor, I can tell you that these annual federal fees for land not even owned by the Federal Government can represent a significant hardship for my constituents.

The bill I am introducing today would put a halt to this kind of fee collection. It simply says that when FERC is making fee determinations, it cannot take PSCs into account. Therefore, the only land that the Federal Government will be able to collect ''use, occupancy, and enjoyment'' fees is for land that it actually owns. I hope all of my colleagues can agree this treatment is a fair resolution of the issue and I ask for their support.

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

S. 3265

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

SECTION 1. REMOVAL OF AUTHORITY TO COLLECT LAND USE FEES FOR CERTAIN LAND.

Section 10(e)(1) of the Federal Power Act (16 U.S.C. 803(e)(1)) is amended in the first sentence by inserting after ''enjoyment of its lands or other property'' the following: ''(which, for purposes of this section, shall not include land that has been sold, exchanged, or otherwise transferred from Federal ownership, but that is subject to a power site reservation under section 24)''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 477—CALLING FOR THE SAFE AND IMMEDIATE RETURN OF NOOR AND RAMSAY BOWER TO THE UNITED STATES

Mr. KERRY (for himself and Mr. BROWN of Massachusetts) submitted the following resolution; which was considered and agreed to:

S. RES. 477

Whereas Colin Bower's 2 young sons, Noor and Ramsay Bower, were illegally abducted from the United States by their mother in August 2009 and taken to Egypt;

Whereas Noor William Noble Bower, age 11, and Ramsay Maclean Bower, age 9, are citizens of the United States of America;

Whereas, on December 1, 2008, prior to the abduction of Noor and Ramsay, the Probate and Family Court of the Commonwealth of Massachusetts awarded sole legal custody of Noor and Ramsay to Colin Bower, and joint physical custody with Mirvat el Nady, which ruling stipulated Mirvat el Nady was not to remove Noor and Ramsay from the Commonwealth of Massachusetts;

Whereas, in August of 2009, following a violation of the Probate Court's ruling, the Massachusetts Trial Court granted sole physical custody of Noor and Ramsay to their father, Colin Bower;

Whereas Colin Bower has been granted only 4 visitations with his sons in the almost 3 years since the abduction;

Whereas the United States has expressed its commitment, through the Hague Convention on the Civil Aspects of International Child Abduction, done at the Hague October 25, 1980, ''to protect children internationally from the harmful effects of their wrongful removal or retention and to establish procedures to ensure their prompt return to the State of their habitual residence''; and

Whereas the United States and 69 other countries that are partners to the Hague Convention on the Civil Aspects of international Child Abduction have agreed, and encourage all other countries to concur, that the appropriate court for determining the best interests of children in custody matters is the court in the country of their habitual residence: Now therefore be it

Resolved, That the Senate calls on government officials and competent courts in Egypt to assist in the safe and immediate return of Noor and Ramsay Bower to the United States.

SENATE RESOLUTION 478—COMMEMORATING THE 200TH ANNIVERSARY OF THE CHARTERING OF HAMILTON COLLEGE IN CLINTON, NEW YORK

Mr. SCHUMER (for himself, Mrs. GILLIBRAND, and Mr. SANDERS) submitted the following resolution; which was considered and agreed to:

S. RES. 478

Whereas Hamilton College, located in Clinton, New York, received its charter from the Regents of the University of the State of New York on May 26, 1812, ''for the instruction and education of youth, in the learned languages and liberal arts and sciences'';

Whereas Hamilton College was originally founded in 1793 as the Hamilton-Oneida Academy by the Reverend Samuel Kirkland, a missionary to the Oneida Indians;

Whereas all-male Hamilton College joined with all-female Kirkland College in 1978 to

form one coeducational institution of higher learning dedicated to academic freedom and the unfettered pursuit of truth;

Whereas the distinguished alumni of Hamilton College include recipients of the Nobel Peace Prize, the Presidential Medal of Freedom, and the Pulitzer Prize, and public servants at every level, including a former Vice President of the United States, United States Senators and Representatives, United States district and appellate court judges, members of the Presidential Cabinet, ambassadors, Governors, and State, county, and local officials; and

Whereas Hamilton College is currently comprised of 1,812 students from 49 states and 37 countries, and a faculty dedicated to teaching and the discovery and advancement of new knowledge: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates the bicentennial of the chartering of Hamilton College in Clinton, New York; and

(2) honors the outstanding contributions made by the alumni, faculty, and students of Hamilton College during the past 200 years, including service to the United States that has fostered the development of the United States as a diplomatic force and industrial power in the world.

SENATE RESOLUTION 479—COMMEMORATING THE DEDICATION OF THE STRATEGIC AIR COMMAND MEMORIAL DURING THE 20TH ANNIVERSARY OF ITS STAND DOWN

Mr. JOHANNS (for himself and Mr. NELSON of Nebraska) submitted the following resolution; which was considered and agreed to:

S. RES. 479

Whereas Strategic Air Command was formed on March 21, 1946, to provide the United States with long-range bombing capabilities;

Whereas Strategic Air Command operations were moved to Offutt Air Force Base in 1948 to avoid a surprise attack from the growing nuclear threat by the Soviet Union during the Cold War;

Whereas the men and women of Strategic Air Command perfected aerial refueling, allowing Strategic Air Command bombers to reach any spot in the world and advancing the ability of the United States to project military power worldwide;

Whereas in 1953, following the Korean War, the defense strategy of the United States shifted and President Eisenhower designated Strategic Air Command as the primary nuclear deterrent for the United States;

Whereas the Strategic Air Comman played a major role in the triad of aircraft, missiles, and submarines that provided an undefeatable nuclear force that prevented nuclear war and kept the Soviet Union at bay until the demise of the Soviet Union in December 1991;

