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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker.

PRAYER

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

Eternal God, we give You thanks for giving us another day.

As this House adjourns in anticipation of Independence Day, we ask Your special blessing upon our Nation. We have many things to be thankful for, and ask that You send Your spirit, that we might continue to live our freedoms with responsibility and integrity. Help us to be truly grateful for what we have, and generous as well.

Bless the Members of this assembly and their families in the time they have together at home so that when they return, they are rested and energized to take on the important work that faces them concerning our economy and national security in today's world.

These have been historic days. Issues of grave importance have been decided, and much commentary and argument has ensued. Bless our Nation and its citizens, especially those whose energy and emotions are stirred, with equanimity, goodwill, and an abiding trust that, in time, our Nation will emerge into an even greater future as it has so many times before. Give us the faith to believe and increase our trust in You.

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

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Nevada (Mr. HECK) come forward and lead the House in the Pledge of Allegiance.

Mr. HECK 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.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER pro tempore. The Chair will entertain up to five requests for 1-minute speeches on each side.

OBAMACARE DECISION DISCOURAGING FOR SMALL BUSINESSES

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

Mr. WILSON of South Carolina. Mr. Speaker, yesterday's decision by the Supreme Court to uphold ObamaCare is discouraging for America's small businesses by destroying jobs and threatening families with the loss of their insurance policies.

When the President lobbied for the passage of the 2,700-page health care takeover, he promised Americans that the individual mandate was not a tax increase. Chief Justice Roberts based his opinion on his view that it is a tax increase, which contradicts the President as being incorrect.

Chief Justice Roberts and the four liberals now confirm the President has been inaccurate. Not only will this tax place more hardship on small businesses to follow the law, but already 12,000 pages of regulations have been issued with more than 150 new boards, agencies, and programs destroying jobs.

On July 11, the House of Representatives, under the leadership of JOHN BOEHNER and ERIC CANTOR, will vote to repeal the Obama taxes. On November 6, American citizens will have the opportunity to vote for repeal and reform.

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

EXPRESSING THANKS TO KRISTIE JOHNSON GREGORY FOR EXEMPLARY SERVICE

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

Mr. BARROW. Mr. Speaker, I rise today to express my thanks to Kristie Johnson Gregory, who is moving on from my staff after 7 years of service to accept the position of special populations coordinator at Augusta Technical College. Kristie started as an intern in my office back in 2005, and she quickly rose up the ranks to serve as a senior constituent services representative.

Every Congressman knows just how important it is to have good staff, and Kristie is the kind of staffer that you need. Kristie and our district staff recovered some $3.7 million in benefits wrongfully withheld from families back home in just the last year alone, and there's no telling how many homes she helped rescue from the brink of foreclosure. When you add it all up, her record is reflected in the thank you letters of grateful constituents and the appreciation of this Congressman for a job well done.

STOLEN VALOR ACT OF 2011

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

Mr. HECK. Mr. Speaker, I rise today to urge my colleagues to join with me

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in restoring the honor and valor of our military heroes by cosponsoring my bill, H.R. 1775, the Stolen Valor Act of 2011.

While yesterday our attention was focused on the Supreme Court health care ruling, lost in the media frenzy was the story of how the Court also struck down the Stolen Valor Act of 2005, concluding that the broad nature of the law infringed upon the guaranteed protection of free speech provided by the First Amendment of our Constitution.

The Court determined that the act ''sought to control and suppress all false statements on this one subject, without regard as to whether the lie was made for the purpose of material gain.'' The Stolen Valor Act of 2011 resolves these constitutional issues by clearly defining that the objective of the law is to target and punish those who misrepresent their service with the intent of profiting personally or financially. Defining the intent helps ensure that this law will pass constitutional scrutiny.

Mr. Speaker, the need to protect the honor, service, and sacrifice of our veterans and military personnel is just as strong today as it was in 2005. I urge my colleagues to cosponsor H.R. 1775 so that we can restore the honor and protect the valor of our military heroes.

SRI LANKA

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

Ms. SCHAKOWSKY. I rise today to mark the third anniversary of the end of the civil war in Sri Lanka and to urge the U.S. Government to continue to press for full accountability for all human rights abuses committed during the conflict.

Over 70,000 Sri Lankans were killed in the course of the 26-year civil war. The United Nations found claims that both sides committed war crimes to be credible, and although the war ended 3 years ago, human rights violations are reportedly continuing. Reports suggest that over 50 people—mostly critics of the government—have been abducted in the last 6 months. Human rights activists have been targeted for harassment and labeled as traitors in the national media. Gender-based violence is on the rise in the country's north.

Mr. Speaker, the international community must continue to call for accountability for the crimes during the conflict, and we must urge the Colombo government to uphold its international commitments and fully respect the human rights of all Sri Lankans.

□ 0910

SEQUESTRATION OF DEFENSE DOLLARS

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

Mr. WITTMAN. Mr. Speaker, today I rise to share my frustration with the Congress' inaction on looming cuts coming to the Nation's defense budget.

In America's First District, we have a deep military history. Many of my constituents have or continue to bravely serve their Nation in a military uniform. Set to take effect in January 2013, sequestration will cut billions of defense dollars at a time when we see so much unrest across the world and American troops still deployed in harm's way in Afghanistan.

I am adamantly opposed to these catastrophic cuts and believe Congress must act now. Sequestration threatens the capability of our military to adequately protect this Nation. The Bipartisan Policy Center estimated that sequestration would result in a loss of about 1 million jobs in 2013 and 2014. This is not simply American job loss; it is a loss of critical national security capability.

Congress must not choose failure over making tough choices for the greater good of this country. Failure is an outcome we must not and cannot accept.

INVESTING IN AMERICA

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

Mr. LARSEN of Washington. Mr. Speaker, later today the House will take up a bill that is key for jobs now and for opportunity for the future.

First, we cannot have a big league economy with little league infrastructure. The transportation bill will do more to create jobs through public investment than any other piece of legislation that this House has passed in the last 18 months. It puts thousands to work repairing roads, bridges and highways, and maintaining our transit systems.

Second, this bill creates opportunity for the future by stopping a devastating interest rate hike on loans students take to pay for college. College affordability is a necessary step for creating opportunity for the future. The bill sends a clear message to college students everywhere that America will invest in you.

WHAT TEXANS THINK OF THE SUPREME COURT'S RULING ON OBAMACARE

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

Mr. POE of Texas. Mr. Speaker, here's what the people of Texas think of the Supreme Court's ruling on ObamaCare.

Jason from Kingwood, Texas says this:

Now that the Supreme Court has deemed every action of Congress that it does is acceptable so long as it's considered a tax, you can kiss it all goodbye. Tax on gun ownership, boxes of ammunition, worship fees, mission trip tax, Bible fee.

But don't worry. They won't take away your right to vote directly. They'll just dilute it with multiple voting, illegal voting and fuzzy counting. But it won't be through taxation.

Stacie from Texas also wrote me and says this:

This ruling sets up so much more of nanny taxes and government telling us what we can do and cannot do. Don't buy the right car? It's a tax. Don't buy the right vegetables? Tax. Don't buy the right newspaper? Tax. Don't buy the right music? Another tax.

Mr. Speaker, the power to tax is the power to destroy. So what's the next tax from Big Government?

Congress and the Supreme Court have both had their chance to voice their opinion. Now it's time for the American people to voice theirs.

And that's just the way it is.

HIGHLIGHTS OF THE PATIENT PROTECTION AFFORDABLE CARE ACT

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

Ms. HANABUSA. Mr. Speaker, I stood here 2 days ago addressing the Patient Protection and Affordable Care Act and reviewing its benefits. I stand here today after the landmark Supreme Court decision to make people aware of the Republicans' efforts to repeal this historic piece of legislation.

The stakeholders must remember: seniors, the benefits with the prescription drugs already benefiting with $3.7 billion in savings; young adults who stay on their parents' plan until the age of 26, 6.6 million of you; small businesses who will experience tax credits of up to 50 percent by the year 2014; and women, women who suffered discrimination in premiums and on preexisting conditions like pregnancy. Imagine being defined a preexisting condition. 2014 they will stop.

These are just highlights, and this is why we need to, again, focus behind the Affordable Care Act and remember, it's the largest part of our GDP that keeps growing; and we need to have it under control in order to have our great economy.

CONGRATULATING DAVID BONNER FOR HIS 2011 PRESIDENTIAL AWARD FOR EXCELLENCE IN MATHEMATICS AND SCIENCE TEACHING

(Mrs. BIGGERT asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BIGGERT. Mr. Speaker, I rise to congratulate David Bonner on earning the 2011 Presidential Award for Excellence in Mathematics and Science Teaching. Mr. Bonner is a physics

teacher at Hinsdale South High School in Illinois.

As a former school board member for Hinsdale District 86, as well as a member of the Education and Science Committee, I have seen how important STEM education is in preparing our students to succeed in the 21st century. And I also know how special it is to have a great teacher who can inspire our students to get excited about a future in science, physics, math, and engineering.

Mr. Bonner should be very proud to join the ranks of only 97 teachers from across the country who have been selected for this award by a panel of distinguished scientists, mathematicians, and educators. He is a very important asset to our community, our children, and our future; and I wish him the best of luck in the future.

READ THE LAW

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

Mr. YARMUTH. Mr. Speaker, during the debate on the health care reform act, the Affordable Care Act, we continued to hear cries of ''read the bill, read the bill, read the bill,'' as if those of us who had supported the bill had not read it. As a matter of fact, I, among many, had read it; and we were astounded at the misrepresentations that were out in the public, foisted by our Republican opponents.

Well, I'm going to be generous today and assume that they just hadn't read that bill. But now that bill is unquestionably the law of the land. So I implore my Republican colleagues, before they continue to mislead and confuse their constituents, read the law. Read the law. Read the law.

PROVIDING FOR CONSIDERATION OF H.R. 5856, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2013; PROVIDING FOR CONSIDERATION OF H.R. 6020, FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2013; AND PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 4348, MOVING AHEAD FOR PROGRESS IN THE 21ST CENTURY ACT

Mr. WEBSTER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 717 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 717

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5856) making appropriations for the Department of Defense for the fiscal year ending September 30, 2013, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except for section 8121. During consideration of the bill for amendment, the chair of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. At any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 6020) making appropriations for financial services and general government for the fiscal year ending September 30, 2013, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except as follows: beginning with '': Provided'' on page 95, line 9, through ''level'' on page 95, line 11. Where points of order are waived against part of a paragraph, points of order against a provision in another part of such paragraph may be made only against such provision and not against the entire paragraph. During consideration of the bill for amendment, the chair of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 3. Upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read. The previous question shall be considered as ordered on the conference report to its adoption without intervening motion except: (1) one hour of debate; and (2) one motion to recommit if applicable.

SEC. 4. It shall be in order at any time on the legislative day of June 29, 2012, for the Speaker to entertain motions that the House suspend the rules, as though under clause 1(c) of rule XV, relating to the following: (a) measures addressing expiring provisions of law; and (b) a concurrent resolution correcting the enrollment of H.R. 4348.

SEC. 5. The requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported on the legislative day of June 29, 2012, providing for consideration or disposition of the following: (a) measures addressing expiring provisions of law; and (b) a concurrent resolution correcting the enrollment of H.R. 4348.

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

□ 0920

Mr. WEBSTER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my good friend and colleague, the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

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

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

There was no objection.

Mr. WEBSTER. Mr. Speaker, I rise today in support of this rule and the underlying bills.

House Resolution 717 provides for a standard conference report rule for the consideration of the conference report to accompany H.R. 4348, the Surface Transportation Extension Act of 2012, Part II, also known simply as the ''highway bill.'' The conference report for the highway bill represents a bipartisan and bicameral effort to address our aging national infrastructure and chronic unemployment with a 2-year authorization.

This long-term transportation bill, agreed to by both Houses and by both parties in this conference report, provides much-needed certainty. It provides certainty not only to States and to State governments but also to the transportation and construction industries and to those Americans whose livelihoods depend on them. Rather than another short-term extension measuring mere weeks or months, this bill authorizes transportation funding for 2 full years and allows businesses to plan ahead, hire workers, and grow.

The conference report ensures taxpayer dollars are spent on high-priority infrastructure projects that support jobs and economic activity. The conference report also contains significant reforms: it streamlines the lengthy bureaucratic approval process with reforms aimed at cutting the permitting process in half; it consolidates and eliminates duplicative Federal programs; and it embraces increased private sector involvement by leveraging

Federal, State, and local dollars with private sector funding. As importantly, it does all of this without any earmarks and without any spending increases.

The conference report also extends the current student loan rate of 3.4 percent for student loans for another year. This ensures that young Americans have certainty when it comes to the terms of their student loans for the coming year; and because it is paid for, the conference report ensures that no further debt will be heaped upon the American taxpayer.

Finally, the conference report reforms and reauthorizes for 5 additional years the Federal Flood Insurance Program. This program is depended upon by so many in times of natural disaster.

House Resolution 717 also provides for an open rule both for the Department of Defense Appropriations Act of 2013 and the Financial Services and General Government Appropriations Act of 2013.

The Department of Defense Appropriations Act of 2013 includes funding for critical national security needs, and it provides the resources needed to continue the Nation's military efforts abroad. In addition, the bill provides essential funding for health and quality-of-life programs for the brave men and women of our Armed Forces and their families.

The Financial Services and General Government Appropriations Act of 2013 has jurisdiction over agencies responsible for regulating the financial and telecommunications industries; collecting taxes and providing taxpayer assistance; supporting the operations of the White House, the Federal judiciary, and the District of Columbia; managing Federal buildings; and overseeing Federal workers. The activities of these agencies impact nearly every American and are an integral part of the operations of our government.

So, once again, Mr. Speaker, I rise in support of the rule and the underlying bills. I encourage my colleagues to vote ''yes'' on the rule.

I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I thank my friend and colleague for yielding the time, and I yield myself such time as I may consume.

I rise to express my disappointment, not necessarily in this measure, but in how it has come about. We are here considering a rule for five unrelated measures the day before we recess for the 4th of July. Once again, we are rushing to the floor with vital legislation that most Members have hardly had the chance to read. This rule is the very embodiment of congressional dysfunction.

While my colleagues are busy playing political games, our Nation's infrastructure is crumbling, and we all know that. Tuition costs are rising, and we all know that. The economy is struggling. Perhaps, if my Republican friends weren't so preoccupied with appeasing their base, we wouldn't find ourselves in this position yet again.

We could have taken care of student loans back in March when the House first considered a measure to keep current rates. However, instead of paying for it in a way that was amenable to both sides of the aisle, the Republican leadership chose to pay for it by cutting much-needed preventative health funding. The President said he would veto the bill in this form, yet Republicans still chose to waste this body's time and defer to the Senate to come up with an affordable pay-for.

The transportation bill we are considering has been an even longer time in coming—over 3 years to be exact. While the conference report is not perfect, it is clear that we must pass a long-term reauthorization so that construction projects all across the country can move forward with repairing and improving our Nation's aging transportation system and infrastructure. Yet, once again, we find ourselves racing against the clock.

Without a long-term bill, opportunities to truly invest in our Nation's infrastructure and economy will continue passing us by. Without a long-term bill, construction projects all across the country could shut down. Without a long-term bill, 3 million Americans will be faced with not having a job after Saturday. We should not have to pass nine extensions over 3 years' time to get to this point, and we would be better served than this 27th-month extension if we did a 4- or a 5-year bill.

Infrastructure investments are essential to our Nation's economic growth and prosperity. This reauthorization should never have been held hostage by political gamesmanship. There is simply too much at stake. Short-term extensions put millions of jobs and the safety of our Nation at risk by casting great uncertainty on long-term transportation and infrastructure projects. This is unacceptable.

□ 0930

While I'm not happy about every provision in the flood insurance portion of this conference report, after 10 years since its last reauthorization and countless short-term extensions, it's about time that we get a long-term extension.

The National Flood Insurance Program insures 5.6 million properties across every State in the Nation. Yet, one Senator from Kentucky refused to allow the bill to go forward on the most specious of reasons, a vote on abortion. I have yet to hear the Senator explain what abortion has to do with flood insurance or why he would threaten the security of the homes of all those Americans just to make a political point. I guess I shouldn't be too surprised. Last night, I read where he said just because two or more persons at the Supreme Court make a decision, that doesn't mean that it's constitutional. I hope this guy goes back to law school, if he ever went.

Finally, on today's underlying appropriations measures, I can only say: here we go again. Once again, the Republicans refuse to provide the necessary funds to reach the hardest-hit Americans. Once again, the Republicans kowtow to corporate power rather than provide the resources to keep rampant excesses at bay. And once again, my friends on the other side of the aisle choose to undermine the long-term priorities of this Nation in favor of partisan posturing.

I've said before and I maintain again and now that the Republicans are living in a world of let's pretend. In ''Alice in Wonderland,'' Alice said that ''if she had a world of her own, everything would be nonsense.'' In the Republican world, as Alice said, ''Nothing is what it is, because everything is what it isn't.'' In the Republican world, Mr. Speaker, the best way to rein in the most corrupt practices of Wall Street is to underfund the SEC; the best way to close a $400 billion tax gap is to force the IRS to fire thousands of taxpayer support employees; and the best way to ensure our national defense is to continue to pump in billions and billions of dollars into nuclear weapons that serve no earthly purpose but to destroy our Earth. What part of ''we have enough nuclear weapons to destroy every human being 25 times'' do we not understand?

In this world, increasing unemployment somehow improves our economy; defunding essential government programs somehow helps the hardest-hit Americans; and cutting domestic programs in health care, education, infrastructure, and economic development while increasing Defense Department funding somehow serves the long-term needs of this country. Well, it doesn't. For months we've known that student loan rates were set to rise; for months we've known that the highway bill was going to expire; and for months we've done nothing but use the House floor as a political playground.

Mr. Speaker, our country cannot prosper if every major piece of legislation is held hostage to partisan interests. As Alice said—again referring to ''Alice in Wonderland''—''of all the silly nonsense, this is the stupidest tea party I've ever been to in all my life.''

With that, I reserve the balance of my time.

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

Mr. HASTINGS of Florida. Mr. Speaker, I'm very pleased at this time to yield 3 minutes to the distinguished gentlewoman from Sacramento, California, a former member of the Rules Committee, my good friend, Ms. MATSUI.

Ms. MATSUI. I thank the gentleman from Florida for yielding me time.

Mr. Speaker, this conference report includes a transportation bill that will help put Americans back to work and rebuild our infrastructure. It will also

ensure that students will not see an interest rate hike on their loans. This package also includes a much-needed 5-year extension of the National Flood Insurance Program. This comes after 17 short-term extensions.

Mr. Speaker, I represent Sacramento, which is the most at-risk metropolitan area for major flooding, as it lies at the confluence of the American and the Sacramento Rivers.

Since Hurricane Katrina, more than 25,000 homeowners in my district have been remapped, and flood insurance is now mandatory for them. The average homeowner in Sacramento that has been remapped currently pays about $350 for a PRP policy. That's a preferred-rate policy. Beginning in 2013, they were set to pay $1,350 once the PRP rate expired. However, that is no longer the case.

This bill contains a number of important provisions, including a flood insurance phase-in amendment offered during debate on the House NFIP bill last July. Instead of overnight sticker shock for homeowners, the provision allows for the price of flood insurance to be phased in at 20 percent per year over 5 years to the full policy price, when preferred-risk policies are no longer available in their community.

Specifically, it will effectively allow homeowners next year, in 2013, residing in Sacramento and the rest of the country, to pay close to if not the same amount they're currently paying. Each year after that, the price of flood insurance will continue to be both affordable and predictable, only rising by 20 percent until it reaches full price in year five. This provision will save the average policyholder in a remapped area hundreds of dollars, if not a few thousand, over the next 5 years.

Mr. Speaker, this provision offers real savings, especially in these trying economic times, whether it's for a senior citizen on a fixed income or a family struggling to make ends meet.

Finally, I would like to commend Chairwoman BIGGERT and Ranking Member WATERS for working with me, for their continuous efforts to preserve this amendment and work towards achieving this 5-year extension.

Mr. WEBSTER. Mr. Speaker, I yield 4 minutes to my good friend from Georgia (Mr. WOODALL).

Mr. WOODALL. Mr. Speaker, I thank my friend from Florida for yielding.

It's not often that I find agreement with both of my friends from Florida at the same time. When I listened to my friend from Florida, my Democratic colleague on the Rules Committee, in his opening statement, he's absolutely right. We're bringing five completely unrelated provisions to the floor in this conference report today, and we're bringing it in a rushed fashion so folks can get out of here and go home for the 4th of July week.

I agree with my friend from the Republican side of the aisle, my freshman colleague, who says this is just a standard conference report rule. That's absolutely right. All of these things that the gentleman from Florida, my Democratic colleague, finds troubling are just part of the standard conference report process.

I've been watching this process for a long time. I may be a freshman, but I've been watching it for a long time. And it's just the way things go around here. We've done better. To be fair to this House leadership, over the 18 months that I've been here in Congress, we've done better. We've made a commitment to bring one idea to the floor at a time, and 99 percent of the bills I've voted on have been 10 pages or less, and I could read them. I didn't have to staff it out. I could do it myself.

But something happens when we get to this conference report time. Mr. Speaker, the question goes to our colleagues. I suspect if we put the question to our colleagues—my friend from Florida knows it's true: Would you rather rush these five unrelated bills to the floor today and get home for all the commitments you've made over the weekend, or would you rather stretch this thing out and do it right?

Mr. HASTINGS of Florida. Will the gentleman yield?

Mr. WOODALL. I yield to the gentleman from Florida.

Mr. HASTINGS of Florida. You can't really believe that it should be standard procedure for us to do a 600-page bill that CBO has not scored until 10 minutes ago.

Mr. WOODALL. Reclaiming my time, I absolutely do not believe it should be standard procedure, but it is. It has been the entire time my friend from Florida has been serving here in this House.

Again, we've done better. To the credit of my freshmen colleagues, we've done better over these last 18 months, and we will continue to do better. But Chief Justice Roberts had it right yesterday: elections have consequences. The American people are responsible for what goes on here. Mr. Speaker, we keep this calendar for a reason. We do it out of a need for service. You and I both have commitments to constituents starting at dawn tomorrow morning.

□ 0940

We have commitments to constituents to keep transportation bills going, to work with student loans, to reauthorize flood insurance, on and on and on. We have competing commitments to our constituents. I would just hope, Mr. Speaker, that if you were asking your constituents, that they would say, You know what; I would rather you cancel on me this weekend and stay up there and get it right than rush it through.

Now, with that said, it has not been partisan politics that's kept us from getting it here until this point. We've been working hard on this. To the credit of the folks on the transportation conferee committee, they have been working hard. And this was just the best they could do, getting it done today, for whatever reason. This town only operates in crisis.

I say to my friend, if we can work towards regular order, I would love to see regular order come to this institution. We have done better. Eighteen months on the job since I have been here, you and I. We have done better. My colleague from Florida and I. We have done better. But we can still do better. But we're only going to do better if the constituents demand it.

The Supreme Court had it right. You can throw out the folks who aren't doing it right. Mr. Speaker, I encourage you to encourage all voters to look at what we do, see when we're getting it right and tell us, and see when we're getting it wrong and ask us to do better. We can do better. We will do better.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 2 minutes to my very good friend from the Virgin Islands, Dr. CHRISTENSEN.

Mrs. CHRISTENSEN. I thank the gentleman for yielding.

After 20 years of being fully and fairly included in the surface transportation bills, what is being voted on today cuts funding to the smaller territories by $10 million. And while I am glad our sister territory of Puerto Rico as well as the States and District of Columbia are level-funded, it just seems grossly unfair that only the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Marianas are singled out for cuts.

Why cut $10 million? Or it could have been spread out across the entire bill and not raised a blip in the 50 States, the District, or Puerto Rico. But for us small economies, it's a big blow.

That being said, it could have been worse. This body would have made our funding discretionary and, therefore, not secure. So while I decry the cuts, I have to thank the Senate for hearing our pleas and keeping our funding in the trust fund.

After all of the time, though, that we have waited for even this 2-year, 3-month infrastructure and job-creating transportation bill and knowing the need to keep college affordable and reauthorize flood insurance, I cannot, in good conscience, oppose the bill before us today.

But what is being done to the territories is unfair and discriminatory. And since it makes so little difference in the overall bill, it seems deliberately and unnecessarily punitive to us loyal Americans who serve and shed our blood just like every other in the defense and love of this, our country. Fairness would demand that it be restored.

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

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased at this time to yield 5 minutes to the distinguished gentleman, my good friend from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentleman's courtesy in permitting me to speak on this bill.

Mr. Speaker, there's no small amount of irony that we are having this discussion today. It's on the anniversary of President Eisenhower signing into law the National Defense Highway Act. This weekend will be the 150th anniversary of the Transcontinental Railroad Act, signed into law by Abraham Lincoln. There was an era when Republicans believed in infrastructure and development.

In fact, for most of our history, actually, infrastructure has not been partisan. It's been something that people on this House floor could come together to work on. There would be differences, to be sure. But for the 20 years that I've been involved with this issue, we've been working to broaden our view of how to make transportation work better, involve citizens, more flexibility, make the dollars stretch. This came crashing to a halt with this Congress.

Now the bill that's going to come before us, I will very reluctantly vote in favor of it in part because of what's not in it. Remember, our Republican colleagues tried to force through a bill which, for the first time in history, had never had bipartisan work that came out of the Transportation and Infrastructure Committee, that came out of Ways and Means. In fact, it never even had a full committee hearing, rush-to-work session. Mercifully, it collapsed before it came to the floor.

And one of the reasons I'll vote for this bill is because what the Republicans wanted has been rejected. Remember, they wanted to take away all the funding guarantees for transit. Working with the Senate, we were able to resist that effort. They wanted to gut environmental protections.

And while you're going to find that there are some problems with this legislation, at least it's not as bad as what our Republican colleagues wanted. They wanted to completely eliminate the guarantees for transportation enhancements, for bikes and pedestrians. They were even going to eliminate the wildly popular Safe Routes to School bill. Well, most of that has been retained, although they were successful in gutting the provisions, for some reason, for Safe Routes to School.

We have a bill that actually is a little higher in terms of the funding level than what the Republicans wanted, and it is at least going to be guaranteed for 2 years. It has some provisions that are important to those of us who have rural schools, Oregon among them. It's going to make a big difference. Putting this extraneous provision in is going to help. A little help in terms of student loans. And we worked in the finance title to be able to have the money come from something that's actually going to make it more likely that we stabilize some private pension programs.

So it's not without merit. There are important things here. But the main reason to vote for it is because we've been able, working with the Senate, to resist what the Republicans attempted to inflict on the House and the American people.

But make no mistake, it is not a bill to be proud of. As I mentioned, it dramatically reduces the funding for the transportation enhancements. There is no rail title. There will be reductions in citizen opportunities for environmental protection and participation.

It is, sadly, a missed opportunity that didn't need to happen. They could have allowed the Senate bill, in its entirety, to be voted on, and I'm confident that would have passed. Or wonder of wonders, they actually could have worked, like we used to do, in a bipartisan fashion. The last transportation bill under Republican control passed with 412 votes.

Well, we've missed an opportunity. At precisely the time when America needs more investment in renewing and rebuilding, for transit, for roads, for rail, for water and sewer, there are a whole range of things that we should be coming together to work on.

I hope that the American public looks very closely at what was attempted here in the last 6 months, they look at what we managed to stagger through, and that it is a wake-up call for people to be engaged.

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

Mr. HASTINGS of Florida. I yield the gentleman an additional 30 seconds.

Mr. BLUMENAUER. I have worked for 5 years with a broad coalition of stakeholders that's not partisan, that are committed to working together on a vision for how we're going to rebuild and renew the country, how we're going to revitalize the economy, and how we make our communities more livable, our families safer, healthier, and more economically secure.

If we're able to use this flawed process and sadly inadequate bill as a springboard, maybe in some ways it will have been worth it.

Mr. WEBSTER. Mr. Speaker, I just want to remind everyone again, as I said in my opening remarks, this bill has no earmarks. Yes, we know how they did it in the past, with 6,000, 7,000, 8,000 earmarks, and certainly there would be a lot of support among individual Members if that were the case. This bill has no earmarks. It's good policy.

□ 0950

The Federal Government says: We know all. We know everything that's needed in every single community, and we can stamp out one of our famed cookie-cutter approaches to funding transportation, as we used to do, so that every single dollar has a little teeny category and every State is brought into spending within those little teeny categories.

Yes, we could have done that, but that's the old way of doing it. We did it a different way. We actually had a conference, no earmarks, and we gave States flexibility. We sent to the States the opportunity to decide. Did we take out any of those things that were mentioned? Absolutely not. They're all options. So every single dollar we send to the State, the State has an opportunity to say, Maybe we don't want to do a sound barrier, whatever it is that's there. No, we can take the flexibility that's given to us, we can use it. We can use it to our benefit far better to build transportation from the ground up rather than to build it from the top down, Washington, D.C. cookie-cutter style.

I yield 2 minutes to the gentlelady from Illinois (Mrs. BIGGERT).

Mrs. BIGGERT. Mr. Speaker, I rise today to urge my colleagues today to support this bipartisan compromise to enact three of our top economic priorities.

Some people have said, Well, we don't like the bundling; we don't like putting three bills together. But I think this is the art of compromise, and this is the art of the possible. Because all three of these bills are very important to all of us, I think, and to have this bipartisan way to do this, I think this is the way that we should go.

I started out with the flood insurance bill. And before we even had a bill, we did a draft so that every group could look at it, so that every Member could look at it and be a part of it and to have what they thought was necessary or to talk about what they didn't think was necessary. So we came up with a bill that came out of my Financial Services Subcommittee by voice vote, but out of the Financial Services Committee last June, 54–0. And people said, How did that happen? Well, it happened because we got together and worked before we really just said, Vote for my bill. And I think it's so important that we do this and get back together to be able to work in a bipartisan way. The gentlelady from California was my cosponsor. And everybody joined together.

So I think it's really important. Actually, the student loan bill is also my bill. So I really care about what is going on this morning and that we can really get together and pass these. And the transportation bill is so important to all of us. Several of us in Illinois had real concerns about how the transit part of that bill was going to be in it and really wanted to do something like what the Senate had done and include that in the trust fund.

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

Mr. WEBSTER. I yield the gentlewoman an additional 15 seconds.

Mrs. BIGGERT. So I really thank the gentleman, and I think that it took a lot of compromise on both sides of the aisle. But this agreement safeguards the things in all of the bills such as the suburban transit options and funds critical road and bridge projects. So it's been a long time, but I encourage

my colleagues to look at the big picture and lend this agreement their strong support.

Mr. Speaker, I rise today to encourage my colleagues to support this bipartisan compromise to enact three of our top economic priorities: an extension of lower student loan rates, reform of the National Flood Insurance Program (NFIP), and a long-term transportation bill.

All three face tight statutory deadlines. And this agreement gives us the momentum to get all three over the finish line.

Reforming the NFIP will restore financial security to the flood program, which yields savings for taxpayers and stability in the housing market.

And extending affordable loan rates for our students will ensure that our young graduates don't have to pay the price for gridlock in Washington. Already, half of recent graduates are either unemployed or underemployed, and now is not the time to burden them with more debt and higher education costs.

Both of these proposals began here in the House with legislation I sponsored. And both passed in the House with bipartisan support. Today, we can send them to the President alongside a third critical economic priority—a long-term transportation bill.

This agreement includes a two-year extension of federal transportation funding, avoiding the need for another short-term bill.

In my home State of Illinois, transportation managers need a long-term bill to invest in the road and rail projects that will keep commerce and traffic moving—not to mention create jobs.

Mr. Speaker, it took a lot of compromise—on both sides of the aisle—but this agreement safeguards suburban transit options and funds critical road and bridge projects.

It's been a long, tough fight, but I encourage my colleagues to look at the big picture and lend this agreement their strong support.

Mr. HASTINGS of Florida. Mr. Speaker, would you be kind enough to tell me the time remaining for both sides.

The SPEAKER pro tempore. The gentleman from Florida (Mr. HASTINGS) has 13½ minutes, and the gentleman from Florida (Mr. WEBSTER) has 18¾ minutes.

Mr. HASTINGS of Florida. Thank you very much, Mr. Speaker.

I am very pleased at this time to yield 4 minutes to my good friend, the distinguished gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. Let me thank the distinguished gentleman from Florida for his courtesies and his friendship. We've known each other a long time, and his service has been one of great commendation, and the manager as well.

We've gathered here on the floor this morning, and I want to acknowledge that the legislative process is not always pretty, but there are lives embedded in this legislation today. And though I have concerns, I am more pointed toward this House doing things to improve the quality of life for Americans who stand by the wayside and the highways of despair waiting for us to provide jobs to improve the conditions of infrastructure and their lives.

Over the past 2 years, we have seen tornadoes. We've even seen an earthquake here in Washington, D.C. We've seen hurricanes on the coastline where I come from in Texas. And in Florida, just recently, Hurricane Debby has pierced the infrastructure. Obviously, this legislation points to some of those needs.

As I stand here today, I do want to take note of a comment made by a person in the other body and suggest to Attorney General Holder: Do not resign. We have better things to do than to speak to a Cabinet officer who is a commended public servant. So I want to make sure that that does not occur.

But as I discuss this legislation, I think it is important to note several things. One, there are young people that are facing the uphill battle of getting a college education. Now we'll have a refuge. I held a town hall meeting, and to hear the stories of $37,000, $50,000, $90,000 in debt that these young people have. And they are first and second year. They are sophomores and juniors. Or maybe the veteran who does not fall into the schedule of veterans benefits with college and that person has an enormous amount of debt.

And so I'm grateful that we have frozen that interest rate; and we should say loudly to the students who are now studying that America cares about them and this House will care about them.

Now, I am concerned. And I am reading language that indicates while there's been significant progress regarding MWBEs—and this bill has $13 billion in it for surface transportation and highways—there is concern expressed in this report that we have not really met our goals to help small businesses and minority-owned businesses and women-owned businesses. And in actuality, they have an outreach goal of 10 percent. Do we realize that there are some that are receiving Federal funds that don't even meet that goal? And I'm going to cite Houston Metro, because I was proud to have this body provide $900 million to Houston Metro; but I'm disappointed in their lack of commitment to MWBEs.

And so this is an important statement. As I read the language, it is adding women to this to create jobs. And we want to work together. We don't want to be fighting against each other. But we create jobs and we help small businesses. And that is crucial. Mass transit has been helped. But I want to note the jobs that President Obama and Democrats have been speaking of are now focused in this bill. Because as we begin to fix the crumbling infrastructure and the $13 billion that we've committed to mass transit, the highways, to the construction of infrastructure and bridges that are crumbling and those that have now been the subject of tornadoes, as I indicated, of hurricanes, deteriorating infrastructure, it can now be revitalized and rebuilt.

So, Mr. Speaker, and to my colleagues, yes, I will be voting on this conference report and acknowledge the work that has been done. But more importantly, Mr. Speaker, to acknowledge that legislation sometimes, when you have to pull things from people who are desperate, may not be a process that one says is the ordinary process. But I like the fact that ordinary people have done extraordinary things. And this is an extraordinary legislative initiative with its problems, but with $13 billion going to the people of the United States and protecting our young people and doing the business of the American people, as opposed to other direction. I hope that we will move forward in serving the American people.

□ 1000

Mr. WEBSTER. Mr. Speaker, I reserve the balance of my time, and if I could ask the gentleman how many more speakers he has.

Mr. HASTINGS of Florida. Two more, possibly three, but we're moving rapidly.

I'm pleased to yield 2 minutes to my good friend and colleague, the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. I thank my friend for yielding.

The seeds of this bipartisan agreement were sown in the other body 3 or 4 months ago; and, frankly, I wish these agreements had been brought to this floor a lot sooner. They would have done a lot more good, but I'm glad that these agreements are here today.

This is a bill that will help create jobs in the transportation sector. It's overdue. It's a bill that will help our real estate industry by resolving matters about the national flood insurance program. That is overdue. And it's a bill that will avoid a dramatic doubling of student loan interest rates on Sunday, which is long overdue, so it's worth supporting.

I want to commend the negotiators on both sides for another provision regarding pension law that helps offset and pay for the provisions in this bill because it, I believe, will represent a significant investment by businesses around the country in job creation and purchasing of equipment and capital goods.

Under the terms of the pension payfor in this bill, American employers will have about $28 billion for the next year to spend on something other than pension plan contributions. Now their pensions will be safe and secure, but this is $28 billion that will be available to these companies—private money—to hire people, to buy equipment, to invest in their companies and to help their businesses grow. This is businesses as large as some of the major companies in our country and businesses that are quite small.

So one of the reasons to support this legislation is, in fact, it includes for

this year alone a $28 billion opportunity for the private sector to help put Americans back to work. This is a good idea. It was advanced by both Republicans and Democrats in this body and the other body, and I hope that we receive a ''yes'' vote for it here today.

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

Mr. HASTINGS of Florida. Mr. Speaker, I'm very pleased at this time to yield 2 minutes to my good friend, the gentlewoman from California (Ms. RICHARDSON).

Ms. RICHARDSON. Mr. Speaker, I rise in support of the conference report on H.R. 4348, the Surface Transportation Extension Act, which provides funding for the Federal-aid highway program through fiscal year 2014 at current funding levels.

Among other things, the conference report makes key investments in our Nation's infrastructure critical to goods movement, which is specifically very important to me in my district, and the additional $500 million that is there for projects of national and regional significance.

The conference report also calls for a national freight strategic plan, and it encourages States to develop State freight plans to incentivize those States to invest in freight projects, policies, and to make sure that we can make progress in that area that has long avoided us.

In recent days, some Members have come down and expressed a desire for the Federal Government to adopt a national freight policy. As a member of the Transportation Committee representing the 37th Congressional District, I represent a very transportation-intensive district, and that's why last March I introduced a bill, H.R. 1122, the Freight Focus Act. That particular legislation was supported very much across the aisle and included support of the American Association of Port Authorities, the American Trucking Association, Operating Engineers, and many more.

My Freight Focus Act was to establish an office of freight planning within the office of the new assistant secretary, and many of those ideas have been incorporated.

As we look forward at this bill, it certainly is not what we had hoped for. We had hoped for something more like a 5-year reauthorization. That would be helpful, but at this point, given our limitations, the key thing I would like to see us focus on is to ensure that there is a strong freight plan, and I look forward to working with my colleagues to make sure that's implemented.

Further, my legislation created a goods movement trust fund. That is something that is not addressed in this legislation but should be considered as we go forward.

As you can see, there are sound freight policies. I have been a leader of that in working with Chairman MICA and others, and I look forward to us bringing forward not only this bill, but many more to come which will put Americans back to work.

Mr. WEBSTER. Mr. Speaker, I reserve the balance of my time to close.

Mr. HASTINGS of Florida. I yield myself the balance of my time to close.

Mr. Speaker, it's a shame that we are here today considering this hodgepodge measure. For too long, my Republican colleagues have used this House to further their partisan agenda rather than the interests of the Nation.

So it is no surprise that, once again, we are rushing to the floor to take care of business that should have been taken care of months ago. Time and again, when given the choice between reasonable, bipartisan measures and blatantly partisan policies, Republicans have chosen to pander to the extreme wing of their conference. They have passed bills they know will be dead on arrival in the Senate, pursued legislation with no hope of being signed into law, and attached controversial measures to otherwise innocuous matters.

While Republicans are busy playing politics, Americans have been wondering how they're going to get a job, put a roof over their heads, or afford to pay for college or food.

Though I'm glad these measures are finally being brought to the floor, our constituents deserve better. On this measure, 600 pages, the dead of night last night, five measures put together under one, and we received a CBO score just a few minutes ago. Most Members in this body don't have any idea what's in this bill or how much it costs.

This Republican tactic of saying ''no'' to everything is dragging down our Nation, slowing our recovery, and threatening the survival of important and necessary government programs. There's serious work to do here in the House of Representatives, and my and your constituents can't afford to sit around and watch this spectacle.

I yield back the balance of my time.

Mr. WEBSTER. Mr. Speaker, as I have said during previous debates on short-term transportation extensions, our national infrastructure is aging, stable construction jobs are lacking, unemployment lingers about 8 percent nationally and a little over 9 percent in Florida. Regrettably, that remains the case today, many short-term extensions later. However, unlike the past, the House and Senate have come together to offer a glimmer of certainty to try to address these problems.

A long-term, multiyear highway reauthorization is critical to rebuilding our Nation's infrastructure, reforming antiquated and inefficient transportation programs, strengthening our economy, and creating jobs. A long-term authorization also provides for certainty and stability necessary for the transportation industry to contain costs through long-term planning.

This agreement, while not perfect, is long overdue. It will begin to chip away at the bloated bureaucracy which defines our Federal transportation system. It will create jobs and it will promote economic activity in our local communities, all without adding to the deficit. For these reasons, I ask my colleagues to join me in favor of this rule.

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

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

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

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

The yeas and nays were ordered.

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

RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Ms. JACKSON LEE of Texas. Mr. Speaker, I now rise to a question of the privileges of the House and offer the resolution previously noticed.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 718

Whereas the chair of the Committee on Oversight and Government Reform has interfered with the work of an independent agency and pressured an administrative law judge of the National Labor Relations Board by compelling the production of documents related to an ongoing case, something independent experts said ''could seriously undermine the authority of those charged with enforcing the nation's labor laws'' and which the House Ethics Manual discourages by noting that ''Federal courts have nullified administrative decisions on grounds of due process and fairness towards all of the parties when congressional interference with ongoing administrative proceedings may have unduly influenced the outcome'';

Whereas the chair of the Committee on Oversight and Government Reform has politicized investigations by rolling back longstanding bipartisan precedents, including by authorizing subpoenas without the concurrence of the ranking member or a committee vote, by refusing to share documents and other information with the ranking member, and restricting the minority's right to call witnesses at hearings;

Whereas the chair of the Committee on Oversight and Government Reform has jeopardized an ongoing criminal investigation by publicly releasing documents that his own staff has admitted were under court seal;

Whereas the chair of the Committee on Oversight and Government Reform has unilaterally subpoenaed a witness who was expected to testify at an upcoming Federal trial, despite longstanding precedent and objections from the Department of Justice that such a step could cause complications at a trial and potentially jeopardize a criminal conviction;

Whereas the chair of the Committee on Oversight and Government Reform has engaged in a witch hunt, through the use of repeated incorrect and uncorroborated statements in the committee's ''Fast and Furious'' investigation; and

Whereas the chair of the Committee on Oversight and Government Reform has chosen to call the Attorney General of the United States a liar on national television without corroborating evidence and has exhibited unprofessional behavior which could result in jeopardizing an ongoing Committee investigation into Operation Fast and Furious: Now, therefore, be it

Resolved, That the House of Representatives disapproves of the behavior of the chair for interfering with ongoing criminal investigations; insisting on a personal attack against the attorney general of the united states; and for calling the Attorney General of the United States a liar on national television without corroborating evidence thereby discredit to the integrity of the House.

The SPEAKER pro tempore. The resolution presents a question of privilege.

MOTION TO TABLE

Mr. WEBSTER. Mr. Speaker, I move to lay the resolution on the table.

The SPEAKER pro tempore. The question is on the motion to table.

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

Ms. JACKSON LEE of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to table will be followed by a 5-minute vote on the adoption of House Resolution 717.

The vote was taken by electronic device, and there were—yeas 259, nays 161, not voting 12, as follows:

[Roll No. 443]

YEAS—259

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

NAYS—161

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

NOT VOTING—12

Akin
Barton (TX)
Clyburn
Conyers
Crowley
Filner
Fortenberry
Jackson (IL)
Johnson, E. B.
Lamborn
Lewis (CA)
Platts

□ 1035

Messrs. ELLISON and WELCH changed their vote from ''yea'' to ''nay.''

Messrs. CHAFFETZ, DUNCAN of Tennessee, McKINLEY, KIND, ALTMIRE, COSTA, Mrs. LUMMIS, Mr. SCOTT of Virginia, Ms. HOCHUL, and Messrs. NUGENT and NUNNELEE changed their vote from ''nay'' to ''yea.''

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 443, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "nay."

PROVIDING FOR CONSIDERATION OF H.R. 5856, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2013; PROVIDING FOR CONSIDERATION OF H.R. 6020, FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2013; AND PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 4348, MOVING AHEAD FOR PROGRESS IN THE 21ST CENTURY ACT

The SPEAKER pro tempore. The unfinished business is the vote on adoption of the resolution (H. Res. 717) providing for consideration of the bill (H.R. 5856) making appropriations for the Department of Defense for the fiscal year ending September 30, 2013, and for other purposes; providing for consideration of the bill (H.R. 6020) making appropriations for financial services and general government for the fiscal year ending September 30, 2013, and for other purposes; and providing for consideration of the conference report to accompany the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 244, nays 176, not voting 12, as follows:

[Roll No. 444]

YEAS—244

Adams
Aderholt
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Bass (NH)
Benishek

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

NAYS—176

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

NOT VOTING—12

Akin
Barton (TX)
Clyburn
Conyers
Filner
Gohmert
Harris
Jackson (IL)
Johnson, E. B.
Lamborn
Lewis (CA)
Platts

□ 1043

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 444, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "nay."

PERSONAL EXPLANATION

Mr. AKIN. Mr. Speaker, on rollcall No. 443 and 444, I was delayed and unable to vote. Had I been present I would have voted "yea" on rollcall No. 443, and "yea" on rollcall No. 444.

PERSONAL EXPLANATION

Mr. CONYERS. Mr. Speaker, on June 29, 2012, I regret that I was not present to vote on the Motion to Table the Jackson Lee Privileged Resolution and H. Res. 717.

Had I been present, I would have voted "nay" on both bills.

CONFERENCE REPORT ON H.R. 4348, MOVING AHEAD FOR PROGRESS IN THE 21ST CENTURY ACT

Mr. MICA. Mr. Speaker, pursuant to House Resolution 717, I call up the conference report on the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 717, the conference report is considered read.

(For conference report and statement, see proceedings of the House of June 28, 2011, at page H4432.)

The SPEAKER pro tempore. The gentleman from Florida (Mr. MICA) and the gentleman from West Virginia (Mr. RAHALL) each will control 30 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. MICA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the conference report to accompany H.R. 4348.

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

There was no objection.

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

Mr. Speaker and my colleagues, it has indeed been a very bumpy road to get to this point where we could pass a transportation bill.

First, I have to thank my colleagues. I want to particularly thank the Speaker of the House of Representatives who stuck by me, who insisted that we pass this legislation that we worked on together in the best interest of the people of the United States, particularly in a time when people have lost their jobs, particularly at a time where the construction industry is at its lowest point in probably our history, and particularly at a time when it's important for Congress to act, not just to talk about problems that we have, but to get things done in the best interest of the people of the United States.

□ 1050

So I want to thank first the Speaker. I want to thank my colleagues who participated. I want to thank the staff who have been up almost nonstop for 2 weeks day and night trying to help wrap this up.

I'm not particularly pleased with some of the twists and turns. Let me say, first of all, my predecessor Mr. Oberstar, I regret that he was not able to achieve what we've achieved. He was undermined, unfortunately, by this administration to pass a bill. I tried to help him to pass a bill, not for partisan reasons or political reasons, but, again, for the people that we represent and trying to get this country, the economy moving forward. They had to pass six extensions. I was forced to pass three. But we're here today because so many people worked so hard.

One of the funniest things that happened to me during the passage of this bill—and you know that people have been kind of tough on me during this process—is I came to the floor one morning after a particularly tough time, and a staffer looked at me and he said, Mr. MICA, your shirt is awfully clean. He looked at my shirt, opened

my coat, and he said, Your shirt is awfully clean.

I said, What do you mean?

He said, For someone that's been thrown under the bus so many times, you don't have many tire tracks on you.

One of the light moments in this process.

But you know what you have to do is, when they throw you under the bus, you get up, you right yourself, you dust yourself off, and then you gain even more determination to win and get the job done. And that's what we're doing today.

Today we're passing a bill, again, that the other side couldn't pass when they had complete control of the White House, the Senate, and the House of Representatives. We're passing this today, ironically, in the week that they passed the first transportation bill in Congress, and it was signed into law back in June of 1956.

This isn't the bill that exactly I would like, but this is a bill that, first of all, has the most historic reforms in the Federal participation in transportation programs in its history, since its adoption back in 1956. Those reforms are included, and there is a dramatic change in consolidation of some of the programs that mushroomed. Government mushrooms. Nobody does anything about reining in the size of government. This bill does something about that.

This bill takes the plea that we've heard from Beckley, West Virginia, to the west coast, from sea to shining sea in an unprecedented number of hearings across the country. And people said the whole paperwork process, red tape of Federal Government involved in transportation projects has to be changed. And we change it here for the first time historically, dramatically reducing the time that it takes to permit and go forward with a project, dramatically reducing the cost, dramatically reducing the mandates, increasing the flexibility for local government. So we have a streamlining process, unprecedented.

Now, this wasn't easy to do because my previous chairmen—and one of them that, at least, is here—they had a little thing called earmarks. In fact, the last bill had 6,300 earmarks. And you see, my hands are behind my back. I don't have them tied, but I didn't have the ability to pass out earmarks and the other little goodies in this bill. Instead, we had to focus on policy. And this is good policy. This is good policy for transportation safety. This is good policy for, again, reforms, and it's good policy for moving forward projects across the country and putting people to work.

''Shovel-ready'' will no longer be a joke. The administration, when they tried the stimulus dollars to throw that money out there, 35 percent was left in the Federal Treasury 2½ years after we passed the bill because ''shovel-ready'' even made the President and others cringe at the thought of how Federal red tape and paperwork stops projects in their progress.

So those are some of the reforms.

I'm grateful, again, for all that helped us move in a positive bipartisan direction.

I want to compliment Senator BOXER. She and I are probably like oil and water when it comes to political philosophy, but we joined together, like everyone should do, to get the people's work done and to get people working in the United States and pass this long overdue legislation.

I reserve the balance of my time.

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

As with health care in the aftermath of yesterday's landmark Supreme Court decision, it's now time to move forward and put the divisiveness which has plagued the enactment of a surface transportation reauthorization bill for the first time in decades behind us and coalesce in support of the pending conference agreement.

This bill makes a sound investment in America. Fifty-six years ago, a Democratic Congress and a Republican President came together. And on this day in 1956, President Dwight D. Eisenhower signed into law the Federal-Aid Highway Act, which established the interstate system of highways. This historic piece of legislation created a transportation system in this country that awed the world. Yet in recent decades, our roads, bridges, trains, and transit systems have slipped into decline because we have failed to make the necessary investments to improve the condition and performance of this network.

The pending legislation will not completely reverse the course of this decline, but, at the very least, States will see no reduction in the infrastructure investment funding that they desperately need to tackle crumbling roadways, deficient bridges, and to secure rail-highway grade crossings.

The States and transportation contractors will have the ability to count on a stable source of funding through fiscal year 2014, sustaining and creating jobs, and enhancing the mobility and safety of American motorists.

Critical investments in transit will continue, reducing traffic congestion. And alternative means of transportation will continue to be a valued enterprise in which to invest, increasing the quality of life and the health of the American people.

To be sure, there are some glaring shortcomings:

The transit privatization provisions threaten service, not enhance it;

The environmental streamlining provisions shortchange public input and could very well lead to greater delays in project delivery;

The Buy America provision is lethargic compared to the bold and decisive strokes that I advocated;

The mandate to install black boxes on commercial motor vehicles will come at great cost to struggling independent business people, without any proven safety benefits; and

There's an ill-advised provision that has no business in this legislation, which harms our maritime industry by weakening our cargo preference laws.

When all is said and done, though, this bill is what it is.

As with so much legislation in this body, this conference agreement—this one, in particular—means jobs, and it means that we will not have further layoffs. It means that we will continue to move our economy.

And when all is said and done, I will choose to vote for American jobs any day.

Mr. Speaker, before reserving the balance of my time, I ask unanimous consent that time on this side be temporarily managed by Mr. DEFAZIO of Oregon.

The SPEAKER pro tempore. Without objection, the gentleman from Oregon will control the time.

There was no objection.

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

The SPEAKER pro tempore. The gentleman from Oregon will control the time.

Mr. MICA. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Tennessee (Mr. DUNCAN), who does a wonderful job chairing and leading the Highways Subcommittee.

Mr. DUNCAN. Mr. Speaker, I rise in support of the conference report on H.R. 4348, the surface transportation reauthorization bill of 2012.

I first want to salute Chairman MICA for the tremendous job he has done in bringing this bill to the floor today, and I want to thank him for allowing me to serve as chairman of the Highways and Transit Subcommittee. This monumental reform package will be considered the signature jobs bill of the 112th Congress, and I am pleased to have been a conferee on the negotiations of the conference report.

States will have over 2 years of funding certainty with no tax increases. By providing long-term funding stability to States, major projects will be able to move forward to help create jobs and make much-needed repairs to our Nation's critical transportation infrastructure. These are jobs, Mr. Speaker, that will not be outsourced to China or elsewhere.

Traffic congestion costs the U.S. economy over $100 billion a year, approximately. With congestion expected to increase over the next decade and beyond, the job creation from this bill will help reduce congestion costs and boost the economy.

This conference report contains no earmarks.

□ 1100

Funding is distributed based on formulas which go directly to State Departments of Transportation, which will prioritize the highway and transit projects that are the most needed and most important in their State.

The number of Federal programs has been greatly reduced, which will give the States greater flexibility on how they spend their limited Federal resources. The conference report doubles the funding for the Highway Safety Improvement Program, which gives States resources for improvements to dangerous and unsafe sections on our Nation's highways and will save lives. A more robust Highway Safety Improvement Program will help continue the downward trend of highway fatalities and serious injuries that we have seen in the last several years.

The House included several streamlining provisions that will have a dramatic effect on the project delivery process. Federal agencies will be given deadlines to review burdensome environmental requirements, and it requires concurrent instead of consecutive project reviews. Projects that are in the footprint of an existing highway will not be required to go through this process. According to the last study of the Federal Highway Administration, the project delivery process can take up to 15 years from conception to completion. This is government at its worst. These reforms will help cut project delivery times in half and save taxpayers a great deal of money.

The Senate bill also includes a wide spectrum of additional government bureaucracy and red tape for small business that would have severely hurt their bottom line. We were successful in removing most of these over-burdensome regulations.

This, Madam Speaker, is the most conservative highway bill ever, both from a fiscal standpoint and from a policy standpoint. I would especially like to praise the staff that has worked so hard, led by Jim Tymon, one of the most competent and capable people this Congress has ever had, from a staff standpoint.

I look forward to passing this reform bill and putting Americans back to work, and I urge passage of this bill.

Mr. DEFAZIO. I yield myself 2 minutes.

This is 27 months of certainty for the States. That's good. They'll be able to plan major projects. That will mean there will be some equipment acquisitions by contractors and others, unlike the short-term miniscule amount of money spent during the so-called ''stimulus'' bill, which I opposed. That's good. But this is not enough.

Ten years ago, the United States of America was rated as having the fifth-best transportation infrastructure in the world. Not great, but not that bad. Today, we are 25th in the world. Most Third World countries are spending a much larger percentage of their gross domestic product on transportation infrastructure than we are.

The Eisenhower legacy is crumbling. We have 150,000 bridges that need repair or replacement. Forty percent of the pavement on the national highway system needs to be totally redone, not just surfaced. And we have a $70 billion backlog in transit, and we have Buy America rules, which guarantee that all the products that go into those jobs, that investment we need, would be kept here at home. So we did not get to that point with this bill.

This is essentially a little decline from what we just spent last year on transportation infrastructure. And what we spent last year, according to two blue ribbon panels commissioned during the Bush administration, is about half of what we need to begin to bring this up to a world-class system to compete with the rest of the world and deal with the deficiencies. Build a 21st century transportation system. This money in this bill for 27 months will be enough to put a few more Band-Aids on the 20th century, and the 19th century infrastructure, in some places, that we're still utilizing.

There are good things. It builds on the ideas that Chairman Oberstar and I offered 2 years ago to dramatically consolidate the bureaucracy downtown at the Department of Transportation. We don't need to be spending money on 106 different programs that are so complicated that no one knows how to apply, and how to apply the rules, and all that. That's good. We're going to consolidate that. It does some streamlining so projects will get done more quickly.

There are a number of salutary aspects of this bill. But we need to do better by the American people the next time we address that issue.

The SPEAKER pro tempore (Mrs. EMERSON). Without objection, the gentleman from Tennessee (Mr. DUNCAN) will control the time.

There was no objection.

Mr. DUNCAN of Tennessee. Madam Speaker, I yield 2 minutes to a former chairman of our committee, a great Member of this body, the gentleman from Alaska (Mr. YOUNG).

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Madam Speaker, Members of this body, I want to congratulate the staff, primarily. We mentioned some of them before. The work that they put in this bill is awesome, when they're dealing with the dark side. And you did such a good job of getting things done that we tried to get done in H.R. 7.

I will agree with the gentleman from Oregon about the future and what we have not done in this body because the public still does not believe we need to do what should be done, and that is to pay for the infrastructure through a system that's fair to everyone and quit thinking there's a magic wand to get this job done to build our infrastructure as it should be. We are declining each year.

I would like to thank the chairman also, Mr. MICA. He's absolutely right. When I was chairman, we had a $289 billion, 5-year bill. It's been in place now 8 years. And I'm quite proud of TEA-LU. But the chairman was, yes, with his hands tied, because we did not and have not in the Congress retained what I think is a constitutional right of every Congressman: direct money in directions that they know best, without costing the budget one dime. Now we've transferred this money to the State Departments of Transportation, and I think that's really a wrong way to do it, because they're not elected. They don't know what's best for a State.

But Mr. MICA did an outstanding job. Mr. DUNCAN did an outstanding job. And the staff did an outstanding job to make really a small silk purse out of a sow's ear. But now we have to go forth and do another legislative bill in the very near future and explain it to the public: you don't like those potholes, you don't like that wobbly bridge, then you better support the concept of a user's fee or some way to raise the money, because you won't take it out of the general fund.

We have to do this for America if you want a sound economy. Our economy is based upon energy and the ability to move product to and from. If you don't do that, you don't have the America I know.

Mr. DEFAZIO. I yield 1 minute to the gentleman from Iowa (Mr. BOSWELL).

Mr. BOSWELL. I would just like to give my appreciation to you, Mr. Chairman, to Mr. RAHALL, and to you, PETER, and everybody that's worked so hard on this.

Just one comment. We're moving forward. We're going to have jobs. We've done the right thing. It's a good first step. We've got more to do, as was just said. Everybody gives up something.

We've got this control box, if you want to call it, the black box; the recorder that's going to be in all trucks. The Mexican trucks get theirs paid for.

This happens to be a commercial driver's license. I don't know how many of you have got one, but if you want to see one, come look at it sometime. It's a little doing to get one. Owner-operators have to pay for their own. They're making $50,000, $60,000 a year if they're doing a good operation. That's prevalent in trucks running across this country. They're doing a good job. They're keeping commerce moving. We ought to just keep in mind we ought to give those middle class, hardworking, patriotic Americans the consideration they deserve.

But I'm glad we got the bill. I will go out there and work with all of you to try to get it better and get more done, but we've got a good first step.

Mr. DEFAZIO. I ask unanimous consent that the gentleman from West Virginia (Mr. RAHALL) be permitted to control the balance of the time.

The SPEAKER pro tempore. Without objection, the gentleman from West Virginia will control the time.

There was no objection.

Mr. MICA. Madam Speaker, I am pleased to yield 3 minutes to the distinguished chair of the Science, Space and Technology Committee, the gentleman from Texas (Mr. HALL).

Mr. HALL of Texas. Madam Speaker, I, of course, rise in support of the conference report accompanying H.R. 4348, a bicameral effort that provides States flexibility and eliminates duplication of effort. I want to thank Chairman MICA for his leadership in this conference and for his outstanding work in negotiating a strong surface transportation reauthorization. The conferees' commitment to reforming Federal surface transportation programs has ensured hardworking taxpayers' dollars are being used more effectively and efficiently.

□ 1110

Chairman MICA actually visited most areas of this country. At a time when we were at home in our districts, he could have been at his home in his district, but he was seeking to empower a bill that sought the greatest good for the greatest number. He worked hard at it. I don't believe in my 32 years here I've ever seen a chairman work so hard to get a bill that was very difficult to start with.

At the outset of the conference, many of us committed to ensuring that surface transportation and restoration funding is used for its intended purpose. As chairman of the House Committee on Science, Space and Technology, I'm pleased that the transportation research programs in the reauthorization are focused on enhancing safety, reducing congestion, and improving quality in the transportation system.

The reauthorization before us provides, among other things, greater flexibility to keep research programs focused, and eliminates a number of unnecessary programs.

The inclusion of language contained in the RESTORE Act illustrates our commitment to the revitalization of those areas harmed by the Deepwater Horizon oil spill. The addition of certain transparency requirements and the ability for the gulf States to dedicate funding to research and development and undertaking projects and programs using the best available science ensure the area most impacted will benefit.

I would also like to thank my colleague from Science, Space, and Technology, Mr. CRAVAACK. He worked hard to protect the interest of his constituents in Minnesota, and he was committed to ensuring that we come away with a strong research title. I believe we've done that.

Finally, I'd like to thank the Speaker for the opportunity to work with the Senate to complete a conference report that will provide more certainty to the States and the localities for infrastructure planning purposes.

I believe this bill helps to create jobs for the American people, which is vital in this troubled economy.

Mr. RAHALL. Madam Speaker, I'm happy to yield 2 minutes to the distinguished gentleman from California (Mr. GEORGE MILLER), the ranking member of the Education and Workforce Committee, who has jurisdiction over the student loan section of this conference agreement.

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

Mr. GEORGE MILLER of California. Madam Speaker, I rise today in support of this conference agreement.

Without it, transportation projects would dry up, countless American workers would be thrown out of work, and a college education would cost an additional $1,000 for more than 7 million students and their families.

The benefits of this legislation for millions of Americans will be felt immediately. In my home State of California, this legislation will save or create nearly 180,000 construction jobs rebuilding our highways and bridges and bike paths; and it will save 570,000 California students from going deeper into debt this next academic year. With this conference report, 7 million students across this country will get another year of interest rate relief as they take out their student loans for the coming college year. More than 4.5 million of those will be women, more than 1.5 million of those will be African American, nearly 1 million are Hispanic students, all who are struggling to stay in college. This interest rate relief that we are providing today will help them.

What is happening today, though, is a rare thing in this Congress. It's a victory for college students. It's a victory for low-income families. It's a victory for the middle class. It's a victory that should not be as rare as it is in the Congress today. The American people should thank this win, and we should make sure that we continue to cooperate in this Congress. And we should also make sure that we heed the words of Mr. YOUNG and Mr. DEFAZIO that we have to do more on our infrastructure to make this country a first-rate country going forward in the future.

Thank you very much for yielding me this time, Mr. RAHALL, and for all of your work on this legislation.

Mr. MICA. Madam Speaker, I'm pleased to yield 2 minutes to the gentleman from Alabama (Mr. BACHUS), the distinguished chair of the Financial Services Committee.

Mr. BACHUS. Madam Speaker, first let me commend Chairman MICA on behalf of this Congress and the American people for the fine work that you and your committee have done on this bill. We'll build more roads with less money and cut through red tape and expedite projects.

I also want to associate myself with the words of DON YOUNG, our former chairman, and of Mr. MILLER from California. You cannot have—the leading country in the world cannot have a Third World infrastructure. And unless we find new funding sources, we will continue to fall behind, and we will continue to have those potholes and bottlenecks.

Now, I want to move to the National Flood Insurance program which is a part of this bill. It also is a win for the American people. This House over a year ago approved comprehensive flood insurance, risk based, that would reduce the cost and bring many benefits to the program. Last week, the Senate sent us a bill which is essentially the bill we sent them over a year ago. It's a bipartisan bill. It was a lot of hard work and input from Members. We passed it overwhelmingly in the Financial Services Committee and overwhelmingly on the floor of this House. I would like to commend Chairwoman BIGGERT for her fine work. Her name is on this bill, and there's a reason for that. She worked harder than anyone in this Congress to deliver a good bill. It's a 5-year bill, and it will begin to make up for the deficit of $17.5 billion that this program has as a result of those hurricanes back in 2005.

I would like to commend the Illinois delegation and the California delegation under Mr. SHIMKUS and Mr. COSTA who, sadly, is retiring this year. This bill takes care to balance costs and communities that use their own funds. I urge Members to pass this bill. It's a good bill. It includes many good provisions, and I'm proud to say that the Financial Services Committee and its members have been a part of this effort.

As the legislation to reauthorize and reform the National Flood Insurance Program heads to the President's desk, I would like to acknowledge the time, effort, and wisdom that four members of the Financial Services Committee staff provided to create this positive outcome. These staff members were able to reconcile the differences between the House and Senate bills—working through a host of complex, highly technical issues—in less than one week. The efforts of Clinton Jones, Tallman Johnson, Ed Skala, and Nicole Austin helped all of us to achieve this very beneficial outcome for the American taxpayer, and I thank them for their service to the U.S. House of Representatives.

Madam Speaker, first I want to commend Transportation Committee Chairman MICA, Subcommittee Chairman DUNCAN, Ranking Member RAHALL and others for their hard work on the needed transportation and infrastructure improvements in this bill.

I also want to take the time to comment on provisions in this bill regarding reauthorization and reform of the National Flood Insurance Program (NFIP).

Today we're doing something we haven't done since 2004: provide a long-term reauthorization with meaningful reforms for the National Flood Insurance Program. Since September 2008, the NFIP has been extended 17 times and the program has lapsed four times during that same time period, creating needless uncertainty in the residential and commercial real estate sectors in communities across the country.

Over a year ago the Financial Services Committee and then the House, in a bipartisan display of cooperation, overwhelmingly passed a five-year flood insurance bill with comprehensive reforms and savings for the taxpayers. This week the Senate approved our legislation.

This bipartisan bill represents the hard work and input of many members, and I especially

want to thank Housing Subcommittee Chairwoman BIGGERT for her leadership in getting us to this point.

This bill takes great care to balance the need to make the NFIP more actuarially sound with the need to recognize the hard work and difficult decisions many communities are making to build or rehabilitate their dams and levees. I particularly want to thank Mr. SHIMKUS for working with us to address those concerns in a responsible way.

Many of us have been calling for fundamental reforms of the NFIP for several years. The hurricanes of 2005 led to massive flooding and overwhelmed the program, which now carries a debt to the Treasury of $17.5 billion as a result.

The NFIP is facing serious financial challenges and cannot afford to continue on its current trajectory, which is why today's bill is vital. The reforms in this bill end the decades-old subsidies for about 355,000 policyholders and reduce the program's need to borrow additional funds from the Treasury, which will help reduce the program's shortfall and protect American taxpayers.

Congress has a responsibility to ensure that the taxpayers are not left holding the bag. This bill puts us on the path to reforming the program with risk-based premiums, and provisions to better protect both taxpayers and homeowners while encouraging greater private sector participation.

Since January of 2011, I have held as a goal of this Congress to achieve fundamental reform of the NFIP. The bill we have before us today accomplishes that in a fair and responsible manner. I urge all Members to support it.

Mr. RAHALL. Madam Speaker, I'm happy to yield 1 minute to the gentlelady from the District of Columbia (Ms. NORTON), a distinguished member of our conference on this agreement.

Ms. NORTON. I thank Chairman MICA and Ranking Member RAHALL for working together on this bill. This year's transportation bill could be named the Jobs Act of 2012 because it is the only bill from the 112th Congress that will create a significant number of jobs.

A word on a couple of significant provisions. Seldom has a pioneering, landmark bill found its way into a transportation reauthorization bill, but in today's bill is the first bill to set national standards for subway safety, bringing subways in line with all other modes of transportation, which have long had national standards. This is probably the most significant provision of this bill.

The DBE language is tailored to ensure that the government is equipped with the tools it must have to address the compelling need for the government to meet its responsibility to continue to address discrimination in small business contracting.

With all of its shortcomings, and there are many, the American people finally will have a jobs bill from this Congress.

Mr. MICA. Madam Speaker, I'm pleased to yield 2½ minutes to the distinguished gentleman from Pennsylvania (Mr. SHUSTER), one of the leaders of our committee and the chair of the Rail Subcommittee.

Mr. SHUSTER. I thank the chairman for yielding me this time. I first would like to thank Chairman MICA and CHAIRMAN DUNCAN for their hard work in producing what I believe is a very solid bill with historic reforms in it. The chairman was a tough negotiator, and he came away with something that I believe we can all be very proud of.

We need to act on this bill. If we don't act, if we fail to act, the trust fund will default. We'd have to figure out a way to bail it out. And yet, here we are with a 2-year bill that is fully funded and has some significant reforms in it.

Those reforms include, first of all, the fact that it is a 2-year bill which puts certainty out there to the States and the companies and people who build roads and highways and supply them with the products that they need. That is extremely important.

Second, it consolidates nearly two-thirds of the programs, which is important in reducing red tape and in streamlining project delivery. That is significant. We believe that will reduce the amount of time it takes to build a significant highway project in half. That's a tremendous savings. When you look at a project I recently visited in Oklahoma City, the Crosstown Expressway, a $680 million job, it took 15 years. If you cut that in half, it saves somewhere between $60 million to $80 million just on the inflation alone. So that's a significant savings, and that's why I believe this bill has great reforms in it. It is something that we all need to get behind and pass.

Again, I want to congratulate the chairman for his great work, and also the staff, all of the staff on the committee, both sides of the aisle. Both sides of the Capitol worked hard, but a special thanks to Jim Coon, Amy Smith, Jennifer Hall, and Jim Tymon for their tireless effort. There were a lot of late nights, but they did a great job, and we owe them a great deal of thanks for what they did.

Again, I encourage all of my colleagues to support this bill.

Mr. RAHALL. Madam Speaker, I'm happy to yield 1 minute to the gentleman from New York (Mr. NADLER), another valued conferee on our side.

□ 1120

Mr. NADLER. Madam Speaker, I rise in support of the transportation reauthorization conference report with mixed feelings. The conference report provides $105 billion over the next 27 months for highway and transit programs and will put about 2 million people to work at a time when we desperately need jobs. These funding levels, although far from adequate, are a great improvement from the original House bill and will allow transportation agencies to plan and construct projects important to the economy. The conference report also prevents student loan interest rates from doubling, which is critical to more than 7 million students.

The transit funding formulas are focused on regions with the highest need and will provide essential resources for the MTA to maintain a state of good repair and to make capacity improvements to New York City's subway system. It is unfortunate, however, that the ability of transit agencies to flex funding for operating assistance has been dropped from the final bill.

Also, unfortunately, the Transportation Enhancements program, which includes bicycle, pedestrian, and safe routes to schools, is reduced by several hundred million dollars. And the Projects of National Regional Significance account, which provides for essential freight projects, is substantially watered down.

Thankfully, the Keystone pipeline and coal ash provisions are out of the bill. And although the 270-day deeming provision is no longer in the bill, there are other environmental streamlining provisions of concern, such as the expansion of NEPA categorical exclusions for any project within an existing right-of-way. Massive highway projects could occur within an existing right-of-way, but would no longer be subject to NEPA environmental review requirements.

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

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

Mr. NADLER. The final package is a combination of hard-fought victories and losses. Overall, this legislation is essential for creating jobs, preventing interest rates from increasing for millions of students, and putting us on a path toward economic recovery. Therefore, I urge my colleagues to support this conference report.

Mr. NADLER. Madam Speaker, I rise in support of the transportation reauthorization conference report, the Moving Ahead for Progress in the 21st Century Act or ''MAP–21'' (H.R. 4348).

Madam Speaker, I was honored to be appointed as a member of the conference committee, and I was ready to negotiate in good faith to craft a bill that we could all be proud to support. Unfortunately, the process by which this conference was conducted over the last couple of weeks is a cause for concern and was tarnished by a lack of transparency and bipartisan collaboration. House Democratic conferees were shut out of the final negotiations. Our committee staff was not even allowed in the room. The bill text wasn't made available until 4 a.m. yesterday morning, so we have had a very limited amount of time to review the details of this legislation. Yesterday morning, I declined to sign the conference report simply because I could not endorse a product without an adequate understanding of all of its contents, and of the full impact to New York. Our Senate counterparts appear to have struck a compromise including some important victories, as well as concessions of concern. The final package will provide at least $105 billion over the next two

years for highway and transit programs, putting thousands of people to work at a time when we desperately need jobs. These funding levels are an improvement from the original House bill, and will allow transportation agencies to plan and construct projects important to the economy. The conference report also prevents student loan interest rates from doubling, which is critical for over 7 million students. As such, I will vote for this conference report, but with a number of reservations.

The highway program appears to retain the funding structure from the Senate bill and essentially preserves current funding levels to the states. There were efforts to revise the formula, which could have resulted in cuts to many states, including, potentially, to New York. It should be considered a victory that all states are essentially held harmless and will benefit from this economic recovery and jobs package. The transit funding formulas are also focused on regions with the highest need, and will provide essential resources for the MTA to maintain a state of good repair and to make capacity improvements to New York City's subway system. The transit title requires a report on transit agencies' compliance with existing civil rights laws, and includes an enhanced workforce development grant program, although not as comprehensive as the Transportation Job Corps Act, which I introduced to establish a career ladder apprenticeship program. These are important and positive aspects of the conference agreement. I am extremely disappointed, however, that the Senate bill's temporary and targeted ability for transit agencies to flex funding for operating assistance has been dropped from the final agreement.

The bill retains the Projects of National and Regional Significance Account as a competitive grant program that we first established in SAFETEA-LU, but the provision is greatly watered down and is rendered largely symbolic. The authorization level is scaled back to $500 million for one year in FY13, and the funding is not guaranteed, but subject to general fund appropriations. The Transportation Appropriations bill for FY13 has already been considered in the House. It passed just yesterday, and there was no funding for this program contained in it. Perhaps we will get lucky and secure funding for it when the appropriations bill is conferenced with the Senate later this year, but the spending levels in that bill are already much too low and resources are strained. It's hard to see how any significant funding will be dedicated over the life of this bill to these projects that are essential to freight movement, economic growth, and global competitiveness. There is a requirement that DOT prepare a report on potential projects that would be funded under the program, so some work in this area will continue, but it is wholly inadequate.

The National Freight Program originally in the Senate bill is not in the conference report, but the designation of a primary freight network and development of a national freight strategic plan is retained. For too long, freight has been too low of a priority, and this must be changed. We must make the efficient movement of freight a national priority. There is no greater transportation issue in the federal interest, and I hope that the measures contained in the conference report will be a stepping stone to a greater federal emphasis on freight policy and funding—and not an end result.

The Transportation Enhancements program, which is now called Transportation Alternatives and includes bicycle, pedestrian, and safe routes to schools, is still in the conference report, but the program is weakened from current law and from the Senate bill. These projects have bipartisan support, as evidenced by the Cardin-Cochran amendment to the Senate bill, and the Petri amendment to the House bill. Despite the broad support for transportation enhancements, the conference report lowers the overall amount of funding for these projects by several hundred million, and expands the ability for states to use this funding for other purposes, including for projects already eligible under other highway programs.

The Senate should be commended for keeping the Keystone Pipeline out of the bill, as well as the provisions limiting EPA authority to regulate coal ash. These are important concessions that were undoubtedly difficult to secure. The RESTORE Act, which would dedicate 80% of the fines levied on BP to Gulf Coast oil spill restoration, is still in the bill, but it is unfortunate that the provision directing funding through the Land and Water Conservation Fund did not survive.

There are problematic environmental streamlining provisions. Although the 270 day ''deeming'' provision is no longer in the bill, there are several changes to the NEPA process that will undercut environmental reviews and public participation. The bill sets accelerated, hard deadlines for environmental reviews, with penalties for failure to comply, but ignores the fact that many agencies are too understaffed and underfunded to be able to meet these deadlines. Or perhaps that's the point—to deplete these agencies of resources, and make it virtually impossible for them to effectively do their job. The bill also expands NEPA categorical exclusions, which are typically reserved for smaller-scale projects that will not have a significant impact and therefore no EIS is required. One provision allows categorical exclusions for any project within an existing operational right of way. Massive highway projects could occur within an existing right-of-way, but would no longer be subject to NEPA requirements. I find it curious that many of the Members who espouse local control pushed this provision that will severely limit the ability of communities directly impacted to have a voice in proposed projects. There is bipartisan support for environmental streamlining. I believe there are common sense things we could do to shorten project delivery time, but this conference agreement goes too far in this regard.

The conference agreement includes several important safety incentive grant programs, including those targeting distracted and impaired driving. The bill includes additional incentive grants for states that adopt mandatory alcohol ignition interlock laws for individuals convicted of a DUI. Ignition interlocks are a key feature of Leandra's Law, a New York statute named for one of my constituents, a 9 year old girl who was killed in a drunk driving incident. I am thankful that the conference report contains this important provision. The conference report also does not include any increases to truck size or weight requirements and it includes a study which could provide useful information on truck size and weight safety impacts. The bill also includes improvements to motorcoach safety, requiring seat belts and establishing roof strength and crush resistance standards. However, these standards apply only to newly-manufactured motorcoaches, and there is no mandate to retrofit existing buses.

This final package is a combination of hard fought victories and losses. There are several aspects of it that I do not support, and the process by which this conference report was developed was, at times, regrettable. But the funding levels and distributions to the states and transit agencies should be considered a victory, especially given the position of House Republicans, and the bill will put a lot of people back to a work at a time when we need it most. Because of the positive aspects of the transportation bill, and the extension of lower student loan interest rates, I will vote for the conference report.

Mr. MICA. Madam Speaker, I am pleased to yield 2 minutes to one of the distinguished leaders in the House, the gentlelady from Illinois (Mrs. BIGGERT), who had a great deal to do with the flood insurance provisions—worked tirelessly.

Mrs. BIGGERT. I thank the chairman for giving me this time.

Madam Speaker, I rise in support of this conference report and wish to address particularly title II, which would reauthorize for 5 years the National Flood Insurance Program, or NFIP.

There are six important reforms included in this bill: It improves NFIP's financial stability; it will reduce the burden on taxpayers; it restores integrity to the FEMA mapping system; it will help bring certainty to the housing market through a 5-year reauthorization; and last, it explores ways to increase private market participation.

Many of us in Congress would like for the private sector, instead of taxpayers, to shoulder the risk of the National Flood Insurance Program. Market participants have signaled that they can assume the risk of flood insurance. And with the appropriate data from FEMA, the reinsurance industry has indicated that within weeks it can price this risk. That's why, for the first time in the NFIP's existence, this flood reform measure will require FEMA to solicit bids to determine the cost to the private sector, not to the taxpayer, of bearing the risk of flood insurance.

Finally, I'd just like to say that this bill is proof that bipartisanship is possible, particularly when it comes to an issue of national significance, such as the most frequently occurring national disaster in the United States, flooding. When a flood occurs, it does not choose an area that has Republican or Democrat leanings or elected officials. Floods affect most of the country and people of all walks of life. Today's flood reform measure demonstrates the democratic process, where reforms are publicly vetted, reflect input from interested stakeholders, and are realized.

Let me just thank the bill's cosponsor, Ms. WATERS, as well as Chairman BACHUS and the Financial Services Insurance Subcommittee and full committee staffs on both sides of the aisle. Let me just say also that I'd like to thank the Senate and House leadership, including Speaker BOEHNER and Leader CANTOR, as well as the thousands of constituents and groups who gave their valuable time and input to making this a very good bill.

I rise in support of this Conference Report, and I wish to address in particular Title II, which would reauthorize for five years the National Flood Insurance Program or NFIP.

There are six important reforms included in this bill:

It improves NFIP's financial stability; it will reduce the burden on taxpayers; it restores integrity to the FEMA mapping system; it will help bring certainty to the housing market through a 5-year reauthorization; and last, it explores ways to increase private market participation.

Many of us in Congress would like for the private-sector—instead of taxpayers—to shoulder the risk of the National Flood Insurance Program. Market participants have signaled that they can assume the risk of flood insurance, and with the appropriate data from FEMA, the reinsurance industry has indicated that—within weeks—it can price this risk.

That's why, for the first time in the NFIP's existence, this flood reform measure will require FEMA to solicit bids to determine the cost to the private sector, not to the taxpayer, of bearing the risk of flood insurance.

It brings an end to the decades-old, chicken-and-egg game that has characterized the program by finally answering the question "how-do-we-get-the-government-out?"

Flood policyholders also now will have the option to choose private flood insurance over government flood insurance without the risk of lender rejection. Taxpayer-subsidized rates are eliminated, so that the private sector can offer consumers increasingly competitive rates as compared to the NFIP.

Finally, I would like to simply say that this bill is proof that bipartisanship is possible, particularly when it comes to an issue of national significance, such as the most frequently occurring natural disaster in the United States, flooding. When a flood occurs, it does not choose an area due to its Republican or Democrat leanings or elected representatives. Floods affect most of the country and people of all walks of life. Today's flood reform measure demonstrates a true, democratic process, where reforms are publically vetted, reflect input from interested stakeholders, and are realized.

With that, I will note that this conference report includes the first significant reform to the NFIP in nearly a decade. After 17 extensions since 2008, multiple lapses in the program, and months of inaction, this flood insurance reform measure is a major bipartisan accomplishment. As I've said from the beginning, the NFIP is too important to let lapse and too in debt to continue without reform. I urge my House—and Senate—colleagues to support the conference report so that we can send this agreement to the President's desk and put the nation's flood insurance program back on a sound financial footing.

In closing, let me thank the bill's cosponsor, Mrs. WATERS, as well as Chairman BAUCUS, Financial Services Insurance Subcommittee and full committee staffs on both sides of the aisle, Senate and House Leadership, including Speaker BOEHNER and Leader CANTOR, as well as the thousands of constituents and groups who gave their valuable time and input to making this a very good bill.

I would also like to thank the following:

My constituents in the 13th Congressional District of Illinois who provided advice to us throughout the development of this bill;

Illinois floodplain managers, Paul Osman and Sally McConkey;

Mrs. WATERS, Chairman BACHUS, and all of the 54 Members of the House Financial Services Committee who voted unanimously to pass out of Committee a flood reform bill last May (2011);

All of the Members of the House who contributed to the development of this bill, and the 406 Members of the House who voted for H.R. 1309 last July (2011);

Republican House Financial Services Committee staff: my designee, Nicole Austin, as well as Clinton Jones, Ed Skala, Tallman Johnson, Jim Clinger, and Eric Thompson;

Democrat House Financial Services Committee staff: Charla Ouertatani, Dom McCoy, and Kelly Larkin;

House Republican and Democrat leadership, particularly Speaker BOEHNER and Majority Leader CANTOR, and their staff;

Members and staff on the Science, Judiciary, and Rules Committees;

Senators and Senate Banking Committee staff;

Dan Hoople with the Congressional Budget Office;

Paul Callen and his colleagues at the House Office of the Legislative Counsel;

FEMA staff, including technical experts, congressional affairs, and Vince Fabrizio;

Witnesses who testified during our hearings on flood reform; and

All of the various financial services organizations, consumer groups, as well as the Smarter Safer Coalition, which includes groups from the National Wildlife Federation to the International Code Council to Americans for Tax Reform.

Mr. RAHALL. Madam Speaker, I'm happy to yield 2 minutes to the distinguished ranking member on our Railroads Subcommittee and a valued member of our conference, the gentlelady from Florida (Ms. BROWN).

Ms. BROWN of Florida. I had much higher hopes for this transportation reauthorization bill and long for the days that our committee worked together in a bipartisan manner, but this is a good day for the traveling public and for the American economy. This transportation bill will strengthen our infrastructure, provide quality jobs, and serve as a tool to put the American people back to work.

Although I would have preferred a long-term bill with much more funding for infrastructure, and I'm disappointed that we did not include a rail title or give our local transit agencies the flexibility they asked for during these economic times, this bill will give States, local governments, and other transportation stakeholders some stability to plan and build critical transportation projects.

This bill provides steady funding for both highway and transit programs, maintains the 80–20 split between highway and transit, speeds up the permitting process for projects, includes important safety measures that will save lives, and maintains OSHA oversight of hazardous materials.

I am also pleased that this legislation includes the RESTORE Act, which will help gulf States like my State of Florida recover damages and plan for and prevent future oil spills. Florida's economy is based on tourism and would be destroyed overnight if an oil spill reached our beaches.

This isn't a perfect bill, but I am going to vote for it. I want to thank the Senate, and I want to thank Senator BOXER, Mr. MICA and Mr. RAHALL, and all for working together. My understanding is that this is a clean bill and we can vote for it. No riders are included is my understanding. So I will vote for it, and I will recommend my colleagues vote for it too.

Mr. MICA. Madam Speaker, I am pleased to yield 1½ minutes to one of the leaders of transportation, new on the committee, but a conferee; did an outstanding job, the gentleman from Indiana (Mr. BUCSHON).

Mr. BUCSHON. Madam Speaker, as a member of the House transportation conference committee, I join my colleagues in proudly supporting this legislation.

My House colleagues and I attended many of the conference negotiations, and we fought hard for commonsense transportation reforms. This bill streamlines the environmental review process, consolidates and eliminates duplicative programs, and provides more flexibility to the States. Passing this legislation will provide job security for millions of Americans.

I'm grateful to my House and Senate colleagues that stood with me in opposing an amendment that was in the Senate bill. This amendment unfairly punished the State of Indiana for pursuing a public-private partnership. Not only would it have cost Indiana millions in transportation funding, but it would have set our country backwards in innovative transportation policy. This type of thinking is not where we need to be headed in transportation policy. We need to put taxpayers first and continue to engage the private sector in transportation projects.

I would like to thank the House and Senate staff, who have been working tirelessly on the legislation. I thank Chairman MICA, Senator BOXER, and Senator INHOFE for their leadership on this issue. Thanks to everybody's work, 25,000 Hoosiers will have job security for the next 2 years.

I urge all of my colleagues to support this legislation, and let's put millions of Americans back to work.

Mr. RAHALL. Madam Speaker, I'm happy to yield 2 minutes to the distinguished ranking member on our Committee on Oversight and Government Reform, as well as a valued member of our conference on transportation, the gentleman from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. Thank you, Ranking Member RAHALL, and thank you for your leadership. I also thank Chairman MICA and all of my colleagues.