Whereas Strategic Air Command is credited with the development of the Snark, Atlas, and Minuteman missiles;

Whereas Strategic Air Command maintained continuous airborne alert operations from October 1957 until September 1991, which many consider the longest continuous military operation in history;

Whereas in 1962, the visibility of Strategic Air Command bombers responding to the DEFCON 2 order issued by President Kennedy during the Cuban Missile Crisis presented a clear indication to the Soviet Union of the determination of the United States to remove Soviet missiles from Cuba;

Whereas at its height in 1962, Strategic Air Command employed 283,000 personnel and maintained 3,400 aircraft and 224 land-based missiles;

Whereas in December 1972, 33 crewmembers and 10 B–52 bombers supported by Strategic Air Command were lost during Operation Linebacker II in North Vietnam during the aerial bombing campaign that forced Vietnamese leadership back to negotiations and a peace settlement;

Whereas the need for absolute command and control by national leaders led Strategic Air Command to organize the National Emergency Airborne Command Post operation, which became the National Airborne Operations Center and the E–4B aircraft operating at Offutt Air Force Base;

Whereas the operational practices and procedures for safe and secure nuclear weapons were established by Strategic Air Command and continue under the leadership of United States Strategic Command and Air Force Global Strike Command;

Whereas the Strategic Air Command performed the assigned mission flawlessly according to its famous motto, ''Peace is Our Profession'';

Whereas the United States, and particularly the State of Nebraska, is extremely grateful to those who served the United States at Strategic Air Command; and

Whereas the Senate recognizes the service and dedication of the individuals whose unyielding commitment and sacrifice contributed to the continued safety of the United States for over 4 decades: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the 20th anniversary of the stand down of Strategic Air Command and the immeasurable contributions and prominent role of Strategic Air Command in national security and nuclear deterrence during the Cold War;

(2) commemorates the dedication of the Strategic Air Command Memorial in the State of Nebraska, which pays tribute to the men and women who worked tirelessly to make Strategic Air Command the most powerful and professional military organization in the world; and

(3) honors the personnel who served at Strategic Air Command and those who have carried on the tradition of excellence through service at United States Strategic Command.

SENATE RESOLUTION 480—COMMEMORATING THE 20TH ANNIVERSARY OF UNITED STATES STRATEGIC COMMAND

Mr. JOHANNS (for himself and Mr. NELSON of Nebraska) submitted the following resolution; which was considered and agreed to:

S. RES. 480

Whereas United States Strategic Command was established on June 1, 1992, to meet national security needs of the post-cold-war era by combining all strategic planning, targeting, and wartime employment of forces under one commander headquartered at Offutt Air Force Base in the State of Nebraska;

Whereas United States Strategic Command was reestablished in 2002 at Offutt Air Force Base, combining the responsibilities of United States Strategic Command and the United States Space Command along with responsibility for early warning and defense against missile attack;

Whereas over the last 20 years, United States Strategic Command has flawlessly executed the mission to deter nuclear attacks and employ nuclear forces if necessary;

Whereas in 2010 the mission of United States Strategic Command expanded again to include cyberspace operations through United States Cyber Command, a subunified command;

Whereas United States Strategic Command provides continuous information regarding orbiting satellites and space debris to spacecraft such as the International Space Station;

Whereas United States Strategic Command has supported coalition forces in Iraq and Afghanistan by providing intelligence, planning, and cyber support;

Whereas United States Strategic Command contributed to United States operations in Libya through long-range conventional strikes and intelligence, surveillance, and reconnaissance;

Whereas United States Strategic Command continues to be the premier nuclear deterrent in the United States, serving as a center for global command and communications headquartered in the State of Nebraska; and

Whereas the United States, and particularly the State of Nebraska, is grateful to those who serve the United States at United States Strategic Command: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the 20th anniversary of the establishment of United States Strategic Command and the vital contributions of United States Strategic Command to national security; and

(2) honors the dedicated men and women who serve at United States Strategic Command executing the mission to deter and detect strategic attack against the United States and allies of the United States and to defend the nation as directed.

SENATE RESOLUTION 481—CELEBRATING THE 60TH ANNIVERSARY OF THE UNITED STATES-PHILIPPINES MUTUAL DEFENSE TREATY AND THE VITALITY OF THE OVERALL BILATERAL RELATIONSHIP

Mr. LUGAR (for himself, Mr. KERRY, Mr. INHOFE, Mr. WEBB, Ms. AYOTTE, Mr. COCHRAN, and Mr. INOUYE) submitted the following resolution; which was considered and agreed to:

S. RES. 481

Whereas Filipinos and Americans fought together in World War II, and an estimated 1,000,000 Filipinos gave their lives to defend freedom;

Whereas the United States and the Republic of the Philippines signed the United States-Philippines Mutual Defense Treaty in 1951;

Whereas the Philippines and the United States are longstanding allies, as demonstrated by the Mutual Defense Treaty, cooperation in conflicts since World War II, and the United States designation of the Philippines as a Major Non-NATO Ally;

Whereas the Clark Veterans Cemetery in the Philippines is the final resting place for the remains of thousands of United States and Filipino veterans from the United States Army, United States Marines Corps, United States Navy, United States Air Force, United States Coast Guard, Philippine Scouts, and their dependents from seven wars since 1900;

Whereas the United States Government administered and cared for the Clark Veterans Cemetery from 1900 to 1991;

Whereas the United States Government seeks to maintain an alliance with the Government of the Philippines that promotes peace and stability in Southeast and East Asia, rule of law and human rights, economic growth, counter-terrorism efforts, and maritime security;

Whereas United States naval ships visit Philippines' ports, and the United States and Philippines' military forces participate in combined military exercises under the Visiting Forces Agreement established in 1998;