This bill provides certainty for our States, but overall funding for highways is reduced relative to fiscal year 2011. To ensure our Nation's mobility, we need expanded investments in all modes.

Critically, this bill finds that discrimination and related barriers continue to pose obstacles for minority and women-owned business in the transportation industry. My colleagues and I have considered the extensive evidence provided to us in testimony in the Transportation Committee and detailed disparity studies documenting ongoing discrimination in transportation contracting. We've concluded there is a compelling national interest in reauthorizing our DBE programs. I thank Senator BOXER for her leadership on this issue.

That said, I'm disappointed that House Democrats' participation in the conference was so limited. And as I have had the chance to review the final report, several of its provisions deeply concern me—perhaps none more so than section 100124, which would reduce by one-third the percent of food aid shipped on U.S. vessels.

There are fewer than 100 U.S.-flagged vessels in the foreign trade now, and they carry less than 2 percent of U.S. cargos. Without the MSP and cargo preference programs, we would have no domestic merchant marine, leaving our military, and indeed, our economy, completely dependent on foreign vessels.

□ 1130

The effect of section 100124 will be to speed the continuing decline of our fleet. It should never have been included in this bill, and it should be immediately repealed.

With that, I am going to support the bill and urge my colleagues to support it.

Mr. MICA. Madam Speaker, I am pleased to yield 2 minutes to the distinguished gentlewoman from West Virginia (Mrs. CAPITO), who has worked very hard for a provision, and she's going to explaining the situation that brings her here at this point.

Mrs. CAPITO. Thank you, Mr. Chairman, and ranking member and the conference committee, for what I think is a victory today. I think this reauthorization bill is one of the most important responsibilities we have. It's a jobs bill. It will bring efficiencies to our funding stream for very important projects, and it will remove a lot of uncertainty.

As a member of this committee, I'm really, really pleased that we were able to come to a compromise. The efficiencies and the streamlining, when the chairman brought the committee to Yeager Airport, that was one of the resounding complaints about current funding in the transportation sector is it takes too long, it's too expensive, and time is money. And we can do a lot better job with more efficiencies and make our dollars go farther. And with hard deadlines and some exemptions, I think that this bill will do that.

There are a couple of provisions in here that I regret were not included, and most specifically, the provision on the coal ash provision. I mean, we're looking at a time where we have scant resources. We have to make smart decisions about how to weave the balance between our environment and our economy; and the coal ash provision would have provided, I think, the certainty to the construction industry and to those surrounding, also, the coal industry that smart use and responsible use of coal ash would be in our future.

Unfortunately—and I believe it occurred in the Senate that that provision was not included in our bill, and I'm deeply disappointed by that. But we will, as an energy State and as energy representatives, we'll live to fight another day.

Additionally, I would like to say, as a member of the Financial Services Committee as well, the reason that the flood bill is on this bill is extremely important, again, to lend the certainty to lenders, Realtors, homebuilders, and really, the consumer that we can get that housing market moving again; and the certainty provided by the reauthorization of the flood bill in here will provide us with that.

But I simply want to say that I think that in a bicameral, bipartisan way we moved together to show folks in West Virginia and across this Nation that we can work together to create the jobs that we need in the sectors that we need, and I look forward to supporting the bill.

Mr. RAHALL. Madam Speaker, I am happy to yield 1 minute to the gentlewoman from California (Ms. WATERS), who has higher jurisdiction over the flood insurance portion.

Ms. WATERS. Madam Speaker, I'm pleased that we could work in a bipartisan fashion to not only extend our expiring transportation and student loan interest rate programs, but to also reform the Federal flood insurance program.

I'd like to thank Representative JUDY BIGGERT for her leadership and commitment to reforming flood insurance. Representative BIGGERT and I both worked together to meet the needs of our respective caucuses, and the result is a bill that puts the flood insurance program on a solid footing.

The flood insurance program provides insurance for over 5 million Americans. However, due to massive losses from Hurricane Katrina and an inefficient mapping system, the flood insurance program has faced challenges in serving homeowners and taxpayers.

The Biggert-Waters bill will reauthorize the National Flood Insurance Program for 5 years and make critical improvements to the flood insurance program. The reforms in this bill will make flood insurance more affordable, give communities more input into flood maps, and strengthen the financial position of the flood insurance program.

With that, I would urge an ''aye'' vote.

Mr. MICA. Madam Speaker, I am pleased to yield 1½ minutes to the gentlewoman from Washington (Ms. HERRERA BEUTLER), another conferee and a young leader in the Transportation and Infrastructure Committee.

Ms. HERRERA BEUTLER. Thank you, Chairman MICA. And I'd like to thank you and your staff for working tirelessly on this issue.

For the past several months, both House and Senate Members and staff have been working around the clock, and through tough negotiations we were able to work in a bipartisan, bicameral way to produce something that has direct impact on the lives of the folks I serve in southwest Washington.

I'm well aware the perception that this Congress is having difficulty getting things done, and I fought for us to stay at the table to keep working to push through for solutions to demonstrate our ability to put America's needs ahead of politics; and today, Madam Speaker, we were successful.

Particularly folks in my home district in southwest Washington State are excited that the House fought for vital reforms that are going to allow us to cut project delivery times down, even by half in some instances. That means dollars are going to go further, more projects are going to get done, and more money will be available for additional projects. That sets us up for more jobs.

We're also giving rural communities the necessary support to fund schools, emergency services, and roads while we come up with a more permanent solution that allows for increased and better forest management. My thanks to Chairman HASTINGS and his committee for their tireless work on this issue.

We also have projects of national and regional significance: the Recreational Trails Program that benefits trail riders, hikers, outdoor enthusiasts, all in my beautiful district down in southwest Washington.

We've supported using the Harbor and Maintenance Trust Fund for its intended purposes: improving our waterways that are economic arteries for places like Washington State and around the country.

Mr. Chairman, this bill is not perfect, no bill ever is. However, this is a symbol of how Congress is supposed to operate and why we're here.

With that, I urge its passage.

Mr. RAHALL. Madam Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. ALTMIRE), a valued member of our Committee on Transportation and Infrastructure.

Mr. ALTMIRE. Madam Speaker, it's been 7 years since the Congress enacted a long-term highway authorization; and since that law expired in 2009, State transportation agencies across America have had to deal with the uncertainty of looming funding expirations, construction workers have not known whether there would be jobs available to them, and motorists, retailers, and manufacturers have watched our infrastructure continue to crumble as this body continually failed to act. We cannot wait any longer. That's why I'm pleased today Congress will finally pass a long-term authorization that will provide certainty that has been lacking for years.

I'm also pleased that the final conference report includes a provision I authored to make America's roads safer for older drivers. By improving the safety of our roads and highways and making older drivers' travel as safe as possible, we increase road safety for every American.

This bill is an example of the success Congress can achieve when we work together. I thank my colleagues for their dedication to our Nation's infrastructure, and I'm proud to support this bill.

Mr. MICA. Madam Speaker, I'd like to inquire as to how much time remains on both sides.

The SPEAKER pro tempore. The gentleman from Florida has 5 minutes remaining, and the gentleman from West Virginia has 14½ minutes remaining.

Mr. MICA. I will continue to reserve the balance of my time.

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

Mr. MICA. Madam Speaker, if the gentleman from West Virginia is ready to close, I am ready to close, also.

Mr. RAHALL. Okay. I'm ready to close, and I yield myself such time as I may consume.

Madam Speaker, first I want to extend my deep appreciation to all conferees on this legislation, some 47, I believe.

I'd like to pay particular word of commendation to the chair of the conference committee, the gentlelady from California, Senator BARBARA BOXER. She worked extremely hard on this legislation. She worked tirelessly to resist many, many, many extreme proposals that were lobbed at her by Republican House conferees. She worked to ensure that policies and investment levels of this legislation will serve America, and she did work in a bipartisan fashion.

I'd also like to thank my counterpart and the chair of our House Transportation and Infrastructure Committee, Mr. MICA, for his leadership. He has already spoken, and has many times, of the bipartisan nature in which we started this journey in my hometown of Beckley, West Virginia, and I deeply appreciate the hearings that he started there and his continued outreach across the country.

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As this hard road progressed, there were some diversions along the way. There were efforts to sidetrack what we were trying to do in providing long-term funding for this Nation's infrastructure, yet we're here today to hail not the perfect bill—we've heard that many times in this body, and we're not considering the perfect bill. Yet we are, out of necessity, finding ourselves working together to extend our transportation program so that millions more American workers are not laid off the job.

I also want to thank my senior Senator, JAY ROCKEFELLER, the chairman of the Senate Commerce Committee, for his great contribution to this pending measure. Again, efforts were fought. Efforts on his part prevented the further degradation of any safety measures that were proposed in this conference agreement. We have a strong measure in regards to safety issues thanks to Senator ROCKEFELLER.

This legislation will preserve American jobs. As I said in the opening of this conference committee, it's time that we quit taking those political jabs at one another and, rather, provide jobs for our people. That's what we're doing in this legislation. The contracting season is late, especially in many of our northern States, and our contractors need this legislation in order to have the certainty to sign those contracts that put Americans to work this summer repairing our infrastructure. We have put aside, I guess you'll say, our hard heads—I'm happy to say—in exchange for hard hats doing the work that's necessary to get our economy back on.

As with any piece of legislation, we've compromised in this bill—all sides have—which is part of the legislative process. I've always said that. There are some things in this bill we don't like and some things we like. There are probably 435 different ways this bill could have been written if each of us had had his own way to write a bill, but that's not the way the process works. With the process being what it is, we are where we are today, so I am here to support the pending legislation.

As I sit down, I want to also thank the staff for their hard work on both the majority's side in the House and on the minority's side, on our side, and the staff on both sides of the other body as well.

I want to thank our conferees on the House side: PETER DEFAZIO, JERRY COSTELLO, ELEANOR HOLMES NORTON, JERRY NADLER, CORRINE BROWN, ELIJAH CUMMINGS, LEONARD BOSWELL, and TIM BISHOP. These individuals stuck with us every part of the way, and they truly had their hearts in improving our infrastructure and providing jobs for America.

So this is a jobs bill. I'm happy to support it, and I urge my colleagues to support this conference agreement.

I yield back the balance of my time.

Mr. MICA. I yield myself the balance of my time.

Madam Speaker, it is good to be at this point in the completion of a long overdue, major transportation reform bill for the Congress and for the American people.

First, I will take a moment and thank our staff:

Jim Tymon, who is next to me here, is the tireless staff director of the Highway Subcommittee. He is day and night helping to sort things out, looking out for the people and making certain this bill has the very best provisions; Dan Veoni; Shant Boyajian; Geoff Strobeck; Joyce Rose; Fred Miller; Steve Martinko; Justin Harclerode, who is my press secretary, or assistant. He has always had to explain what I've said or at least clarify; Jason Rosa; my sidekick, Clint Hines, who has followed me on the floor with so many member requests; Jennifer Hall, our outstanding legal counsel; Amy Smith has some real firepower for good policy for the country and for transportation for the Nation; and then our untiring leader of the committee, Jim Coon, our staff director, who day and night neglected his beautiful family for the benefit of the people of this country;

Then we even retired Jimmy Miller in the process, who headed this up for many, many years in the service to our Nation and the committee. He retired in the process, hopefully not as a result of all the hard work. He is a great American;

Then there is Stephanie Kopelousos, who was on our team for a while. She is the former Secretary of Transportation from Florida, and she organized the Secretaries around the United States—I think the forward-thinking ones—to help us go through the laws and all the mess that we've created and redline it and get rid of the bureaucracy, the duplication, the costly red tape.

So our hats are off to all of them and to so many more and to all of our distinguished colleagues who were conferees who worked on this.

We actually engaged members in discussion, which is a new approach to a conference committee. We did that, but I'm sorry the other side was thrown under the bus, some by the administration, and particularly Mr. Oberstar, for whom I feel so bad because he waited so long and could never see this day. Then, in the process, we did not draft the legislation; Ms. BOXER's staff did. So, again, if there was anyone who felt that he didn't participate enough, I tried not to be responsible for that approach in having started, as I said, the first hearing in Beckley, West Virginia, Mr. RAHALL's hometown, going all the way to the west coast to have an unprecedented, historic bipartisan and bicameral hearing in California with BARBARA BOXER, who chaired the conference committee.

So this is where we are. Tomorrow would actually close down thousands of transportation projects. Departments of Transportation around the country were on the verge of actually giving sort of IOUs or of giving notification to close down, and probably millions would have been put out of work if we hadn't acted. So this is very important for the American people, particularly at this time when we're on the cusp of not knowing which way the economy is going to go, but it has to go forward.

There are some things in here that are also great: the RESTORE Act; student loans from which our students will benefit; national flood insurance from which people in my States and others will see reductions; transportation safety was paramount; there was a consolidation of some of the programs, streamlining, cutting red tape. We were able to do more with less and move transportation forward for the Nation.

Again, I thank everyone for their cooperation. I am pleased that we've reached this point. It doesn't have everything, and a lot of people said it couldn't be done. As my son often says—and I'll close with his remarks, and he likes the Cable Guy—''Dad, git-r-done.''

Son, we got-r-done today.

I yield back the balance of my time.

Mr. COSTELLO. Madam Speaker, I rise in support of the conference agreement on H.R. 4348, the Surface Transportation Extension Act of 2012.

As a conferee on the surface transportation bill, I am glad an agreement was reached and the bill is before us today.

I am pleased that Illinois' share of federal highway formula funding increased to 3.67%, the highest level that our state has received in over 15 years.

In addition, the conference report does not include language that would allow bigger and heavier trucks on our roads and bridges, but instead requires the U.S. DOT to conduct a comprehensive, national study.

While the surface transportation conference report is not perfect, it does provide certainty to State DOTs, transit agencies, and contractors that will help create and sustain jobs for out-of-work Americans and keeps construction workers on the job for the rest of the season.

I commend Chairman MICA, Ranking Member RAHALL, Subcommittee Chairman DUNCAN and Ranking Member DEFAZIO for their leadership in helping to bring this conferenc report before us today.

Finally, this legislation does not include residual risk provisions in the National Flood Insurance program that would have required the purchase of flood insurance for communities behind certified levees. A strong bi-partisan effort prevailed to remove these provisions from this legislation, and I commend Congressman SHIMKUS, Senator DURBIN, and Senator KIRK for working with me on this matter.

I urge my colleagues to support the conference report and yield back the balance of my time.

Ms. BORDALLO. Madam Speaker, I rise today in strong opposition to H.R. 4348, the Moving Ahead for Progress in the 21st Century Act (MAP–21). This bill significantly cuts critical federal investment in surface transportation projects for the territories. The authorized funds for the next two fiscal years would severely undermine my district's ability to improve and upgrade road systems on Guam and put current projects at risk.

MAP–21 cuts 20 percent from the Territorial Highway Program (THP), which was established to assist Guam, the Northern Mariana Islands, American Samoa and the U.S. Virgin Islands build and improve main and secondary highway systems. The program is critical to ensuring that our districts have a quality highway system that facilitates commerce in the territories. The territories have received funding that does match their current upgrade and modernization requirements. The cuts to the THP will hinder our district's ability to meet these requirements over the next two years. The proposed cut to this program, about $8 million for Guam over the next two years, could jeopardize financiering for larger projects utilizing GARVEE financing. The GARVEE financing mechanism and current bonds assumed level funding of the THP over the next several years. Ultimately, this bill may lead to project cancellations and job losses.

Even at current funding levels, the THP is inadequate in addressing the needs of the territories, and the governments in the territories do not have access to many programs available to the 50 states and Puerto Rico. I introduced legislation that would put the territories on equal footing when competing for federal highway discretionary grant programs. Further, I offered the text of my bill for consideration as Conference Committee commenced but the text of this legislation was not included in the final bill. On top of crippling cuts to the THP, the territories are not even afforded opportunities to compete for other discretionary programs like the Innovative Bridge Research and Deployment program. My bill, H.R. 2743 would permit the Secretary of Transportation to make the territories eligible for this competitive funding to the territories and remedies a disparity where our governments are unable to even compete for this program.

Madam Speaker, H.R. 4348 will likely have a detrimental effect on my constituents and would significantly undercut our ability to improve our roadways and invest in critical infrastructure improvements. Guam is being asked to support one of the largest military realignments in our nation's history and our island is in critical need of assistance to improve our roadways to support the military buildup. Cutting 20 percent from the THP would provide nominal short-term savings but it would cost significantly more in the long-term.

However, I am very supportive of the efforts of House and Senate leaders who reached agreement to freeze student loan rates for an additional year. Increases in student loan rates would have had a significant negative impact on a generation that is already competing with the most difficult job market in generations. Keeping student loan interest loans for an additional year keeps our commitment to our younger generations.

It is unfortunate that this compromise on student loans is attached to the transportation reauthorization as I strongly opposed to the cuts to the THP and, as such, urge my colleagues to oppose this legislation.

Mr. HOLT. Madam Speaker, I rise today in strong support of H.R. 4018, the Public Safety Officers' Benefits Improvements Act, of which I am a cosponsor, and I thank my colleague from across the Delaware River, Mr. FITZPATRICK, for his work on this extremely important issue.

During the early morning hours of August 28, 2011, as Central New Jersey was bearing the brunt of Tropical Storm Irene, the Princeton First Aid and Rescue Squad was called to investigate a vehicle submerged in raging floodwaters with the occupants possibly trapped inside. Michael Kenwood, a 39-year-old volunteer emergency medical and rescue technician, entered the water tied to his partner in an attempt to reach the stranded vehicle. The two quickly realized that the current was too strong and tried to turn back, but Michael lost his footing and was sucked into the current. When he was pulled from the water, Michael was unconscious and not breathing. Michael died later that day, leaving behind a wife, Beth, and 3-year-old daughter, Laney. The submerged car turned out to be empty.

Michael's death was a tragedy. But what compounded this tragic situation was the fact that, under current law, Michael's family was not eligible for federal death benefits because he was a volunteer member of a non-profit organization. This is just wrong. Michael's sacrifice would be no different if he had been a member of a paid fire department or EMS agency, and federal law should treat it as such. When he was called to enter those floodwaters, Michael did not stop to think, ''I don't get paid for this should I do this?'' He answered the call just like thousands upon thousands of others do each and every day, risking their lives in the service of others, regardless of whether or not they are paid.

This legislation would expand federal benefit programs for the women and men who volunteer for fire departments and rescue squads and are injured or killed in the line of duty. Quite simply, it is the right thing to do. I am glad to see this bill being brought to the floor and I urge my colleagues to support it here today.

Last Saturday, Michael's name was added to the National EMS Memorial in Colorado Springs, Colorado. I would ask that my colleagues join me in remembering Michael's sacrifice, and those made by the other police officers, firefighters, and emergency medical responders who put their lives on the line each and every day to protect ours.

Mr. FALEOMAVAEGA. Madam Speaker, the Conference Agreement on H.R. 4348, Surface Transportation Extension Act of 2012 unfairly places the financial burden on the smaller territories—American Samoa, the Commonwealth of the Northern Mariana Islands (CNMI), Guam, and the U.S. Virgin Island (USVI). Specifically, the agreement would result in a 20-percent reduction for each of the smaller territories under the Territorial and Puerto Rico highway program (Div A, Title 1, Subtitle A, Section 1114) for FY 2013 and FY 2014.

The territorial highway program underscores federal commitments to sustain economic development in the territories as well as to ensure safe highways in our communities. Funding from the territorial highway program has provided for the construction and improvement of highways and roads, critical infrastructure for commerce and transportation in the territories.

Mr. Speaker, any cuts to these critical funding could prove devastating to the economies of the smaller territories, yet we face the same challenges—the high cost of energy and transportation—as everyone else across the country.

Similarly, the initial version of the Highway Reauthorization bill that the House passed earlier this year would have replaced the Highway Trust Fund as the funding source for the Territorial Highway Program, with a less stable source.

For these reasons, the territorial delegates wrote a joint letter to the Conference Committee on April 26. We specifically highlighted the need to maintain the current funding levels for the territorial program. In addition, we asked that the territories be made eligible for certain discretionary grants and planning grants programs.

I am pleased that the conference agreement would keep the Highway Trust Fund as the funding source for the Territorial Highway Program. While I am disappointed to know that the smaller territories are given the brunt of the budgetary cuts to bear, I am hopeful however that the territories would be made eligible for certain discretionary grants and planning grants programs. These additional grants could help mitigate some of the financial issues as a result of the proposed reduction.

Mr. LANGEVIN. Madam Speaker, a rare thing has happened today. Republicans and Democrats in the House and Senate have reached a compromise for the greater good of the American people. Today we will vote on three critical measures: a long-term transportation extension, a long-term flood insurance extension, and a one-year continuation of current rates for need-based student loans.

Each of these is of critical importance to our nation's economic recovery. This legislation will create or save more than 2 million jobs, including approximately 9,000 in Rhode Island, by authorizing highway and transit programs through 2014.

Unfortunately, in order to secure an agreement, the conferees included some provisions in this bill with which I disagree. I am disappointed that the legislation threatens critical environmental funding and protections and fails to expand funding for the Land and Water Conservation Fund, which provides matching grants for our state to acquire land and water for the benefit of all Rhode Islanders. I will work to restore these resources in the future, but on balance this is a good agreement that will benefit communities and workers across our state.

I am also pleased that this measure prevents the Stafford loan interest rate from doubling to 6.8 percent on July 1 for 7 million college students, saving them $1,000 over the life of their loans. However, I am concerned that the bill cuts the student loan program by limiting the amount of time a student qualifies for a loan to 150 percent of the program's length and eliminates the six-month interest subsidy grace period after a student has graduated. Too many students—especially those from low-income families—face unnecessary barriers to pursuing a college degree, and it is our responsibility to empower them by investing in their education.

Thousands of jobs in Rhode Island have been on hold, waiting for Congress to act This delay was needless, and this legislation is long overdue. Nowhere is our nation's fragile recovery more apparent than in my home state of Rhode Island, with an unemployment rate of 11 percent. I applaud the Conferees for their tireless efforts to craft this compromise, which will bring loan relief to our students, provide flood insurance to our homeowners, and allow our states and cities to move forward on the path to rebuilding our roads, our communities, and our economy.

Mr. HINOJOSA. Madam Speaker, I rise in strong support of the underlying bill, the Conference Report to H.R. 4348, legislation that will keep student loans affordable for more than 7 million students: 4.5 million of whom are women, 1.5 million of whom are African-American, and nearly one million of whom are Latino.

This legislation will prevent interest rates on need-based student loans from doubling on July 1st, from 3.4 to 6.8 percent and provide much-needed relief to students and families.

This will save students an average of $1,000 over the life of their loan. In my home state of Texas, approximately 461,533 borrowers will benefit from this congressional action.

As you know, student debt is skyrocketing, with the average borrower graduating with loan debt of $25,000. According to the Consumer Financial Protection Bureau, total outstanding student loan debt surpassed $1 trillion late last year.

As Ranking Member of the Subcommittee on Higher Education and Workforce Training, I urge my colleagues to vote for this bill and to work in a bipartisan manner to reaffirm Congress' strong commitment to accessibility and affordability in higher education.

Together, we must address the rising cost of higher education and the ever-increasing amount of debt that students are being burdened with.

Young people in our communities must know that Congress is working hard to ensure that they have a bright future and access to an affordable, high-quality education—one that prepares them to lead healthy and prosperous lives.

With that, I urge my colleagues on both sides of the aisle to vote for this bill.

Ms. BORDALLO. Madam Speaker, I rise today in strong opposition to H.R. 4348, the Moving Ahead for Progress in the 21st Century Act (MAP–21). This bill significantly cuts critical federal investment in surface transportation projects for the territories. The authorized funds for the next two fiscal years would severely undermine my district's ability to improve and upgrade road systems on Guam and put current projects at risk.

MAP–21 cuts 20% from the Territorial Highway Program (THP), which was established to assist Guam, the Northern Mariana Islands, American Samoa and the U.S. Virgin Islands build and improve main and secondary highway systems. The program is critical to ensuring that our districts have a quality highway system that facilitates commerce in the territories. The territories have received funding that does match their current upgrade and modernization requirements. The cuts to the THP will hinder our district's ability to meet these requirements over the next two years. The proposed cut to this program, about $8 million for Guam over the next two years, could jeopardize financiering for larger projects utilizing TIFIA financing. The TIFIA financing mechanism and current bonds assumed level funding of the THP over the next several years. Ultimately, this bill may lead to project cancellations and job losses.

Even at current funding levels, the THP is inadequate in addressing the needs of the territories, and the governments in the territories do not have access to many programs available to the 50 states and Puerto Rico. I introduced legislation that would put the territories on equal footing when competing for federal highway discretionary grant programs. Further, I offered the text of my bill for consideration as Conference Committee commenced but the text of this legislation was not included in the final bill. On top of crippling cuts to the THP, the territories are not even afforded opportunities to compete for other discretionary programs like the Innovative Bridge Research and Deployment program. My bill, H.R. 2743 would permit the Secretary of Transportation to make the territories eligible for this competitive funding to the territories, and remedies a disparity where our governments are unable to even compete for this program.

Madam Speaker, H.R. 4348 will likely have a detrimental effect on my constituents and would significantly undercut our ability to improve our roadways and invest in critical infrastructure improvements. Guam is being asked to support one of the largest military realignments in our nation's history and our island is in critical need of assistance to improve our roadways to support the military buildup. Cutting 20% from the THP would provide nominal short-term savings but it would cost significantly more in the long-term.

However, I am very supportive of the efforts of House and Senate leaders who reached agreement to freeze student loan rates for an additional year. Increases in student loan rates would have had a significant negative impact on a generation that is already competing with the most difficult job market in generations. Keeping student loan interest loans for an additional year keeps our commitment to our younger generations.

It is unfortunate that this compromise on student loans is attached to the transportation reauthorization as I am strongly opposed to the cuts to the THP and, as such, urge my colleagues to oppose this legislation.

Mr. STARK. Madam Speaker, I rise today in reluctant support of the Transportation and Student Loan Agreement (H.R. 4348). We must prevent interest rates on student loans from doubling as they are set to do tomorrow. We must reauthorize our transportation programs and get people to work rebuilding our

infrastructure. This legislation, while far from ideal, accomplishes both of those worthy goals.

The bill does leave much to be desired. It invests far too little in the infrastructure investments we need, it restricts the ability of part-time students to afford college, underfunds transit, biking, and pedestrian projects, its ''Buy America'' provision is weak, and it includes a pay-for that could further weaken our pension system. However, given the situation we are in, passing it today is the responsible thing to do.

Continuing their trend of governing through hostage taking and brinksmanship, the Republican Majority has once again brought the nation to the edge of a vital program—in this case, Surface Transportation—expiring. More than three months ago, the Senate overwhelmingly passed a bipartisan, job-creating transportation bill with 74 votes. Instead of taking up that bill, as myself and many of my colleagues and the President urged, Republicans brought up a hyper-partisan bill that included numerous anti-environmental riders, gutted mass transit, and ended investments in pedestrian and bicycle infrastructure. Compared to that debacle, today's legislation is a vast improvement. It does not contain provisions mandating that the tar sands pipeline be built or that EPA rules on safe disposal of coal ash be undermined. Instead of slashing mass transit, it maintains funding. Most importantly, it will support more than 2 million American jobs, including 180,000 in California, rebuilding our nation and providing some certainty for California and other states to move forward with much needed infrastructure projects.

The student loan issue is another example, much like the payroll tax cut at the end of last year, of Republicans refusing to act in the interest of the American people until their hand is forced by overwhelmingly public opinion. On March 29th, House Republicans voted to allow student loan interest rates to double when they passed the Ryan Budget. They voted to increase rates on 7 million students, including 570,000 California students—the equivalent of a $1,000 education tax on these students and their families. After hearing an outcry from the public and feeling political pressure to act, the majority finally changed their tune. I wish that the interest rate fix we are voting on today was for longer than a year and I also wish we were not paying for it, in part, by punishing part-time students by taking away interest deferment for those students. But compared to allowing the interest rate hike staring millions of students in the face to go into effect, passing this legislation is the right thing to do.

Mr. CAMP. Madam Speaker, I rise today in support of the Highway Conference Report. This bill helps to provide the funding that cities and towns depend on to develop and maintain the infrastructure they need to attract businesses to locate in their communities and create jobs. However, given the current fiscal challenges facing our country, we must ensure that meeting those obligations does not further hamper an already weak economic recovery.

This legislation reflects that effort and serves as a reminder that Washington must learn to live within its means. To that end, House Republicans ensured that the provisions in this conference report promote job creation and do not add to the national debt.

First and foremost, the Conference Report rejects nearly $7 billion in tax hikes included in the Senate bill. From higher taxes on private investment in infrastructure to redundant and ineffective tax enforcement measures, House Republicans were able to prevent $7 billion in costly tax hikes on the nation's families and businesses during a time when our economy is still struggling to get back on its feet.

In addition to preventing these job-killing tax hikes, the Conference Report also adopts necessary reforms to the Pension Benefit Guaranty Corporation—or PBGC—resulting in greater accountability to taxpayers, the pension plans who participate in PBGC's insurance program, and workers who depend on PBGC to insure their retirement needs. Importantly, these reforms will also protect taxpayers from being on the hook for potential bailouts in the future.

Along with these critical reforms, this legislation provides companies who sponsor pension plans with some important funding relief made necessary by the stagnant economy, while also requiring greater accountability and transparency so that resources are correctly accounted for and used in a way that puts workers first.

Specifically, to address the failed policies of the Obama Administration that are squeezing employers and pension plans, there has long been bipartisan support for some form of pension funding relief. Liabilities in pension plans are often calculated by using an average of interest rates on corporate bonds over the prior two years. In response to an extremely weak Obama economy, the Federal Reserve has driven interest rates to historic lows and kept them there. Combined with plan investment policies, this has substantially increased the value of plan liabilities, resulting in ''a rising tide'' of required pension contributions (to quote a report by the Society of Actuaries). The pension funding relief provided in this conference report will allow companies to spread these skyrocketing required contributions over a long period of time, rather than forcing employers to divert resources in the near term from other business activities such as hiring, expansion or pay increases.

Pension funding relief is necessary, but so too are reforms that provide greater protection, accountability and transparency to the workers who depend on the PBGC, and taxpayers who should not be called upon to bailout PBGC. That is why this Conference Report includes several necessary PBGC reforms that were not included in the Senate bill to protect against a taxpayer-funded bailout. Those reforms include:

Disclosure requirements so participants in pension plans know of any shortfalls;

Adjustments to PBGC fees, including for multiemployer plans, which currently pose the greatest risk to PBGC;

Reforms to PBGC's governance structure;

The establishment of a new PBGC Risk Management Officer;

A required annual peer review of PBGC's insurance modeling systems; and

The termination of PBGC's unsecured $100 million line of credit from the U.S. Treasury.

Madam Speaker, we have passed nine extensions of the highway bill. Today we have an opportunity to put an end to the ''stop and start'' and take more significant steps toward a longer-term set of solutions. I urge my colleagues to join me in passing this Conference Report.

Mr. RYAN of Wisconsin. Madam Speaker, I commend the Speaker, Chairman MICA, Chairman CAMP, the conferees and their staffs for their work on this surface transportation reauthorization conference bill. With a history of short-term extensions and bailouts of the highway trust fund since the last highway bill was enacted, to the credit of Chairman MICA and the Transportation and Infrastructure Committee, they acted at the beginning of this year to report legislation to fundamentally reform this program to put it on a sustainable basis. While H.R. 4348 does not ultimately achieve that goal, it makes progress and the Chairman, the Committee, and the leadership are to be commended for that effort. For the first time, it offsets general fund transfers to the highway programs to keep the program operating through September, 2014. The bill also is at current level funding, earmark free, reduces the federal bureaucracy by consolidating transportation programs, and cuts red tape to institute significant reforms to complete major infrastructure projects. Relative to the Senate highway bill that irresponsibly relied on taxpayer bailouts for highway spending and past funding practices, the conference bill before us today is an improvement.

Despite this bill's progress, it does not address the structural problems in our transportation programs and I have some concerns with some aspects of the legislation.

First, though the Highway Trust Fund was intended to be financed at the level of gas tax revenues, Congress has increased spending for the program well beyond gas tax revenue levels. As a result, the fund has increasingly operated in the red by relying on general fund transfers to pay for annual funding shortfalls. The trust fund has required three large general fund transfers, or taxpayer contributions, totaling $35 billion since 2008. Over the next decade, the Congressional Budget Office (CBO) anticipates the Highway Trust Fund to run cash deficits in total of $105 billion, even upon enactment of today's bill. Through a budgetary loophole, these transfers of general taxpayer revenues are not captured for budgetary effects, allowing Congress to bail out the program without being recorded as a net increase in spending or deficits.

The FY 2013 House budget resolution, H. Con. Res. 112, included a reform to close the budget loophole for general fund transfers to ensure future transfers are fully offset and assumed potential funding streams in the form of new oil and gas revenues for the Highway Trust Fund. Congress needs to continue to reform the critical highway program to put it on sound financial footing without further bailouts with borrowed money. H.R. 4348 makes an important effort to offset the $18.8 billion in general fund transfers contained in the bill. But, instead of continuing to rely on general fund transfers going forward, we need to address the systemic factors that have been driving the trust fund's bankruptcy.

In terms of the bill's cost estimate, according to CBO, the unified budget impact of the entire bill is $16 billion in net deficit reduction over ten years. However, under traditional budget scoring, this does not include the cost of general transfers to the highway fund nor the flood insurance reforms' net income. When considering the bill under House budget enforcement per its budget resolution, if we include the costs of higher spending under scored general fund transfers and the flood insurance income, it leads to a small deficit reduction over ten-years.

Second, I am concerned with H.R. 4348's use often-year savings to finance two years of spending. We need to be reducing spending and deficits and when we increase spending, we should be offsetting the cost in as short a timeframe as possible.

Based on CBO scoring, the bill produces ten-year savings from pension law changes, but some of these changes come with long-term costs. It appears possible that any savings gained in the ten-year window may be offset by greater federal obligations in the future. I expressed my concern over a similar 'smoothing' provision when used in past legislation.

Finally, this bill extends the current interest rate on certain student loans for another year. This is another example where Congress established a temporary subsidy with sudden expiration dates and no plans for next steps. I believe it is imperative that we work toward responsible, long-term reform in this area. Congress must stop playing games with students' interest rates to score political points. A well-educated population is critical to higher incomes and stronger economic growth, but our current education programs have serious problems. The right question is not should the interest rate be 3.4 or 6.8 percent. The focus should instead be on how developing an effective, fair and sustainable process for providing capital to students one that ensures access to higher education without fueling tuition inflation and exposing the taxpayer to unacceptable levels of risk. I look forward to working with my colleagues to achieve such reforms.

Mrs. CAPITO. Madam Speaker, I am pleased to see that H.R. 4348 includes pension reform provisions that will allow businesses to invest more to create jobs, while generating over $9 billion in Treasury revenue over the next 10 years. H.R. 4348's pension reforms are critical to help businesses create jobs in a struggling economy.

However, I am concerned these vital reforms will be incomplete if financial reporting requirements known as Generally Accepted Accounting Principles do not conform to H.R. 4348's changes in law. H.R. 4348 does not provide a deadline to adjust these financial reporting requirements to match the bill's pension reforms.

We should expect prompt harmonization between the law and how pension obligations are reported on companies' financial statements. If there is not harmonization many company balance sheets will be required to show inflated liabilities that H.R. 4348's pension reforms seek to address.

The clear policy of H.R. 4348 is that pension funding be calculated by a more stable, long-term method. I expect, and Congress should expect, that financial reporting requirements conform with Congress's clear intent on this issue. Financial statements should be consistent with the rate stabilization set forth in this legislation.

Mr. PALAZZO. Madam Speaker, I want to thank the Chairman for bringing this bill to the floor, and for all the hard work of our conferees in getting us to this point.

Today, I rise before you to remind this body one last time of the importance of Gulf Coast recovery and the importance of passing the RESTORE Act.

Less than a year ago, a small group of Gulf Coast legislators came together with big support from their communities, and a mission to make the Gulf Coast whole.

This was no small effort. But it is the least we could do to show our support once more to all those affected by the single largest man-made disaster in our history.

I am proud to have been a part of this landmark legislation. I want to thank all those who worked so hard with us to make this happen—from my Gulf Coast colleagues to local leaders, business interests to conservation groups.

There were many who said this could not be done in an election year, with so much competing for time on the legislative calendar. But we knew how important it was to pass this bill.

We did not give up because we knew that restoring and replenishing the Gulf Coast is more than just a responsible decision; it is the right thing to do.

Mr. DINGELL. Madam Speaker, I rise today in support of H.R. 4348. While this is not a perfect bill, it will fund important transportation projects while creating well-paying jobs across this country.

H.R. 4348 will reauthorize through the end of fiscal year 2014 our highway and transit programs at current levels—$105 billion. While I am disappointed in this short-term reauthorization, I do believe this authorization will provide some stability to our state and local governments. We know that for every $1 billion of federal funds invested in our highway and transit infrastructure nearly 39,000 jobs are created or sustained. This investment will give our transportation industry the ability to continue to create thousands of jobs across our country.

I am also extremely pleased that all states will be guaranteed a minimum rate of return of 95 percent on their payments into the Highway Trust Fund. During the last reauthorization I worked hard with my colleagues on both sides of the aisle to increase Michigan's rate of return to 92 percent, and I am pleased to be able to support increasing it once again. This bill will continue the Safe Routes to School program, and the transportation enhancement activities such as bike paths, bike lanes, and trails. This program has been critical to helping communities in my district, like Ann Arbor, to make their communities more livable and attractive to families and businesses, while also greening our environment by providing alternatives for their commute. Furthermore, I am pleased that H.R. 4348 will continue to fund our mass-transit program, providing funding to critical projects that will bring our transit infrastructure into the 21st Century.

I am disappointed that H.R. 4348 did not reauthorize the Coordinated Border Infrastructure program. Michigan was one of the leaders in creating CBIP given its critical relationship with Canada and it has been instrumental in addressing border congestion. It is my hope that we can reauthorize this program in the coming months. Unfortunately, this bill does not include any provisions directing the Department of Transportation to develop a long-term national rail plan. I passed one of the first pieces of legislation authorizing investment in high-speed rail, but there has never been a strong commitment to bringing our rail program into the 21st Century until this Administration. This Administration has wisely invested billions of dollars into bringing highspeed rail travel across the country and to corridors outside the Northeast. By ignoring this goal we are halting the progress of high-speed rail and falling further behind our neighbors abroad.

I would have liked for the Land and Water Conservation Fund, or LWCF, reauthorization and funding to be included in the final bill. LWCF was included in the Senate language with overwhelming bipartisan support and I joined with 145 of my House colleagues requesting the conference committee to include the reauthorization and funding. LWCF develops local partnerships to conserve critical wildlife habitat, hunting and fishing access, state and local parks, productive forests, and important lands to be protected for future generations. I hope the House will give serious consideration to reauthorizing and funding LWCF in the coming weeks.

This bill includes a one-year extension of the 3.4 percent interest rate for subsidized Stafford student loans. I am happy that this is finally being authorized because as we continue to recover economically, we must ensure that students can afford a higher education. There were nearly 48,000 students attending a university or college in my district last year who received one of these loans and doubling the interest rate would have a significant impact on students as they get ready to start the new school year. Our children, 25 percent of our population, are 100 percent of our future. They are counting on us and I am pleased we are now standing up for the future to make higher education and job training affordable.

While we are taking a step forward today, we must start thinking towards next July when this one-year extension will expire. We cannot wait until the last minute to address this issue as we did this year. We must start thinking now about how to deal with this problem. This is not just a campaign talking point, this affects students and families and can be the difference between achieving your goals or being priced out of your dreams.

The Flood Insurance extension is a much needed part of this compromise. As we continue to experience extreme weather across the country, we need to ensure that homeowners with flooded homes can get the help they need to put their lives back together. However, as FEMA works on implementing new floodplain maps, we must ensure that the maps make sense. Homeowners and small businesses in my district are being driven out of the homes and stores due to the high cost of flood insurance that they've never had to pay before. I urge FEMA to continue to work with local governments to address these concerns and keep families in their homes and small businesses open.

I applaud this bill, and I hope my colleagues keep working together in this manner—actually passing bills that make a difference and take action instead of playing political football on issues that do not impact the majority of Americans.

Ms. JACKSON LEE of Texas. Madam Speaker, I rise today in support of H.R. 4348 the ''Surface Transportation Conference Agreement.'' More than 100 days ago, the Senate passed a bipartisan, job-creating transportation bill to rebuild America—that is similar to the bill we are taking up today.

This bill will create or save more than 2 million jobs, authorize highway and transit programs for more than two years at current levels, make key reforms consolidating transportation programs, and leverage federal resources to expand public-private partnerships in transportation.

However, regarding the education of our Nation in making college more affordable has always been a top priority of Democrats. In

2007, the Democratic-led Congress enacted legislation that cut the interest rate on need-based student loans in half—to 3.4 percent—over five years.

Unfortunately, under current law, that reduced rate expires and doubles to 6.8 percent on July 1.

This Congress cannot sit by and let students suffer and be denied a chance at making a better future and a brighter tomorrow because we failed to act. I am determined to see that students have a chance to learn, to aspire, and to dream.

If we don't pass this bill with common-sense pay-fors, we are setting up a roadblock to dreamers, in essence telling them that education can be foreclosed on because we did not do our jobs.

If the current rates expire the average student faces an increase of $1,000 each. In doing nothing, House Republicans are, putting more barriers in the way of millions of Americans already struggling to pay for a higher education. It is time for Republicans in Congress to stop playing politics with students' futures and come to the negotiating table.

Minority and Women Contractors. Regarding set-asides to ensure that minority, women and other disadvantaged businesses are able to compete for transit and highway contracts, the conference report continues the program and includes key findings regarding discrimination in transportation contracts to ensure that these important provisions are upheld if ever challenged. These provisions are not expanded to rail, which is not authorized in the bill.

Although I am disappointed the bill does not include rail, it is important that as we move forward, transportation contracts, whether it be for airlines, bus, rail, or even little red wagons, women and minorities are able to compete on equal footing with the old boy's network.

I have supported this reauthorization at least 16 times since 2008. The National Flood Insurance Program (NFIP) has been invaluable for victims and potential victims of flooding in Texas.

Congress must extend authority for the NFIP to write or renew flood insurance policies, which are required in order to obtain a mortgage in the 100-year floodplain. This is an issue of importance to not just the coastal states but in nearly every state.

Just a month ago the Houston Association of Realtors was in town and came to advocate for a reauthorization but as a practical matter would prefer—like many Members of Congress on both sides of the aisle—a long-term, 5-year reauthorization for this important measure.

The National Flood Insurance Program (NFIP) was established in 1968 in response to increasing federal government spending for disaster relief. Standard homeowners insurance does not cover flooding and therefore offers no protection from floods associated with hurricanes, tropical storms, heavy rains and other conditions. The NFIP mandates that federally regulated or insured lenders require flood insurance on properties that are located in areas that have a high risk of flooding.

As Ranking Member of the Subcommittee on Transportation Security and Infrastructure Protection of the Committee on Homeland Security, I understand as well as anyone that supporting and securing our Nation's transportation systems are critical to ensuring the free movement of people and commercial goods. But I also know that, in the strained economic circumstances that we currently face, it is equally imperative that we allocate limited resources in a way that maximizes their capacity to improve the lives of as many Americans as possible.

I am pleased that the Conference Agreement measure includes provisions to strengthen highway and motor carrier safety programs. The legislation consolidates National Highway Traffic Safety Administration incentive grant programs, and increases funding flexibility for states that qualify for safety incentive grants. The measure also improves motor carrier safety in a balanced manner.

As the Representative of 18th Congressional District of Houston, Texas, I am keenly aware of our transportation needs. Houston needs infrastructure to relieve congestion and provide adequate public transportation, but it also needs this because an investment in Houston's New Start Transit Project means jobs for Houston's constituents through the transportation sector in its communities and around the Nation.

However, I must balance the needs of my constituents. This funding is critical for funding existing and pending surface transportation and infrastructure projects while we pursue longer term solutions in the face of a misplaced focus on spending cuts. We must work together to forge a bipartisan long-term solution to our Nation's transportation and infrastructure needs.

Economic experts universally agree that funding the critical and necessary infrastructure projects nationwide creates jobs for America and increases our level of global competitiveness. There is an intense competition between fiscal responsibility and investment in job growth & infrastructure.

We must make investments in job creating infrastructure projects in order to grow the US economy. We must be winners in contest for economic change now and for our children's future. We cannot be the losers. We must catch the wave of economic growth or be crushed by it. China, India and Europe understand this because they have committed to greater investments in their infrastructure.

As I think of my home District, the 18th Congressional District in Houston, Texas and its busy ports, much like the other ports around this great nation, I am compelled to urge my colleagues to consider the pressing national necessity of decongesting the surface transportation, both rail and highway, that moves the goods in and out of those ports.

We must improve this surface transportation system in order to accommodate national economic health, global competitiveness, and to avoid harm to agriculture industry, maritime jobs and manufacturing jobs. Maritime jobs and construction jobs for infrastructure provide a good middle class wage, allow workers to get educations at night, and lower crime rates in our cities.

We must invest in High Speed Rail. We have about 500 miles of high speed rail in process, but China has about 10,000 miles being built! We need to have a domestic talent pool with the required knowledge, skills and trained workers to do projects like high speed rail or we will be paying for skilled Chinese companies to do it for us.

Infrastructure Investment is a Non-Partisan Issue: If the AFL–CIO and U.S. Chamber of Commerce have teamed up to promote infrastructure investment, then surely the Democrats and Republicans in this Congress can do the same. Moreover, now is the time for us to consider the creation of a long overdue National Infrastructure Bank and Public-Private partnerships to shift our infrastructure improvement into full gear. We should not shy away from this issue when a nation is waiting for us to do our part to restore our economy through fortification of our infrastructure. It is time for another large, bold, national forward thinking infrastructure project like interstate highway system.

Governors and Mayors at ground level around this nation will quickly confirm that Infrastructure investments create jobs, help balance budgets, and grow both state and national economies. We must listen to our local elected officials who must fix the potholes, repair the crumbling bridges and tunnels or be held directly accountable by their constituents on every street corner. Our local elected officials will quickly tell us that infrastructure investment creates jobs, because it attracts business!

The American Association of Civil Engineers (ASCE) gives U.S. Infrastructure the Grade of "D" in its 2009 Report Card. Infrastructure Investment equals Jobs! But, the U.S. is falling behind its competitors in infrastructure development (especially China, India & Europe). The bottom line is that Transportation and Infrastructure Investment is needed for a Strong Economy.

So, I say to my colleagues that we weight this measure carefully. A delay in enactment of this Conference Agreement will shut down more than $800 million next month in highway reimbursements and transit grants to States and urban areas, endangering more than 28,000 jobs and multi-million dollar construction projects across the country.

As Ranking Member of the Transportation Security Subcommittee at the House Committee on Homeland Security, I have continuously supported the increase in adequate resources aimed at enhancing the efficiency, safety and security of our rail and mass transit systems.

This Congress, I introduced the "Surface Transportation and Mass Transit Security Act of 2011" which seeks to authorize adequate resources and program attention to surface and mass transit security programs at the Transportation Security Administration.

To this end, the bill authorizes additional surface inspectors needed to validate security programs impacting our surface and mass transit security. The bill also creates mechanisms to strengthen stakeholder outreach, makes key revisions to the public transportation security assistance grants program and increases canine teams and resources for surface and mass transit modes.

I must say that I am pleased today that our colleagues have come together in a bipartisan and bicameral manner to create a Conference Agreement that will put Americans back to work.

Mr. TIBERI. Madam Speaker, many employers have reassured me that the pension stabilization language included in the Surface Transportation Extension Act of 2012 will allow them to invest more to create jobs and will prohibit a reduction in their workforce. I hope this is the case and that these pension reforms will help businesses create jobs in a struggling economy.

However, H.R. 4348 does not make changes to the financial reporting requirements known as Generally Accepted Accounting Principles (GAAP) to allow companies to reflect the reforms on their balance sheets. The end result of this is that many company balance sheets will be required to show inflated pension liabilities that the reforms seek to address.

There is also no guidance provided to the overseeing entities of GAAP on how to conform these reforms and accounting requirements.

The pension stabilization language is meant to allow companies to calculate their pension funding status through a more stable, long-term method. There should be consistency between the law and how pension obligations are reported on companies' financial statements.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 717, the previous question is ordered.

The question is on adoption of the conference report.

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

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

The yeas and nays were ordered.

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

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

GENERAL LEAVE

Mr. LATHAM. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the further consideration of H.R. 5972, and that I may include tabular material on the same.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 697 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 5972.

Will the gentleman from Indiana (Mr. BUCSHON) kindly take the chair.

□ 1150

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 5972) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2013, and for other purposes, with Mr. BUCSHON (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Wednesday, June 27, 2012, an amendment offered by the gentleman from Louisiana (Mr. SCALISE) had been disposed of and the bill had been read through page 150, line 9.

AMENDMENT OFFERED BY MR. LANDRY

Mr. LATHAM. Mr. Chairman, I ask unanimous consent to vacate the request for a recorded vote on the Landry amendment to the end that the Chair put the question de novo.

The Acting CHAIR. Is there objection to the request of the gentleman from Iowa?

Without objection, the request for a recorded vote on the amendment is vacated and the Chair will put the question de novo.

There was no objection.

The Acting CHAIR. The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. LANDRY).

The amendment was agreed to.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

An amendment by Mrs. BLACKBURN of Tennessee.

Amendment No. 13 by Mr. MCCLINTOCK of California.

An amendment by Mr. LANKFORD of Oklahoma.

Amendment No. 9 by Mr. DENHAM of California.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MRS. BLACKBURN OF TENNESSEE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACKBURN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 166, noes 254, not voting 12, as follows:

[Roll No. 445]

AYES—166

Adams
Amash
Amodei
Bachmann
Bartlett
Barton (TX)
Benishek
Biggert
Bilirakis
Black
Blackburn
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Buerkle
Burgess
Burton (IN)
Camp
Campbell
Canseco
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Conaway
Cooper
Crawford
Cuellar
Culberson
Davis (KY)
DesJarlais
Donnelly (IN)
Duffy
Duncan (SC)
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gardner
Garrett
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (MO)
Griffin (AR)
Griffith (VA)
Guinta
Guthrie
Harper
Harris
Hartzler
Hensarling
Herger
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
King (IA)
Kingston
Kline
Labrador
Lance
Landry
Lankford
Latta
Long
Luetkemeyer
Lummis
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Myrick
Neugebauer
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pence
Petri
Pitts
Poe (TX)
Pompeo
Price (GA)
Quayle
Ribble
Rigell
Roe (TN)
Rogers (MI)
Rohrabacher
Rokita
Roskam
Ross (FL)
Royce
Ryan (WI)
Scalise
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shuster
Smith (NE)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thornberry
Tiberi
Tipton
Turner (NY)
Upton
Walberg
Walden
Walsh (IL)
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Woodall
Yoder
Young (FL)
Young (IN)

NOES—254

Ackerman
Aderholt
Alexander
Altmire
Andrews
Austria
Baca
Bachus
Baldwin
Barber
Barletta
Barrow
Bass (CA)
Bass (NH)
Becerra
Berg
Berkley
Berman
Bilbray
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Bonamici
Bonner
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Bucshon
Butterfield
Calvert
Capito
Capps
Capuano
Cardoza
Carnahan
Carson (IN)
Carter
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Cohen
Cole
Connolly (VA)
Conyers
Costa
Costello
Courtney
Cravaack
Crenshaw
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Denham
Dent
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Doyle
Dreier
Edwards
Ellison
Ellmers
Engel
Eshoo
Farr
Fattah
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gerlach
Gibbs
Gibson
Gonzalez
Granger
Green, Al
Green, Gene
Grijalva
Grimm
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson Lee (TX)
Johnson (GA)
Kaptur
Keating
Kelly
Kildee
Kind
King (NY)
Kinzinger (IL)
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luján
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McKeon

McKinley
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Murphy (PA)
Nadler
Napolitano
Noem
Nugent
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Platts
Polis
Posey
Price (NC)
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Richardson
Richmond
Rivera
Roby
Rogers (AL)
Rogers (KY)
Rooney
Ros-Lehtinen
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Simpson
Sires
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tierney
Tonko
Towns
Tsongas
Turner (OH)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
Wilson (FL)
Wolf
Womack
Woolsey
Yarmuth
Young (AK)

NOT VOTING—12

Akin
Cantor
Carney
Clyburn
Duncan (TN)
Filner
Graves (GA)
Jackson (IL)
Johnson, E. B.
Lamborn
Lewis (CA)
Neal

□ 1217

Mr. CARTER changed his vote from ''aye'' to ''no.''

Messrs. MARCHANT, HARRIS, CASSIDY, ROSKAM, ROYCE, HARPER, HERGER, and KINGSTON changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 445, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''no.''

AMENDMENT NO. 13 OFFERED BY MR. MCCLINTOCK

The Acting CHAIR (Mr. THORNBERRY). The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. MCCLINTOCK) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 235, noes 186, not voting 11, as follows:

[Roll No. 446]

AYES—235

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

NOES—186

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

NOT VOTING—11

Akin
Carney
Clyburn
Duncan (TN)
Filner
Jackson (IL)
Johnson, E. B.
Lamborn
Lewis (CA)
Neal
Sullivan

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1221

Mr. DOLD changed his vote from ''aye'' to ''no.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 446, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''no.''

(By unanimous consent, Mr. DOYLE was allowed to speak out of order.)

CHARITIES REAL WINNERS FROM CONGRESSIONAL BASEBALL GAME

Mr. DOYLE. Mr. Chairman, you all know that last night was the 51st annual Congressional Quarterly-Roll Call baseball game for charity, and I'm pleased to inform the House this morning that the Democratic team won 18–5 last night.

Mr. Chairman, there are 21 outs in the game we play because we only play seven innings. Cedric Richmond struck out 16 batters, so he didn't leave much work for our infield. It's my understanding that if the Republicans should win the Presidency, that Cedric is going to be offered a Cabinet position just to get him out of here. Other notables, Cedric also came within about 3 feet of hitting one out of the park at National Field, too. BEN CHANDLER also had a fantastic game for our team as co-MVP.

But, Mr. Chairman, the real winner last night was the Boys and Girls Club

of Washington, D.C. and the Washington Literacy Council. This was a record year for the congressional baseball game. We came close to raising, for the first time ever, almost a quarter of a million dollars for the charities.

I want to congratulate my good friend and Republican manager, JOE BARTON, on a hard-fought game. I can tell you, as someone who has played in the game for 18 years now, I've been part of the highs and part of the lows. I know what it's like to be on both ends of a winning and losing ball game. But the Republicans were game opponents. They came out there, and they did their best last night; but we were just a little bit better than them. And now I yield to my good friend, JOE BARTON.

Mr. BARTON of Texas. Thank you, Congressman DOYLE. There are a few things you said, like most Democrats, stretching the truth a little bit. You know, you said that there are only 21 outs in the game. Well, we being very generous and open-hearted Republicans, we play a game where you got about 31 outs because we were so friendly with the way we didn't catch the ball.

For my Republican colleagues, there is good news and bad news. The good news is we got nine times as many hits this year. We got 500 percent more runs this year. So in some ways, we did a lot better. But the bad news is that the Democrats doubled the number of runs. And as my 6-year-old son Jack told me on the way home after the game—he's a T-ball expert—he said, Those guys didn't let up on you.

Mr. DOYLE. It's not in my nature, Joe.

Mr. BARTON of Texas. As some of you who actually went to the game noticed, at about the fourth inning, PETE SESSIONS, our first base coach, and TIM SCOTT, one of our pitchers, who are both on the Rules Committee, had to leave to go back to Rules. Now, there's no truth to the rumor that I had asked for an emergency rule asking CEDRIC RICHMOND be declared ineligible for that game. There is no truth to that rumor.

Our guys played well. Our MVP, PAT MEEHAN of Pennsylvania, pitched in relief real well. JOHN SHIMKUS got two hits. JEFF FLAKE got a double and knocked in two runs. SAM GRAVES stole several bases and played very well out in the field. So as my 6-year-old son Jack also said, Mr. DOYLE, enjoy it while you can because it won't last forever; you can't win every game.

But congratulations, and a job well done on both sides.

Mr. DOYLE. I think it is also notable that our House Chaplain, Father Conroy, did get a chance to play in the game last night. We put him in as a pinch runner. I think it's notable to say Father Conroy stole home.

Mr. BARTON of Texas. He did, but that means that God owes us one. Congratulations.

Mr. DOYLE. We want to give a round of applause to our Chaplain, too, for playing in the game.

One final look: here's the trophy, guys.

AMENDMENT OFFERED BY MR. LANKFORD

The Acting CHAIR. Without objection, 2-minute voting will continue.

There was no objection.

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Oklahoma (Mr. LANKFORD) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 234, noes 191, not voting 7, as follows:

[Roll No. 447]

AYES—234

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

NOES—191

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

NOT VOTING—7

Akin
Clyburn
Filner
Jackson (IL)
Johnson, E. B.
Lamborn
Lewis (CA)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1231

Mr. WHITFIELD changed his vote from ''aye'' to ''no.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 447, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''no.''

AMENDMENT NO. 9 OFFERED BY MR. DENHAM

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. DENHAM) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 239, noes 185, not voting 8, as follows:

[Roll No. 448]

AYES—239

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

NOES—185

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

NOT VOTING—8

Akin
Clyburn
Filner
Fitzpatrick
Jackson (IL)
Johnson, E. B.
Lamborn
Lewis (CA)

□ 1235

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 448, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''no.''

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

This Act may be cited as the ''Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2013''.

Mr. LATHAM. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BISHOP of Utah) having assumed the chair, Mr. THORNBERRY, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 5972) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2013, and for other purposes, directed him to report the bill, as amended by House Resolution 697, back to the House with sundry further amendments adopted in the Committee of the Whole, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any further amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. BARBER. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. BARBER. I am opposed to the bill in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Barber moves to recommit the bill, H.R. 5972, to the Committee on Appropriations with instructions to report the same back to the House forthwith with the following amendment:

Page 71, line 19, after the dollar amount, insert ''(reduced by $34,000,000)''.

Page 72, line 8, after the dollar amount, insert ''(reduced by $34,000,000)''.

Page 74, line 6, after the dollar amount, insert ''(reduced by $13,000,000)''.

Page 74, line 9, after the dollar amount, insert ''(reduced by $7,000,000)''.

Page 74, line 12, after the first dollar amount, insert ''(reduced by $26,000,000)''.

Page 74, line 16, after the dollar amount, insert ''(reduced by $1,000,000)''.

Page 74, line 19, after the dollar amount, insert ''(reduced by $5,000,000)''.

Page 74, line 23, after the dollar amount, insert ''(reduced by $100,000)''.

Page 75, line 7, after the dollar amount, insert ''(increased by $75,000,000)''.

Page 82, line 6, after the dollar amount, insert ''(increased by $75,000,000)''.

□ 1240

The SPEAKER pro tempore. The gentleman from Arizona is recognized for 5 minutes.

Mr. BARBER. Mr. Speaker, I'm offering this final amendment to assist our veterans.

Mr. Speaker and my colleagues, I came before you last week to be sworn in, and I spoke then about working together, working across the aisle to ensure that my constituents and all of our constituents are served by our very best work, rather than our partisan ambitions.

So I rise today in that same spirit. I rise today to ask that we come together on an amendment to help those who most deserve our gratitude and our assistance, the veterans who have bravely served to defend our homeland. Today, we have an opportunity to take care of the veterans of our military who, much to our collective shame, are homeless.

I remember the Vietnam War, and I remember how it divided our Nation. But most of all, I remember the men and women who were sent to fight in Vietnam, who often bore the brunt of the anger over the war itself. Derision that should have been directed towards policymakers was, instead, directed to those who had put their lives on the line for the country we love. And we let them down.

We failed them when they came home, and now they, and other veterans, a total estimated 70,000 of our Nation's homeless population—70,000. That is, I'm sure we all agree, completely unacceptable. I don't believe that anyone on either side of the aisle thinks that we should allow 70,000 men and woman who wore our Nation's uniform to continue to go without a home.

With my amendment, we will ensure that we have enough housing vouchers to assist every one of those veterans. I submit, Mr. Speaker, and esteemed colleagues, that this is the least we owe to our veterans.

There are over 100,000 veterans in my southern Arizona district. Let me tell you about one of them. Christopher Murray, a disabled Operation Desert Storm medic and combat veteran, came to our office to seek our help when I served as Congresswoman Gifford's district director. A bank was foreclosing on his home, and he had recently been diagnosed with terminal cancer. Our staff was able to work to rescind the foreclosure and allow Mr. Murray to stay in his own home. The simple dignity of being in your own home during your final days is something we all too often take for granted. We must not deny that dignity to those who have, like Mr. Murray, served our country so well.

My amendment offers every one of us a chance to do what our office did then: to ensure that our veterans get our help and have the simple dignity of a roof above their heads. And my amendment does that while reducing the deficit.

The passage of this amendment will not prevent passage of this underlying bill. If the amendment is adopted, it will be incorporated into the bill, and the bill will be immediately voted upon. And so, though we may disagree on parts of the bill today, we have the opportunity to speak up for the men and women who have fought for our country.

And let us all be able to go home and look every veteran we represent in the eye and know that we did the right thing by them and by their homeless brothers and sisters.

I urge everyone to vote ''yes'' on this final amendment.

I yield back the balance of my time.

Mr. LATHAM. Mr. Speaker, I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Iowa is recognized for 5 minutes.

Mr. LATHAM. Mr. Speaker, I rise in opposition to the motion to recommit.

The veterans homeless program is a very good program. We all understand that. In this bill—and everybody should listen—we provide $75 million for 10,000 new vouchers already. So there's no question that we are meeting the need. This is the same as last year, and what we have in the bill is the President's request. Let me say that again. What we have in the bill for veterans vouchers is what the President asked for.

I will also say, it's interesting at this time to bring this motion. We have been through subcommittee markup, we have gone through full committee markup, we have been on the floor of this House for 2 days, and no one's ever raised this issue because everyone understood that we had fully met the funding requirements for the veterans homeless vouchers. So now it's an interesting time to bring this amendment or this motion.

And I will tell the folks, if, in fact, we find out there is an additional need before we get to conference, there isn't anybody in this House that won't support it. But we have fully funded the needs. This has been a full vetting process, and now, at the last moment you come up with a motion that is not necessary because everyone supports these vouchers.

This is a good, balanced bill, and I urge a ''no'' vote on the motion to recommit.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

Mr. BARBER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of H.R. 5972 and adoption of the conference report on H.R. 4348.

The vote was taken by electronic device, and there were—ayes 188, noes 233, not voting 11, as follows:

[Roll No. 449]

AYES—188

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

NOES—233

Adams
Aderholt
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)

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

NOT VOTING—11

Akin
Castor (FL)
Clyburn
Filner
Jackson (IL)
Johnson, E. B.
Lamborn
Lewis (CA)
Pelosi
Schock
Young (IN)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1301

Mr. SERRANO changed his vote from ''no'' to ''aye.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 449, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

The SPEAKER pro tempore. The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 261, nays 163, not voting 8, as follows:

[Roll No. 450]

YEAS—261

Ackerman
Aderholt
Alexander
Altmire
Amodei
Andrews
Austria
Baca
Bachus
Barber
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Berkley
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Brady (TX)
Braley (IA)
Bucshon
Buerkle
Burton (IN)
Calvert
Camp
Canseco
Cantor
Capito
Cardoza
Carnahan
Carney
Carter
Cassidy
Castor (FL)
Chandler
Clarke (MI)
Clay
Cleaver
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Conyers
Costa
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (CA)
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (TN)
Ellmers
Farenthold
Fitzpatrick
Fleischmann
Forbes
Fortenberry
Foxx
Frelinghuysen
Gallegly
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gonzalez
Goodlatte
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Himes
Hinojosa
Hochul
Holden
Hoyer
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Jackson Lee (TX)
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Kaptur
Keating
Kelly
Kildee
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Lance
Landry
Lankford
Larsen (WA)
Latham
LaTourette
Levin
Lipinski
LoBiondo
Loebsack
Long
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Maloney
Manzullo
Marino
McCarthy (CA)
McCarthy (NY)
McCaul
McCotter
McDermott
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Michaud
Miller (MI)
Miller, Gary
Miller, George
Moran
Murphy (PA)
Myrick
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pastor (AZ)
Paulsen
Pence
Peters
Peterson
Petri
Platts
Poe (TX)
Polis
Price (NC)
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Ribble
Richardson
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Rothman (NJ)
Runyan
Ruppersberger
Ryan (WI)
Scalise
Schilling
Schock
Schrader
Scott (VA)
Sessions
Sewell
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Stark
Stivers
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tierney
Towns
Turner (NY)
Turner (OH)
Upton
Visclosky
Walberg
Walden
Walz (MN)
Webster
West
Whitfield
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—163

Adams
Amash
Bachmann
Baldwin
Bass (CA)
Becerra
Berman
Bishop (NY)
Blumenauer
Bonamici
Boustany
Brady (PA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Burgess
Butterfield
Campbell
Capps
Capuano
Carson (IN)
Chabot
Chaffetz
Chu
Cicilline
Clarke (NY)
Cohen
Cooper
Costello
Courtney
Crowley
Cummings
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Doyle
Duncan (SC)
Edwards
Ellison
Emerson
Engel
Eshoo
Farr
Fattah
Fincher
Flake
Fleming
Flores
Frank (MA)
Franks (AZ)
Fudge
Garamendi
Gardner
Gohmert
Gosar
Gowdy
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Hinchey
Hirono
Holt
Honda
Huelskamp
Johnson (GA)
Johnson (IL)
Jordan
Kind
Kucinich
Labrador
Langevin
Larson (CT)
Latta
Lee (CA)
Lewis (GA)
Lofgren, Zoe
Lowey
Lummis
Mack
Marchant
Markey
Matheson
Matsui
McClintock
McCollum
McGovern
McNerney
Meeks
Miller (FL)
Miller (NC)
Moore
Mulvaney
Murphy (CT)
Nadler
Napolitano
Neal
Neugebauer
Pallone
Pascrell
Paul
Pearce
Pelosi
Perlmutter
Pingree (ME)
Pitts
Pompeo
Posey
Price (GA)
Quayle
Quigley
Reyes
Richmond
Ross (FL)
Roybal-Allard
Royce
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schmidt
Schwartz
Schweikert
Scott (SC)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sherman
Sires
Slaughter
Southerland
Speier
Stearns
Stutzman
Sutton
Thompson (CA)
Thompson (MS)
Tipton
Tonko
Tsongas
Van Hollen
Velázquez
Walsh (IL)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Westmoreland
Wilson (FL)
Wilson (SC)
Woolsey
Yarmuth

NOT VOTING—8

Akin
Clyburn
Filner
Issa
Jackson (IL)
Johnson, E. B.
Lamborn
Lewis (CA)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1309

Mr. JOHNSON of Georgia changed his vote from ''yea'' to ''nay.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 450, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "nay."

Mr. GEORGE MILLER of California. Mr. Speaker, on June 29, 2012, I inadvertently voted "aye" on rollcall no. 450. I intended to vote "nay," and that reflects that I oppose H.R. 5972.

CONFERENCE REPORT ON H.R. 4348, MOVING AHEAD FOR PROGRESS IN THE 21ST CENTURY ACT

The SPEAKER pro tempore. The unfinished business is the question on adoption of the conference report on the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the conference report.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 373, nays 52, not voting 7, as follows:

[Roll No. 451]

YEAS—373

Ackerman
Aderholt
Alexander
Altmire
Amodei
Andrews
Austria
Baca
Bachus
Baldwin
Barber
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burton (IN)
Butterfield
Calvert
Camp
Canseco
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Coble
Coffman (CO)
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Gerlach
Gibbs
Gibson
Gonzalez
Granger
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Hultgren
Hunter
Israel
Issa
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Noem
Nunes
Nunnelee
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Price (GA)
Price (NC)
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stark
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Whitfield
Wilson (FL)
Wittman
Wolf
Womack
Woolsey
Yarmuth
Young (AK)
Young (FL)
Young (IN)

NAYS—52

Adams
Amash
Bachmann
Black
Brooks
Broun (GA)
Burgess
Campbell
Chabot
Conaway
Duncan (SC)
Flake
Foxx
Franks (AZ)
Garrett
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Harris
Huelskamp
Huizenga (MI)
Hurt
Jenkins
Jordan
Labrador
Lummis
Mack
McClintock
McHenry
Mulvaney
Neugebauer
Nugent
Olson
Paul
Pompeo
Posey
Quayle
Ross (FL)
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Thornberry
Walberg
Walsh (IL)
Westmoreland
Wilson (SC)
Woodall
Yoder

NOT VOTING—7

Akin
Clyburn
Filner
Jackson (IL)
Johnson, E. B.
Lamborn
Lewis (CA)

□ 1322

Ms. JENKINS changed her vote from ''yea'' to ''nay.''

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

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 451, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "yea."

STUDENT LOAN INTEREST RATES

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, today, the House passed a bipartisan 1-year extension of the current interest rate for Federally subsidized student loans. This is a good things for students across the country. But as we celebrate this accomplishment, let's keep our eye on the larger picture. We wouldn't be worried about these interest rates if not for the fact that the economy is so weak and the cost of education is so high. According to the Department of Education, the savings will be $7 a month for the average Stafford loan borrower. While that might not seem like a lot, each dollar counts for a college graduate still searching for a good-paying job.

We can have a larger effect for students by working to repeal Federal unfunded mandates that drive up the cost of college tuition and by working to put the wheels back on the economy. As a member of the Subcommittee for Higher Education and Workforce Training, I'm committed to making that happen. Let's work together to ensure that students can achieve a quality education at a reasonable cost and get great jobs when they graduate. There's no better social program than a good-paying job.

LET'S CONTINUE THE GREAT WORK

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

Mr. COURTNEY. Mr. Speaker, with a few minutes to spare, we just voted to make sure that the interest rate for the Stafford student loan program was going to stay at 3.4 and avoid the doubling of rates, which would have happened Saturday night if we had not acted. This is an issue which took months to get to. President Obama challenged Congress back at the State of the Union in January, telling us that we must act. It took months to get any response. And I want to congratulate the 130,000 college students all across America who submitted a petition to the Speaker's office saying it was time to get moving.

We started the countdown clock on that day at Day 110, and now we are officially defusing the time bomb that would have exploded with a higher interest rate if we had not acted. We have a lot more work to do with the high cost of college and student loan debt, which now exceeds credit card debt and consumer loan debt. But having said that, we saw today an honest

compromise; people coming together to make sure that that lower rate was going to be extended. Let's use that example to move forward and solve this problem for middle class families all across America.

Again, to those students who worked so hard to have their voices heard, congratulations. Let's roll up our sleeves and continue the great work.

IN SUPPORT OF THE RESTORE ACT

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

Mr. PALAZZO. Mr. Speaker, today is a good day for the people of Mississippi's Fourth Congressional District and it's a good day for all the people of the Gulf State. Because today, with passage of the RESTORE Act, we give these States the tools they need to continue vital economic and environmental recovery.

Less than a year ago, a small group of gulf coast legislators came together with big support from their communities and a mission to make the gulf coast whole. This was no small effort, but it is the least we can do to show our support once more to all those affected by the single largest man-made disaster in our history. I am proud to have been a part of this landmark legislation. I want to thank all those who worked so hard with us to make this happen, from my gulf coast colleagues and House leadership to local leaders, business, and conservation groups. There were so many who said this could not be done in an election year with so much competing for time on the legislative calendar. But we know how important it was to pass this bill. We did not give up because we knew that restoring and replenishing the gulf coast is more than just a responsible decision: It is the right thing to do.

LET'S NOT DECEIVE OURSELVES ON WHAT THE MUSLIM BROTHERHOOD SEEKS

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

Mr. DOLD. Mr. Speaker, as people in the United States evaluate what happened this past weekend in the Presidential election in Egypt, I have a simple message: we shouldn't deceive ourselves.

At a time when we are focused on stopping Iran's nuclear weapons program and on isolating the Iranian regime, the incoming Egyptian President vows to expand ties with Iran. At a time when families in southern Israel constantly live in fear of Qassam rocket attacks from Hamas-controlled Gaza, the incoming Egyptian President vows to expand ties with Hamas. As for relations with Israel, we should not paper over the most obvious reason for alarm. While the incoming President has recently pledged to honor the Camp David Accords, it is our responsibility to ensure that the U.S. goodwill is not taken advantage of and painfully looked upon as naive.

We must understand that the Muslim Brotherhood has a very clear history of opposing the peace treaty. Six weeks ago, incoming President Mohammed Morsi stated: ''Jihad is our path, and death for the sake of Allah is our most lofty aspiration.''

While we welcome the democratic process, Mr. Speaker, this result is nothing to cheer. We must not be in denial of what the Muslim Brotherhood really wants.

□ 1330

TRIBUTE TO WENDY WAYNE

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

Mr. MCCARTHY of California. Mr. Speaker, I rise today to honor longtime Bakersfield icon, Wendy Wayne, who passed away on June 17 after a 4-year struggle with cancer. Wendy was the type of person who would go out of the way for those in need, personally taking action to make sure that those in need were helped. She was instrumental in leading the Community Connection for Child Care in Bakersfield, and later the First 5 Kern organization which served the youth of our community.

One of my fondest memories is from just 2 years ago when Wendy joined me in this House. She was my guest for the State of the Union. Sometimes we had philosophical differences, but it never changed our friendship.

Wendy will forever be known as the Mother Teresa of Bakersfield. She will be missed, but her deeds and her life will not be forgotten.

HONORING KYLE R. SCHNEIDER

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

Ms. BUERKLE. Mr. Speaker, I rise today to honor Corporal Kyle R. Schneider. Kyle R. Schneider was born on January 8, 1988, to Richard and Lorie Schneider. He was raised in the Baldwinsville, New York, area with his brother, Kevin. Kyle was a graduate of Baker High School in Baldwinsville and attended Onondaga Community College for 1 year in the criminal justice program. While at Baker High School, he played baseball, football, and ran track. He loved the outdoors and was an avid hunter and fisherman.

In March 2008, Kyle joined the United States Marine Corps and in January of 2011 was assigned to the 3rd Platoon and deployed to Afghanistan in support of Operation Enduring Freedom. In defense of our Nation, Kyle was killed in the Helmand province, Afghanistan, on June 30, 2011, by an improvised explosive device. Kyle Schneider was 23 years old.

As we commemorate the first anniversary of his death, let us honor the service and sacrifice of Corporal Kyle R. Schneider. He is an American hero. He was a proud and valiant marine. He was also a son, a brother, a grandson, a fiancee, friend, and comrade. Kyle is greatly missed, and no words will diminish the grief of those who knew and loved him. In his death, Kyle R. Schneider has earned the thanks of a grateful Nation.

STUDENT LOAN INTEREST RATES

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

Mr. CLARKE of Michigan. Mr. Speaker, today this House voted to extend the cap on student loan interest rates, or at least certain student loans, for an additional year. That's fine, but it's only a Band-Aid. Over 1 million Americans, and this is just one box of many that contains petition signatures, say that they want more relief. They want their student loan debt cut, reduced, and excessive debt forgiven.

So let's listen to more than 1 million Americans who want the student loan debt forgiven in this country so we can give people hope and create jobs.

TEMPORARY SURFACE TRANSPORTATION EXTENSION ACT OF 2012

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent that the Committees on Transportation and Infrastructure; Ways and Means; Natural Resources; Energy and Commerce; Science, Space, and Technology; and Education and the Workforce be discharged from further consideration of the bill (H.R. 6064) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The text of the bill is as follows:

H.R. 6064

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

SECTION 1. SHORT TITLE; RECONCILIATION OF FUNDS; SPECIAL RULE FOR EXECUTION OF AMENDMENTS IN MAP–21; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Temporary Surface Transportation Extension Act of 2012''.

(b) RECONCILIATION OF FUNDS.—The Secretary of Transportation shall reduce the amount apportioned or allocated for a program, project, or activity under this Act in

fiscal year 2012 by amounts apportioned or allocated for the program, project, or activity pursuant to the Surface Transportation Extension Act of 2012 (Public Law 112–102) for the period beginning on October 1, 2011, and ending on June 30, 2012.

(c) SPECIAL RULE FOR EXECUTION OF AMENDMENTS IN MAP–21.—On the date of enactment of the MAP–21—

(1) this Act and the amendments made by this Act shall cease to be effective;

(2) the text of the laws amended by this Act shall revert back so as to read as the text read on the day before the date of enactment of this Act; and

(3) the amendments made by the MAP–21 shall be executed as if this Act had not been enacted.

(d) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; reconciliation of funds; special rule for execution of amendments in MAP–21; table of contents.

TITLE I—FEDERAL-AID HIGHWAYS

Sec. 101. Extension of Federal-aid highway programs.

TITLE II—EXTENSION OF HIGHWAY SAFETY PROGRAMS

Sec. 201. Extension of National Highway Traffic Safety Administration highway safety programs.

Sec. 202. Extension of Federal Motor Carrier Safety Administration programs.

Sec. 203. Additional programs.

TITLE III—PUBLIC TRANSPORTATION PROGRAMS

Sec. 301. Allocation of funds for planning programs.

Sec. 302. Special rule for urbanized area formula grants.

Sec. 303. Allocating amounts for capital investment grants.

Sec. 304. Apportionment of formula grants for other than urbanized areas.

Sec. 305. Apportionment based on fixed guideway factors.

Sec. 306. Authorizations for public transportation.

Sec. 307. Amendments to SAFETEA–LU.

TITLE IV—HIGHWAY TRUST FUND EXTENSION

Sec. 401. Extension of trust fund expenditure authority.

Sec. 402. Extension of highway-related taxes.

TITLE V—STUDENT LOANS

Sec. 501. Temporary authority.

TITLE I—FEDERAL-AID HIGHWAYS

SEC. 101. EXTENSION OF FEDERAL-AID HIGHWAY PROGRAMS.

(a) IN GENERAL.—Section 111 of the Surface Transportation Extension Act of 2011, Part II (Public Law 112–30; 125 Stat. 343) is amended—

(1) by striking ''the period beginning on October 1, 2011, and ending on June 30, 2012,'' each place it appears and inserting ''the period beginning on October 1, 2011, and ending on July 6, 2012,'';

(2) by striking ''¾'' each place it appears and inserting ''280/366''; and

(3) in subsection (a) by striking ''June 30, 2012'' and inserting ''July 6, 2012''.

(b) USE OF FUNDS.—Section 111(c)(3)(B)(ii) of the Surface Transportation Extension Act of 2011, Part II (125 Stat. 343) is amended by striking ''$479,250,000'' and inserting ''$485,640,000''.

(c) EXTENSION OF AUTHORIZATIONS UNDER TITLE V OF SAFETEA–LU.—Section 111(e)(2) of the Surface Transportation Extension Act of 2011, Part II (125 Stat. 343) is amended by striking ''the period beginning on October 1, 2011, and ending on June 30, 2012.'' and inserting ''the period beginning on October 1, 2011, and ending on July 6, 2012.''.

(d) ADMINISTRATIVE EXPENSES.—Section 112(a) of the Surface Transportation Extension Act of 2011, Part II (125 Stat. 346) is amended by striking ''$294,641,438 for the period beginning on October 1, 2011, and ending on June 30, 2012.'' and inserting ''$314,493,723 for the period beginning on October 1, 2011, and ending on July 6, 2012.''.

(e) SURFACE TRANSPORTATION PROJECT DELIVERY PILOT PROGRAM.—

(1) IN GENERAL.—Section 327(i)(1) of title 23, United States Code, is amended by striking ''the date that is 7 years after the date of enactment of this section'' and inserting ''September 30, 2012''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect as if included in section 101 of the Surface Transportation Extension Act of 2012 and shall not be subject to the special rule in section 1(c) of this Act.

TITLE II—EXTENSION OF HIGHWAY SAFETY PROGRAMS

SEC. 201. EXTENSION OF NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION HIGHWAY SAFETY PROGRAMS.

(a) CHAPTER 4 HIGHWAY SAFETY PROGRAMS.—Section 2001(a)(1) of SAFETEA–LU (119 Stat. 1519) is amended by striking ''$235,000,000 for each of fiscal years 2009 through 2011, and $176,250,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.'' and inserting ''$235,000,000 for each of fiscal years 2009 through 2011, and $178,600,000 for the period beginning on October 1, 2011, and ending on July 6, 2012.''.

(b) HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—Section 2001(a)(2) of SAFETEA–LU (119 Stat. 1519) is amended by striking ''$108,244,000 for fiscal year 2011, and $81,183,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.'' and inserting ''$108,244,000 for fiscal year 2011, and $82,265,440 for the period beginning on October 1, 2011, and ending on July 6, 2012.''.

(c) OCCUPANT PROTECTION INCENTIVE GRANTS.—Section 2001(a)(3) of SAFETEA–LU (119 Stat. 1519) is amended by striking ''$25,000,000 for each of fiscal years 2006 through 2011, and $18,750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.'' and inserting ''$25,000,000 for each of fiscal years 2006 through 2011, and $19,000,000 for the period beginning on October 1, 2011, and ending on July 6, 2012.''.

(d) SAFETY BELT PERFORMANCE GRANTS.—Section 2001(a)(4) of SAFETEA–LU (119 Stat. 1519) is amended by striking ''$124,500,000 for fiscal year 2011, and $36,375,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.'' and inserting ''$124,500,000 for fiscal year 2011, and $36,860,000 for the period beginning on October 1, 2011, and ending on July 6, 2012.''.

(e) STATE TRAFFIC SAFETY INFORMATION SYSTEM IMPROVEMENTS.—Section 2001(a)(5) of SAFETEA–LU (119 Stat. 1519) is amended by striking ''$34,500,000 for each of fiscal years 2006 through 2011 and $25,875,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.'' and inserting ''$34,500,000 for each of fiscal years 2006 through 2011 and $26,220,000 for the period beginning on October 1, 2011, and ending on July 6, 2012.''.

(f) ALCOHOL-IMPAIRED DRIVING COUNTERMEASURES INCENTIVE GRANT PROGRAM.—Section 2001(a)(6) of SAFETEA–LU (119 Stat. 1519) is amended by striking ''$139,000,000 for each of fiscal years fiscal years 2009 through 2011, and $104,250,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.'' and inserting ''$139,000,000 for each of fiscal years 2009 through 2011, and $105,640,000 for the period beginning on October 1, 2011, and ending on July 6, 2012.''.

(g) NATIONAL DRIVER REGISTER.—Section 2001(a)(7) of SAFETEA–LU (119 Stat. 1520) is amended by striking ''$4,116,000 for fiscal year 2011, and $3,087,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.'' and inserting ''$4,116,000 for fiscal year 2011, and $3,128,160 for the period beginning on October 1, 2011, and ending on July 6, 2012.''.

(h) HIGH VISIBILITY ENFORCEMENT PROGRAM.—Section 2001(a)(8) of SAFETEA–LU (119 Stat. 1520) is amended by striking ''$29,000,000 for each of fiscal years 2006 through 2011 and $21,750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.'' and inserting ''$29,000,000 for each of fiscal years 2006 through 2011 and $22,040,000 for the period beginning on October 1, 2011, and ending on July 6, 2012.''.

(i) MOTORCYCLIST SAFETY.—Section 2001(a)(9) of SAFETEA–LU (119 Stat. 1520) is amended by striking ''$7,000,000 for each of fiscal years 2009 through 2011, and $5,250,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.'' and inserting ''$7,000,000 for each of fiscal years 2009 through 2011, and $5,320,000 for the period beginning on October 1, 2011, and ending on July 6, 2012.''.

(j) CHILD SAFETY AND CHILD BOOSTER SEAT SAFETY INCENTIVE GRANTS.—Section 2001(a)(10) of SAFETEA–LU (119 Stat. 1520) is amended by striking ''$7,000,000 for each of fiscal years 2009 through 2011, and $5,250,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.'' and inserting ''$7,000,000 for each of fiscal years 2009 through 2011, and $5,320,000 for the period beginning on October 1, 2011, and ending on July 6, 2012.''.

(k) ADMINISTRATIVE EXPENSES.—Section 2001(a)(11) of SAFETEA–LU (119 Stat. 1520) is amended by striking ''$25,328,000 for fiscal year 2011, and $18,996,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.'' and inserting ''$25,328,000 for fiscal year 2011, and $19,249,280 for the period beginning on October 1, 2011, and ending on July 6, 2012.''.

SEC. 202. EXTENSION OF FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION PROGRAMS.

(a) MOTOR CARRIER SAFETY GRANTS.—Section 31104(a)(8) of title 49, United States Code, is amended to read as follows:

''(8) $161,120,000 for the period beginning on October 1, 2011, and ending on July 6, 2012.''.

(b) ADMINISTRATIVE EXPENSES.—Section 31104(i)(1)(H) of title 49, United States Code, is amended to read as follows:

''(H) $185,549,440 for the period beginning on October 1, 2011, and ending on July 6, 2012.''.

(c) GRANT PROGRAMS.—Section 4101(c) of SAFETEA–LU (119 Stat. 1715) is amended—

(1) in paragraph (1) by striking ''2011 and $22,500,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.'' and inserting ''2011 and $22,800,000 for the period beginning on October 1, 2011, and ending on July 6, 2012.'';

(2) in paragraph (2) by striking ''2011 and $24,000,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.'' and inserting ''2011 and $24,320,000 for the period beginning on October 1, 2011, and ending on July 6, 2012.'';

(3) in paragraph (3) by striking ''2011 and $3,750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.'' and inserting ''2011 and $3,800,000 for the period beginning on October 1, 2011, and ending on July 6, 2012.'';

(4) in paragraph (4) by striking ''2011 and $18,750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.'' and inserting ''2011 and $19,000,000 for the period beginning on October 1, 2011, and ending on July 6, 2012.''; and

(5) in paragraph (5)—

(A) by striking ''2006 and'' and inserting ''2006,''; and

(B) by striking ''2011 and $2,250,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.'' and inserting ''2011, and $2,280,000 for the period beginning on October 1, 2011, and ending on July 6, 2012.''.