Whereas the people and Governments of the United States and the Philippines share a common interest in maintaining freedom of navigation, unimpeded lawful commerce, and transit of people across the seas and subscribe to a rules-based approach in resolving competing claims in maritime areas through peaceful, collaborative, multilateral, and diplomatic processes within the framework of international law;

Whereas the Philippines has served ably for the past three years as the Association of Southeast Asian Nations (ASEAN) country coordinator for the United States;

Whereas the United States Government and the Government of the Philippines work closely together in the struggle against terrorism to make local communities safer and help establish an environment conducive to good governance and development;

Whereas the navy of the Government of the Philippines has received a United States Coast Guard cutter and assistance in establishing a coastal radar system to enhance its monitoring of its waters, with a second cutter due to be transferred soon;

Whereas the United States Government works closely with the Government of the Philippines on humanitarian and disaster relief activities, and in the past has provided prompt assistance to make United States troops, equipment, assets, and disaster relief assistance available;

Whereas the Mutual Defense Board and the Security Engagement Board serve as important platforms for the continuing stability of the long-standing alliance between the Philippines and the United States in a rapidly changing global and regional environment;

Whereas the Bilateral Security Dialogue is an important policy venue for setting the policy direction and providing guidance for all aspects of the alliance relationship;

Whereas Philippines military forces have supported over the years many United Nations peacekeeping operations worldwide;

Whereas the United States ranks as one of the Philippines' top trading partners, with 11 percent of the Philippines' imports coming from the United States and 15 percent of exports from the Philippines delivered to the United States in 2010;

Whereas total United States foreign direct investment in the Philippines was approximately $7,000,000,000 at the end of 2009;

Whereas the Philippines is one of four countries that has been invited to participate in the new Partnership for Growth Initiative, which promotes broad-based economic growth in emerging markets;

Whereas many Americans and Filipinos have participated in people-to-people programs such as the Peace Corps, the International Visitor Leadership Programs, the Aquino Fellowship, Eisenhower Fellowships, and the Fulbright Scholar Program;

Whereas an estimated 4,000,000 people living in the United States are of Filipino ancestry, over 300,000 United States citizens live in the Philippines, and an estimated 600,000 United States citizens travel to the Philippines each year;

Whereas the U.S.-Philippines Society was recently established to broaden and expand interaction between and understanding of the United States and the Philippines in the areas of security, trade, investments, tourism, the environment, history, education, and culture;

Whereas the alliance between the United States and the Philippines is founded on core values that aim to promote and preserve democracy, freedom, peace, and justice, and is fortified by the two nations' partnerships in defending these values;

Whereas the Government of the Philippines seeks to improve governance, strengthen the rule of law, and further develop accountable, democratic institutions that can better safeguard human rights, secure justice, and promote equitable economic development;

Whereas His Excellency Benigno S. Aquino III, President of the Republic of the Philippines, is scheduled to visit the United States in June 2012; and

Whereas Secretary of State Hillary Clinton and Secretary of Defense Leon Panetta met with their Philippine counterparts in Washington, D.C. on April 30, 2012, and reaffirmed that the United States and the Philippines are longstanding allies, that the United States Government is fully committed to honoring mutual obligations with the Philippines, and that the alliance continues to serve as a pillar of the Philippines-United States relationship and a source of stability in the region: Now, therefore, be it

Resolved, That—

(1) the Senate—

(A) celebrates the 60th Anniversary of the United States-Philippines Mutual Defense Treaty and the vitality of the overall bilateral relationship;

(B) confirms the alliance's centrality and enduring value as one of the key pillars of peace, stability, and prosperity in the Asia-Pacific region and as a key tool in addressing the emerging security environment in the region; and

(C) encourages both countries to continue high-level consultations; and

(2) it is the sense of the Senate that—

(A) the United States Government should use the U.S.-Philippines Bilateral Security Dialogue and the Mutual Defense Board and Security Engagement Board to promote greater alliance cooperation and enhance bilateral security ties, including support for Philippine defense modernization, for the rotational presence of United States Armed Forces in the Philippines and for increased humanitarian and disaster relief preparedness activities;

(B) the United States Government should redouble efforts to expand and deepen the economic relationship with the Government of the Philippines toward achieving broad-based economic development in that country, including by working on new bilateral initiatives that support the efforts of the Government of the Philippines to reform its economy and enhance its competitiveness, and through trade-capacity building;

(C) the Government of the Philippines should continue its efforts to strengthen its democratic institutions to fight corruption, curtail politically motivated violence and extrajudicial killings, expand economic opportunity, and tackle internal security challenges;

(D) after close consultation with the Government of the Philippines, the United States Government should designate an appropriate United States entity to be responsible for making necessary arrangements to ensure ongoing maintenance of Clark Veterans Cemetery in the Philippines; and

(E) the United States Government should continue efforts to assist the Government of the Philippines in the areas of maritime security, maritime domain awareness, humanitarian assistance and disaster relief, and related communications infrastructure to enable enhanced information-sharing and overall military professionalization.

SENATE CONCURRENT RESOLUTION 45—AUTHORIZING THE USE OF EMANCIPATION HALL IN THE CAPITOL VISITOR CENTER FOR AN EVENT TO AWARD THE CONGRESSIONAL GOLD MEDAL, COLLECTIVELY, TO THE MONTFORD POINT MARINES

Mrs. HAGAN (for herself and Mr. BURR) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 45

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. USE OF EMANCIPATION HALL FOR EVENT TO AWARD THE CONGRESSIONAL GOLD MEDAL.