(d) HIGH-PRIORITY ACTIVITIES.—Section 31104(k)(2) of title 49, United States Code, is amended by striking ''2011 and $11,250,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''2011 and $11,400,000 for the period beginning on October 1, 2011, and ending on July 6, 2012,''.

(e) NEW ENTRANT AUDITS.—Section 31144(g)(5)(B) of title 49, United States Code, is amended by striking ''and up to $21,750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''and up to $22,040,000 for the period beginning on October 1, 2011, and ending on July 6, 2012,''.

(f) OUTREACH AND EDUCATION.—Section 4127(e) of SAFETEA–LU (119 Stat. 1741) is amended by striking ''and 2011 (and $750,000 to the Federal Motor Carrier Safety Administration, and $2,250,000 to the National Highway Traffic Safety Administration, for the period beginning on October 1, 2011, and ending on June 30, 2012)'' and inserting ''and 2011 (and $760,000 to the Federal Motor Carrier Safety Administration, and $2,280,000 to the National Highway Traffic Safety Administration, for the period beginning on October 1, 2011, and ending on July 6, 2012)''.

(g) GRANT PROGRAM FOR COMMERCIAL MOTOR VEHICLE OPERATORS.—Section 4134(c) of SAFETEA–LU (119 Stat. 1744) is amended by striking ''2011 and $750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''2011 and $760,000 for the period beginning on October 1, 2011, and ending on July 6, 2012,''.

(h) MOTOR CARRIER SAFETY ADVISORY COMMITTEE.—Section 4144(d) of SAFETEA–LU (119 Stat. 1748) is amended by striking ''June 30, 2012'' and inserting ''July 6, 2012''.

(i) WORKING GROUP FOR DEVELOPMENT OF PRACTICES AND PROCEDURES TO ENHANCE FEDERAL-STATE RELATIONS.—Section 4213(d) of SAFETEA–LU (49 U.S.C. 14710 note; 119 Stat. 1759) is amended by striking ''June 30, 2012'' and inserting ''July 6, 2012''.

SEC. 203. ADDITIONAL PROGRAMS.

(a) HAZARDOUS MATERIALS RESEARCH PROJECTS.—Section 7131(c) of SAFETEA–LU (119 Stat. 1910) is amended by striking ''2011 and $870,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''2011 and $881,600 for the period beginning on October 1, 2011, and ending on July 6, 2012,''.

(b) DINGELL-JOHNSON SPORT FISH RESTORATION ACT.—Section 4 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c) is amended—

(1) in subsection (a) by striking ''2011 and for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''2011 and for the period beginning on October 1, 2011, and ending on July 6, 2012,''; and

(2) in the first sentence of subsection (b)(1)(A) by striking ''2011 and for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''2011 and for the period beginning on October 1, 2011, and ending on July 6, 2012,''.

TITLE III—PUBLIC TRANSPORTATION PROGRAMS

SEC. 301. ALLOCATION OF FUNDS FOR PLANNING PROGRAMS.

Section 5305(g) of title 49, United States Code, is amended by striking ''2011 and for the period beginning on October 1, 2011, and ending on June 30, 2012'' and inserting ''2011 and for the period beginning on October 1, 2011, and ending on July 6, 2012''.

SEC. 302. SPECIAL RULE FOR URBANIZED AREA FORMULA GRANTS.

Section 5307(b)(2) of title 49, United States Code, is amended—

(1) by striking the paragraph heading and inserting ''SPECIAL RULE FOR FISCAL YEARS 2005 THROUGH 2011 AND THE PERIOD BEGINNING ON OCTOBER 1, 2011, AND ENDING ON JULY 6, 2012.—'';

(2) in subparagraph (A) by striking ''2011 and the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''2011 and the period beginning on October 1, 2011, and ending on July 6, 2012,''; and

(3) in subparagraph (E)—

(A) by striking the subparagraph heading and inserting ''MAXIMUM AMOUNTS IN FISCAL YEARS 2008 THROUGH 2011 AND THE PERIOD BEGINNING ON OCTOBER 1, 2011, AND ENDING ON JULY 6, 2012.—''; and

(B) in the matter preceding clause (i) by striking ''2011 and during the period beginning on October 1, 2011, and ending on June 30, 2012'' and inserting ''2011 and during the period beginning on October 1, 2011, and ending on July 6, 2012''.

SEC. 303. ALLOCATING AMOUNTS FOR CAPITAL INVESTMENT GRANTS.

Section 5309(m) of title 49, United States Code, is amended—

(1) in paragraph (2)—

(A) by striking the paragraph heading and inserting ''FISCAL YEARS 2006 THROUGH 2011 AND THE PERIOD BEGINNING ON OCTOBER 1, 2011, AND ENDING ON JULY 6, 2012.—'';

(B) in the matter preceding subparagraph (A) by striking ''2011 and the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''2011 and the period beginning on October 1, 2011, and ending on July 6, 2012,''; and

(C) in subparagraph (A)(i) by striking ''2011 and $150,000,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''2011 and $152,000,000 for the period beginning on October 1, 2011, and ending on July 6, 2012,'';

(2) in paragraph (6)—

(A) in subparagraph (B) by striking ''2011 and $11,250,000 shall be available for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''2011 and $11,400,000 shall be available for the period beginning on October 1, 2011, and ending on July 6, 2012,''; and

(B) in subparagraph (C) by striking ''though 2011 and $3,750,000 shall be available for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''through 2011 and $3,800,000 shall be available for the period beginning on October 1, 2011, and ending on July 6, 2012,''; and

(3) in paragraph (7)—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i)—

(I) in the first sentence by striking ''2011 and $7,500,000 shall be available for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''2011 and $7,600,000 shall be available for the period beginning on October 1, 2011, and ending on July 6, 2012,''; and

(II) in the second sentence by striking ''shall be set aside for:'' and inserting ''shall be set aside:'';

(ii) in clause (i) by striking ''for each fiscal year and $1,875,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''for each fiscal year and $1,900,000 for the period beginning on October 1, 2011, and ending on July 6, 2012,'';

(iii) in clause (ii) by striking ''for each fiscal year and $1,875,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''for each fiscal year and $1,900,000 for the period beginning on October 1, 2011, and ending on July 6, 2012,'';

(iv) in clause (iii) by striking ''for each fiscal year and $750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''for each fiscal year and $760,000 for the period beginning on October 1, 2011, and ending on July 6, 2012,'';

(v) in clause (iv) by striking ''for each fiscal year and $750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''for each fiscal year and $760,000 for the period beginning on October 1, 2011, and ending on July 6, 2012,'';

(vi) in clause (v) by striking ''for each fiscal year and $750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''for each fiscal year and $760,000 for the period beginning on October 1, 2011, and ending on July 6, 2012,'';

(vii) in clause (vi) by striking ''for each fiscal year and $750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''for each fiscal year and $760,000 for the period beginning on October 1, 2011, and ending on July 6, 2012,'';

(viii) in clause (vii) by striking ''for each fiscal year and $487,500 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''for each fiscal year and $494,000 for the period beginning on October 1, 2011, and ending on July 6, 2012,''; and

(ix) in clause (viii) by striking ''for each fiscal year and $262,500 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''for each fiscal year and $266,000 for the period beginning on October 1, 2011, and ending on July 6, 2012,'';

(B) in subparagraph (B) by striking clause (vii) and inserting the following:

''(vii) $10,260,000 for the period beginning on October 1, 2011, and ending on July 6, 2012.'';

(C) in subparagraph (C) by striking ''and during the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''and during the period beginning on October 1, 2011, and ending on July 6, 2012,'';

(D) in subparagraph (D) by striking ''and not less than $26,250,000 shall be available for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''and not less than $26,600,000 shall be available for the period beginning on October 1, 2011, and ending on July 6, 2012,''; and

(E) in subparagraph (E) by striking ''and $2,250,000 shall be available for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''and $2,280,000 shall be available for the period beginning on October 1, 2011, and ending on July 6, 2012,''.

SEC. 304. APPORTIONMENT OF FORMULA GRANTS FOR OTHER THAN URBANIZED AREAS.

Section 5311(c)(1)(G) of title 49, United States Code, is amended to read as follows:

''(G) $11,400,000 for the period beginning on October 1, 2011, and ending on July 6, 2012.''.

SEC. 305. APPORTIONMENT BASED ON FIXED GUIDEWAY FACTORS.

Section 5337(g) of title 49, United States Code, is amended to read as follows:

''(g) SPECIAL RULE FOR OCTOBER 1, 2011, THROUGH JULY 6, 2012.—The Secretary shall apportion amounts made available for fixed guideway modernization under section 5309 for the period beginning on October 1, 2011, and ending on July 6, 2012, in accordance with subsection (a), except that the Secretary shall apportion 76 percent of each dollar amount specified in subsection (a).''.

SEC. 306. AUTHORIZATIONS FOR PUBLIC TRANSPORTATION.

(a) FORMULA AND BUS GRANTS.—Section 5338(b) of title 49, United States Code, is amended—

(1) in paragraph (1) by striking subparagraph (G) and inserting the following:

''(G) $6,354,029,400 for the period beginning on October 1, 2011, and ending on July 6, 2012.''; and

(2) in paragraph (2)—

(A) in subparagraph (A) by striking ''$113,500,000 for each of fiscal years 2009

through 2011, and $85,125,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''$113,500,000 for each of fiscal years 2009 through 2011, and $86,260,000 for the period beginning on October 1, 2011, and ending on July 6, 2012,'';

(B) in subparagraph (B) by striking ''$4,160,365,000 for each of fiscal years 2009 through 2011, and $3,120,273,750 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''$4,160,365,000 for each of fiscal years 2009 through 2011, and $3,161,877,400 for the period beginning on October 1, 2011, and ending on July 6, 2012,'';

(C) in subparagraph (C) by striking ''$51,500,000 for each of fiscal years 2009 through 2011, and $38,625,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''$51,500,000 for each of fiscal years 2009 through 2011, and $39,140,000 for the period beginning on October 1, 2011, and ending on July 6, 2012,'';

(D) in subparagraph (D) by striking ''$1,666,500,000 for each of fiscal years 2009 through 2011, and $1,249,875,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''$1,666,500,000 for each of fiscal years 2009 through 2011, and $1,266,540,000 for the period beginning on October 1, 2011, and ending on July 6, 2012,'';

(E) in subparagraph (E) by striking ''$984,000,000 for each of fiscal years 2009 through 2011, and $738,000,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''$984,000,000 for each of fiscal years 2009 through 2011, and $747,840,000 for the period beginning on October 1, 2011, and ending on July 6, 2012,'';

(F) in subparagraph (F) by striking ''$133,500,000 for each of fiscal years 2009 through 2011, and $100,125,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''$133,500,000 for each of fiscal years 2009 through 2011, and $101,460,000 for the period beginning on October 1, 2011, and ending on July 6, 2012,'';

(G) in subparagraph (G) by striking ''$465,000,000 for each of fiscal years 2009 through 2011, and $348,750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''$465,000,000 for each of fiscal years 2009 through 2011, and $353,400,000 for the period beginning on October 1, 2011, and ending on July 6, 2012,'';

(H) in subparagraph (H) by striking ''$164,500,000 for each of fiscal years 2009 through 2011, and $123,375,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''$164,500,000 for each of fiscal years 2009 through 2011, and $125,020,000 for the period beginning on October 1, 2011, and ending on July 6, 2012,'';

(I) in subparagraph (I) by striking ''$92,500,000 for each of fiscal years 2009 through 2011, and $69,375,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''$92,500,000 for each of fiscal years 2009 through 2011, and $70,300,000 for the period beginning on October 1, 2011, and ending on July 6, 2012,'';

(J) in subparagraph (J) by striking ''$26,900,000 for each of fiscal years 2009 through 2011, and $20,175,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''$26,900,000 for each of fiscal years 2009 through 2011, and $20,444,000 for the period beginning on October 1, 2011, and ending on July 6, 2012,'';

(K) in subparagraph (K) by striking ''$3,500,000 for each of fiscal years 2006 through 2011 and $2,625,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''$3,500,000 for each of fiscal years 2006 through 2011 and $2,660,000 for the period beginning on October 1, 2011, and ending on July 6, 2012,'';

(L) in subparagraph (L) by striking ''$25,000,000 for each of fiscal years 2006 through 2011 and $18,750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''$25,000,000 for each of fiscal years 2006 through 2011 and $19,000,000 for the period beginning on October 1, 2011, and ending on July 6, 2012,'';

(M) in subparagraph (M) by striking ''$465,000,000 for each of fiscal years 2009 through 2011, and $348,750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''$465,000,000 for each of fiscal years 2009 through 2011, and $353,400,000 for the period beginning on October 1, 2011, and ending on July 6, 2012,''; and

(N) in subparagraph (N) by striking ''$8,800,000 for each of fiscal years 2009 through 2011, and $6,600,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''$8,800,000 for each of fiscal years 2009 through 2011, and $6,688,000 for the period beginning on October 1, 2011, and ending on July 6, 2012,''.

(b) CAPITAL INVESTMENT GRANTS.—Section 5338(c)(7) of title 49, United States Code, is amended to read as follows:

''(7) $1,485,800,000 for the period beginning on October 1, 2011, and ending on July 6, 2012.''.

(c) RESEARCH AND UNIVERSITY RESEARCH CENTERS.—Section 5338(d) of title 49, United States Code, is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking ''2011, and $33,000,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''2011, and $33,440,000 for the period beginning on October 1, 2011, and ending on July 6, 2012,''; and

(2) by striking paragraph (3) and inserting the following:

''(3) ADDITIONAL AUTHORIZATIONS.—

''(A) RESEARCH.—Of amounts authorized to be appropriated under paragraph (1) for the period beginning on October 1, 2011, and ending on July 6, 2012, the Secretary shall allocate for each of the activities and projects described in subparagraphs (A) through (F) of paragraph (1) an amount equal to 48 percent of the amount allocated for fiscal year 2009 under each such subparagraph.

''(B) UNIVERSITY CENTERS PROGRAM.—

''(i) OCTOBER 1, 2011, THROUGH JULY 6, 2012.—Of the amounts allocated under subparagraph (A) for the university centers program under section 5506 for the period beginning on October 1, 2011, and ending on July 6, 2012, the Secretary shall allocate for each program described in clauses (i) through (iii) and (v) through (viii) of paragraph (2)(A) an amount equal to 48 percent of the amount allocated for fiscal year 2009 under each such clause.

''(ii) FUNDING.—If the Secretary determines that a project or activity described in paragraph (2) received sufficient funds in fiscal year 2011, or a previous fiscal year, to carry out the purpose for which the project or activity was authorized, the Secretary may not allocate any amounts under clause (i) for the project or activity for fiscal year 2012 or any subsequent fiscal year.''.

(d) ADMINISTRATION.—Section 5338(e)(7) of title 49, United States Code, is amended to read as follows:

''(7) $75,021,880 for the period beginning on October 1, 2011, and ending on July 6, 2012.''.

SEC. 307. AMENDMENTS TO SAFETEA–LU.

(a) CONTRACTED PARATRANSIT PILOT.—Section 3009(i)(1) of SAFETEA–LU (119 Stat. 1572) is amended by striking ''2011 and the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''2011 and the period beginning on October 1, 2011, and ending on July 6, 2012,''.

(b) PUBLIC-PRIVATE PARTNERSHIP PILOT PROGRAM.—Section 3011 of SAFETEA–LU (119 Stat. 1573) is amended—

(1) in subsection (c)(5) by striking ''2011 and the period beginning on October 1, 2011, and ending on June 30, 2012'' and inserting ''2011 and the period beginning on October 1, 2011, and ending on July 6, 2012''; and

(2) in the second sentence of subsection (d) by striking ''2011 and the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''2011 and the period beginning on October 1, 2011, and ending on July 6, 2012,''.

(c) ELDERLY INDIVIDUALS AND INDIVIDUALS WITH DISABILITIES PILOT PROGRAM.—Section 3012(b)(8) of SAFETEA–LU (49 U.S.C. 5310 note; 119 Stat. 1593) is amended by striking ''June 30, 2012'' and inserting ''July 6, 2012''.

(d) OBLIGATION CEILING.—Section 3040(8) of SAFETEA–LU (119 Stat. 1639) is amended to read as follows:

''(8) $7,948,291,280 for the period beginning on October 1, 2011, and ending on July 6, 2012, of which not more than $6,354,029,400 shall be from the Mass Transit Account.''.

(e) PROJECT AUTHORIZATIONS FOR NEW FIXED GUIDEWAY CAPITAL PROJECTS.—Section 3043 of SAFETEA–LU (119 Stat. 1640) is amended—

(1) in subsection (b), in the matter preceding paragraph (1), by striking ''2011 and the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''2011 and the period beginning on October 1, 2011, and ending on July 6, 2012,''; and

(2) in subsection (c), in the matter preceding paragraph (1), by striking ''2011 and the period beginning on October 1, 2011, and ending on June 30, 2012,'' and inserting ''2011 and the period beginning on October 1, 2011, and ending on July 6, 2012,''.

(f) ALLOCATIONS FOR NATIONAL RESEARCH AND TECHNOLOGY PROGRAMS.—Section 3046(c)(2) of SAFETEA–LU (49 U.S.C. 5338 note; 119 Stat. 1706) is amended to read as follows:

''(2) for the period beginning on October 1, 2011, and ending on July 6, 2012, in amounts equal to 48 percent of the amounts allocated for fiscal year 2009 under each of paragraphs (2), (3), (5), and (8) through (25) of subsection (a).''.

TITLE IV—HIGHWAY TRUST FUND EXTENSION

SEC. 401. EXTENSION OF TRUST FUND EXPENDITURE AUTHORITY.

(a) HIGHWAY TRUST FUND.—Section 9503 of the Internal Revenue Code of 1986 is amended—

(1) by striking ''July 1, 2012'' in subsections (b)(6)(B), (c)(1), and (e)(3) and inserting ''July 7, 2012''; and

(2) by striking ''Surface Transportation Extension Act of 2012'' in subsections (c)(1) and (e)(3) and inserting ''Temporary Surface Transportation Extension Act of 2012''.

(b) SPORT FISH RESTORATION AND BOATING TRUST FUND.—Section 9504 of such Code is amended—

(1) by striking ''Surface Transportation Extension Act of 2012'' each place it appears in subsection (b)(2) and inserting ''Temporary Surface Transportation Extension Act of 2012''; and

(2) by striking ''July 1, 2012'' in subsection (d)(2) and inserting ''July 7, 2012''.

(c) LEAKING UNDERGROUND STORAGE TANK TRUST FUND.—Paragraph (2) of section 9508(e) of such Code is amended by striking ''July 1, 2012'' and inserting ''July 7, 2012''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on July 1, 2012.

SEC. 402. EXTENSION OF HIGHWAY-RELATED TAXES.

(a) IN GENERAL.—

(1) Each of the following provisions of the Internal Revenue Code of 1986 is amended by striking ''June 30, 2012'' and inserting ''July 6, 2012'':

(A) Section 4041(a)(1)(C)(iii)(I).
(B) Section 4041(m)(1)(B).
(C) Section 4081(d)(1).
(2) Each of the following provisions of such Code is amended by striking ''July 1, 2012'' and inserting ''July 7, 2012'':
(A) Section 4041(m)(1)(A).
(B) Section 4051(c).
(C) Section 4071(d).
(D) Section 4081(d)(3).
(b) FLOOR STOCKS REFUNDS.—Section 6412(a)(1) of such Code is amended—
(1) by striking ''July 1, 2012'' each place it appears and inserting ''July 7, 2012'';
(2) by striking ''December 31, 2012'' each place it appears and inserting ''January 6, 2013''; and
(3) by striking ''October 1, 2012'' and inserting ''October 7, 2012''.
(c) EXTENSION OF CERTAIN EXEMPTIONS.—Sections 4221(a) and 4483(i) of such Code are each amended by striking ''July 1, 2012'' and inserting ''July 7, 2012''.
(d) EXTENSION OF TRANSFERS OF CERTAIN TAXES.—
(1) IN GENERAL.—Section 9503 of such Code is amended—
(A) in subsection (b)—
(i) by striking ''July 1, 2012'' each place it appears in paragraphs (1) and (2) and inserting ''July 7, 2012'';
(ii) by striking ''JULY 1, 2012'' in the heading of paragraph (2) and inserting ''JULY 7, 2012'';
(iii) by striking ''June 30, 2012'' in paragraph (2) and inserting ''July 6, 2012''; and
(iv) by striking ''April 1, 2013'' in paragraph (2) and inserting ''April 7, 2013''; and
(B) in subsection (c)(2), by striking ''April 1, 2013'' and inserting ''April 7, 2013''.
(2) MOTORBOAT AND SMALL-ENGINE FUEL TAX TRANSFERS.—
(A) IN GENERAL.—Paragraphs (3)(A)(i) and (4)(A) of section 9503(c) of such Code are each amended by striking ''July 1, 2012'' and inserting ''July 7, 2012''.
(B) CONFORMING AMENDMENTS TO LAND AND WATER CONSERVATION FUND.—Section 201(b) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–11(b)) is amended—
(i) by striking ''July 1, 2013'' each place it appears and inserting ''July 7, 2013''; and
(ii) by striking ''July 1, 2012'' and inserting ''July 7, 2012''.
(e) TECHNICAL CORRECTION.—Paragraph (4) of section 4482(c) of such Code is amended to read as follows:
''(4) TAXABLE PERIOD.—The term 'taxable period' means any year beginning before July 1, 2013, and the period which begins on July 1, 2013, and ends at the close of September 30, 2013.''.
(f) EFFECTIVE DATE.—
(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall take effect on July 1, 2012.
(2) TECHNICAL CORRECTION.—The amendment made by subsection (e) shall take effect as if included in section 402 of the Surface Transportation Extension Act of 2012.

TITLE V—STUDENT LOANS

SEC. 501. TEMPORARY AUTHORITY.

(a) TEMPORARY AUTHORITY.—Notwithstanding any other provision of law, the Secretary of Education is authorized to delay the origination and disbursement of Federal Direct Stafford loans made to undergraduate students under part D of the Higher Education Act of 1965 (20 U.S.C. 1087a et seq.) until the date of enactment of the MAP–21, except that the Secretary may only delay the origination and disbursement of such loans until July 6, 2012.
(b) SPECIAL RULE DOES NOT APPLY.—Subsection (a) shall not be subject to the special rule in section 1(c) of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will recognize Members for Special Order speeches without prejudice to the possible resumption of legislative business.

PRESIDENT OBAMA'S TOXIC REGULATION REGIME

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

Mr. WEST. Mr. Speaker, I rise today not only as a Member of Congress, but as a citizen of the great State of Florida.

My fellow Floridians are frustrated with the Federal Government for imposing more and more burdensome regulations that continue to hurt our already struggling State and Nation. The President's policies have failed and are making this economy worse. While the President continues to give speeches on the principles of job growth, his administration continues to pursue job-killing policies that threaten this country's economic recovery. In fact, since President Obama took office, we've seen a 52 percent increase in completed regulations deemed economically significant. These regulations are costing the economy at least $100 million each year.

Mr. Speaker, this is worth repeating so the American people clearly understand: since January of 2009, this President has increased by more than 50 percent the regulations costing at least $100 million annually. The President cannot stand on his record of the last 3½ years, so he has regrettably turned to the politics of envy and division.

We cannot create a fair system for job creators when the Federal Government keeps changing the rules. We can't help the job seeker by punishing the job creator with more government red tape. According to a September 2010 report from the Small Business Administration, total regulatory costs amount to $1.75 trillion annually.

Put another way, this $1.75 trillion of regulatory burden is enough money for businesses to provide 35 million private sector jobs with an average salary of $50,000. According to the same report:

Small businesses which have created 64 percent of all new jobs in the past 15 years face an annual regulatory cost of $10,585 per employee, which is 36 percent higher than the regulatory costs facing large firms.

Yet rather than provide incentives for these businesses to expand and create jobs, the Obama administration raises taxes and imposes unnecessary, burdensome layers of red tape that impede private sector investment and destroy jobs.

In the last few months, we've heard a lot about fairness from the President, especially when it comes to the so-called rich. Accompanying President Obama's budget for fiscal year 2013 was a simple message to the American people: everyone must shoulder their fair share.

Mr. President, the free market is not about fairness. This is not Little League baseball where everyone gets a trophy. There is nothing fair about the Federal Government telling you what kind of lightbulbs you can use to light your home, how many gallons of water you can use to flush your toilet, and which kinds of food your children have to consume.

While the President continues his ''Kansas City shuffle'' trying to get the American people to look right while he goes left, he continues to try and turn the attention of the American people away from his policies that continue to drag the economy down.

The facts speak for themselves. Today, there are more Federal regulations on the books than in any other time in the history of our Nation. The Obama administration currently has proposed 3,118 regulations with 167 considered economically significant.

□ 1340

In 2011 alone, Mr. Speaker, there were 79,000 new pages printed in the Federal Register. The same year, the Obama administration issued $231.4 billion in regulatory burdens from proposed or final rules.

Today, there are 291,676 unelected Federal regulatory agency employees surrounding the United States Capitol. According to the Financial Services Roundtable, it will take 24,503 employees just to comply with the flood of regulations emanating from the Dodd-Frank banking regulations.

According to a February 15, 2012, Gallup poll, 48 percent of small businesses said they were not hiring due to concerns about possible rising health care costs, while 46 percent said they were worried about new government regulations.

A 2010 study by The Heritage Foundation found that an unprecedented 43 major regulations were imposed in fiscal year 2010, with a total economic cost of $26.5 billion, the highest total since at least 1981.

A recent report from The Heritage Foundation also found that during the 3 years of the Obama administration, a total of 106 new major regulations have been imposed at a cost of more than $46 billion annually and nearly $11 billion in one-time implementation costs. This amount is about five times the cost imposed by the prior administration of President George W. Bush.

Mr. Speaker, I think it is essential the American people understand just a few proposed Obama administration regulations that will cost each of us billions of dollars:

Reconsideration of the 2008 Ozone National Ambient Air Quality Standards.

Estimated cost: $19 billion to $90 billion. It was withdrawn in September 2011.

National Emission Standards for Hazardous Air Pollutants for Coal and Oil-Fired Electric Utility Steam Generating Units. Estimated cost: $10 billion.

National Emission Standards for Hazardous Air Pollutants for Major Source Industrial, Commercial and Institutional Boilers and Process Heaters. Estimated cost: $3 billion.

Standards for the Management of Coal Combustion Residuals Generated by Commercial Electric Power Producers. Estimated cost: $6 million to $1.5 billion.

Require motor carriers operating commercial motor vehicles in interstate commerce to use electronic onboard recorders to document their drivers' hours. Estimated cost: $2 billion.

Hours of service on commercial motor vehicle drivers. Estimated cost: $1 billion.

A Consumer Product Safety Commission rule deeming children's books printed prior to 1986 to be potentially toxic due to the possibility of excessive lead in the ink, even though the actual risk of the lead exposure from older books ranks only about 0.5 on a scale of one to 10, according to the Centers for Disease Control and Prevention. Nonetheless, the Consumer Product Safety Commission has urged libraries to put older children's books in storage until they can be tested for lead toxicity—at a cost of $300 to $500 for each book.

The Federal Government's attempt to regulate the precise moisture, temperature, and chemical standards of compost for use in producing certified organic foods.

The Department of Energy's desire to rewrite water efficiency standards for the Nation's urinals—yes, rewrite water efficiency standards for the Nation's urinals, that's correct, Mr. Speaker.

An Equal Employment Opportunity Commission declaration that requiring a high school diploma as a job certification has a disparate impact on certain individuals that failed to meet such a standard.

A Department of Justice regulation requiring enhanced access for disabled individuals at public and private facilities such as swimming pools.

And of course Numeric Nutrient Criteria, which I will discuss later.

It's no surprise why entrepreneurship in the United States of America is at a 17-year low. In 2010, the Obama administration published 82,480 pages of regulations. Two comprehensive legislative packages—the Affordable Care Act and the Dodd-Frank banking regulations—were passed and scheduled to regulate greenhouse gases as well for the first time ever in the history of this country.

In 2011, agencies finalized $187 million in deregulatory actions, and proposed more than $1.1 billion in rescissions. However, these deregulatory measures were dwarfed by the new regulations that the administration published just this year.

For proposed or final rules, the Obama administration published $231.4 billion in regulatory burdens and 133 million paperwork burden hours. Assuming a 2,000-hour work year, it would take 66,730 employees just to file the Federal paperwork.

On average, Mr. Speaker, eliminating the job of a single regulator would grow the American economy by $6.2 million and nearly 100 private sector jobs annually. The reverse is true as well: each million-dollar increase in the regulatory budget costs the economy 420 private sector jobs.

A recent article in The Economist highlighted the increased complexity caused by ObamaCare, citing that ''every hour spent treating a patient in America creates at least 30 minutes of paperwork, and often a whole hour.''

Next year, the number of Federally mandated categories of illness and injury for which hospitals must claim reimbursement will rise from 18,000 to 140,000.

There are nine codes, Mr. Speaker, relating to injuries caused by parrots—yes, parrots—and three relating to burns emanating from flaming water skis.

Let's be real clear at this point of time: The only jobs created by regulations are jobs for regulators and more regulators. What I notice when I ride up and down Federal and Dixie Highways in south Florida are the numbers of closed storefronts, the numbers of vacant spaces. However, when I fly into Washington, D.C., Mr. Speaker, I see the number of sky cranes building more housing and office space for these regulators.

The number of Federal workers employed in regulatory activities—excluding the TSA—has jumped 20 percent since 2008 while total workforce participation in the United States of America is at a 30-year low.

Our Nation has faced 3 years of unemployment at or above 8 percent. Mr. Speaker, do you want to guess what the employment rate is in Washington, D.C.? In May, the unemployment in the Washington, D.C., metro area was 5.3 percent.

Of course, the environment is only one area of regulatory overreach by the Obama administration. In its review of overregulated America, The Economist magazine noted that the Dodd-Frank banking law, at 848 pages, is 23 times longer than the preceding Glass-Steagall Act. These regulations are choking off the oxygen of growth in this country, especially in our area of south Florida.

Mr. Speaker, let me take a moment to talk about an example which is taking place in our congressional district. In 2006, Rybovich Yachts became the only company in the United States capable of repairing mega-yachts with the opening of its facility in West Palm Beach. The company took a dilapidated boatyard and turned it into the finest repair facility in the world. This facility now employs 230 workers directly and as many as 300 subcontractors each and every day. The facility quickly exceeded all business expectations, attracting commerce from around the globe and cementing south Florida's leadership position in the marine industry.

□ 1350

Last year, this facility generated $5.5 million in local and State tax revenue. Consider the regulatory hurdles Rybovich had to leap through, the mountains of paperwork in order to get a permit issued, and the burdensome red tape they endured every step of the way.

Mr. Speaker, it is remarkable that any U.S. company chooses to do business on its own shores. To satisfy the environmental regulations and requirements for the first facility, Rybovich was required to inspect and analyze every other possible location in the area to see if there was an alternate site that would have less impact on local sea grass beds.

Once the location was chosen, the environmental impact had to be measured and mitigated one for one. In the case of Rybovich, 5 acres of sea grass needed to be replaced. Since there are limited areas where sea grass could be replanted in the vicinity, the company, Rybovich, a private sector company, had to buy an island, construct a wall around it, and plant sea grass. The island alone cost the company $4 million.

In 2008, Rybovich realized there was market potential for a second facility to service even larger yachts. Construction for this new facility is estimated to create over 600 jobs. The total economic impact from the first 5 years of operations is estimated to be $630 million in Palm Beach County and $111 million in the city of Riviera Beach.

One would think, after going through the permitting process and jumping through all the environmental hurdles to open the first facility, the second would go more smoothly. One would think.

One would think, given the state of our local economy, a new project of this scope would be welcomed with open arms. But, Mr. Speaker, 4 years later, Rybovich still hasn't received a permit for its proposed project in Riviera Beach.

And did I mention the 600 jobs that would be created? That's correct. I did. However, the Federal regulators don't seem to care about that fact.

What is happening to Rybovich is not an isolated incident. This is happening all over the United States. Rybovich is merely a whiff of the toxic bureaucratic fumes emanating from the Obama administration that regulators are using to go choke off job and economic growth with excessive environmental regulation.

Another case in point is the numeric nutrient criteria. The Environmental

Protection Agency has proposed ludicrous standards for Florida's nitrogen and phosphorus levels for the State's lakes, rivers, streams, and springs.

Until 2009, the State of Florida was working cooperatively with the EPA to improve our water quality standards. However, in 2009, in an attempt to settle a lawsuit brought by environmental groups, the EPA decided to abandon that cooperative approach, federally preempt our water quality State standards, and impose new criteria on our State.

Like all Floridians, I want clean and safe water. For several years now, Florida has been working to improve its water quality, and in many respects, the State's efforts have been a model for other States throughout this country.

As Florida Wildlife Commissioner Ron Bergeron explains, ''A water standard of 10 parts per billion required by numeric nutrient criteria, is more stringent,'' Mr. Speaker, ''than rainwater which is 15 parts per billion, and is a quality of water that is humanly impossible to achieve.''

Even the EPA's own Science Advisory Board has expressed serious concerns about the science used to support the regulation, and the EPA has repeatedly refused to allow a third-party review of the proposal.

But there is no doubt about one thing, Mr. Speaker. This mandate is poisonous to the economy. These regulations are not about whether we want clean water for Florida. These regulations are about how we reach that goal and at what cost.

This EPA mandate, which singles out the State of Florida, will drive up the cost of doing business, double water bills for all Florida families, and will destroy jobs. The Florida Department of Environmental Protection estimates this Federal mandate may force municipal wastewater and storm water utilities to spend as much as $26 billion in capital improvements to upgrade their facilities. This $26 billion will eventually be paid by each Floridian who uses water, and that means every resident.

A study by the University of Florida and the Florida Department of Agriculture and Consumer Services concluded that the EPA's numeric nutrient criteria regulations would directly cost Florida's agricultural community roughly $1 billion each year, with additional indirect costs also exceeding $1 billion. This billion dollar cost eventually will be paid by every American who wants to enjoy an orange, a grapefruit, or other produce that comes from our State.

The study goes on to say that implementation of the EPA regulations could put more than 14,000 agricultural workers out of a job and would cost the average household up to $990 in higher sewer rates. That is per year, per family, $990 more in higher water bills.

Can our already stagnant economy in Florida take that? Will families move to Florida and choose to buy homes in our already depressed housing market if they're going to have to pay nearly $1,000 more in their annual water bills for years to come?

The EPA has repeatedly refused to allow any third-party review of the science behind the proposed mandate of numeric nutrient criteria. The EPA has also failed to complete an economic analysis.

In a disturbing article in The New York Times on February 16, 2011, an EPA official said they have no plans to implement this regulation in any other State except for the State of Florida.

Excessive EPA regulations hamper business expansion and job growth in nearly every industry. They hurt farmers. They hurt utility workers, pipe fitters, construction workers, coal miners, factory workers, truck drivers, and machinists.

Sixty national companies and dozens of Florida-based companies and organizations, including the United States Chamber of Commerce and the American Farm Bureau, have sent letters to the United States Congress to oppose these burdensome regulations.

Mr. Speaker, we must reduce the regulatory burden on our Nation's businesses and help put Americans back to work. We must get the Federal Government out of the way of our small businesses and entrepreneurs so that they can succeed and prosper.

When there is a need for regulations, they should be developed in concert with the private sector and, of course, done with common sense.

Over the last few months, the United States House of Representatives has passed more than two dozen bills designed to do just that—staunch the toxic regulatory flow coming from the Federal agencies. Unfortunately, Mr. Speaker, they're all still sitting on Senate Majority Leader HARRY REID's desk, which really does stink.

John Engler, the President of the Business Roundtable, recently stated that:

> Regulations are hidden taxes that strangle job creation. We need action by government agencies to clear out obsolete rules and streamline permitting to reduce delays and impediments for companies to invest and grow.

The private sector is the only hope for future job creation. We need to recognize this and work together to let businesses, small and large, invest in people.

Mr. Speaker, I could not have said that any better.

Mr. Speaker, I yield back the remainder of my time.

□ 1400

BUDGET AUTONOMY FOR THE DISTRICT OF COLUMBIA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 60 minutes as the designee of the minority leader.

Ms. NORTON. Thank you, Mr. Speaker.

Members may be aware that I come to the floor occasionally in order to make certain that Members have the full background as they find themselves in the perplexing situation of receiving legislation on a local government and local residents.

We had a misunderstanding—I can only think it was a misunderstanding this week—when Senator RAND PAUL, who I know has been a student of history when it comes to the Constitution, engaged in actions that had the effect of compelling a bipartisan group of Senators to pull back their budget autonomy bill for the District of Columbia.

First, recognize that the Framers didn't go to war with American citizens, including citizens who live right in the very city in which we are now meeting, the District of Columbia, only to leave them out of the very franchise and local control that made the Framers commit what, I'm sure, the British believed were acts of treason when they rebelled against England for its refusal to recognize that taxes are a matter of local control. Bear in mind that those who went to war included the residents of this city and that the Framers in every respect showed that they respected the fact that the citizens of this city were included among those who went to war.

For example, in the transition period—10 years—as the District of Columbia moved to become the Nation's Capital—the four Framers of the Constitution from Maryland and from Virginia made sure through legislation that their members lost nothing, in as much as Maryland and Virginia had donated the land to the Nation for our Nation's Capital. Maryland and Virginia citizens were allowed to vote in their jurisdictions in Maryland and Virginia. They voted for Congress, and they were treated in every way like other Americans at that time. In 1802, when full transition to become the Nation's capital occurred, they lost what they had been promised. They lost their full rights as American citizens.

The District got back some of those rights under a Republican President 39 years ago when the District was granted home rule, the right to govern itself, under the Home Rule Act.

Richard Nixon said at the time:

I share the chagrin that most Americans feel at the fact that Congress continues to deny self-government to the Nation's Capital. I would remind the Congress that the Founding Fathers did nothing of the sort. Home rule was taken from the District only after more than 70 years of self-government, and this was done on grounds that were either factually shaky or morally doubtful.

So the Congress returned to the District some measure of home rule in 1973. In returning a good measure of home rule, the Congress nevertheless said to the District that, while it had

authority over its own budget, the budget had to come to the Congress of the United States before it became final.

We are trying, as I speak, to make sure that that budget does not become a vehicle for denying the very principles that the Framers fought for and that every American stands for. This is not a country where you can pay taxes and somebody else can have something to say over how those taxes will be used. That would cause another rebellion. When this matter was put to the American people in a recent poll, here is what they said: more than seven in 10 believe that the District of Columbia should control its own budget.

I suppose in America people are saying, Duh, of course. That's a basic founding principle. Why do you need to tell us that?

We need to tell you that because there are attempts here—and there was an attempt just this week in the Senate—that contradicted the increasing bipartisan consensus for local control by the District of its own local funds, funds that not one Member of this body has had anything to do with raising. So when you put that to the American people, you get a predictable answer: seven in 10 say yes to local control by the District alone of its own local funds.

What does that mean in terms of Democrats and Republicans?

Seventy-one percent of Democrats and, by the way, 72 percent of Republicans support it. I'm not surprised at those figures. Seventy-one percent of Democrats—and slightly more—72 percent of Republicans believe that the people who pay taxes and happen to live in their Nation's Capital should be treated as full American citizens when it comes to how they spend their own local funds.

That principle is not always recognized in this body, and that's why I've come to the floor today, because I do not believe that the failure to recognize this principle comes from venality. I think it comes because there is turnover in the Congress and because people don't focus on the anti-democratic bills that come before them, so they simply do what they are told to do. They don't do much analysis of their own about why they may be voting as a Member of Congress to overturn local laws.

Last year, the District of Columbia government was almost shut down three separate times. I don't think I could find a Member of this body—in fact, I'm sure I can't—who would say that when the Federal Government is engaged in a Federal fight over Federal spending that the District of Columbia should have to shut down, too; but that was the case because the District of Columbia local budget—its balanced budget (unlike our own)—which had been approved by the Appropriations Committee, was still here. Because it was still here and for no other reason, the District of Columbia three different times had to prepare for a shutdown of the city government, and had to prepare for the consequences of the possible violation of contracts and other serious consequences through no fault of their own.

It's important to note that a Senate appropriations bill this year does contain my no-shutdown bill for the District of Columbia, which simply says that the District of Columbia doesn't shut down if the Federal Government shuts down; of course, if the city is spending only its own local money, that's okay for the city to do.

When I refer to a bipartisan group of congressional leaders who support budget autonomy, I'm speaking of leaders who have been in the Congress, and have been in the District and have seen what the effects of not treating the District as a full local-controlled jurisdiction have been. In the House today, I am grateful to Chairman DARRELL ISSA, chairman of the committee with some jurisdiction over the District of Columbia, who is a leading proponent of budget autonomy for the District of Columbia, so much so that he has his own bill for budget autonomy, which is very much like my own.

□ 1410

In the Senate, Senator JOE LIEBERMAN and Senator SUSAN COLLINS had a bipartisan bill in committee this week for budget autonomy for the District of Columbia much like Chairman ISSA's. Budget autonomy has been supported by majority leader ERIC CANTOR. Budget autonomy has been supported by the Republican Governor of the State of Virginia.

When we note what happened in the Senate on the bill, we cannot believe that it came from animus or some sense that the District of Columbia is not a city whose citizens should be treated as other American citizens are treated. Yet, as the bill went to committee, Senator RAND PAUL appeared to have proposed any and every amendment he could think of, amendments that no self-respecting American jurisdiction could possibly abide, not because there is anything inherently wrong with these amendments, but because they violate what the voting majority of taxpaying residents of the District of Columbia have approved as local law.

The Senator did not stay he disagrees with this or that policy and he wants to make sure that the District does this or that thing. He said: I think it's a good way to call attention to some issues that have national implications. We don't have control over the States, but we do for D.C.

Oh, really? What control do you have over our local funds? Do you raise a cent of it?

This must be a misunderstanding. Since Senator RAND PAUL founded the Tea Party Caucus in the Senate and is the champion of small government and local control there, I choose to believe that this freshman Senator had not yet come to grips with the rather complicated history of the Nation's capital. If he had, I don't think he would have put forward an amendment that would require the city to allow conceal-and-carry permits. We may not have a problem with conceal and carry in the United States, but that's not what the people of the District of Columbia, who pay taxes here, have written into their constitutional local laws.

Moreover, public safety is the essence of local control. If you look to the two or three issues that nobody should have anything to say about in another local jurisdiction, surely at the head of the list would be local police power, when that power is consistent with the Constitution.

Then a stream of other amendments came forward from Senator PAUL on abortion, one of them on licensed firearms dealer, one of them having to do with labor organizations. It's as if the Senator went down a checklist. He virtually said so himself. He said: What national issues can I highlight using the District of Columbia?—as if the city were nothing but a plaything and not a jurisdiction of 600,000 American citizens who have fought and died in every war, including the war that created the United States of America, of 600,000 citizens who pay the second highest Federal taxes per capita in the United States. That's 600,000 citizens, one of whom was killed in Afghanistan last month. It means 600,000 Americans who have every right to demand equal citizenship.