(a) AUTHORIZATION.—Emancipation Hall in the Capitol Visitor Center is authorized to be used for an event on June 27, 2012, to award the Congressional Gold Medal, collectively, to the Montford Point Marines.

(b) PREPARATIONS.—Physical preparations for the conduct of the event described in subsection (a) shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

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 Tuesday, June 12, 2012 at 10 a.m. in SD–106 Dirksen Senate Office Building to conduct a hearing entitled ''Equality At Work: The Employment Non-Discrimination Act.''

For further information regarding this meeting, please contact Dan Goldberg of the committee staff on (202) 224–5441.

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 executive session on Wednesday, June 13, 2012 at 10 a.m. in SD–430 Dirksen Senate Office Building to consider pending nominations cleared for action.

For further information regarding this meeting, please contact the committee on (202) 224–5375.

AUTHORITY FOR COMMITTEES TO MEET

AD HOC SUBCOMMITTEE ON CONTRACTING OVERSIGHT

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Ad Hoc Subcommittee on Contracting Oversight of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on June 5, 2012, at 10 a.m. to conduct a hearing entitled, ''Veterans Employment and Government Contractors.''

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

COMMITTEE ON FINANCE

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on June 5, 2012, at 10 a.m., in room SD–215 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Combating Poverty: Understanding New Challenges for Families.''

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

SELECT COMMITTEE ON INTELLIGENCE

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 5, 2012, at 2:30 p.m.

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

PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Shaun Robinson and Shannon Smith of my staff be granted floor privileges for the duration of today's session.

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

FORMER CHARLESTON NAVAL BASE LAND EXCHANGE ACT OF 2012

Mr. DURBIN. I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 414, S. 2061.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant bill clerk read as follows:

A bill (S. 2061) to provide for an exchange of land between the Department of Homeland Security and the South Carolina State Ports Authority.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee of Homeland Security and Governmental Affairs, with amendments; as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italics.)

S. 2061

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 ''Former Charleston Naval Base Land Exchange Act of 2012''.

SEC. 2. DEFINITIONS.

In this Act:

[(1) FEDERAL LAND.—The term ''Federal land'' means the parcels consisting of approximately 10.499 acres of land (including improvements) that are owned by the United States, located on the former U.S. Naval Base Complex in North Charleston, South Carolina, and described on the map entitled ''Charleston County Assessors Map'' as Tax Map Number 400-00-00-004, with the deed recorded in the Charleston County RMC Office on Book X23, at page 245.**]**

(1) FEDERAL LAND.—The term ''Federal land'' means the parcels consisting of approximately 10.499 acres of land (including improvements) that are owned by the United States, located on the former U.S. Naval Base Complex in North Charleston, South Carolina, and included within the Charleston County Tax Assessor's Office Tax Map Number 400-00-00-004, and shown as New Parcel B in that certain plat of Forsberg Engineering and Surveying Inc., dated May 25, 2007, entitled in part ''Plat Showing the Subdivision of TMS 400-00-00-004 into Parcel B and Remaining Residual (Parcel A).

(2) NON-FEDERAL LAND.—The term ''non-Federal land'' means the 3 parcels of land (including improvements) authorized to be conveyed to the United States under this Act.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

(4) STATE PORTS AUTHORITY.—The term ''State Ports Authority'' means the South Carolina State Ports Authority, an agency of the State of South Carolina.

SEC. 3. LAND EXCHANGE.

(a) LAND EXCHANGE.—

(1) IN GENERAL.—In exchange for the conveyance to the Secretary, by quitclaim deed, of all right, title, and interest of the State Ports Authority to the non-Federal land owned by the State Ports Authority, the Secretary is authorized to convey to the State Ports Authority, by quitclaim deed, all right, title, and interest of the United States in and to the Federal land.

(2) EXCHANGE.—If the State Ports Authority offers to convey to the Secretary all right, title, and interest of the State Ports Authority in and to the non-Federal parcels identified in subsection (b), the Secretary—

(A) is authorized to accept the offer; and

(B) on acceptance of the offer, shall simultaneously convey to the State Ports Authority all right, title, and interest of the United States in and to approximately 10.499 acres of Federal land.

[(b) NON-FEDERAL LAND DESCRIBED.—The non-Federal land (including improvements) to be conveyed under this section consists of—

(1) the approximately 18.736 acres of land that is owned by the State Ports Authority, located on S. Hobson Avenue, and depicted on the map entitled ''Charleston Country Assessors Map'' as Tax Map Number 400-00-00-051, with the deed recorded in the Charleston County RMC Office in Book EL, at page 280;

(2) the approximately 4.069 acres of land that is owned by the State Ports Authority, located on Juneau Avenue and the Cooper River, and depicted on the map entitled ''Charleston County Assessors Map'' as Tax Map Number 400-00-00-004, with the deed recorded in the Charleston County RMC Office in Book L09, at page 0391; and

(3) the approximately 2.568 acres of land that is owned by the State Ports Authority, located on Partridge Avenue, and depicted on the map entitled ''Charleston County Assessors Map'' as Tax Map Number 400-00-00-004, with the deed recorded in the Charleston County RMC Office in Book L09, at page 0391.**]**

(b) NON-FEDERAL LAND DESCRIBED.—The non-Federal land (including improvements) to be conveyed under this section consists of—

(1) the approximately 18.736 acres of land that is owned by the State Ports Authority, located on S. Hobson Avenue, and currently depicted in the Charleston County Tax Assessor's Office as Tax Map Number 400-00-00-158, and as New I-48.55 Parcel B, containing 18.736 acres, on the plat recorded in the Charleston County RMC Office in Plat Book EL, at page 280;

(2) the approximately 4.069 acres of land that is owned by the State Ports Authority, located on Thompson Avenue and the Cooper River, and currently depicted in the Charleston County Tax Assessor's Office as Tax Map Number 400-00-00-156, and as New II-121.44 Parcel C, containing 4.069 acres, on the plat recorded in the Charleston County RMC Office in Plat Book L09, at pages 0391-393; and

(3) the approximately 2.568 acres of land that is owned by the State Ports Authority, located on Partridge Avenue, and currently depicted in the Charleston County Tax Assessor's Office as Tax Map Number 400-00-00-157, and as New II-121.44 Parcel B, containing 2.568 acres, on the plat recorded in the Charleston County RMC Office in Plat Book L09, at pages 0391-0393.

(c) LAND TITLE.—Title to the non-Federal land conveyed to the Secretary under this section shall—

(1) be acceptable to the Secretary; and

(2) conform to the title approval standards of the Attorney General of the United States applicable to land acquisitions by the Federal Government.

SEC. 4. EXCHANGE TERMS AND CONDITIONS.

(a) IN GENERAL.—The conveyance of Federal land under section 3 shall be subject to—

(1) any valid existing rights; and

(2) any additional terms and conditions that the Secretary determines to be appropriate to protect the interests of the United States.

(b) COSTS.—The costs of carrying out the exchange of land under section 3 shall be shared equally by the Secretary and the State Ports Authority.

(c) EQUAL VALUE EXCHANGE.—Notwithstanding the appraised value of the land exchanged under section 3, the values of the Federal and non-Federal land in the land exchange under section 3 shall be considered to be equal.

SEC. 5. BOUNDARY ADJUSTMENT.

On acceptance of title to the non-Federal land by the Secretary—

(1) the non-Federal land shall be added to and administered as part of the Federal Law Enforcement Training Center; and

(2) the boundaries of the Federal Law Enforcement Training Center shall be adjusted to exclude the exchanged Federal land.

Mr. DURBIN. I ask unanimous consent that the committee-reported amendments be agreed to, the bill as amended be read a third time and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements related to the bill be printed in the RECORD.

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

The committee amendments were agreed to.

The bill (S. 2061), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2061

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 ''Former Charleston Naval Base Land Exchange Act of 2012''.

SEC. 2. DEFINITIONS.

In this Act:

(1) FEDERAL LAND.—The term ''Federal land'' means the parcels consisting of approximately 10.499 acres of land (including improvements) that are owned by the United States, located on the former U.S. Naval Base Complex in North Charleston, South Carolina, and included within the Charleston County Tax Assessor's Office Tax Map Number 400–00–00–004, and shown as New Parcel B in that certain plat of Forsberg Engineering

and Surveying Inc., dated May 25, 2007, entitled in part ''Plat Showing the Subdivision of TMS 400–00–00–004 into Parcel B and Remaining Residual (Parcel A).

(2) NON-FEDERAL LAND.—The term ''non-Federal land'' means the 3 parcels of land (including improvements) authorized to be conveyed to the United States under this Act.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

(4) STATE PORTS AUTHORITY.—The term ''State Ports Authority'' means the South Carolina State Ports Authority, an agency of the State of South Carolina.

SEC. 3. LAND EXCHANGE.

(a) LAND EXCHANGE.—

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(2) EXCHANGE.—If the State Ports Authority offers to convey to the Secretary all right, title, and interest of the State Ports Authority in and to the non-Federal parcels identified in subsection (b), the Secretary—

(A) is authorized to accept the offer; and

(B) on acceptance of the offer, shall simultaneously convey to the State Ports Authority all right, title, and interest of the United States in and to approximately 10.499 acres of Federal land.

(b) NON-FEDERAL LAND DESCRIBED.—The non-Federal land (including improvements) to be conveyed under this section consists of—

(1) the approximately 18.736 acres of land that is owned by the State Ports Authority, located on S. Hobson Avenue, and currently depicted in the Charleston County Tax Assessor's Office as Tax Map Number 400–00–00–158, and as New I–48.55 Parcel B, containing 18.736 acres, on the plat recorded in the Charleston County RMC Office in Plat Book EL, at page 280;

(2) the approximately 4.069 acres of land that is owned by the State Ports Authority, located on Thompson Avenue and the Cooper River, and currently depicted in the Charleston County Tax Assessor's Office as Tax Map Number 400–00–00–156, and as New II–121.44 Parcel C, containing 4.069 acres, on the plat recorded in the Charleston County RMC Office in Plat Book L09, at pages 0391–393; and

(3) the approximately 2.568 acres of land that is owned by the State Ports Authority, located on Partridge Avenue, and currently depicted in the Charleston County Tax Assessor's Office as Tax Map Number 400–00–00–157, and as New II–121.44 Parcel B, containing 2.568 acres, on the plat recorded in the Charleston County RMC Office in Plat Book L09, at pages 0391–0393.

(c) LAND TITLE.—Title to the non-Federal land conveyed to the Secretary under this section shall—

(1) be acceptable to the Secretary; and

(2) conform to the title approval standards of the Attorney General of the United States applicable to land acquisitions by the Federal Government.

SEC. 4. EXCHANGE TERMS AND CONDITIONS.

(a) IN GENERAL.—The conveyance of Federal land under section 3 shall be subject to—

(1) any valid existing rights; and

(2) any additional terms and conditions that the Secretary determines to be appropriate to protect the interests of the United States.

(b) COSTS.—The costs of carrying out the exchange of land under section 3 shall be shared equally by the Secretary and the State Ports Authority.

(c) EQUAL VALUE EXCHANGE.—Notwithstanding the appraised value of the land exchanged under section 3, the values of the Federal and non-Federal land in the land exchange under section 3 shall be considered to be equal.

SEC. 5. BOUNDARY ADJUSTMENT.