Nevertheless, good news, from bipartisan support and from national polls, continues to roll in. The Senate has just passed out of committee the D.C. budget. The most the Senate and the most the House should do is act as a pass-through as long as the D.C. budget does not violate the Constitution. Of course, no local budget belongs in the United States Congress. However, D.C. does not yet have budget autonomy. Yet there is nothing, in American principle or American history which says that once you have the local budget through here, you can just do anything you want to do, overturn local laws or restrict funds that Congress had nothing to do with raising.

I met Tea Party people for the first time when they came to Congress. I thought local control was their most basic principle. In fact, Senator RAND PAUL would like to get the Federal Government out of issues where the Constitution allows the Federal Government to be. But what about hopping over Federal issues and trying to interfere in the business of a local jurisdiction? That's against his principles; that's against everything the Framers stood for.

Polls within the last few months show that the overwhelming majority of Americans believe Congress should pass a D.C. budget without changes. Who is this overwhelming majority? Seventy eight percent of them are Democrats. Once again, Republicans lead the pack at 81 percent.

This is how the question was framed: ''Today, Members of Congress are withholding approval of Washington, D.C.'s local budget unless the city agrees to a series of unrelated provisions on issues ranging from guns to abortion. Do you think Congress should or should not interfere in the city's local affairs and budget in this way?''

If anything, the issue was framed against D.C. Because you can bet your bottom dollar that of this 81 percent of Republicans who answered that Congress should not interfere with D.C.'s local affairs and budget were many who, in fact, oppose abortion and oppose any restrictions on guns or gun owners. Yet this is how they responded when asked a base question, a fundamental question regarding, if it is local money, should a national body in Washington have any right, whatsoever, to impose its will on a local budget.

Congress does lag occasionally behind the American people. This is a big lag. But the lag does not include several leaders of this House and of the Senate.

□ 1420

Senator JOE LIEBERMAN is retiring this year. He has been a champion of equal citizenship for the residents of the District of Columbia, whether it was voting rights or statehood or budget autonomy. Equal citizeship rights for District of Columbia citizens, in many ways, partially define his service.

Yet the first budget autonomy bill to pass at all in Congress came from Senator SUSAN COLLINS, when democrats were in the minority. That was in 2003. That bill went all the way to the floor and was passed in a Republican Senate. It was the House that did not pass it or D.C. budget autonomy would be law today.

So when I speak of first principles, I think there is great evidence that those first principles resonate in the Senate and resonate in the House. They resonate in the House when Representative ISSA puts forward a budget autonomy bill, it resonates in the House, when Majority Leader CANTOR, in fact, says he supports budget autonomy.

I don't believe that the average Member even desires the opportunity to use 600,000 American citizens as playthings through a local budget. We joust with one another. We disagree with one another. But I don't believe when it comes to this serious matter that if we had an opportunity, one on one, to speak with Members of this body they would give you a justification for a federal body overturning the will of the people of a local jurisdiction.

That is why I say this afternoon that by assuming that disparate treatment of any American citizens, even those who live in the District of Columbia, must reflect a misunderstanding that I hope, by coming to the floor from time to time, I can help clear up. Unequal treatment of American citizens flies in the face of the very principles that particularly Members of this House have professed from the moment the 112th Congress convened: Get the Federal Government out of our lives, even where the Federal Government has historically been in our lives; get the Federal Government out of any opportunity to get involved in our lives.

Witness the view of Republicans on the Affordable Health Care Act. Up with local control, and when it comes to local money, hands off.

You might imagine that when the District raises $6 billion from local citizens, they wouldn't want anybody telling them anything about how to spend their local funds. The District spends that money on some matters and in some ways that are different from the way the jurisdictions of my colleagues spend their own money. Isn't tolerating these differences what is most wonderful about America?

The Framers put together a nation that was very different, that has kept us from going to war with one another over issues by above all separating out local from Federal, meaning if you stay in your part, we won't go there. We will only go where matters of national concern are to be found. That was the promise.

I must say, to my colleagues, that's the promise that's been kept for every American district, except my own. And that is why I have called Senator RAND PAUL. I have not been able to speak to him yet. I am going to ask to sit down with him. I am going to walk over to the Senate to see if I can have a good conversation with him about the District of Columbia, because I have no reason to believe, given his own short history in the Senate, that he means to do anything but carry out his own originalist principles, his principles that local control is different from Federal intervention. Given a conversation, we can at least make some headway on what the District means to our country and how the citizens of this city feel when they are basically kicked around.

We're powerless to do anything about it. If a bill comes to the floor which keeps us from spending our own money, every Member of this body can vote on that bill except the Member that represents the District of Columbia because, as of yet, the Congress has not, in fact, given the District the voting rights that we have given to the people of Afghanistan and Iraq, with citizens from the District of Columbia among those fighting for their freedom. So I don't think anybody would blame us for coming forward to ask for what every other American takes for granted.

What is truly gratifying to me, even as I complain about the withdrawal of a budget autonomy bill in committee, which Senator JOE LIEBERMAN and Senator SUSAN COLLINS had worked so hard to perfect, what encourages me is, first, the leadership we have in the House for budget autonomy, the leadership that continues to stand strong with us in the Senate. But most of all, Mr. Speaker, what encourages me is what these two charts tell us about our country, tell us about what the American public believes, tells us what they overwhelmingly believe—that American citizens have a right when it comes to their own funds raised by them and them alone.

Yes, I take heart in the fact that while there are only small differences between Democrats and Republicans on subject autonomy, those who most favor control of the city's own budget by its own local citizens are Republicans, who are, it seems to me, only confirming their own principles.

And when it comes to whether or not the Congress, when the D.C. budget comes here, should pass it clean, just as it was when it came, or should in some way use it to profile national issues, you have even greater majorities essentially sending Congress a message that it should pass the D.C. local budget without changes. Seventy-eight percent of Democrats and 81 percent of Americans regard this as something of a truism. My colleagues represent the people included in these massive majorities.

I don't expect my colleagues to spend a lot of time on the District of Columbia. I ask only that when the budget of a local jurisdiction comes here that there be some thought behind what you do when you have the vote on that budget and I do not. In a real sense, I ask you to put yourself in my position. I am a Member of the House of Representatives. I have the same standing that all of you have, except I do not have a vote.

I would be so bold as to ask my colleagues to put themselves in my position when they see Members of this House or Members of the Senate try to direct the District about how it ought to spend its own local funds. I ask you to put yourself in my position because I think there would be some genuine empathy with the position in which I find myself, representing 600,000 citizens who have lived up to every obligation of citizenship ever since the founding of the Republic of which they have always been a part, but never with equal citizenship.

We will continue to come forward in good faith and in the spirit of understanding and in the hope that, with greater highlighting of the discrepancies between professed principles and how they are occasionally carried out, change will come in a country which is always striving to live up to its own ideals.

I yield back the balance of my time.

[From the Washington Post, June 27, 2012]

RAND PAUL'S SITUATIONAL PRINCIPLE

(By Editorial Board)

Sen. Rand Paul (R–Ky.) came to Washington on the wave of the tea party movement to limit big government. ''I think a lot of things could be handled locally . . . the

more local the better, and the more common sense the decisions are, rather than having a federal government make those decisions,'' he said during his 2010 campaign. So how to explain his spoiling a move to give the District autonomy over its own tax dollars by—and this is really rich—injecting the federal government into local affairs?

We thought we could no longer be surprised by congressional hypocrisy when it comes to the nation's capital, but Mr. Paul's willingness to turn his back on his supposed libertarian principles and devotion to local rule is truly stunning.

A bill that would give D.C. officials the ability to spend local dollars—we repeat, locally collected, locally paid tax dollars—without congressional approval was pulled from consideration this week after Mr. Paul introduced a set of amendments that would dictate to the city policies on guns, abortions and unions. ''The last senator I would expect it from,'' said Del. Eleanor Holmes Norton (D–D.C.), telling us that she has never seen so many amendments offered at one time by a single member to restrict D.C. rights. Ironically, Ilir Zherlca, head of the advocacy group DC Vote, said that Mr. Paul initially had been seen as a potential ally for the District because of his views on small government.

Mr. Paul told The Post's Ben Pershing, ''I think it's a good way to call attention to some issues that have national implications. We don't have [control] over the states, but we do for D.C.'' In other words, ''I am doing this because I can''—not exactly the argument one expects to hear from someone who has railed about federal intrusion. As Mr. Zherka pointed out, Mr. Paul's brief for small government is not whether the federal government has the power but whether it should use it.

A spokesman for Mr. Paul e-mailed us a reminder that the District is not a state but a federal jurisdiction: ''Efforts to change that have failed, and until it is changed it is not only the prerogative but the duty of Congress to have jurisdiction over the Federal District.'' What we don't get is how someone who raises the banner of a movement inspired by a time when Americans were ruled without representation could be so unsympathetic to the rights of D.C. citizens who are in the same position.

□ 1430

SUPREME COURT HEALTH CARE DECISION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. It's always an honor to speak before the House of Representatives, a great storied history here, just as the Supreme Court has a great storied history. There's some moments in time with regard to the United States Supreme Court which show it to have consisted of a bastion of strong-willed, determined, principled, constitutionally minded Justices. There are other times when the Supreme Court has shown itself to consist of some great judges and some who are more interested in politics, more interested in feathering their friends' nests than they are in doing what was right under the Constitution, even though it was easy enough for them to rationalize that, gee, if they did what helped their friends, then obviously that would make it better for the whole country.

I think we get some of that rationalization from this administration. Gee, if they just throw billions or hundreds of billions of dollars at friends, then their friends will do better. And if their friends are doing better, surely the rest of the country would. We have also found that to be true with regard to things like Solyndra and the massive number of other cronies of the administration that have received hundreds of billions of dollars over time and also at a time when this country is sorely hurting from overspending and running up debt.

In fact, today we had a bill regarding transportation and a conference report. I know my friend JOHN MICA from Florida worked exceedingly hard, as had other members of Transportation, trying to reach an agreement with the conference report. It looked like the Senate got the better end of the deal. But I know these people, I know their hearts, and I know they try to do what is right for America when it comes to Chairman MICA and those who are assisting him.

But, nonetheless, we heard our friends across the aisle over and over today talk about how critically important infrastructure is, how we ought to be spending money, and how just $1 billion added to the transportation budget could really make a tremendous difference. I hearken back to a year-and-a-half ago when the President of the United States, Barack Obama, had told people that if you will give me basically a trillion—whether it's $800 billion, $900 billion, apparently it looked more like a trillion dollars by the time it was finished—you just hand me over a trillion bucks and we'll get this economy going. If you don't give it to me, then it will turn out that we may see as high as 8.5 percent unemployment. But if you do give it to me, we'll never see 8.

Of course, he was wrong that we would never see 8 percent unemployment. We've gone for many months—I guess that was 3½ years ago now—that he was telling us about his big stimulus. How quickly time flies.

As the transportation proponents were pushing their bill today and talking about what the good infrastructure will do, many of us believed that was true back in January of 2009, that it would be good. If we're going to spend money on anything, spend it on the things that we really need to do: bridges, roads, all these things that need construction, need renovation.

So the President sold America largely on his stimulus because we're going to fix all the infrastructure in America. But the last 3½ years have borne out that the President did not spend $800 billion, $900 billion on infrastructure. He spent maybe 6 percent of the largest giveaway in American history. He surpassed the terrible mistake that TARP was—$700 billion. And we haven't been able to get an exact number, but of the $700 billion, it may be $450 billion-or-so that his administration inherited. So when you get the $800 billion, $900 billion, trillion-dollar stimulus giveaway—porkulus, as some called it—and you combine that with $400 billion, $450 billion, $500 billion that he was able to inherit from the TARP fund, you think maybe a trillion and a trillion-and-a-half dollars he had to give away.

And we hear debate over what difference $1 billion would make. He was talking about a thousand times that for infrastructure. And he spent a tiny fraction on infrastructure, preferring instead to have massive grants and giveaways to programs that were his cronies, his pets, that are now producing no dividends and in fact are increasing further debt.

So we hear those things, how wonderful infrastructure would be, and yet we know when we as a Congress provided this administration with massive amounts of money for infrastructure, they diverted it. They did more damage to the country than they did good. And we look at the people that this President has surrounded himself with. He had a Solicitor General named Elena Kagan. The Solicitor General's job is to assist the White House, assist the administration with potential legislation that may come to litigation, assist them with litigation. As I know from working 30 years ago in the private sector, you can't advise people about existing litigation and do your job without advising them about the way to avoid future litigation problems that you run into.

So we know that the biggest legislative agenda item for this administration was the complete takeover of health care. And as most thinking people would understand, if you could control all health care, you can pretty well control all people. You get to decide who gets what treatments, who can have a new hip, who can have a new knee, who can have radiation therapy, who can have the surgery. And as one secretary in my hometown pointed out, her mother acquired breast cancer in England, and since the English Government's wonderful health care system decided how long you had to wait before you could get to have diagnostic tests done, before you could have therapeutic activity occur, her mother didn't get the diagnostic tests in time to find out she had it for sure, didn't get the surgery in time, didn't get the treatment in time and she said, My mother died of breast cancer because she lived in England and the government was in charge of health care.

□ 1440

She said I have been found to have cancer since I've been here in the U.S., and because the government was not in charge of my health care, I got it diagnosed in time. I got treatment in time.

I didn't have to live by any preconceived requirements of the government. So I'm alive because I was in America. My mother is dead because her health care was in England.

Some think the great panacea is government being charged with health care. We've heard over and over again that this is for the good of the children.

At this point I would be delighted to yield to my friend from Michigan.

UNITED WAY CELEBRATES 125 YEARS

Mr. CLARKE of Michigan. I want to thank the gentleman from Texas for yielding me some time.

Mr. Speaker, I'm very honored today to commend the United Way on 125 years of serving our country. In particular, the United Way of Southeastern Michigan has done so much good for our region and for our people. It has helped provide shelter to the homeless, provide education to our young people and training to the unemployed.

So again, I want to thank the United Way of Southeastern Michigan for its service, and also congratulate the United Way on its 125th anniversary of outstanding work for our country.

I thank the gentleman from Texas for yielding me this time.

Mr. GOHMERT. I thank and greatly appreciate my friend, Mr. CLARKE. That is obviously an important announcement. I didn't realize that the United Way had been around 125 years. They do great work, and I appreciate my friend, and I do mean my friend, calling that to our attention.

The Obama administration had an agenda item, getting ObamaCare passed. Elena Kagan was Solicitor General, and she continued to be Solicitor General even up until after the time when the first lawsuits were filed against ObamaCare. Now, she gave testimony before the Senate that satisfied them at the time that she was pure as the driven snow and she would in no way compromise integrity. That was the feeling that was gotten. She got the votes that she needed to be confirmed, and then went on to the U.S. Supreme Court.

But since that time, more questions have arisen. Wait a minute, she was there during this, that, and the other. When ObamaCare was being drafted, when it was being prepared, and even after it passed and it became law, she was the Solicitor General.

And so now that we see all of these things in perspective, we go, wait a minute, could she have been the worst Solicitor General in American history that she would never advise the President, her boss—never advise him—on the litigation that would surely be coming when his prize legislation got passed, if it got passed? Because a legitimate lawyer, an adviser, a counselor, will tell the client—in this case, the President—Look, if you want to have this pass constitutional muster, here's what you need to do. Let's get this verbiage in one place, let's get this in another.

Could she have foreseen that perhaps a weakness of the brilliant John Roberts would be, if you call something a penalty in a bill and then later call it a tax after it's passed, that maybe the Supreme Court would buy it? I don't even think that Solicitor General Kagan could have foreseen that John Roberts would totally abandon intellectual consistency. No matter how intelligent, I don't think she could have seen that coming. I certainly didn't.

But the law regarding judges, Federal judges, is not just a matter of ethics—gee, you can have an ethics complaint filed against you as you can if you're a practicing attorney or a judge. The law is 28 U.S.C., section 455, and it says:

Any justice, judge, or magistrate judge of the United States shall disqualify himself—that's generic for him and her—in any proceeding in which his impartiality might reasonably be questioned.

Well, it is absolutely clear that her impartiality is certainly questionable in her boss's most prized legislation: ObamaCare.

My friend from Alabama, one of the great Senators over at the other end of the hall, JEFF SESSIONS, had extended eight questions to Attorney General Holder asking for answers, and they were submitted timely under the rules so they were part of the hearing and would require answers from our Attorney General Holder. And three of them in particular were these. These were questions for Attorney General Holder, because as 28 U.S.C., section 455 is the law and Justice Kagan's impartiality has reasonably been questioned, there is potential here for a law violation by Justice Kagan, and we need to know more. Since this is with regard to the law that the Attorney General is supposed to uphold, fair questions. From JEFF SESSIONS to Attorney General Holder:

Are you aware of any instances during Justice Kagan's tenure as Solicitor General of the United States in which information related to the Patient Protection and Affordable Care Act and/or litigation related thereto was relayed or provided to her?

Another question from U.S. Senator JEFF SESSIONS to Attorney General Holder that required an answer:

When did your staff begin ''removing'' Solicitor General Kagan from meetings in this matter? On what basis did you take this action? In what other matters was such action taken?

Clearly, Solicitor General Kagan was on the email list for people who were talking about the laws that were coming up that the administration wanted to get passed, including ObamaCare, so it's a legitimate question to know at what point did she stop getting emails regarding ObamaCare.

It's also important to know what she said in those emails, because the one email they slipped and let us get a glimpse of was when ObamaCare passed. She sent an email something along the lines of: Can you believe they got the votes? Sounds like an excited utterance.

And it's worth noting that under 28 U.S.C., section 455 the law is very clear, this is the law. It's not an ethics, an encouraged rule. This is the law.

□ 1450

''Where he or she has served in government employment''—as Solicitor General Kagan had—''and in such capacity participated as counsel, adviser or material witness concerning the proceeding or expressed an opinion concerning the merits of the particular case in controversy, she shall disqualify herself.''

So, clearly, she is already disqualified because her impartiality is certainly reasonably being questioned. But is there even another law—not rule, but law—in which her impartiality can be questioned? But it makes it very clear, if she ever, ever expressed an opinion concerning the merits of ObamaCare, she should not have been allowed to sit on this case.

I think history is going to judge this case in a way that Justice Roberts never dreamed. He is so brilliant. There's no question that he was able to rationalize that coming as part of the majority as he did was the thing to do. He has gotten accolades, just as Chief Justice Taney did when he came out with the Dred Scott decision. Justice Taney got accolades from people, you know, wow. Yes, he got criticism, just as Chief Justice Roberts has, but he got some of the same accolades he's got: wow, what a brilliant man. He has removed politics from the Supreme Court when the truth is just the opposite of what occurred.

The politics of the White House prevailed. It was pure politics; it was nothing but politics. And anyone who honestly reads this opinion from an entirely objective standpoint will not be able to say this is a beautiful piece of well-reasoned legal logic because it is not. It is a hodgepodge of poorly written, poorly thought-out, poorly pieced-together opinion; and it's an embarrassment. And one day, history will record that this Court was possessed of four individuals who had political agendas and could not set them aside, and that a Chief Justice, who knew better, decided he would try to make the Court look less than political, and in doing so became very political.

We need answers to these questions.

The third one was:

Did you ever have a conversation with Justice Kagan regarding her recusal from the matters before the Supreme Court related to the Patient Protection and Affordable Care Act? If so, please describe the circumstances and substance of those conversations.

Real easy. Now, we know that this Attorney General has significant recollection problems. He recalled, under penalty of perjury before our Judiciary Committee that he had only learned about Fast and Furious a few weeks, he said, a few weeks before the hearing. Within months, we found documentation showing that that was a lie. It had been months before, at a minimum,

that he had learned. Then, when he had that presented to him, he said a few weeks, months, what's the difference? Highest Justice official in America sees no difference between a few weeks and months.

These questions need to be answered. It's already embarrassing enough that a Justice hid behind the refusal to answer questions, the avoidance of questions, to be able to sit on this case and participate in one of the worst thought-out and thought-through and expressed opinions that I've read from the U.S. Supreme Court.

And it's worth looking at some of them. If you go to the opinion itself, first of all, the Supreme Court has to deal with the issue of whether the Supreme Court can consider the case because the Anti-Injunction Act basically, in essence, says: if Congress passes a tax, then the Supreme Court does not have any jurisdiction to consider the case. No one can file such case in Federal court until the tax is actually levied and the individual filing suit has actually had it levied on them. Then that individual has standing, can file a lawsuit, and the Supreme Court can consider it. But until the Supreme Court could decide and determine whether or not the penalty for not buying health care insurance was a penalty or a tax—even though the language in the act clearly said it was a penalty—well, the Court couldn't go forward. So that was the first thing they had to wrestle with. You see it particularly highlighted from pages 11 through 15.

But it's worth noting—this is page 11—the Court says: before turning to the merits, we need to be sure we have authority to do so. That's Justice Roberts, before turning to the merits, we've got to be sure we have authority. He said the Anti-Injunction Act provides:

> No suit for the purpose of restraining the assessment or collection of any tax shall be maintained in any court by any person, whether or not such person is the person against whom such tax was assessed.

Can't bring the lawsuit, the Supreme Court can't consider it if it's a tax, because it won't be 2014 or so before that happens.

So you look at this decision, page 12, our brilliant Chief Justice—and he really is brilliant, he just compromised it here:

> Congress's decision to label this exaction a ''penalty'' rather than a ''tax'' is significant because the Affordable Care Act describes many other exactions it creates as ''taxes.''

Because there are taxes. There are, clearly. There's the medical device tax that ObamaCare adds. All these other taxes, they call themselves taxes. This doesn't. And Justice Roberts points out, it's a penalty. They call it that.

Justice Roberts says, and this is page 13 of his opinion:

> The Anti-Injunction Act and the Affordable Care Act, however, are creatures of Congress's own creation. How they relate to each other is up to Congress and the best evidence of Congress's intent.

Get that: best evidence of Congress's intent is the statutory text. That's why he goes through and says the text calls it a penalty. On page 15, he says:

> The Affordable Care Act does not require that the penalty for failing to comply with the individual mandate be treated as a tax for purposes of the Anti-Injunction Act. The Anti-Injunction Act therefore does not apply to this suit, and we may proceed to the merits.

It's not a tax; it's a penalty. All right. So, page 15, all this legal reasoning, it's not a tax, it's a penalty, best evidence of what it is is what Congress calls it, Congress calls it a penalty, ergo it's a penalty and we can move on. And now we're entitled to consider the merits.

Now, he also adds—this is over at page 39:

> The joint dissenters argue that we cannot uphold section 5000A as a tax because Congress did not frame it as such.

Now, in fact, the four intellectually honest dissenters have pointed out to the Chief Justice—they called it a penalty. You said the best evidence of what it was was what Congress called it. Congress calls it a penalty, they treat it as a penalty, and that's the best evidence. So you can't uphold 5000A as a tax because it was not intended to be one.

If you look, page 39 is where—and the full sentence says: ''An example may illustrate why labels should not control here.'' This is the Chief Justice saying these lines. Labels should not control here. He just said, in page 11 through 15, labels should control. Congress puts the label on what they mean it to be: that should control. Now he's saying labels don't control here.

He goes on to say, and this is at page 44:

> The Affordable Care Act's requirement that certain individuals pay a financial penalty for not obtaining health insurance may reasonably be characterized as a ''tax.''

□ 1500

I called it a penalty so I'd have jurisdiction to write this opinion, but now that I have jurisdiction to write this opinion, now, page 44, I'm calling it a tax. Also on 44 he says:

> The statute reads more naturally as a command to buy insurance than as a tax, and I would uphold it as a command if the Constitution allowed it.

Well, that is the point I guess, that is really strange in an opinion because that's in a paragraph marked Capital D that starts with:

> Justice Ginsberg questions the necessity of rejecting the government's commerce power.

You never put that in, you're not supposed to. In good writing of judicial opinions, you don't put that in a majority opinion. You don't attack another co-majority signer, and yet he does that a few times in his majority opinion.

But then to add first person, the first person pronoun ''I'' and then follow that with a conditional future tense verb ''would'' uphold it as a command if the Constitution allowed it, why is that there?

That looks like that should have been part of a dissenting opinion, not, for heaven's sake, the majority opinion by one of the smartest lawyers in the country. He sacrificed not only his intellectual consistency, he sacrificed his intellectual ability to write as one of the best writers we ever had. It's really tragic.

But the statute reads more naturally as a command to buy insurance. I would have allowed it. It makes no sense there in that context.

One other quote we have down here, it's found at page 57. He says:

> We are confident that Congress would have wanted to preserve the rest of the Act.

He knows that's not true. He knows that the House version of ObamaCare had the severability clause. And the severability clause, every good lawyer, even every bad lawyer knows, if you want the whole document to be preserved, even if one line is struck out, you better put that Mother Hubbard clause in there so that it's all protected. You lose one line, you don't lose the whole document.

And that was in the House version, but the Senate chose to strike it out. They didn't want it in there to say, if any of these parts get struck down by the Court, it all has to fall. They didn't want that. They wanted the bill without the severability clause because if anything got struck, everything had to go. That's the way they looked at it.

In fact, that debate was even made. If we don't get this part, we don't get that part, then there's no sense even having any of it.

Well, it's pretty tragic, pretty tragic. But there's been so much sacrifice.

I'm very grateful to Justice Kennedy, Justice Scalia, Justice Thomas, Justice Alito for maintaining their consistency. The dissent is very well-written, very consistent. They not only didn't sacrifice their intellectual integrity, they did not compromise their writing ability.

It's a dangerous time, and now we know, because of this Supreme Court decision, talking to my friend, ALLEN WEST this morning, he brought this up. I didn't know he'd brought it up already in an interview. But since we now know that bringing down the cost of government function is a legitimate interest that justifies intrusive legislation, and you can now have a tax on people if they don't participate, then we know everywhere that concealed guns have been made legal, the crime rates have gone down. When the crime rates go down, the costs go down. So we need a bill that will require everybody in America to buy a gun, and if you don't, you'll be taxed.

And this Supreme Court, in their intellectual lack of integrity, will sustain that bill.

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

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 1335. An act to amend title 49, United States Code, to provide rights for pilots, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4348) ''An Act to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.''.

GLOBAL WARMING AND AMERICAN FREEDOM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the Chair recognizes the gentleman from California (Mr. ROHRABACHER) for 30 minutes.

Mr. ROHRABACHER. Mr. Speaker, I have a policy in my office that every time anyone from my district actually comes to the Capitol, they have a right to see me and talk to me, especially young people. And I have, over the years, seen hundreds and hundreds, maybe thousands of young people from my home district in southern California. And I let them talk to me and ask any questions that they would like to ask.

And I have a question that I always ask them, and I thought it would be interesting for my colleagues and perhaps any of those who are watching C–SPAN or reading this in the CONGRESSIONAL RECORD to know the answer that I get when I ask a question of the young high school students from my district.

Mr. Speaker, when our kids come in to my office and are talking to me, I note that I was actually in high school in southern California 47 years ago. And I always ask the kids, is the air better quality today, or is it worse today than when I was going to high school in southern California 47 years ago?

And 90 percent of the students, over the years, whom I've asked that question to have had exactly the wrong answer. Their answer is, oh, you were so lucky to live at a time when the air quality in southern California and around the Nation was so good, and it's so terrible that we have to put up today with air quality that's killing us.

They've been told that the air quality when I was in high school was so much better than it is today, which is 180 degrees wrong. But this is a general attitude among today's young people because our young people are being lied to. They are intentionally being given misinformation.

Now, their teachers may not be intentionally lying to them, but their teachers maybe are given information from scientists and other sources that is an exact lie from people who know that, yes, the air quality back when I went to school, and I go into description about how the air quality was so bad at times we couldn't even go out on the playground. They wouldn't even let us out of the classroom on to the sports field because the air was so bad. Today that happens maybe once a year or twice a year in southern California. Back then it happened once a week at times during the summer and during the school year.

So our kids have this view that their generation is being poisoned, and they're willing to accept stringent measures in order to protect the environment that take away a great deal of the opportunity that they should have in their lives in order to correct this horrible problem that they're told that they've got.

Well, when I tell them it's just the opposite, they're so surprised. Well, the truth is, our Nation's environment is no longer the disaster that it was 50 years ago. And 50 years ago we did have a problem. Fifty years ago I remember that when my dad was a Marine down in Quantico, when I was a child I came up here several times and my dad would say, whatever you do, don't put your finger in the Potomac River or your finger will fall off. Well, it wasn't quite that bad, but it was really bad.

We've made tremendous progress over the years on the Potomac River. I can't help but notice there are people water-skiing and sailing and fishing in the Potomac now.

Well, we don't live in the same time of 50 years ago. The air today has never been cleaner than at any time in my lifetime. The water has never been cleaner in any time in my lifetime than it is today. And I am hopeful that my children will never have to experience the pollution that was rampant when I was their age.

So, let's take a look and give credit where credit's due. That progress is, in large part, because of the efforts of the government, well, and the EPA, yes, which came in under President Nixon, and others who have used science to fight for environmental reforms and to improve the quality of life of our people.

And while I am thankful, I also would like to heed the warning that President Eisenhower left with us in his farewell address. And I quote, ''that public policy could itself become the captive of a scientific technological elite.''

He was warning us about government-funded research becoming so intertwined with public policy and the creation of regulations it would compromise the integrity of both.

Well, in recent years, we've seen political agendas being driven by scientific-sounding claims being used to frighten the general public again and again and again.

□ 1510

An unjustified fear has been used, for example, to ban DDT. I remember when I was a kid, and I used to run through these clouds of DDT—again, when my father was in the military down in North Carolina. Yes, it was killing millions of mosquitos in North Carolina, but when they banned that DDT, I seem to remember it had something to do with the thickness of shells of certain birds. Well, they banned DDT, and because of that we have had millions of deaths due to malaria in Africa. Millions of young African children, because they don't have a good diet, succumb to a disease like malaria and die because of it. These children are dead—make no mistake about it—because we were frightened into an irrational position on DDT, banning that and thus destroying the lives of millions of children in the Third World.

We've seen alarmism with ''The Population Bomb.'' Do you remember that in 1968? It was a book claiming that increasing populations and decreasing agricultural yield would lead to cannibalism and global warfare over scarce resources by the mid-1970s. Here we are a long way from the 1970s, and I'm afraid Malthus, who 150 years ago started this type of scarism, was wrong, wrong, wrong. Right now, there are a lot of scientists, unfortunately, who are molding themselves after the Malthus mistakes that were made 150 years ago.

Today's environmental alarmists use faulty and, in some cases, deceitful computer models to ''prove'' that the world is being destroyed one way or the other, quite often, in the ones they've been using in the last 10 years, of course, was that the world was being destroyed by manmade carbon emissions. This is proven by their computer models, even though the Earth has seen significantly higher atmospheric carbon levels many times before. Those were not necessarily bad times for this planet, but those computer models were suggesting, because of carbon emissions, we were going to face a catastrophe. In fact, I remember very well the predictions of 10 and 15 years ago that, by now, we would have reached a tipping point in the temperature of the world—that we'd have reached a temperature of about now—and then it would go up 5 to 10 degrees, which is a big jump, but we haven't seen that big jump.

The alarmists, of course, are not interested when they make mistakes, and they're not really interested in solving real problems. They are part of a coalition that wants to change our way of life—that's their goal—with their computerizations showing that just horrible times are ahead of us unless we change. The idea isn't to stop those horrible times, because those horrible times are just a product of what they put into their computers. Of course we all know what ''garbage in, garbage out'' means. If you put into a computer that you're going to have some kind of disaster, that's what you're going to get out of your computer, but what they have in mind, of

course, and what they want to do is to change the way of life—our life—which requires us to acquiesce, or better yet, they frighten us into submission.

Make no mistake: manmade global warming, as a theory, is being pushed by people who believe in global government. They have been looking for an excuse for an incredible freedom-busting centralization of power, and this global warming is just the latest in a long line of such scares.

This was recently acknowledged by the godfather of the global warming theory, a man who over the years has been given such credit for laying the intellectual foundation and the scientific foundation for the theory of manmade global warming. His name is James Lovelock. James Lovelock, however, has changed his mind. James Lovelock now concedes—and after a longtime dialogue with Burt Rutan, one of the great engineers of our day—has come around to understand that he was not being totally honest about things when he was accepting information that bolstered his position, and was rejecting the consideration of other information. He has changed his mind about the real threat that global warming poses to the Earth—not that there wouldn't be any global warming but that it has been totally exaggerated by the scientific community, and that he, himself, played a major role in that exaggeration.

Dr. James Lovelock is in an article in the Toronto Sun, which is entitled, ''Green 'drivel' exposed: The godfather of global warming lowers the boom on climate change hysteria,'' which is what we have been hearing over these last few years.

Mr. Speaker, I would like to introduce for the RECORD this article that was just recently in the Toronto Sun, and I would like to put this in the RECORD at this point.

[From the Toronto Sun, June 23, 2012]

GREEN 'DRIVEL' EXPOSED

THE GODFATHER OF GLOBAL WARMING LOWERS THE BOOM ON CLIMATE CHANGE HYSTERIA

(By Lorrie Goldstein)

Two months ago, James Lovelock, the godfather of global warming, gave a startling interview to msnbc.com in which he acknowledged he had been unduly ''alarmist'' about climate change.

The implications were extraordinary.

Lovelock is a world-renowned scientist and environmentalist whose Gaia theory—that the Earth operates as a single, living organism—has had a profound impact on the development of global warming theory.

Unlike many ''environmentalists,'' who have degrees in political science, Lovelock, until his recent retirement at age 92, was a much-honoured working scientist and academic.

His inventions have been used by NASA, among many other scientific organizations.

Lovelock's invention of the electron capture detector in 1957 first enabled scientists to measure CFCs (chlorofluorocarbons) and other pollutants in the atmosphere, leading, in many ways, to the birth of the modern environmental movement.

Having observed that global temperatures since the turn of the millennium have not gone up in the way computer-based climate models predicted, Lovelock acknowledged, ''the problem is we don't know what the climate is doing. We thought we knew 20 years ago.'' Now, Lovelock has given a follow-up interview to the UK's Guardian newspaper in which he delivers more bombshells sure to anger the global green movement, which for years worshipped his Gaia theory and apocalyptic predictions that billions would die from man-made climate change by the end of this century.

Lovelock still believes anthropogenic global warming is occurring and that mankind must lower its greenhouse gas emissions, but says it's now clear the doomsday predictions, including his own (and Al Gore's) were incorrect.

He responds to attacks on his revised views by noting that, unlike many climate scientists who fear a loss of government funding if they admit error, as a freelance scientist, he's never been afraid to revise his theories in the face of new evidence. Indeed, that's how science advances.

Among his observations to the Guardian:

(1) A long-time supporter of nuclear power as a way to lower greenhouse gas emissions, which has made him unpopular with environmentalists, Lovelock has now come out in favour of natural gas fracking (which environmentalists also oppose), as a low-polluting alternative to coal.

As Lovelock observes, ''Gas is almost a give-away in the U.S. at the moment. They've gone for fracking in a big way. This is what makes me very cross with the greens for trying to knock it . . . Let's be pragmatic and sensible and get Britain to switch everything to methane. We should be going mad on it.'' (Kandeh Yumkella, co-head of a major United Nations program on sustainable energy, made similar arguments last week at a UN environmental conference in Rio de Janeiro, advocating the development of conventional and unconventional natural gas resources as a way to reduce deforestation and save millions of lives in the Third World.)

(2) Lovelock blasted greens for treating global warming like a religion.

''It just so happens that the green religion is now taking over from the Christian religion,'' Lovelock observed. ''I don't think people have noticed that, but it's got all the sort of terms that religions use . . . The greens use guilt. That just shows how religious greens are. You can't win people round by saying they are guilty for putting (carbon dioxide) in the air.''

(3) Lovelock mocks the idea modern economies can be powered by wind turbines.

As he puts it, ''so-called 'sustainable development' . . . is meaningless drivel . . . We rushed into renewable energy without any thought. The schemes are largely hopelessly inefficient and unpleasant. I personally can't stand windmills at any price.''

(4) Finally, about claims ''the science is settled'' on global warming: ''One thing that being a scientist has taught me is that you can never be certain about anything. You never know the truth. You can only approach it and hope to get a bit nearer to it each time. You iterate towards the truth. You don't know it.''

For those who are listening or who are reading this specifically in the CONGRESSIONAL RECORD, I would like to quote from that article now. That article reads:

Having observed that global temperatures since the turn of the millennium have not gone up in the way computer-based climate models predicted, Lovelock acknowledged, ''The problem is we don't know what the climate is doing. We thought we knew 20 years ago.''

The sign of a very intelligent person, really, is to admit the things that he doesn't know. I mean I've always said I'm not the smartest guy on the block, but I know what I don't know. Thus, when I'm talking to people, I can have an honest discussion to try to expand my knowledge. We've had too many people claiming that they know it all and that we have to give up our freedom because they know it, and they don't even have to engage in a debate with us over the details of something like global warming.

Let me know who has heard the words ''case closed.'' I mean, 3 years ago, that's what they were saying here. What does that mean? When you hear people in government and when you hear scientists saying, ''the case is closed,'' well, that must mean there is going to be no further debate on this issue.

I've been here as a Member of Congress for 24 years. Before that, I served in the White House for 7 years under President Reagan. I have never seen a time when there was such an effort made to cut off debate on an important subject than has been done on global warming. Never have I heard over and over again people being told to shut up and that the case is closed. Never have I seen so many research projects canceled because they in some way challenged the theory of global warming. Never have I seen so many scientists fired from their positions because they believe that the global warming theory may not be accurate.

So what we need to do is to make sure that we have an honest discussion of the issue, when even some of the promoters—some of the people who have been the strongest advocates, like the individual, the doctor, I just quoted—have changed their positions, if not totally reversed them. At least they've been open to have said, We really don't know what we've been advocating for these last few years.

Mr. Speaker, I would like to introduce into the RECORD a letter from an esteemed physicist, Gordon Fulks. This is a letter and some communication between this physicist and aerospace pioneer legend Burt Rutan. I would like to put that into the RECORD at this point.

JUNE 23, 2012.

Re Bravo on your courage!

DEAR BURT: I think you deserve much of the credit for helping James Lovelock understand the AGW phenomenon. You patiently provided him with the pertinent data and logic. As with most of us, it took some time to digest the enormity of the necessary shift in perspective. He had to give up a faith in the honesty of government agencies and most of the scientists they are supporting.

For Jim Lovelock the transition apparently involved two steps. That lessened the need for a complete about face. He first figured out the Chlorofluorocarbon-Ozone Hole scam by discovering that some scientists were cheating on the data, apparently to further their careers. He probably also knew that the chemists who received the Nobel Prize for their work had overestimated the effect by a large factor. It was not such a huge step to then realize that climate scientists might be doing the same. But

Lovelock, to his credit, wanted to be sure and took his time examining the information that you and others sent to him.

My own recognition of what was going on was likewise a two step process. During the ''Nuclear Winter'' scare about 25 years ago, we redid Carl Sagan's original calculations to discover that he had carefully chosen the inputs to his climate code to produce the result he wanted. When we realized that a highly respected physicist would prostitute himself to support his politics, his stature, and his income, we, in principle, understood all the other scams of the post World War Two era.

From 1946 Nobel Laureate Hermann Joseph Muller hiding evidence of a threshold phenomenon in human radiation exposure to Rachael Carson promoting half truths about DDT, to unfounded scares about Acid Rain, Ozone Depletion, Magnetic Fields, Global Warming, Ocean Acidification, Diesel Particulates, and more, we have been victimized by continuous hysteria that has led to disastrous public policies. Far too many scientists and their fellow travelers have supported a grand bilking of American taxpayers for their own selfish and political interests.

Many thanks for your efforts to convince one very important individual to re-examine the logic and evidence. Now we need to figure out how to avoid falling victim to these scams in the first place. As you know, that must involve fundamental reform of the reward process that funnels vast amounts of money to those who play along.

GORDON J. FULKS, PhD (PHYSICS),
Corbett, Oregon USA.

Now let me read, in part, what that letter says:

During the ''Nuclear Winter'' scare about 25 years ago, we redid Carl Sagan's original calculations to discover that he had carefully chosen the inputs to his climate code to produce the result he wanted. When we realized that a highly respected physicist would prostitute himself to support his politics, his stature and his income, we, in principle, understood all the other scams of the post World War II era.

□ 1520

Whoever looked up to Carl Sagan, and when they realized he was cheating on the information and the analysis, they realized that this was so widespread it was something to be concerned about. And I continue:

From 1946 Nobel Laureate Hermann Joseph Muller hiding evidence of a threshold phenomenon in human radiation exposure to Rachel Carson promoting half-truths about DDT, to unfounded scares about acid rain, ozone depletion, magnetic fields, global warming, ocean acidification, diesel particulates, and more, we have been victimized by continuous hysteria that has led to disastrous public policies. Far too many scientists and their fellow travelers have supported a grand bilking of American taxpayers for their own selfish and political interests.

That is the end of that quotation from that letter to Burt Rutan from this world famous physicist.

It's clear that our current system, fueled by the horrific waste of borrowed money, isn't working. Perhaps it's time that we acted on President Eisenhower's warning and find a better way to separate research and the creation of regulations. Otherwise, we will find ourselves held truly captive with no access to inexpensive energy, reduced access to food and water, and we might find ourselves also with none of our basic freedoms because we've given them away because someone has frightened us into giving away our freedom and giving away the opportunity for a better life for our children.

Mr. Speaker, I am someone who is very optimistic about the future. We have great possibilities. There are other people who look to the future and think that the technological revolutions that we have faced are actually a detriment to humankind. People did not live good lives 100 years ago. As I mentioned, my father was a marine. Before that, he grew up on a dirt-poor farm in North Dakota, as did my mother. In those days, ordinary Americans did not live well. It was a struggle. The longevity of these people was not that long because of the struggle they were in.

We need to make sure that we continue our technological development so that we can have, yes, a clean environment, which I have indicated was a product of the good technology and, yes, the research that came from honest and hardworking scientists and engineers, quite often on a government contract. But we need to make sure that we don't back off, because we know there is a group of people in our society, and perhaps around the world, who for some reason believe that back before the industrial age that people lived better than they live today. Some of them have tried their best to fight modernism. They have declared war, for example, on the internal combustion engine. This global warming thing, that was the motive here. The internal combustion engine is supposedly putting out carbon dioxide, and carbon dioxide they believe is changing the climate of the planet.

I told you what I have asked young students who come into my office. I asked: Is the air better or worse than it was 50 years ago? I even ask Members of Congress and I ask people all the time, the ones who buy into global warming, who are saying they're advocates of global warming caused by mankind—basically the internal combustion engine—what percentage of the Earth's atmosphere is carbon dioxide, is CO_2. I hope that everyone who is focusing on these comments now ask themselves how much CO_2 there is, because CO_2 is being blamed for changing the entire climate of the planet. It would be an enormous undertaking to change the climate of the whole planet, so it must be a pretty good part of our atmosphere.

With that question, Members of Congress tell me that they believe it's 25 percent. Some people say 10 percent. Others say 20 percent. I have never had a Member of Congress come anywhere close to what it really is. It's not 10 percent or 20 percent. It's not 5 percent. It's not 1 percent. It's less than one-half of one-tenth of 1 percent. Have you got that? It's not just 1 percent. It's less than one-half of one-tenth of 1 percent. Of that, humankind is only responsible for 10 percent of that CO_2. That makes it so minuscule that it would be like putting a string across a football field and believing that was going to create changes in the entire football field.