On acceptance of title to the non-Federal land by the Secretary—

(1) the non-Federal land shall be added to and administered as part of the Federal Law Enforcement Training Center; and

(2) the boundaries of the Federal Law Enforcement Training Center shall be adjusted to exclude the exchanged Federal land.

RESOLUTIONS SUBMITTED TODAY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration en bloc of the following resolutions, which were submitted earlier today: S. Res. 477, S. Res. 478, S. Res. 479, and S. Res. 480.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. DURBIN. I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, the motions to reconsider be laid upon the table en bloc with no intervening action or debate, and that any statements related to the resolutions be printed in the RECORD.

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

The resolutions were agreed to.

The preambles were agreed to.

The resolutions, with their preambles, read as follows:

S. RES. 477

(Calling for the safe and immediate return of Noor and Ramsay Bower to the United States)

Whereas Colin Bower's 2 young sons, Noor and Ramsay Bower, were illegally abducted from the United States by their mother in August 2009 and taken to Egypt;

Whereas Noor William Noble Bower, age 11, and Ramsay Maclean Bower, age 9, are citizens of the United States of America;

Whereas, on December 1, 2008, prior to the abduction of Noor and Ramsay, the Probate and Family Court of the Commonwealth of Massachusetts awarded sole legal custody of Noor and Ramsay to Colin Bower, and joint physical custody with Mirvat el Nady, which ruling stipulated Mirvat el Nady was not to remove Noor and Ramsay from the Commonwealth of Massachusetts;

Whereas, in August of 2009, following a violation of the Probate Court's ruling, the Massachusetts Trial Court granted sole physical custody of Noor and Ramsay to their father, Colin Bower;

Whereas Colin Bower has been granted only 4 visitations with his sons in the almost 3 years since the abduction;

Whereas the United States has expressed its commitment, through the Hague Convention on the Civil Aspects of International Child Abduction, done at the Hague October 25, 1980, ''to protect children internationally from the harmful effects of their wrongful removal or retention and to establish procedures to ensure their prompt return to the State of their habitual residence''; and

Whereas the United States and 69 other countries that are partners to the Hague Convention on the Civil Aspects of international Child Abduction have agreed, and encourage all other countries to concur, that the appropriate court for determining the best interests of children in custody matters is the court in the country of their habitual residence: Now therefore be it

Resolved, That the Senate calls on government officials and competent courts in Egypt to assist in the safe and immediate return of Noor and Ramsay Bower to the United States.

S. RES. 478

(Commemorating the 200th anniversary of the chartering of Hamilton College in Clinton, New York)

Whereas Hamilton College, located in Clinton, New York, received its charter from the Regents of the University of the State of New York on May 26, 1812, ''for the instruction and education of youth, in the learned languages and liberal arts and sciences'';

Whereas Hamilton College was originally founded in 1793 as the Hamilton-Oneida Academy by the Reverend Samuel Kirkland, a missionary to the Oneida Indians;

Whereas all-male Hamilton College joined with all-female Kirkland College in 1978 to form one coeducational institution of higher learning dedicated to academic freedom and the unfettered pursuit of truth;

Whereas the distinguished alumni of Hamilton College include recipients of the Nobel Peace Prize, the Presidential Medal of Freedom, and the Pulitzer Prize, and public servants at every level, including a former Vice President of the United States, United States Senators and Representatives, United States district and appellate court judges, members of the Presidential Cabinet, ambassadors, Governors, and State, county, and local officials; and

Whereas Hamilton College is currently comprised of 1,812 students from 49 states and 37 countries, and a faculty dedicated to teaching and the discovery and advancement of new knowledge: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates the bicentennial of the chartering of Hamilton College in Clinton, New York; and

(2) honors the outstanding contributions made by the alumni, faculty, and students of Hamilton College during the past 200 years, including service to the United States that has fostered the development of the United States as a diplomatic force and industrial power in the world.

S. RES. 479

(Commemorating the dedication of the Strategic Air Command Memorial during the 20th anniversary of its stand down)

Whereas Strategic Air Command was formed on March 21, 1946, to provide the United States with long-range bombing capabilities;

Whereas Strategic Air Command operations were moved to Offutt Air Force Base in 1948 to avoid a surprise attack from the growing nuclear threat by the Soviet Union during the Cold War;

Whereas the men and women of Strategic Air Command perfected aerial refueling, allowing Strategic Air Command bombers to reach any spot in the world and advancing the ability of the United States to project military power worldwide;

Whereas in 1953, following the Korean War, the defense strategy of the United States shifted and President Eisenhower designated Strategic Air Command as the primary nuclear deterrent for the United States;

Whereas the Strategic Air Command played a major role in the triad of aircraft, missiles, and submarines that provided an undefeatable nuclear force that prevented nuclear war and kept the Soviet Union at bay until the demise of the Soviet Union in December 1991;

Whereas Strategic Air Command is credited with the development of the Snark, Atlas, and Minuteman missiles;

Whereas Strategic Air Command maintained continuous airborne alert operations from October 1957 until September 1991, which many consider the longest continuous military operation in history;

Whereas in 1962, the visibility of Strategic Air Command bombers responding to the DEFCON 2 order issued by President Kennedy during the Cuban Missile Crisis presented a clear indication to the Soviet Union of the determination of the United States to remove Soviet missiles from Cuba;

Whereas at its height in 1962, Strategic Air Command employed 283,000 personnel and maintained 3,400 aircraft and 224 land-based missiles;

Whereas in December 1972, 33 crewmembers and 10 B–52 bombers supported by Strategic Air Command were lost during Operation Linebacker II in North Vietnam during the aerial bombing campaign that forced Vietnamese leadership back to negotiations and a peace settlement;

Whereas the need for absolute command and control by national leaders led Strategic Air Command to organize the National Emergency Airborne Command Post operation, which became the National Airborne Operations Center and the E–4B aircraft operating at Offutt Air Force Base;

Whereas the operational practices and procedures for safe and secure nuclear weapons were established by Strategic Air Command and continue under the leadership of United States Strategic Command and Air Force Global Strike Command;

Whereas the Strategic Air Command performed the assigned mission flawlessly according to its famous motto, ''Peace is Our Profession'';

Whereas the United States, and particularly the State of Nebraska, is extremely grateful to those who served the United States at Strategic Air Command; and

Whereas the Senate recognizes the service and dedication of the individuals whose unyielding commitment and sacrifice contributed to the continued safety of the United States for over 4 decades: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the 20th anniversary of the stand down of Strategic Air Command and the immeasurable contributions and prominent role of Strategic Air Command in national security and nuclear deterrence during the Cold War;

(2) commemorates the dedication of the Strategic Air Command Memorial in the State of Nebraska, which pays tribute to the men and women who worked tirelessly to make Strategic Air Command the most powerful and professional military organization in the world; and

(3) honors the personnel who served at Strategic Air Command and those who have carried on the tradition of excellence through service at United States Strategic Command.

S. RES. 480

(Commemorating the 20th anniversary of United States Strategic Command)

Whereas United States Strategic Command was established on June 1, 1992, to meet national security needs of the post-cold-war era by combining all strategic planning, targeting, and wartime employment of forces under one commander headquartered at Offutt Air Force Base in the State of Nebraska;

Whereas United States Strategic Command was reestablished in 2002 at Offutt Air Force Base, combining the responsibilities of United States Strategic Command and the United States Space Command along with responsibility for early warning and defense against missile attack;

Whereas over the last 20 years, United States Strategic Command has flawlessly executed the mission to deter nuclear attacks and employ nuclear forces if necessary;

Whereas in 2010 the mission of United States Strategic Command expanded again to include cyberspace operations through United States Cyber Command, a subunified command;

Whereas United States Strategic Command provides continuous information regarding orbiting satellites and space debris to spacecraft such as the International Space Station;

Whereas United States Strategic Command has supported coalition forces in Iraq and Afghanistan by providing intelligence, planning, and cyber support;

Whereas United States Strategic Command contributed to United States operations in Libya through long-range conventional strikes and intelligence, surveillance, and reconnaissance;

Whereas United States Strategic Command continues to be the premier nuclear deterrent in the United States, serving as a center for global command and communications headquartered in the State of Nebraska; and

Whereas the United States, and particularly the State of Nebraska, is grateful to those who serve the United States at United States Strategic Command: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the 20th anniversary of the establishment of United States Strategic Command and the vital contributions of United States Strategic Command to national security; and

(2) honors the dedicated men and women who serve at United States Strategic Command executing the mission to deter and detect strategic attack against the United States and allies of the United States and to defend the nation as directed.

CELEBRATING THE 60TH ANNIVERSARY OF THE UNITED STATES-PHILIPPINES MUTUAL DEFENSE TREATY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 481, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant bill clerk read as follows:

A resolution (S. Res. 481) celebrating the 60th Anniversary of the United States-Philippines Mutual Defense Treaty and the vitality of the overall bilateral relationship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DURBIN. Mr. President, I know of no further debate on the resolution, and I call for a vote.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 481) was agreed to.

Mr. DURBIN. I ask unanimous consent that the preamble be agreed to and the motion to reconsider be laid upon the table.

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

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 481

Whereas Filipinos and Americans fought together in World War II, and an estimated 1,000,000 Filipinos gave their lives to defend freedom;

Whereas the United States and the Republic of the Philippines signed the United States-Philippines Mutual Defense Treaty in 1951;

Whereas the Philippines and the United States are longstanding allies, as demonstrated by the Mutual Defense Treaty, cooperation in conflicts since World War II, and the United States designation of the Philippines as a Major Non-NATO Ally;

Whereas the Clark Veterans Cemetery in the Philippines is the final resting place for the remains of thousands of United States and Filipino veterans from the United States Army, United States Marines Corps, United States Navy, United States Air Force, United States Coast Guard, Philippine Scouts, and their dependents from seven wars since 1900;

Whereas the United States Government administered and cared for the Clark Veterans Cemetery from 1900 to 1991;

Whereas the United States Government seeks to maintain an alliance with the Government of the Philippines that promotes peace and stability in Southeast and East Asia, rule of law and human rights, economic growth, counter-terrorism efforts, and maritime security;

Whereas United States naval ships visit Philippines' ports, and the United States and Philippines' military forces participate in combined military exercises under the Visiting Forces Agreement established in 1998;

Whereas the people and Governments of the United States and the Philippines share a common interest in maintaining freedom of navigation, unimpeded lawful commerce, and transit of people across the seas and subscribe to a rules-based approach in resolving competing claims in maritime areas through peaceful, collaborative, multilateral, and diplomatic processes within the framework of international law;

Whereas the Philippines has served ably for the past three years as the Association of Southeast Asian Nations (ASEAN) country coordinator for the United States;

Whereas the United States Government and the Government of the Philippines work closely together in the struggle against terrorism to make local communities safer and help establish an environment conducive to good governance and development;

Whereas the navy of the Government of the Philippines has received a United States Coast Guard cutter and assistance in establishing a coastal radar system to enhance its monitoring of its waters, with a second cutter due to be transferred soon;

Whereas the United States Government works closely with the Government of the Philippines on humanitarian and disaster relief activities, and in the past has provided prompt assistance to make United States troops, equipment, assets, and disaster relief assistance available;