The fact that people are unaware, even at this level, of how small the CO_2 impact is causes them to buy onto these scare tactics. This is a challenge for those of us here because that threatens our freedom. It threatens us and our children in being able to have the opportunities that we had and that we hope that all Americans and all people throughout the world will have.

Let us go back on one thing. I am planning a trip this year across the country, even though the gas prices are pretty high. I'm hopefully going to drive across the country with my children. It's a wonderful thing. What a wonderful vacation. We're going to have 2 weeks to do it. I'm really looking forward to that. We're going to go in an automobile, and it will cost us. The price of gas is up and I'm not a wealthy man, but we do have this opportunity, and it's a wonderful thing.

What about 150 years ago? Did people have an opportunity like this? No. What was the biggest challenge that we faced to the health and safety of the people of this country 150 years ago? Or, let's say just at the beginning of the last century, when we turned from the 19th to the 20th century. Do you know what it was? It was horse manure. Horse manure and horse urine was enveloping our cities and the water and created health hazards for people. And the flies and the stench and the internal combustion engine came along, and it has been a great factor in providing health for human beings. All over the world we got rid of the massive animal droppings that were a threat to our health.

Also, there is the fact that we couldn't produce a lot of wealth based on animal strength and we couldn't go on long trips with our families and we didn't have a good quality of life, but the internal combustion engine provided that for people of the United States and humankind. There is no doubt that we have needed to improve the efficiency of the internal combustion engine, and we have.

Here's the thought we'll leave with. In southern California, when I was a kid, there was so much pollution—although our young people don't know about that today. But today, when they think the air is polluted in southern California, we have twice as many cars on the road and we've reduced pollution into the 90s. It's probably 95 percent. This is a tremendous accomplishment. And yes, some of the regulations that we have had from the Federal Government have motivated this change. We need to accept that. But we need to also accept that it is our technological advances, and it has been not cancelling out technology for fear of

things like CO_2, which are not a threat to our health. That's how we have kept America on an upward course, even though we've been dragged down scare after scare after scare.

□ 1530

I remember when we had Meryl Streep come to this Congress and testify about Alar in apples. What happened was, for 2 years apple farmers went broke throughout the United States. There were thousands of families who suffered because their product was not being bought because they were afraid of Alar. What happened to that? Alar, it was found 2 years later that it was all a scare. There was nothing to it. The same thing with cranberries. When I was a kid, we couldn't eat cranberries for Thanksgiving.

The gentleman that I quoted here, that I mentioned, who is the godfather of the global warming theory, James Lovelock, he is also the man who discovered fluoro hydrocarbons, which gave people the analysis of the ozone hole. Well, guess what? The ozone hole, as we have found out—and as it was mentioned in passing there—the ozone hole was overrated as a threat. In fact, it went away, and it's a natural cycle.

What we have had on this planet is a natural cycle of weather, of temperatures, and that will continue. But what's happened is, we've had people step forward, trying to create hysteria for their own political ends, trying to frighten people into accepting policies they otherwise would never accept.

So today, I'm hoping that as we celebrate the Fourth of July, we, again, reaffirm that we will never give up our liberty. We will never be frightened out of our liberty by foreigners who threaten us with weapons, and we will not be frightened out of our liberty by people who do not believe in the same type of freedom that we believe in but are using scare tactics to create hysteria among our people that are phony scare tactics to try to frighten us into giving up our freedom.

So on this Fourth of July, I hope we all reconfirm that guarantee of our commitment in this Nation to freedom, to opportunity for ordinary people so that ordinary people can live decent lives with liberty and justice, prosperity for all.

I yield back the balance of my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would inform the House that, pursuant to House Resolution 711, the Speaker has certified to the United States Attorney for the District of Columbia the refusal of Eric H. Holder, Jr., to produce certain papers before the Committee on Oversight and Government Reform.

RECESS

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

Accordingly (at 3 o'clock and 34 minutes p.m.), the House stood in recess.

□ 1605

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. FLEISCHMANN) at 4 o'clock and 5 minutes p.m.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Curtis, one of its clerks, announced that the Senate has passed a concurrent resolution of the following title in which the concurrence of the House is requested:

S. Con. Res. 51. Concurrent resolution providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives.

PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND AN ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following privileged concurrent resolution:

S. CON. RES. 51

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Friday, June 29, 2012, through Monday, July 2, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12:00 noon on Monday, July 9, 2012, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day from Friday, June 29, 2012, through Friday, July 6, 2012, on a motion offered pursuant to this concurrent resolution by its majority leader or his designee, it stand adjourned until 2:00 p.m. on Monday, July 9, 2012, or until time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

The concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

MESSAGES FROM THE PRESIDENT

Message in writing from the President of the United States were communicated to the House by Mr. Edwin Thomas, one of his secretaries.

EXTENDING LEAST-DEVELOPED BENEFICIARY DEVELOPING COUNTRY BENEFITS TO SENEGAL—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 112–120)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and referred to the Committee on Ways and Means and ordered to be printed:

To the Congress of the United States:

In accordance with section 502(f)(1)(B) of the Trade Act of 1974, as amended (the ''1974 Act'') (19 U.S.C. 2462(f)(1)(B)), I am notifying the Congress of my intent to add the Republic of Senegal (Senegal) to the list of least-developed beneficiary developing countries under the Generalized System of Preferences program. After considering the criteria set forth in section 502(c) of the 1974 Act (19 U.S.C. 2462(c)), I have determined that it is appropriate to extend least-developed beneficiary developing country benefits to Senegal.

BARACK OBAMA.

THE WHITE HOUSE, *June 29, 2012.*

TERMINATING DESIGNATIONS OF GIBRALTAR AND THE TURKS AND CAICOS ISLANDS AS BENEFICIARY DEVELOPING COUNTRIES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 112–121)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and referred to the Committee on Ways and Means and ordered to be printed:

To the Congress of the United States:

In accordance with section 502(f)(2) of the Trade Act of 1974, as amended (the ''1974 Act'') (19 U.S.C. 2462(f)(2)), I am providing notification of my intent to terminate the designations of Gibraltar and the Turks and Caicos Islands as beneficiary developing countries under the Generalized System of Preferences (GSP) program. Section 502(e) of the 1974 Act (19 U.S.C. 2462(e)) provides that if the President determines that a beneficiary developing country has become a ''high income'' country, as defined by the official statistics of the International Bank for Reconstruction and Development (i.e., the World Bank), then the President shall terminate the designation of such country as a beneficiary developing country for purposes of GSP, effective on January 1 of the second year following the year in which such determination is made.

Pursuant to section 502(e) of the 1974 Act, I have determined that it is appropriate to terminate Gibraltar's designation as a beneficiary developing country under the GSP program, because it has become a high income country as defined by the World Bank. Accordingly, Gibraltar's eligibility for trade benefits under the GSP program will end on January 1, 2014.

In addition, pursuant to section 502(e) of the 1974 Act, I have determined that it is appropriate to terminate Turks and Caicos Islands' designation as a beneficiary developing country under the GSP program, because it has become a high income country as defined by the World Bank. Accordingly, Turks and Caicos Islands' eligibility for trade benefits under the GSP program will end on January 1, 2014.

BARACK OBAMA.

THE WHITE HOUSE, *June 29, 2012*.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CLYBURN (at the request of Ms. PELOSI) for today on account of attending a funeral.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1335. An act to amend title 49, United States Code, to provide rights for pilots, and for other purposes; to the Committee on Transportation and Infrastructure.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on June 11, 2012, she presented to the President of the United States, for his approval, the following bills.

H.R. 5883. To make a technical correction in Public Law 112–108.

H.R. 5890. To correct a technical error in Public Law 112–122.

ADJOURNMENT

The SPEAKER pro tempore. Without objection, pursuant to Senate Concurrent Resolution 51, 112th Congress, the House stands adjourned until 2 p.m. on Monday, July 9, 2012.

There was no objection.

Accordingly (at 4 o'clock and 12 minutes p.m.), the House adjourned until Monday, July 9, 2012, at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

6722. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations, Sumter County, Florida, et al. [Docket ID: FEMA-2012-0003] [Internal Agency Docket No.: FEMA-B-1253] received May 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6723. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations, Mobile, AL et al., [Docket ID: FEMA-2012-0003] received June 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6724. A letter from the Acting Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Mutual Insurance Holding Company Treated as Insurance Company (RIN: 3064-AD89) received June 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6725. A letter from the Deputy Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Political Contributions by Certain Investment Advisers: Ban on Third-Party Solicitation; Extension of Compliance Date (RIN: 3235-AK39) received June 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6726. A letter from the Assistant General Counsel for Regulatory Services, Office of the General Counsel, Department of Education, transmitting the Department's final rule — Implementation of OMB Guidance on Nonprocurement Debarment and Suspension [Docket ID: ED-2012-OS-0007] (RIN: 1890-AA17) received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

6727. A letter from the Deputy Director for Policy, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

6728. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Medicaid and Children's Health Insurance Programs; Disallowance of Claims for FFP and Technical Corrections [CMS-2292-F] (RIN: 0938-AQ32) received May 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6729. A letter from the Associate Division Chief Policy Division, PSHSB, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Parts 12 and 90 of the Commission's Rules Regarding Redundancy of Communications Systems: Backup Power Private Land Mobile Radio Services: Selection and Assignment of Frequencies, and Transition of the Upper 200 Channels in the 800 MHz Band to EA Licensing received May 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6730. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Health Physics Surveys During Enriched Uranium-235 Processing and Fuel Fabrication Regulatory Guide 8.24 Revision 2 received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6731. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Withdrawal of Regulatory Guide 8.33, ''Quality Management Program'' received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6732. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Endorsement of Nuclear Energy Institute (NEI) 12-07, ''Guidelines For Performing Verification Walkdowns of Plant Flood Protection Features'' received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6733. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Endorsement of Electric Power Research Institute (EPRI) Draft Report 1025286, ''Seismic Walkdown Guidance'' received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6734. A letter from the Chief, Branch of Foreign Species, Endangered Species Program, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Final Rule To Remove the Morelet's Crocodile From the Federal List of Endangered and Threatened Wildlife [Docket No.: FWS-R9-ES-2010-0030] (RIN: 1018-AV22) received May 25, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6735. A letter from the Assistant Regional Director, USFWS; Acting Chair, Federal Subsistence Board, Department of the Interior, transmitting the Department's final rule — Subsistence Management Regulations for Public Lands in Alaska — Subpart C — Board Determinations; Rural Determinations [Docket No.: FWS-R7-SM-2011-0068] (RIN: 1018-AX95) received May 25, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6736. A letter from the Chief, Branch of Delisting and Recovery, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population of American Burying Beetle in Southwestern Missouri [Docket No.: FWS-R3-ES-2011-0034] (RIN: 1018-AX79) received May 25, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6737. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery Off the Southern Atlantic States; Snapper-Grouper Management Measures [Docket No.: 110511280-2424-02] (RIN: 0648-BB10) received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BACHUS: Committee on Financial Services. Third Semiannual Report on the Activity of the Committee on Financial Services for the 112th Congress (Rept. 112–559). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROGERS of Michigan: Permanent Select Committee on Intelligence. Semi-Annual Report of the Activity of the House Permanent Select Committee on Intelligence for the 112th Congress (Rept. 112–560). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. Activity Report of the Committee on Energy and Commerce (Rept. 112–561). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Texas: Committee on the Judiciary. Third Semi-annual Activity Report of the Committee on the Judiciary of the United States House of Representatives for the Period January 5, 2011 through May 31, 2012 (Rept. 112–562). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 5892. A bill to improve hydropower, and for other purposes (Rept. 112–563). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. House Concurrent Resolution 127. Resolution expressing the sense of Congress regarding actions to preserve and advance the multistakeholder governance model under which the Internet has thrived (Rept. 112–564). Referred to the House Calendar.

Mr. BACHUS: Committee on Financial Services. H.R. 1588. A bill to amend the Consumer Credit Protection Act to assure meaningful disclosures of the terms of rental-purchase agreements, including disclosures of all costs to consumers under such agreements, to provide certain substantive rights to consumers under such agreements, and for other purposes; with an amendment (Rept. 112–565). Referred to the Committee of the Whole House on the state of the Union.

Mr. BACHUS: Committee on Financial Services. H.R. 3128. A bill to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to adjust the date on which consolidated assets are determined for purposes of exempting certain instruments of smaller institutions from capital deductions (Rept. 112–566). Referred to the Committee of the Whole House on the state of the Union.

Mr. DREIER: Committee on Rules. Survey of Activities for the House Committee on Rules For The Third Quarter of the 112th Congress (Rept. 112–567). Referred to the Committee of the Whole House on the state of the Union.

Mr. ISSA: Committee on Oversight and Government Reform. Third Semiannual Activities of the Committee on Oversight and Government Reform for the 112th Congress (Rept. 112–568). Referred to the Committee of the Whole House on the state of the Union.

Mr. KLINE: Committee on Education and the Workforce. Report on the Activities of the Committee on Education and the Workforce (Rept. 112–569). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROGERS of Kentucky: Committee on Appropriations. Committee on Appropriations House of Representatives Semiannual Report of Committee Activities 112th Congress (Rept. 112–570). Referred to the Committee of the Whole House on the state of the Union.

Mr. DANIEL E. LUNGREN: Committee on House Administration. Third Semiannual Report on the Activities of the Committee on House Administration During the 112th Congress (Rept. 112–571). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. Report on Legislative and Oversight Activities of the Committee on Natural Resources During the 112th Congress (Rept. 112–572). Referred to the Committee of the Whole House on the state of the Union.

Mr. MICA: Committee on Transportation and Infrastructure. Summary on the Activities of the Committee on Transportation and Infrastructure for the 112th Congress (Rept. 112–573). Referred to the Committee of the Whole House on the state of the Union.

Mr. LUCAS: Committee on Agriculture. Third Semiannual Report on Activities During the 112th Congress (Rept. 112–574). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCKEON: Committee on Armed Services. Third Semiannual Report on the Activities of the Committee on Armed Services for the 112th Congress (Rept. 112–575). Referred to the Committee of the Whole House on the state of the Union.

Mr. BACHUS: Committee on Financial Services. H.R. 4367. A bill to amend the Electronic Fund Transfer Act to limit the fee disclosure requirement for an automatic teller machine to the screen of that machine (Rept. 112–576). Referred to the Committee of the Whole House on the state of the Union.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII, the following action was taken by the Speaker:

H.R. 940. Referral to the Committee on Ways and Means extended for a period ending not later than September 14, 2012.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MCGOVERN (for himself and Mr. JONES):

H.R. 6059. A bill to amend title XVIII of the Social Security Act to protect Medicare beneficiaries' access to home health services under the Medicare Program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BISHOP of Utah (for himself, Mrs. LUMMIS, Mr. PEARCE, Mr. GOSAR, Mr. CHAFFETZ, Mr. TIPTON, Mr. LUJÁN, Mr. MATHESON, Mr. GARDNER, Ms. DEGETTE, Mr. PERLMUTTER, Mr. COFFMAN of Colorado, and Mr. POLIS):

H.R. 6060. A bill to amend Public Law 106-392 to maintain annual base funding for the Upper Colorado and San Juan fish recovery programs through fiscal year 2019; to the Committee on Natural Resources.

By Mr. BECERRA (for himself, Mr. LEVIN, Mr. STARK, Ms. PINGREE of Maine, Mr. BLUMENAUER, Mr. GRIJALVA, Mr. DAVIS of Illinois, Mr. RANGEL, Mr. CROWLEY, Mr. MICHAUD, Mr. WELCH, Mr. MCDERMOTT, Mr. THOMPSON of California, Mr. DOGGETT, Mr. KIND, Mr. LEWIS of Georgia, and Ms. DELAURO):

H.R. 6061. A bill to amend the Social Security Act to ensure the continuation of services under the Work Incentives Planning and Assistance program and the Protection and Advocacy for Beneficiaries of Social Security program; to the Committee on Ways and Means.

By Mr. MARINO (for himself, Mr. SMITH of Texas, Mr. CONYERS, Mr. COBLE, Mr. SCOTT of Virginia, Mr. GALLEGLY, Mr. PIERLUISI, Mr. KING of Iowa, and Ms. WASSERMAN SCHULTZ):

H.R. 6062. A bill to reauthorize the Edward Byrne Memorial Justice Assistance Grant Program through fiscal year 2017; to the Committee on the Judiciary.

By Mr. SMITH of Texas (for himself, Ms. WASSERMAN SCHULTZ, Mr. COBLE, Mr. BERMAN, Mr. GALLEGLY, Ms. JACKSON LEE of Texas, Mr. DANIEL E. LUNGREN of California, Mr. COHEN, Mr. CHABOT, Mr. PIERLUISI, Mr. CHAFFETZ, Mr. MARINO, Mr. GOWDY, Mrs. ADAMS, Ms. BUERKLE, Ms. NORTON, Mr. GRIMM, Mr. RANGEL, Mr. MEEHAN, Mr. MARKEY, Mr. TOWNS, Ms. SLAUGHTER, Mr. MORAN, Mrs. MALONEY, Mr. BOSWELL, Mr. MCGOVERN, Mr. SHERMAN, Mr. CLAY, Mr. HONDA, Ms. RICHARDSON, Ms. BASS of California, and Mr. FORBES):

H.R. 6063. A bill to amend title 18, United States Code, with respect to child pornography and child exploitation offenses; to the Committee on the Judiciary.

By Mr. MICA:

H.R. 6064. A bill to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Ways and Means, Natural Resources, Energy and Commerce, Science, Space, and Technology, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned. considered and passed.

By Mr. COLE (for himself, Mr. BOREN, and Mr. LONG):

H.R. 6065. A bill to make improvements to the Children's Gasoline Burn Prevention Act; to the Committee on Energy and Commerce.

By Ms. HAYWORTH (for herself, Mr. DOLD, and Mr. KING of New York):

H.R. 6066. A bill to amend the Internal Revenue Code of 1986 to extend the parity between the exclusion from income for employer-provided mass transit and parking benefits; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ROS-LEHTINEN (for herself, Mr. MCKEON, Mr. CHABOT, Mr. MACK, Mr. BURTON of Indiana, Mr. RIVERA, Mr. DIAZ-BALART, Mr. MCCAUL, Mrs. SCHMIDT, Mr. DUNCAN of South Carolina, Mr. TURNER of New York, and Mr. BILIRAKIS):

H.R. 6067. A bill to enhance the security of the Western Hemisphere and bolster regional capacity and cooperation to counter current and emerging threats, to promote cooperation in the Western Hemisphere to prevent the proliferation of nuclear, chemical, and biological weapons, to secure universal adherence to agreements regarding nuclear nonproliferation, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, Financial Services, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. VAN HOLLEN (for himself, Mr. WITTMAN, Mr. SCOTT of Virginia, Mr. HARRIS, Mr. HOYER, Mr. BARTLETT, Mr. CUMMINGS, Mr. RUPPERSBERGER, Mr. SARBANES, Ms. EDWARDS, Mr. WOLF, Mr. MORAN, Mr. CONNOLLY of Virginia, Mr. RIGELL, Mr. PLATTS, Mr. HINCHEY, and Ms. NORTON):

H.R. 6068. A bill to provide for continued conservation efforts in the Chesapeake Bay watershed; to the Committee on Agriculture.

By Mr. BARLETTA:

H.R. 6069. A bill to provide protection for certain Federal employees with respect to implementation of the June 15, 2012, memorandum from Janet Napolitano, Secretary of Homeland Security, regarding the exercise of prosecutorial discretion with respect to individuals who came to the United States as children; to the Committee on Homeland Security.

By Mr. BARLETTA (for himself, Mr. SCHWEIKERT, Mr. MURPHY of Pennsylvania, Mr. THOMPSON of Pennsylvania, Mr. BURTON of Indiana, Mr. PLATTS, Mr. ROSS of Florida, Mr. LANCE, Mr. KELLY, and Mr. MARINO):

H.R. 6070. A bill to require the Comptroller General of the United States to conduct a study to determine the impact on the United States of the policy announced by the Secretary of Homeland Security on June 15, 2012, concerning the exercise of prosecutorial discretion with respect to individuals who came to the United States illegally as children, and for other purposes; to the Committee on the Judiciary.

By Mr. BARROW:

H.R. 6071. A bill to make supplemental appropriations for medical and prosthetic research of the Department of Veterans Affairs for fiscal year 2012; to the Committee on Appropriations.

By Ms. BERKLEY:

H.R. 6072. A bill to provide for certain land conveyances in the State of Nevada, and for other purposes; to the Committee on Natural Resources.

By Mr. BILIRAKIS (for himself, Mr. MILLER of Florida, Mr. NUGENT, Mr. YOUNG of Florida, Mr. MACK, Mr. ROSS of Florida, and Ms. CASTOR of Florida):

H.R. 6073. A bill to amend title 38, United States Code, to ensure that deceased veterans with no known next of kin can receive a dignified burial, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BILIRAKIS:

H.R. 6074. A bill to amend the Internal Revenue Code of 1986 to deny the refundable portion of the child tax credit to individuals who are not authorized to be employed in the United States and to terminate the use of certifying acceptance agents to facilitate the application process for ITINs; to the Committee on Ways and Means.

By Ms. BUERKLE (for herself, Mrs. BLACKBURN, Mr. BROUN of Georgia, Mrs. HARTZLER, Mr. KELLY, Mr. ROE of Tennessee, and Mr. WESTMORELAND):

H.R. 6075. A bill to permit the chief executive of a State to create an exemption from certain requirements of Federal environmental laws for producers of agricultural commodities, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. AL GREEN of Texas:

H.R. 6076. A bill to amend the Fair Labor Standards Act to provide for the calculation of the minimum wage based on the Federal poverty threshold for a family of 2, as determined by the Bureau of the Census; to the Committee on Education and the Workforce.

By Ms. NORTON:

H.R. 6077. A bill to designate the Rachel Carson Nature Trail, and for other purposes; to the Committee on Natural Resources.

By Mr. PETERS (for himself, Ms. HAHN, Mr. SCHRADER, Mr. CICILLINE, and Mr. OWENS):

H.R. 6078. A bill to amend the Small Business Act to provide for higher goals for procurement contracts awarded to small business concerns, and for other purposes; to the Committee on Small Business.

By Mr. QUAYLE:

H.J. Res. 114. A joint resolution proposing an amendment to the Constitution of the United States relative to construing provisions of law as having been enacted pursuant to the power of Congress to lay and collect taxes; to the Committee on the Judiciary.

By Mr. AL GREEN of Texas (for himself, Ms. BASS of California, Mr. BISHOP of Georgia, Ms. BORDALLO, Ms. BROWN of Florida, Mr. BUTTERFIELD, Mr. CARSON of Indiana, Mrs. CHRISTENSEN, Mr. CLARKE of Michigan, Ms. CLARKE of New York, Mr. CLAY, Mr. CLEAVER, Mr. COHEN, Mr. CONYERS, Mr. DAVIS of Illinois, Mr. FATTAH, Ms. FUDGE, Mr. GRIJALVA, Mr. CUMMINGS, Ms. EDWARDS, Mr. ELLISON, Mr. HASTINGS of Florida, Ms. JACKSON LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. LEE of California, Mr. LEWIS of Georgia, Ms. MCCOLLUM, Ms. MOORE, Ms. NORTON, Mr. RANGEL, Ms. RICHARDSON, Mr. RICHMOND, Mr. RUSH, Mr. SCOTT of Virginia, Mr. SERRANO, Mr. THOMPSON of Mississippi, Mr. TOWNS, Ms. WATERS, Mr. WATT, Ms. WILSON of Florida, Ms. SEWELL, and Mr. MEEKS):

H. Con. Res. 130. Concurrent resolution honoring and praising the National Association for the Advancement of Colored People on the occasion of its 103rd anniversary; to the Committee on the Judiciary.

By Mr. DREIER (for himself, Mr. MEEKS, and Mr. PAULSEN):

H. Res. 719. A resolution expressing the sense of the House of Representatives that the United States should initiate negotiations to enter into a free trade agreement with Tunisia; to the Committee on Ways and Means.

By Mr. LOEBSACK (for himself and Mr. SCHILLING):

H. Res. 720. A resolution recognizing the 150th anniversary of the Rock Island Arsenal and the men and women who currently and have previously worked on Arsenal Island; to the Committee on Armed Services.

By Mr. CLARKE of Michigan (for himself and Mr. SCOTT of South Carolina):

H. Res. 721. A resolution expressing the sense of the House of Representatives that bolstering literacy among African-American and Hispanic men is an urgent national priority; to the Committee on Education and the Workforce.

By Ms. CASTOR of Florida:

H. Res. 722. A resolution expressing support for designation of July as National Sarcoma Awareness Month; to the Committee on Oversight and Government Reform.

By Mr. ROHRABACHER:

H. Res. 723. A resolution expressing the sense of the House of Representatives regarding the classification of Dr. Shakil Afridi as a refugee of special humanitarian concern to the United States; to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. MCGOVERN:

H.R. 6059.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1
Article I, Section 8, Clause 3
Article I, Section 8, Clause 18

By Mr. BISHOP of Utah:

H.R. 6060.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII, Clause 18 of the Constitution.

By Mr. BECERRA:

H.R. 6061.

Congress has the power to enact this legislation pursuant to the following:

Article II, Section 8.

By Mr. MARINO:

H.R. 6062.

Congress has the power to enact this legislation pursuant to the following:

The authority to enact this bill is derived from, but may not be limited to, Article I, Section 8, Clause 1 and Clause 3 of the United States Constitution.

By Mr. SMITH of Texas:

H.R. 6063.

Congress has the power to enact this legislation pursuant to the following:

The authority to enact this bill is derived from, but may not be limited to, Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. MICA:

H.R. 6064.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1, Clause 3, Clause 7, and Clause 18.

By Mr. COLE:

H.R. 6065.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 5 which allows Congress to ''fix the Standard of Weights and Measures.'' This legislation would set the standards of portable fuel containers.

Additionally, Article I, Section 8, Clause 3 allows Congress to ''regulate Commerce . . . among the several states.'' As portable fuel containers are objects of interstate commerce, it is appropriate for Federal standards to be set.

By Ms. HAYWORTH:

H.R. 6066.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution and Amendment XVI of the United States Constitution.

By Ms. ROS-LEHTINEN:

H.R. 6067.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8.

By Mr. VAN HOLLEN:

H.R. 6068.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. BARLETTA:

H.R. 6069.

Congress has the power to enact this legislation pursuant to the following:

This bill makes changes to existing law relating to ''Article 1 Section 8 of the U.S. Constitution Clause 18.''

By Mr. BARLETTA:

H.R. 6070.

Congress has the power to enact this legislation pursuant to the following:

This bill makes changes to existing law relating to ''Article 1 Section 8 of the U.S. Constitution Clause 18.''

By Mr. BARROW:

H.R. 6071.

Congress has the power to enact this legislation pursuant to the following:

Article I Section I of the U.S. Constitution

By Ms. BERKLEY:

H.R. 6072.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3.

By Mr. BILIRAKIS:

H.R. 6073.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution (clauses 12, 13, 14, and 16), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; and to provide for organizing, arming, and disciplining the militia.

By Mr. BILIRAKIS:

H.R. 6074.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress To lay and collect Taxes, Duties, Imposts and Excises as enumerated in Article 1, Section 8, Clause 1 of the United States Constitution.

By Ms. BUERKLE:

H.R. 6075.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3—

The Congress shall have Power to regulate Commerce with Foreign Nations, and among several States, and with Indian Tribes.

Also, the Tenth Amendment—

The powers not Delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the pe ople.

By Mr. AL GREEN of Texas:

H.R. 6076.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority to enact this legislation can be found in:

Commerce Clause (Art. 1 sec. 8 cl. 3)

Necessary and Proper Clause (Art. 1 sec. 8 cl. 18)

Constitutional analysis is a rigorous discipline which goes far beyond the text of the Constitution, and requires knowledge of case law, history, and the tools of constitutional interpretation. While the scope of Congress' powers is an appropriate matter for House debate, the listing of specific textual authorities for routine Congressional legislation about which there is no legitimate constitutional concern is a diminishment of the majesty of our Founding Fathers' vision for our national legislature.

By Ms. NORTON:

H.R. 6077.

Congress has the power to enact this legislation pursuant to the following:

clause 2 of section 3 of article IV of the Constitution.

By Mr. PETERS:

H.R. 6078.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution of the United States.

By Mr. QUAYLE:

H.J. Res. 114.

Congress has the power to enact this legislation pursuant to the following:

Article V of the U.S. Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 21: Mr. TURNER of Ohio.

H.R. 178: Mr. HIMES.

H.R. 181: Mr. HIMES and Mr. LANGEVIN.

H.R. 192: Mr. POLIS.

H.R. 273: Mr. CANSECO and Mr. COSTA.

H.R. 361: Mr. WOMACK.

H.R. 371: Mr. TURNER of Ohio.

H.R. 420: Mr. DINGELL.

H.R. 657: Mr. SCALISE.

H.R. 718: Ms. ROYBAL-ALLARD.

H.R. 831: Ms. LEE of California and Mr. HEINRICH.

H.R. 854: Mr. LUJÁN.

H.R. 941: Mr. BISHOP of Georgia.

H.R. 942: Mr. TONKO and Mr. ROSS of Arkansas.

H.R. 998: Mr. PERLMUTTER.

H.R. 1063: Mr. NUNES.

H.R. 1195: Mr. LONG.

H.R. 1236: Mrs. BACHMANN.

H.R. 1259: Mr. LOBIONDO, Mr. ROGERS of Alabama, and Mr. BURGESS.

H.R. 1265: Mr. GIBBS.

H.R. 1370: Mr. LANDRY.

H.R. 1381: Mr. ELLISON and Mr. CICILLINE.

H.R. 1464: Mr. RIVERA and Ms. SCHWARTZ.

H.R. 1475: Mr. RIVERA.

H.R. 1489: Mr. REYES.

H.R. 1543: Mr. TONKO.

H.R. 1546: Mr. BARTLETT.

H.R. 1639: Mr. JOHNSON of Georgia.

H.R. 1653: Mr. WALBERG and Mr. COBLE.

H.R. 1704: Mr. TURNER of New York.

H.R. 1775: Mr. CRENSHAW, Mrs. BLACK, Mr. AMODEI, Ms. BERKLEY, Mr. RENACCI, Mrs. NOEM, Mr. BILIRAKIS, Mr. THOMPSON of Pennsylvania, Mr. JONES, Mr. COLE, and Mr. ROE of Tennessee.

H.R. 1867: Mr. LANCE.

H.R. 1878: Ms. ROYBAL-ALLARD and Ms. RICHARDSON.

H.R. 1897: Mr. FRELINGHUYSEN.

H.R. 1936: Mr. DAVID SCOTT of Georgia.

H.R. 1971: Mr. LOEBSACK.

H.R. 2033: Ms. ZOE LOFGREN of California.

H.R. 2040: Mr. THOMPSON of Pennsylvania and Mr. SCALISE.

H.R. 2104: Mr. BERG.

H.R. 2139: Mr. ELLISON, Mrs. ADAMS, Mr. FATTAH, and Mr. BERG.

H.R. 2140: Ms. ROYBAL-ALLARD.

H.R. 2305: Mr. JONES.

H.R. 2382: Mr. HIMES.

H.R. 2479: Mr. BERG.

H.R. 2497: Mr. BROUN of Georgia.

H.R. 2554: Mr. SCHIFF.

H.R. 2563: Mr. CONNOLLY of Virginia.

H.R. 2569: Mr. ADERHOLT.

H.R. 2672: Mr. SCHRADER.

H.R. 2794: Mr. BLUMENAUER.

H.R. 2874: Mr. SCALISE.

H.R. 2978: Mr. KING of Iowa, Mr. JORDAN, and Mr. HUIZENGA of Michigan.

H.R. 2985: Mr. BLUMENAUER, Mr. LOBIONDO, and Ms. NORTON.

H.R. 2989: Mr. VAN HOLLEN and Mr. SESSIONS.

H.R. 2992: Mr. JONES.

H.R. 3053: Mr. MCDERMOTT.

H.R. 3057: Mr. RYAN of Ohio.

H.R. 3165: Mr. CLAY.

H.R. 3187: Mr. FINCHER, Mr. BOSWELL, Mr. GARDNER, Mr. NUGENT, Mrs. MYRICK, Mr. COLE, and Mr. GRIFFITH of Virginia.

H.R. 3337: Mrs. BLACK and Mr. COHEN.

H.R. 3405: Mr. BACA.

H.R. 3423: Mr. THOMPSON of Pennsylvania and Mr. DREIER.

H.R. 3458: Mr. ROGERS of Kentucky.

H.R. 3461: Mr. JOHNSON of Ohio, Mr. SHERMAN, Mr. GRAVES of Missouri, and Mr. DONNELLY of Indiana.

H.R. 3489: Mr. FRELINGHUYSEN.

H.R. 3586: Mrs. ELLMERS.

H.R. 3627: Mr. SCALISE.

H.R. 3709: Mr. SMITH of Washington.

H.R. 3798: Mr. DICKS, Mr. CLAY, and Mr. MARKEY.

H.R. 3803: Mr. WALSH of Illinois, Mr. BARTON of Texas, and Mr. ROHRABACHER.

H.R. 3861: Mrs. MILLER of Michigan.

H.R. 3875: Mr. HOLT and Mr. LIPINSKI.

H.R. 4057: Mr. CALVERT.

H.R. 4103: Mr. BLUMENAUER.

H.R. 4104: Mr. COOPER, Mr. RICHMOND, Mr. FATTAH, and Ms. BROWN of Florida.

H.R. 4154: Mr. MORAN and Mr. FILNER.

H.R. 4169: Mr. BISHOP of Georgia.

H.R. 4190: Mr. FARR and Mrs. MALONEY.

H.R. 4215: Mr. LOEBSACK.

H.R. 4243: Mr. MCKEON.

H.R. 4259: Mr. STARK.

H.R. 4277: Mr. WELCH.

H.R. 4350: Mr. MICHAUD and Ms. SCHAKOWSKY.

H.R. 4367: Mr. REHBERG, Mr. BILIRAKIS, Mr. CRAVAACK, Mr. KING of New York, Mr. CUELLAR, and Mr. PALAZZO.

H.R. 4373: Mr. PLATTS.

H.R. 4385: Mr. GUINTA, Mr. CASSIDY, Mr. MILLER of Florida, Mrs. HARTZLER, and Mr. AUSTIN SCOTT of Georgia.

H.R. 4402: Mr. STIVERS.

H.R. 4454: Mr. AUSTIN SCOTT of Georgia.

H.R. 5542: Ms. KAPTUR, Ms. WASSERMAN SCHULTZ, Mr. HASTINGS of Florida, Mr. SARBANES, Ms. MCCOLLUM, and Mr. PETERS.

H.R. 5647: Mr. TIERNEY, Ms. VELÁZQUEZ, and Mr. COHEN.

H.R. 5684: Mr. COHEN, Mr. DEFAZIO, Mr. SCHRADER, and Mr. CONNOLLY of Virginia.

H.R. 5749: Mr. MCGOVERN.

H.R. 5796: Ms. PINGREE of Maine.

H.R. 5806: Mr. BILIRAKIS.

H.R. 5839: Mr. YODER.

H.R. 5840: Mr. KING of New York, Mr. QUIGLEY, Mr. KIND, and Ms. SLAUGHTER.

H.R. 5850: Ms. SCHAKOWSKY.

H.R. 5865: Mr. WOLF.

H.R. 5872: Mr. FORBES and Mr. SCALISE.

H.R. 5893: Mr. SCHOCK.

H.R. 5910: Mr. STIVERS, Mr. POLIS, Mr. MANZULLO, and Mr. HIMES.

H.R. 5931: Mr. ROSS of Arkansas.

H.R. 5954: Mr. MURPHY of Pennsylvania, Mr. HOLDEN, Mr. MEEHAN, Ms. SCHWARTZ, Mr. THOMPSON of Pennsylvania, Mr. KELLY, Mr. DOYLE, Mr. CRITZ, Mr. SHUSTER, Mr. BARLETTA, Mr. MARINO, Mr. DENT, Mr. BRADY of Pennsylvania, Mr. FATTAH, Mr. FITZPATRICK, Mr. PLATTS, and Mr. PITTS.

H.R. 5969: Mr. KELLY and Mr. BUCSHON.

H.R. 5970: Mr. KELLY and Mr. BUCSHON.

H.R. 5987: Mr. DICKS.

H.R. 5991: Mr. POLIS.

H.R. 6000: Mr. LONG, Mr. MILLER of Florida, Mr. WILSON of South Carolina, Mr. WALBERG, Mr. AUSTIN SCOTT of Georgia, Mr. PITTS, Mr. GOHMERT, Mr. MULVANEY, Mr. ROE of Tennessee, Mr. BISHOP of Utah, Mr. STUTZMAN, and Mr. FLEMING.

H.R. 6003: Ms. NORTON.

H.R. 6019: Mr. HONDA.

H.R. 6048: Mr. GRIFFIN of Arkansas, Mr. FLEMING, Mr. DAVIS of Kentucky, Mr. BOUSTANY, Mr. JORDAN, Mr. TIPTON, Mr. FINCHER, and Mr. DESJARLAIS.

H.J. Res. 47: Mr. CAPUANO.

H.J. Res. 90: Mr. SARBANES.

H.J. Res. 103: Mr. SCALISE.

H.J. Res. 110: Mr. MCCOTTER and Mr. KING of Iowa.

H.J. Res. 111: Mr. KEATING, Ms. ESHOO, Mr. WELCH, Ms. NORTON, Mr. JACKSON of Illinois, Mr. FARR, and Ms. LEE of California.

H. Res. 216: Mr. CLAY.

H. Res. 298: Mr. FRELINGHUYSEN.

H. Res. 484: Mr. ROHRABACHER.

H. Res. 521: Mr. BLUMENAUER.

H. Res. 583: Mr. GARDNER.

H. Res. 618: Mr. BASS of New Hampshire and Mr. FORBES.

H. Res. 695: Mr. AUSTIN SCOTT of Georgia.
H. Res. 701: Mr. LONG.
H. Res. 702: Mr. LONG.
H. Res. 704: Mr. ELLISON and Mr. CRITZ.
H. Res. 705: Mr. GRIMM, Mr. TURNER of New York, Mr. GUTHRIE, Mr. LIPINSKI, and Mr. CONYERS.
H. Res. 709: Mr. CAPUANO.
H. Res. 716: Mr. WELCH, Mr. AKIN, Mr. HARPER, Mrs. MCMORRIS RODGERS, Mr. TURNER of New York, Mrs. ADAMS, Mr. MARKEY and Mr. TURNER of Ohio.

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PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, SECOND SESSION

Vol. 158 WASHINGTON, FRIDAY, JUNE 29, 2012 No. 100

Senate

The Senate met at 10 a.m. and was called to order by the Honorable CHRISTOPHER A. COONS, a Senator from the State of Delaware.

PRAYER

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

Let us pray.

Eternal God, the light of our lives, we lift our hearts to You in praise. May Your presence be felt today on Capitol Hill. There is no one like You, for You protect the weak from the strong and the poor from the oppressor. Give our Senators strength for today's journey. Deepen their trust in You, as You guide them by Your wisdom. As we anticipate the Fourth of July, remind us that true freedom comes from You. And, Lord, we ask Your special blessing upon our outgoing Senate page class.

We pray in Your liberating Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable CHRISTOPHER A. COONS led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 29, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CHRISTOPHER A. COONS, a Senator from the State of Delaware, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

SMALL BUSINESS JOBS AND TAX RELIEF ACT—MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to Calendar No. 341, S. 2237.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 341, S. 2237, a bill to provide a temporary income tax credit for increased payroll and bonus depreciation for an additional year, and for other purposes.

SCHEDULE

Mr. REID. Mr. President, I know Senators are anxious as to what is going to happen here today. The Republican leader and I have been in close contact the last several days. We are fortunate that we are now in a position to complete work today. We should be able to do it quickly. It all depends on the cooperation of Senators.

We actually know the House is planning to vote around 12:30 today. They could do it more quickly. They could do it as late as 1 o'clock. We have the ability, now that the papers have been filed over in the House, to act before they do, as we have done before. So we will have to see how the morning moves on.

We are working on a consent to have votes in relation to the transportation conference report this morning. I know Senators have called me and, I am sure, the Republican leader on a number of occasions. As soon as we have something firmed up, we will let everyone know.

HEALTH CARE DECISION

Mr. REID. Mr. President, yesterday the U.S. Supreme Court reaffirmed that no family should live one illness or one accident away from bankruptcy. The Court decision is not a victory for Democrats or President Obama, it is a true victory for the American people. Let me give you a few reasons why that is the case, and just a few.

Since the act was signed by President Obama, more than 6 million young people have signed up for their parents' health plan. Why is that important? As most people know—in the Senate, at least—I am from Searchlight, NV. It is a very small community. Someone I care a great deal about was the assistant postmistress there. Her husband has been around town. They have been together for many years. They have a boy named Jeff. I can remember, when we first had our home in Searchlight, he would help us as a young boy, climbing up into a Joshua tree and putting up Christmas tree lights.

Well, he has grown past that. He was in college and doing quite well. He started getting sick. He had just turned 23. As embarrassing as it was, he had to go to a doctor to find out what was wrong. He had testicular cancer. That happened a matter of weeks after he was no longer on the insurance plan of his parents. They had no money. They were desperate to help their boy, and they did everything they could to help him.

He had two or three surgeries. His life was saved. It really put a dent in what limited savings they had. She worked part time in the post office. He had worked down at the Mohave generating facility, which closed. So they had limited means. It was very difficult on what savings they had been able to accumulate.

That will not happen anymore. He would have been able to complete college because the magic age is not 22 anymore, it is 27. So that is one thing, and 6 million young Americans have taken advantage of that. They will not have to have the problems Jeff Hill had. He is doing OK now. He recently

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

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married. But it was a struggle for a long time, physically and emotionally. Because children can now stay on their parents' insurance until they are 26, no young person will have to defer his or her dreams to take a job that offers insurance.

Since health reform took effect, 5 million seniors have already saved about $600 each on prescription drugs. The doughnut hole is being filled. Maybe people watching this presentation here today do not know what the doughnut hole is, but every senior citizen knows what it is because it costs them lots of money.

Because of this law now no longer being debatable as far as whether it is going to stand—it is the law of the country—millions have gotten free wellness checks and cancer screenings. They could never have done that before. Millions—free wellness checks and cancer screenings. That means millions of seniors have more money in their pockets for food, gas, and the electric bill. Frankly, a lot of them would not have spent that money anyway; they would have just worried about whether they had cancer or whether they should wait a while to go see the doctor for their annual physical which was way overdue. It means millions of seniors, if, in fact, they are spending for this wellness check, will not have to anymore, and they can use this money for food, gas, and electric bills.

Hundreds of thousands of businesses already offer their employees health insurance using tax credits. They are doing the right thing.

Since Congress passed the law, insurance companies can no longer put profits ahead of people.