Whereas the Mutual Defense Board and the Security Engagement Board serve as important platforms for the continuing stability of the long-standing alliance between the Philippines and the United States in a rapidly changing global and regional environment;

Whereas the Bilateral Security Dialogue is an important policy venue for setting the policy direction and providing guidance for all aspects of the alliance relationship;

Whereas Philippines military forces have supported over the years many United Nations peacekeeping operations worldwide;

Whereas the United States ranks as one of the Philippines' top trading partners, with 11 percent of the Philippines' imports coming from the United States and 15 percent of exports from the Philippines delivered to the United States in 2010;

Whereas total United States foreign direct investment in the Philippines was approximately $7,000,000,000 at the end of 2009;

Whereas the Philippines is one of four countries that has been invited to participate in the new Partnership for Growth Initiative, which promotes broad-based economic growth in emerging markets;

Whereas many Americans and Filipinos have participated in people-to-people programs such as the Peace Corps, the International Visitor Leadership Programs, the Aquino Fellowship, Eisenhower Fellowships, and the Fulbright Scholar Program;

Whereas an estimated 4,000,000 people living in the United States are of Filipino ancestry, over 300,000 United States citizens live in the Philippines, and an estimated 600,000 United States citizens travel to the Philippines each year;

Whereas the U.S.-Philippines Society was recently established to broaden and expand interaction between and understanding of the United States and the Philippines in the areas of security, trade, investments, tourism, the environment, history, education, and culture;

Whereas the alliance between the United States and the Philippines is founded on core values that aim to promote and preserve democracy, freedom, peace, and justice, and is fortified by the two nations' partnerships in defending these values;

Whereas the Government of the Philippines seeks to improve governance, strengthen the rule of law, and further develop accountable, democratic institutions that can better safeguard human rights, secure justice, and promote equitable economic development;

Whereas His Excellency Benigno S. Aquino III, President of the Republic of the Philippines, is scheduled to visit the United States in June 2012; and

Whereas Secretary of State Hillary Clinton and Secretary of Defense Leon Panetta met with their Philippine counterparts in Washington, D.C. on April 30, 2012, and reaffirmed that the United States and the Philippines are longstanding allies, that the United States Government is fully committed to honoring mutual obligations with the Philippines, and that the alliance continues to serve as a pillar of the Philippines-United States relationship and a source of stability in the region: Now, therefore, be it

Resolved, That—

(1) the Senate—

(A) celebrates the 60th Anniversary of the United States-Philippines Mutual Defense Treaty and the vitality of the overall bilateral relationship;

(B) confirms the alliance's centrality and enduring value as one of the key pillars of peace, stability, and prosperity in the Asia-Pacific region and as a key tool in addressing the emerging security environment in the region; and

(C) encourages both countries to continue high-level consultations; and

(2) it is the sense of the Senate that—

(A) the United States Government should use the U.S.-Philippines Bilateral Security Dialogue and the Mutual Defense Board and Security Engagement Board to promote greater alliance cooperation and enhance bilateral security ties, including support for Philippine defense modernization, for the rotational presence of United States Armed Forces in the Philippines and for increased humanitarian and disaster relief preparedness activities;

(B) the United States Government should redouble efforts to expand and deepen the economic relationship with the Government of the Philippines toward achieving broad-based economic development in that country, including by working on new bilateral initiatives that support the efforts of the Government of the Philippines to reform its economy and enhance its competitiveness, and through trade-capacity building;

(C) the Government of the Philippines should continue its efforts to strengthen its democratic institutions to fight corruption, curtail politically motivated violence and extrajudicial killings, expand economic opportunity, and tackle internal security challenges;

(D) after close consultation with the Government of the Philippines, the United States Government should designate an appropriate United States entity to be responsible for making necessary arrangements to ensure ongoing maintenance of Clark Veterans Cemetery in the Philippines; and

(E) the United States Government should continue efforts to assist the Government of the Philippines in the areas of maritime security, maritime domain awareness, humanitarian assistance and disaster relief, and related communications infrastructure to enable enhanced information-sharing and overall military professionalization.

AUTHORIZING THE USE OF EMANCIPATION HALL

Mr. DURBIN. Mr. President, I ask unanimous consent the Senate proceed to the consideration of S. Con. Res. 45, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant bill clerk read as follows:

A concurrent resolution (S. Con. Res. 45) authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to award the Congressional Gold Medal, collectively, to the Montford Point Marines.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. DURBIN. I ask unanimous consent that the concurrent resolution be agreed to, the motion to reconsider be laid on the table, with no intervening action or debate, and any statements be printed in the RECORD.

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

The concurrent resolution (S. Con. Res. 45) was agreed to, as follows:

S. CON. RES. 45

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. USE OF EMANCIPATION HALL FOR EVENT TO AWARD THE CONGRESSIONAL GOLD MEDAL.

(a) AUTHORIZATION.—Emancipation Hall in the Capitol Visitor Center is authorized to be used for an event on June 27, 2012, to award the Congressional Gold Medal, collectively, to the Montford Point Marines.

(b) PREPARATIONS.—Physical preparations for the conduct of the event described in subsection (a) shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

ORDERS FOR WEDNESDAY, JUNE 6, 2012

Mr. DURBIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, June 6, 2012; 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, and the majority leader be recognized; that following the remarks of the majority leader and those of the Republican leader, the next hour be equally divided and controlled between the two leaders, with the Republicans controlling the first half and the majority controlling the final half.

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

PROGRAM

Mr. DURBIN. It is the majority leader's intention to resume consideration of S. 3240, the farm bill. We hope we can begin consideration of the bill during tomorrow's session.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. DURBIN. Mr. 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 6:04 p.m., adjourned until Wednesday, June 6, 2012, at 9:30 a.m.