It is no secret that the insurance companies have been lobbying for a long time. Now 17, 18 years ago, they lobbied against the Clinton health care plan. They were very effective. ''Harry and Louise'' ads defeated that legislation. They spent millions of dollars. They tried to defeat this legislation, and they have been lobbying hard. I do not know how they expected to affect the Supreme Court, but maybe they have ways none of us understand. I think they wasted their money.

In the future, insurance companies will no longer be able to put profits ahead of people. They can no longer discriminate against children with preexisting conditions.

I served in Congress with a man named James Bilbray, and we have been friends since I was going to law school back here—Jimmy Bilbray. He has had a wonderful career in politics in Nevada. But he and I as young men back here were raising our little kids together. We were going to law school. We both worked here on Capitol Hill. His little boy Kevin got so sick. He was just a baby—just a baby. He didn't know what was wrong. He had a diabetic coma. This little baby had diabetes. Kevin lived to be about 20 years old. He had a diabetic reaction when he was taking a shower, fell over the stop on the bathtub where the shower was and drowned—it killed him. He died. Kevin Bilbray. He had diabetes.

Of course, getting insurance was always a problem for that family. No longer. No longer. If a child like the Bilbrays', like little Kevin, has diabetes, they will not have to worry about, can I get insurance? And not only will it apply in the future—it applies right now to people under age 18, but in the future everybody who has a preexisting disability will be entitled to insurance. They cannot be denied because of a preexisting disability.

It is not only diabetes, it is heart defects. I know he never talks about this, but I know about it. Senator DURBIN had a child who from the time she was a baby had a heart defect. She was sick her whole life. DICK and Loretta lost their girl a couple of years ago. She was 40 years old, thereabouts. Her whole life, she had a heart defect. In the future, people like that will be able to get insurance. They cannot be denied.

Right over in the LBJ Room yesterday morning, at my ''Welcome to Washington,'' there were a number of people there. The granddaughter of someone with whom my oldest brother went to school—Teddy Vasquez's grandchild—was there. Why? Because she was there representing her brother, who has cystic fibrosis.

I do not know if the Presiding Officer has ever before been around anyone with cystic fibrosis, but, as I explained to them over there yesterday morning, one of my son's coaches had a son who had cystic fibrosis. They would have to beat on his chest. They had this process to try to loosen the stuff that accumulates in the lungs because of this disease. Kids used to not live very long with this. We are doing a lot better now. We have some medicines. But in the future, anyone with cystic fibrosis will not be denied insurance because of this dread disease. Now, if you are under 18, you cannot be denied insurance because you have this dread disease.

Insurance companies can no longer raise your rates for no reason. How many times have we heard stories about insurance companies raising rates for no reason other than they wanted to? And there was no way to stop it. They can no longer drop coverage if you get sick. They did that. They can no longer do that. That is now against the law of this country.

Millions of Americans are already seeing the benefit of this law, and soon 35 million more who cannot afford health insurance will have access to reasonably priced insurance and quality care. Here is how it works. Each State will set up its own health insurance marketplace called an exchange, which will offer a menu of private insurance plans from which people can choose.

The Presiding Officer is a relatively new Senator here. I have been in Congress now for a long time. Every year, we get a menu of options, like all Federal employees. Senators do not get treated any differently than any other Federal employees. We get a number of options as to what we want to buy, the price of one up here or down here. That is what we want for everybody in America, something just like the millions of Federal employees have. That is what we will have.

We will offer a menu of private insurance plans from which people can choose what they want. Once these exchanges are in place, insurance companies will no longer be able to discriminate against any American with a preexisting health condition, just as I have talked about. They will not be able to deny you insurance because you are sick. They will not be able to charge you more just because you are a woman. That is a fact. They will not be able to do it anymore or because you do not already have insurance. If you cannot afford the premiums, you will get a tax credit to help pay for them.

But what if you are one of the 250 million Americans who already have insurance? Nothing will change—nothing. Nothing will change except you will no longer have to worry that if you lose your job, you will lose your insurance. Nothing will change except that if you get cancer or have a stroke, your insurance company will not be able to deny you lifesaving care because you have reached some arbitrary lifetime cap.

These are not theoretical. A man in Las Vegas was a car racer. He was not racing a car, but somebody hurt him. He became a paraplegic. He got along pretty well. He needed a lot of care. He arrived at some lifetime cap. He had an insurance policy. He had his own insurance. They cannot do that anymore. That provision on this lifetime cap will help untold hundreds of thousands of people.

Nothing will change, except when one gets a checkup and preventive will be free—a provision that has already helped 54 million Americans with private insurance.

You will be able to keep your plan and keep your doctor. But now you—not the insurance company—will be in control.

By August, almost 13 million people will get a rebate check from their insurance company because it spent too much on administrative costs and not enough on health care. They can't any longer put all the profits into these multimillion dollar bonuses and salaries people got. They cannot do that; 80 percent of what they get has to be put into helping people get well.

It is so very important to explain to people what is in this bill. Are these things people want to take away? I don't think so. They can yell and scream about ObamaCare but explain these individual provisions. This money will come back in August. I was listening to public radio this morning, and they interviewed someone who ran

an insurance exchange, I think they called it. He was waiting by the phone for this decision to come out yesterday. He was so happy because CNN and FOX announced the case had been overruled. He was so happy. But when he learned it was actually still in effect, he was very sad. Why? He said: We will not be able to pay our salaries as much as we had.

He was paying a lot for salaries for the bosses and not enough money into taking care of people.

The Affordable Care Act is already helping millions of Americans—seniors on Medicare, children with heart conditions, and students following their dreams.

In the coming months, millions more will benefit from this law. That doesn't mean the law is perfect. We all know that. We are willing to work next year, and if there are problems to work out, we are happy to work with our colleagues to do that.

But now the Supreme Court has spoken; it is time to renew our focus on the most pressing challenge facing America: the high unemployment rate we have. Too many Americans are struggling, and Congress cannot afford to waste time refighting old battles. We need to work together to put Americans back to work.

As a side note, these people who talk about repeal, it would cause the loss of 400,000 jobs. If we look at all the job statistics in the past year, some of the most significant growth is taking place in health care. I don't think we want to lose 400,000 jobs right off the bat.

Thanks to cooperation on both sides, I am glad to say the Senate will vote sometime today on the Transportation bill conference report. It is a wonderful piece of legislation that includes student loans and the problems we have had with flood insurance. These things will be completed fairly early today. The Flood Insurance Program being extended will allow millions of home closings to go forward at a time when our real estate market is beginning to rebound. Preventing interest rates from doubling on 7 million students was a major priority for all of us.

Passing the 2-year, 3 months Transportation bill will create or save 2.8 million American jobs—many of them in the hard-hit construction industry. It will also restore millions of miles of crumbling roadways, railways, and bridges. It is very important. It streamlines the process and gets rid of a lot of the ability for entities to stall the construction of these much needed roads. I had an experience similar to this in Nevada. That is why it was important to Senators BOXER and INHOFE.

This has been a very productive week. It has been a fruitful session that we have had. We have passed a bipartisan farm bill and have taken a hard look at how we are going to make the Postal Service better. The farm bill was very difficult and took a long time to get done.

I am optimistic the Senate will remain in the spirit of cooperation during the next work period, when we consider a number of other important job creation measures and other things we need to do.

I hope my colleagues have a constructive week at home. We have a lot of work to do, and I understand that. I hope everybody is safe and happy, and I certainly extend my recognition to the State of Colorado, which has had devastating fires, and the West is having real problems. They have about 200 fires burning as we speak. Eleven of them are major fires. We have to make sure we give the firefighting people the resources to do this. I was happy, within the past month, to be part of a program to advance the purchase of these tankers to fight these fires. We were able to do that.

When we come back to work in 10 days or so, everybody has to understand we have a lot to do to ensure this country's economic future. I look forward to taking up the challenge together.

PILOT'S BILL OF RIGHTS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Commerce be discharged from further consideration of S. 1335 and the Senate now proceed to that matter.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1335) to provide rights for pilots, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

PILOT'S BILL OF RIGHTS

Mr. ROCKEFELLER. Mr. President, S. 1335, the Pilot's Bill of Rights, takes several steps to protect the rights of pilots, including modifications to the appeals process, and improvements to the Federal Aviation Administration's Notice to Airman System and medical certification process.

Most importantly, it preserves the FAA's authority to take actions to maintain the safety of the air transportation system, and we want to be clear about the Congressional intent regarding one particular section of the bill.

Three provisions of the bill eliminate language in current statute governing the National Transportation Safety Board's (NTSB) adjudication of appeals of FAA orders that deny, amend, modify, suspend, or revoke an airman's certificate. Specifically, language in 49 U.S.C §§ 44703(d)(2), 44709(d)(3), and 44710(d)(1), which expressly binds the NTSB to ''all validly adopted interpretations of laws and regulations the Administrator carries out and of written agency policy guidance available to the public related to sanctions to be imposed . . . unless the Board finds an interpretation to be arbitrary, capricious, or otherwise not according to law.''

It is not the intention of the Senate to eliminate the NTSB's practice to observe the principles of judicial deference to the FAA Administrator when reviewing airmen appeals. The Senate only finds that this language is redundant of what is already provided for under the law and it is not the intent of the Senate to prevent the NTSB from applying the principles of judicial deference in adjudicating Federal Aviation Administration cases.

The purpose of these changes is simply to make the statute consistent with the laws governing all other Federal agencies. Thus, it is the intention of the Senate that the NTSB, in reviewing FAA cases, will apply principles of judicial deference to the interpretations of laws, regulations, and policies that the Administrator carries out in accordance with the Supreme Court's ruling in Martin v. OSHRC, 449 U.S. 114 (1991).

Mr. INHOFE. Mr. President, I concur.

Mr. REID. Mr. President, I ask unanimous consent that the Hutchison-Inhofe amendment at the desk be agreed to; that the bill, as amended, be read the third time and passed; that the motion to reconsider be laid upon the table, and that any statements relating to the measure be printed in the RECORD.

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

The amendment (No. 2489) was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Pilot's Bill of Rights''.

SEC. 2. FEDERAL AVIATION ADMINISTRATION ENFORCEMENT PROCEEDINGS AND ELIMINATION OF DEFERENCE.

(a) IN GENERAL.—Any proceeding conducted under subpart C, D, or F of part 821 of title 49, Code of Federal Regulations, relating to denial, amendment, modification, suspension, or revocation of an airman certificate, shall be conducted, to the extent practicable, in accordance with the Federal Rules of Civil Procedure and the Federal Rules of Evidence.

(b) ACCESS TO INFORMATION.—

(1) IN GENERAL.—Except as provided under paragraph (3), the Administrator of the Federal Aviation Administration (referred to in this section as the ''Administrator'') shall provide timely, written notification to an individual who is the subject of an investigation relating to the approval, denial, suspension, modification, or revocation of an airman certificate under chapter 447 of title 49, United States Code.

(2) INFORMATION REQUIRED.—The notification required under paragraph (1) shall inform the individual—

(A) of the nature of the investigation;

(B) that an oral or written response to a Letter of Investigation from the Administrator is not required;

(C) that no action or adverse inference can be taken against the individual for declining to respond to a Letter of Investigation from the Administrator;

(D) that any response to a Letter of Investigation from the Administrator or to an inquiry made by a representative of the Administrator by the individual may be used as evidence against the individual;

(E) that the releasable portions of the Administrator's investigative report will be available to the individual; and

(F) that the individual is entitled to access or otherwise obtain air traffic data described in paragraph (4).

(3) EXCEPTION.—The Administrator may delay timely notification under paragraph (1) if the Administrator determines that such notification may threaten the integrity of the investigation.

(4) ACCESS TO AIR TRAFFIC DATA.—

(A) FAA AIR TRAFFIC DATA.—The Administrator shall provide an individual described in paragraph (1) with timely access to any air traffic data in the possession of the Federal Aviation Administration that would facilitate the individual's ability to productively participate in a proceeding relating to an investigation described in such paragraph.

(B) AIR TRAFFIC DATA DEFINED.—As used in subparagraph (A), the term ''air traffic data'' includes—

(i) relevant air traffic communication tapes;

(ii) radar information;

(iii) air traffic controller statements;

(iv) flight data;

(v) investigative reports; and

(vi) any other air traffic or flight data in the Federal Aviation Administration's possession that would facilitate the individual's ability to productively participate in the proceeding.

(C) GOVERNMENT CONTRACTOR AIR TRAFFIC DATA.—

(i) IN GENERAL.—Any individual described in paragraph (1) is entitled to obtain any air traffic data that would facilitate the individual's ability to productively participate in a proceeding relating to an investigation described in such paragraph from a government contractor that provides operational services to the Federal Aviation Administration, including control towers and flight service stations.

(ii) REQUIRED INFORMATION FROM INDIVIDUAL.—The individual may obtain the information described in clause (i) by submitting a request to the Administrator that—

(I) describes the facility at which such information is located; and

(II) identifies the date on which such information was generated.

(iii) PROVISION OF INFORMATION TO INDIVIDUAL.—If the Administrator receives a request under this subparagraph, the Administrator shall—

(I) request the contractor to provide the requested information; and

(II) upon receiving such information, transmitting the information to the requesting individual in a timely manner.

(5) TIMING.—Except when the Administrator determines that an emergency exists under section 44709(c)(2) or 46105(c), the Administrator may not proceed against an individual that is the subject of an investigation described in paragraph (1) during the 30-day period beginning on the date on which the air traffic data required under paragraph (4) is made available to the individual.

(c) AMENDMENTS TO TITLE 49.—

(1) AIRMAN CERTIFICATES.—Section 44703(d)(2) of title 49, United States Code, is amended by striking ''but is bound by all validly adopted interpretations of laws and regulations the Administrator carries out unless the Board finds an interpretation is arbitrary, capricious, or otherwise not according to law''.

(2) AMENDMENTS, MODIFICATIONS, SUSPENSIONS, AND REVOCATIONS OF CERTIFICATES.—Section 44709(d)(3) of such title is amended by striking ''but is bound by all validly adopted interpretations of laws and regulations the Administrator carries out and of written agency policy guidance available to the public related to sanctions to be imposed under this section unless the Board finds an interpretation is arbitrary, capricious, or otherwise not according to law''.

(3) REVOCATION OF AIRMAN CERTIFICATES FOR CONTROLLED SUBSTANCE VIOLATIONS.—Section 44710(d)(1) of such title is amended by striking ''but shall be bound by all validly adopted interpretations of laws and regulations the Administrator carries out and of written agency policy guidance available to the public related to sanctions to be imposed under this section unless the Board finds an interpretation is arbitrary, capricious, or otherwise not according to law''.

(d) APPEAL FROM CERTIFICATE ACTIONS.—

(1) IN GENERAL.—Upon a decision by the National Transportation Safety Board upholding an order or a final decision by the Administrator denying an airman certificate under section 44703(d) of title 49, United States Code, or imposing a punitive civil action or an emergency order of revocation under subsections (d) and (e) of section 44709 of such title, an individual substantially affected by an order of the Board may, at the individual's election, file an appeal in the United States district court in which the individual resides or in which the action in question occurred, or in the United States District Court for the District of Columbia. If the individual substantially affected by an order of the Board elects not to file an appeal in a United States district court, the individual may file an appeal in an appropriate United States court of appeals.

(2) EMERGENCY ORDER PENDING JUDICIAL REVIEW.—Subsequent to a decision by the Board to uphold an Administrator's emergency order under section 44709(e)(2) of title 49, United States Code, and absent a stay of the enforcement of that order by the Board, the emergency order of amendment, modification, suspension, or revocation of a certificate shall remain in effect, pending the exhaustion of an appeal to a Federal district court as provided in this Act.

(e) STANDARD OF REVIEW.—

(1) IN GENERAL.—In an appeal filed under subsection (d) in a United States district court, the district court shall give full independent review of a denial, suspension, or revocation ordered by the Administrator, including substantive independent and expedited review of any decision by the Administrator to make such order effective immediately.

(2) EVIDENCE.—A United States district court's review under paragraph (1) shall include in evidence any record of the proceeding before the Administrator and any record of the proceeding before the National Transportation Safety Board, including hearing testimony, transcripts, exhibits, decisions, and briefs submitted by the parties.

SEC. 3. NOTICES TO AIRMEN.

(a) IN GENERAL.—

(1) DEFINITION.—In this section, the term ''NOTAM'' means Notices to Airmen.

(2) IMPROVEMENTS.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall begin a Notice to Airmen Improvement Program (in this section referred to as the ''NOTAM Improvement Program'')—

(A) to improve the system of providing airmen with pertinent and timely information regarding the national airspace system;

(B) to archive, in a public central location, all NOTAMs, including the original content and form of the notices, the original date of publication, and any amendments to such notices with the date of each amendment; and

(C) to apply filters so that pilots can prioritize critical flight safety information from other airspace system information.

(b) GOALS OF PROGRAM.—The goals of the NOTAM Improvement Program are—

(1) to decrease the overwhelming volume of NOTAMs an airman receives when retrieving airman information prior to a flight in the national airspace system;

(2) make the NOTAMs more specific and relevant to the airman's route and in a format that is more useable to the airman;

(3) to provide a full set of NOTAM results in addition to specific information requested by airmen;

(4) to provide a document that is easily searchable; and

(5) to provide a filtering mechanism similar to that provided by the Department of Defense Notices to Airmen.

(c) ADVICE FROM PRIVATE SECTOR GROUPS.—The Administrator shall establish a NOTAM Improvement Panel, which shall be comprised of representatives of relevant nonprofit and not-for-profit general aviation pilot groups, to advise the Administrator in carrying out the goals of the NOTAM Improvement Program under this section.

(d) PHASE-IN AND COMPLETION.—The improvements required by this section shall be phased in as quickly as practicable and shall be completed not later than the date that is 1 year after the date of the enactment of this Act.

SEC. 4. MEDICAL CERTIFICATION.

(a) ASSESSMENT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall initiate an assessment of the Federal Aviation Administration's medical certification process and the associated medical standards and forms.

(2) REPORT.—The Comptroller General shall submit a report to Congress based on the assessment required under paragraph (1) that examines—

(A) revisions to the medical application form that would provide greater clarity and guidance to applicants;

(B) the alignment of medical qualification policies with present-day qualified medical judgment and practices, as applied to an individual's medically relevant circumstances; and

(C) steps that could be taken to promote the public's understanding of the medical requirements that determine an airman's medical certificate eligibility.

(b) GOALS OF THE FEDERAL AVIATION ADMINISTRATION'S MEDICAL CERTIFICATION PROCESS.—The goals of the Federal Aviation Administration's medical certification process are—

(1) to provide questions in the medical application form that—

(A) are appropriate without being overly broad;

(B) are subject to a minimum amount of misinterpretation and mistaken responses;

(C) allow for consistent treatment and responses during the medical application process; and

(D) avoid unnecessary allegations that an individual has intentionally falsified answers on the form;

(2) to provide questions that elicit information that is relevant to making a determination of an individual's medical qualifications within the standards identified in the Administrator's regulations;

(3) to give medical standards greater meaning by ensuring the information requested aligns with present-day medical judgment and practices; and

(4) to ensure that—

(A) the application of such medical standards provides an appropriate and fair evaluation of an individual's qualifications; and

(B) the individual understands the basis for determining medical qualifications.

(c) ADVICE FROM PRIVATE SECTOR GROUPS.—The Administrator shall establish a panel, which shall be comprised of representatives of relevant nonprofit and not-for-profit general aviation pilot groups, aviation medical examiners, and other qualified medical experts, to advise the Administrator in carrying out the goals of the assessment required under this section.

(d) FEDERAL AVIATION ADMINISTRATION RESPONSE.—Not later than 1 year after the issuance of the report by the Comptroller General pursuant to subsection (a)(2), the Administrator shall take appropriate actions to respond to such report.

The bill (S. 1335), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. REID. I thank the Chair.

SMALL BUSINESS JOBS AND TAX RELIEF ACT MOTION TO PROCEED—Continued

RECOGNITION OF THE MINORITY LEADER

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

SURFACE TRANSPORTATION CONFERENCE REPORT

Mr. MCCONNELL. Mr. President, I will address two issues. I commend, in particular, the senior Senator from Oklahoma for the extraordinary work he has done to produce a transportation bill that has significant reforms in it. He has been tenacious and effective. He has tugged on our sleeves and pointed out to us repeatedly the importance of getting this job done. I congratulate him for an extraordinary accomplishment.

With regard to the bill, the highway conference report contains significant reforms to the surface transportation program. Projects will now be completed in a more timely manner because, for the first time, there are hard deadlines on agencies to complete environmental reviews.

Also, States are given maximum flexibility to use their transportation dollars the way they choose, rather than how Washington dictates. This bill is fully paid for with a package of offsets mostly included in the Senate-passed highway bill.

The conference report also contains important legislation to reform the National Flood Insurance Program and prevent the interest on college student loans from doubling.

The flood insurance bill is a model of reform: It moves this long-failing program closer to where it should be—the private sector. These reforms actually cut subsidies, save the taxpayers money, and greatly improve the program's financial position. It was negotiated and reported out of committee on a bipartisan basis.

On the student loan issue, Republicans and Democrats worked hard to find common ground. The agreement we have reached will ensure that college students who are already facing enormous challenges in the Obama economy will not be paying higher interest rates next month.

Students can't wait for the President to get off the campaign trail and actually work with Congress to prevent student loan interest rates from rising this year. So while the President continues to ignore the bipartisan proposals sent more than 3 weeks ago, Senate Democrats dropped their demand for job-killing tax hikes and worked with Republicans to find solutions.

It is nice to finally see the Senate actually work as the Senate used to. It proves that if this body ignores the campaign attacks from the President and if our Democratic friends stop pushing job-killing tax hikes, we can actually get a lot done around here. I, once again, thank my colleagues for all their hard work on these important measures.

HEALTH CARE DECISION

Mr. MCCONNELL. Mr. President, the most important issue brought to the front page in the last 2 days is the state of the new ObamaCare law.

Two and a half years ago, President Obama teamed up with Democrats right here in Congress to pass a health care bill they knew most Americans didn't want. Americans have been very clear about what they thought of this bill. So Democrats settled on a deeply dishonest sales pitch aimed at convincing them otherwise.

Nearly every day since then, the promises that formed the very heart of that sales pitch have been exposed for the false promises they were.

Americans were promised lower health care costs. But, of course, they are going up. Americans were promised lower premiums, and they are going up. Seniors were promised Medicare would be protected; it was raided to pay for a new entitlement instead. We were promised it would create jobs; CBO predicts it will lead to 800,000 fewer jobs because of ObamaCare. People were promised they could keep the plans they liked; millions have now learned they cannot.

For 2 years, the list of broken promises has grown longer and longer and longer.

But yesterday morning, we got powerful confirmation of what may have been the biggest deception of all. For years, the President and his Democratic allies in Congress have sworn up and down—sworn up and down—that failing to comply with the individual mandate did not result in a tax on individuals or families. ''It is not a tax,'' they said.

The reason was obvious. If Americans knew that failure to comply resulted in a tax hike, of course, the bill would never have passed. If our friends on the other side had conceded the obvious—that it was, in fact, a tax hike—we all know it never would have passed. The President would not be able to claim his health care bill didn't raise taxes on the middle class, as he did again and again and again.

Yesterday, the Court blew the President's cover. In a narrowly upheld case on one basis only—that the penalty associated with the individual mandate is a tax—the Court spoke. It said Congress doesn't have the constitutional authority to mandate insurance coverage under the commerce clause. Congress doesn't have the authority to mandate individual insurance coverage under the commerce clause, but it obviously does have the power to tax. So they upheld the central provision of the bill on the fact that the penalty for failing to comply with it was a tax.

In the eyes of the Court, that is all the penalty tied to the individual mandate ever was: a tax imposed by a Democratic Congress—without a single Republican vote—primarily, interestingly enough, on the middle class. It is a tax on the middle class. Let's be very clear about that. The tax connected to the individual mandate is not primarily a tax on the rich but on the middle-class Americans who will bear the brunt of it.

Listen to this, colleagues. According to the CBO, at least 77 percent of the people paying this tax will meet the President's own definition of the middle class; 77 percent of the people paying this tax will meet the President's own definition of the middle class.

Those who have to pay the tax will pay an average tax of $1,200. Even if they pay it every year, they still will not have insurance.

Yesterday's decision turns the President's campaign rhetoric on its head. Those who will end up paying the heaviest burden for not buying government-mandated insurance are not going to be the wealthiest Americans—oh, no—but the very middle-class families the President claims to defend.

That is the truth the Court unmasked yesterday.

Most Americans thought the process Democrats used to pass the health care bill was unseemly, secretive, partisan, even antidemocratic. They also thought it was unconstitutional for the government to create commerce in order to regulate it—for the government to create commerce in order to regulate it.

All of that is still true. But what many Americans may not have appreciated when this bill passed was how empty all of the promises were—how completely empty all the promises were. And at the center of them all was the claim that failing to buy health insurance did not result in a tax. That was the central claim: Failing to buy health insurance did not result in a tax.

But the Court has now spoken: It is a tax—largely on the middle class. This is just one more reason this law needs to be repealed in its entirety. With every passing day we learn something new about this terrible law. Not only does it make the problems in our

health care system worse, it leads to a tax on middle-class families who are either unable or unwilling to purchase health insurance. What a terrible idea.

So it is time for Democrats to stop trying to defend the indefensible and join Republicans in wiping this colossal legislative mistake clear off the books. Yesterday's decision gives us the clearest proof yet this bill has to go. It needs to be repealed to clear the way for commonsense, step-by-step reforms that protect Americans' access to the care they need from the doctor they choose at a lower cost. That is precisely what Republicans intend to do.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

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

The ACTING PRESIDENT pro tempore. Under the previous order, Senators are permitted to speak for up to 10 minutes.

The Senator from Iowa.

HEALTH CARE DECISION

Mr. GRASSLEY. Mr. President, yesterday the Supreme Court overturned the mandatory Medicaid expansion in the Affordable Care Act. As of yesterday, the States now have a choice to expand or not expand coverage to the poorest people in society without being subjected to harsh Federal penalties.

I would like to draw attention to a speech I gave on the Senate floor in December 2011 on the subject of the constitutionality of the Medicaid expansion. I expressed my concerns then about the potential impact of a Supreme Court decision on Medicaid expansion.

I said on the floor that day:

> A Supreme Court ruling in favor of the States in this case could not only jeopardize the mandated Medicaid expansion in the Affordable Care Act but could challenge the fundamental structure of Medicaid and have broader implications outside of health care.

The concerns I expressed then have, to a degree, come true.

Reading from a Washington Post editorial this morning about the Court ruling on Medicaid:

> This restriction of federal authority may have greater ramifications than the court's limiting of the Commerce Clause. One can imagine challenges to federal conditions across a wide spectrum of programs, including but not limited to the environment, education and transportation.

This decision overturns the mandatory expansion of the Medicaid Program. While I realize most of the focus is on the decision related to the tax mandate, we should spend a moment talking about the consequence of the Medicaid decision.

Mr. President, one of the goals of the health care reform was to provide coverage for people in need. I would argue the people most in need of coverage are people without a job, people without an income, and the poorest of the poor. The Affordable Care Act required States to cover people below poverty through Medicaid. States were mandated to expand to cover people below poverty. Yesterday, the Supreme Court ruled that mandatory expansion unconstitutional.

Writing for the majority, Chief Justice Roberts said:

> Nothing in our opinion precludes Congress from offering funds under the Affordable Care Act to expand the availability of health care, and requiring the States accepting such funds to comply with the conditions on their use. What Congress is not free to do is to penalize States that choose not to participate in that new program by taking away their existing Medicaid funding.

With this decision, States now have the option to expand Medicaid to cover people below poverty. Mr. President, the States had that option even before the Affordable Care Act was passed. So what does this decision mean in real terms?

It will be up to the States to determine if they will cover the poorest of the poor. The Federal Government cannot guarantee coverage. So now people with jobs will have to purchase insurance under the tax mandate. People without an income, people who are below poverty, are dependent upon the State in which they reside.

I know some people will believe the choice is perfunctory, that Medicaid expansion will move forward because the Federal Government has offered to pay for more than 90 percent of the expansion. But if you were a State, would you really trust a promise from a Federal Government that is $15 trillion in debt? If you were a State, would you really trust an Obama administration that proposed eliminating that special Federal payment rate through a proposal known as the blended rate?

States will very reasonably be risk averse. States can now expand if they choose to or not at all. No one should assume for a second all States will expand to cover as much as was mandated under the Affordable Care Act.

Of course, one might think people below poverty could still get health care through tax credits, but the people who wrote this bill made people below poverty ineligible for tax credits. That is right—ineligible. It is all or nothing for the poor with Medicaid. With today's ruling, the answer is, nothing.

On December 15, 2011, I said on the Senate floor that the expansion of Medicaid and the coverage of poor people was in jeopardy because ''the White House and the Democratic majority put their partisan goals ahead of collaboration with Republicans and States to build legitimate public policy.''

Today, that is the outcome. When people with income, people with jobs are mandated to purchase health insurance and face a tax penalty if they do not, while the poorest people in society, those without a job or without income have a guarantee of nothing, I think victory laps are premature.

After this decision, a person in a family with an income of more than $80,000 a year would be guaranteed access to a subsidy to buy private insurance, while a person in a family with no income would be guaranteed nothing. When people below poverty, the people who can least afford coverage or the consequence of not having coverage are left with nothing, it sounds like failure to me.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. KYL. Mr. President, regarding yesterday's Supreme Court decision, there have been a variety of very interesting editorials, op-ed pieces, and blogs—many of them erudite and very useful for the analysis of the Court's opinion. Of course, it will take a long time for us to know precisely how all of this will work out over time. I thought I might refer to a couple of these opinions and op-eds and put them in the RECORD for people to see what a sampling might look like so they can more thoroughly analyze the opinion and then pose a question at the end.

I start with one of my friends, and I think one of the best columnists, even nationally, that I know. He writes for my local paper, the Arizona Republic. His name is Bob Robb, and he writes in his column on June 29:

> Roberts' decision controlled the outcome, even though it was fully joined by no other justice. Here's what he concluded:
>
> The federal government has no power under the Constitution's Commerce Clause to require individuals to purchase health insurance, as Obamacare does. However, the federal government does have the power to impose a financial penalty on people for not complying with the mandate the federal government has no authority to impose. That's because the penalty is actually a tax under Congress' constitutional taxing authority.
>
> However, the penalty is not a tax for purposes of the Anti-Injunction Act, which would preclude the court from considering the legality until someone actually pays it.

Obviously, Mr. President, these dilemmas require some explanation. It may be—and this is my phrasing, not Bob Robb's—this is a good example of where the phrase of ''legal legerdemain'' comes into play.

Robb continues:

> If Congress has no authority to require people to do something, such as purchase health insurance, how can it penalize them for not doing it?
>
> And how can money owed exclusively because of failing to comply with an unconstitutional mandate be regarded as a tax and not a penalty?

He goes on to say:

> The purpose of the constitutional taxing power is to raise the money to operate the government. The clause reads: ''Congress shall have the power to lay and collect taxes . . . to pay the debts and provide for the common defense and general welfare of the United States.''
>
> The purpose of the penalty for not buying health insurance, however, isn't to raise revenue. The government would prefer not to get any money from it at all. The purpose is to compel compliance with the mandate that Roberts says the government has no power to impose.
>
> There is nothing in the Constitution that can remotely be construed as giving Congress the power to tax people, not to raise revenue but to punish them for failing to do what Congress would like them to do.

And Robb concludes:

If Congress cannot do something directly, it shouldn't be able to do it indirectly through taxation.

Mr. President, this raises a very important question. If the taxing power can be used to institute mandates such as ObamaCare, the real question is, What limits are there on such taxing power? I believe this may be one of the most important unanswered questions in Justice Roberts' opinion.

One attempt to square the circle, in effect, was by a writer named Joshua Hawley in the Daily Caller in his column entitled ''What's behind Roberts' surprising decision?'' I note that Hawley comes to this with some credentials, being described as a former law clerk to Chief Justice Roberts as well as an associate law professor at the University of Missouri. In effect, as I read Hawley's piece, he said Justice Roberts actually constrained Congress's power dramatically by, first of all, drawing a clear line on the reasonable and proper extension of the commerce clause power. But he also said the taxing authority Roberts uses to justify Congress's action in ObamaCare is actually very limited.

In fact, he says that Roberts attempted to make this case sui generis—that is the Latin phrase for ''one of a kind''—and that only in this particular case would the taxing authority be permissibly used for Congress to require the people to do something.

I hope Hawley's analysis is correct. I am not so sure it is. Roberts' opinion certainly will make it more politically difficult for Congress to pass things that extend its authority because it will have to be clothed in the cloak of a tax, and Congress doesn't generally like to pass new taxes on people. But Congress and the lawyers who advise us are pretty clever about phrasing legislation in such a way that it would meet constitutional challenges.

Now that we have a new example of a power that we might exercise—namely, this expanded taxing power—I suspect we will see efforts in the future to clothe our legislation under the guise of that taxing power. If so, the constraints in Chief Justice Roberts' opinion would be no constraints at all.

There is an old saying that hard cases make bad law. I don't know that this was all that hard of a case, but it clearly resulted in a lot of different points of view from the Justices, from which one could conclude that at least they saw it as a hard case. I just hope the end result is not bad law, as I have suggested it could be here today.

I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks the following pieces: first, the Robert Robb column dated June 29 from the Arizona Republic; second, the Wall Street Journal editorial of June 28, ''ObamaCare and the Power to Tax''; a Rich Lowry piece in National Review Online dated June 29, ''The Umpire Blinks''; a National View Online piece by The Editors dated June 28, ''Chief Justice Roberts's Folly''; and the Joshua Hawley piece dated June 28 from the Daily Caller.

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

[From the Arizona Republic, June 29, 2012]

FALSE PREMISE LETS 'OBAMACARE' GO ON

(By Robert Robb)

For whatever reason, Chief Justice John Roberts decided to rescue ''Obamacare'' from the constitutional trash heap.

His reasoning in doing so should be an embarrassment to him. It certainly tossed more dirt on the burial site of the Founders' vision of a federal government with limited, enumerated powers.

Roberts' decision controlled the outcome, even though it was fully joined by no other justice. Here's what he concluded:

The federal government has no power under the Constitution's Commerce Clause to require individuals to purchase health insurance, as Obamacare does.

However, the federal government does have the power to impose a financial penalty on people for not complying with the mandate the federal government has no authority to impose. That's because the penalty is actually a tax under Congress' constitutional taxing authority.

However, the penalty is not a tax for purposes of the Anti-Injunction Act, which would preclude the court from considering its legality until someone actually pays it.

Where to begin?

If Congress has no authority to require people to do something, such as purchase health insurance, how can it penalize them for not doing it?

And how can money owed exclusively because of failing to comply with an unconstitutional mandate be regarded as a tax and not a penalty?

The purpose of the constitutional taxing power is to raise the money to operate the government. The clause reads: ''Congress shall have the power to lay and collect taxes . . . to pay the debts and provide for the common defense and general welfare of the United States.''

The purpose of the penalty for not buying health insurance, however, isn't to raise revenue. The government would prefer not to get any money from it at all. The purpose is to compel compliance with the mandate that Roberts says the government has no power to impose.

There is nothing in the Constitution that can remotely be construed as giving Congress the power to tax people, not to raise revenue but to punish them for failing to do what Congress would like them to do.

If Congress cannot do something directly, it shouldn't be able to do it indirectly through taxation.

Congress, unlike Roberts, understood that it was enacting a penalty, not a tax. The law repeatedly calls the money owed for failing to comply with the individual mandate a penalty.

Roberts says that what Congress calls it isn't dispositive regarding whether it is a tax under the Constitution. But it is dispositive for purposes of the Anti-Injunction Act.

The Anti-Injunction Act prevents those who are subject to federal taxes from challenging their legality until after they have been paid.

If the penalty is a tax, then no one could challenge its legality until after someone pays it, which won't happen until 2014. The case wouldn't properly have been before the court.

So, Roberts declared that the money owed for failing to comply with the individual mandate is a tax for purposes of the Constitution because he says so. But it's a penalty for purposes of the Anti-Injunction Act because Congress says so.

In Robertsworld, an unconstitutional mandate becomes not a mandate if the money owed for not complying is dubbed a tax and not a penalty. But the same money can be both a penalty and a tax depending on who is asking and why.

It's as though Roberts were channeling Lewis Carroll in writing the opinion.

This decision is hardly the end of the Obamacare saga. Obamacare will implode as it is implemented.

The country will have to readdress the question of how to most cost-effectively subsidize the care of the seriously and chronically sick.

But for today, let's mourn the death of reasoning and something more important.

In Federalist No. 45, James Madison wrote: ''The powers delegated by the proposed Constitution to the federal government are few and defined.''

That's not the federal government we have today. Roberts' pettifogging on Obamacare can be seen as its final interment.

[From the Wall Street Journal, June 28, 2012]

OBAMACARE AND THE POWER TO TAX

(Opinion)

'Judicial tax-writing is particularly troubling. Taxes have never been popular, see, e.g., Stamp Act of 1765.'

Supreme Court Justices Antonin Scalia, Anthony Kennedy, Clarence Thomas and Samuel Alito dissenting from the majority opinion that upheld most provisions of the Affordable Care Act on Thursday:

The provision challenged under the Constitution is either a penalty or else a tax. Of course in many cases what was a regulatory mandate enforced by a penalty could have been imposed as a tax upon permissible action; or what was imposed as a tax upon permissible action could have been a regulatory mandate enforced by a penalty. But we know of no case, and the Government cites none, in which the imposition was, for constitutional purposes, both. The two are mutually exclusive. Thus, what the Government's caption should have read was ''ALTERNATIVELY, THE MINIMUM COVERAGE PROVISION IS NOT A MANDATE-WITH-PENALTY BUT A TAX.'' It is important to bear this in mind in evaluating the tax argument of the Government and of those who support it: The issue is not whether Congress had the power to frame the minimum-coverage provision as a tax, but whether it did so.

In answering that question we must, if ''fairly possible,'' construe the provision to be a tax rather than a mandate-with-penalty, since that would render it constitutional rather than unconstitutional (ut res magis valeat quam pereat). But we cannot rewrite the statute to be what it is not. ''[A]lthough this Court will often strain to construe legislation so as to save it against constitutional attack, it must not and will not carry this to the point of perverting the purpose of a statute . . . or judicially rewriting it.'' In this case, there is simply no way, ''without doing violence to the fair meaning of the words used,'' to escape what Congress enacted: a mandate that individuals maintain minimum essential coverage, enforced by a penalty.

Our cases establish a clear line between a tax and a penalty: ''[A] tax is an enforced contribution to provide for the support of government; a penalty . . . is an exaction imposed by statute as punishment for an unlawful act.'' In a few cases, this Court has held that a ''tax'' imposed upon private conduct was so onerous as to be in effect a penalty. But we have never held—never—that a

penalty imposed for violation of the law was so trivial as to be in effect a tax. We have never held that any exaction imposed for violation of the law is an exercise of Congress' taxing power—even when the statute calls it a tax, much less when (as here) the statute repeatedly calls it a penalty. When an act ''adopt[s] the criteria of wrongdoing'' and then imposes a monetary penalty as the ''principal consequence on those who transgress its standard,'' it creates a regulatory penalty, not a tax.

So the question is, quite simply, whether the exaction here is imposed for violation of the law. It unquestionably is. The minimum-coverage provision is found in [the Affordable Care Act's individual-mandate provision], §5000A, entitled ''*Requirement* to maintain minimum essential coverage.'' (Emphasis added.) It commands that every ''applicable individual *shall* . . . ensure that the individual . . . is covered under minimum essential coverage.'' (emphasis added). And the immediately following provision states that, ''[i]f . . . an applicable individual . . . fails to meet the *requirement* of subsection (a) . . . there is hereby imposed . . . a *penalty*.'' (emphasis added). And several of Congress' legislative ''findings'' with regard to §5000A confirm that it sets forth a legal requirement and constitutes the assertion of regulatory power, not mere taxing power. . . .

We never have classified as a tax an exaction imposed for violation of the law, and so too, we never have classified as a tax an exaction described in the legislation itself as a penalty. To be sure, we have sometimes treated as a tax a statutory exaction (imposed for something other than a violation of law) which bore an agnostic label that does not entail the significant constitutional consequences of a penalty—such as ''license'' or ''surcharge.'' But we have never—never—treated as a tax an exaction which faces up to the critical difference between a tax and a penalty, and explicitly denominates the exaction a ''penalty.'' Eighteen times in §5000A itself and elsewhere throughout the Act, Congress called the exaction in §5000A(b) a ''penalty.''

Judicial tax-writing is particularly troubling. Taxes have never been popular, see, e.g., Stamp Act of 1765, and in part for that reason, the Constitution requires tax increases to originate in the House of Representatives. That is to say, they must originate in the legislative body most accountable to the people, where legislators must weigh the need for the tax against the terrible price they might pay at their next election, which is never more than two years off. The Federalist No. 58 ''defend[ed] the decision to give the origination power to the House on the ground that the Chamber that is more accountable to the people should have the primary role in raising revenue.'' We have no doubt that Congress knew precisely what it was doing when it rejected an earlier version of this legislation that imposed a tax instead of a requirement-with-penalty. Imposing a tax through judicial legislation inverts the constitutional scheme, and places the power to tax in the branch of government least accountable to the citizenry.

Finally, we must observe that rewriting §5000A as a tax in order to sustain its constitutionality would force us to confront a difficult constitutional question: whether this is a direct tax that must be apportioned among the States according to their population. Perhaps it is not (we have no need to address the point); but the meaning of the Direct Tax Clause is famously unclear, and its application here is a question of first impression that deserves more thoughtful consideration than the lick-and-a-promise accorded by the Government and its supporters. The Government's opening brief did not even address the question—perhaps because, until today, no federal court has accepted the implausible argument that §5000A is an exercise of the tax power. And once respondents raised the issue, the Government devoted a mere 21 lines of its reply brief to the issue. At oral argument, the most prolonged statement about the issue was just over 50 words. One would expect this Court to demand more than fly-by-night briefing and argument before deciding a difficult constitutional question of first impression.

[From the National Review Online, June 29, 2012]

THE UMPIRE BLINKS

(By Rich Lowry)

Chief Justice John Roberts famously defined himself as an umpire in his confirmation hearings. But an umpire is willing to make the toughest calls.

In his Obamacare decision, Roberts the umpire blinked. By issuing a decision that forestalled the tsunami of criticism that would have come his way had he struck down the law (as an activist, a partisan, and an altogether rotten human being), Roberts effectively rewrote the constitutionally problematic portions of it. He overstepped his bounds. The umpire called a balk, but gave the pitcher a do-over. The ref called a foul, but didn't interrupt the play.

As a result, there's Obamacare as passed by Congress. Then there's Obamacare as passed by the Supreme Court.

Obamacare as passed by Congress had a mandate to buy health insurance and a penalty for failing to comply. Obamacare as passed by the Supreme Court has an optional tax for those without health insurance. Obamacare as passed by Congress required states to participate in a massive expansion of Medicaid, or lose all their federal Medicaid funds. Obamacare as passed by the Supreme Court makes state participation in the Medicaid expansion optional.

In pursuit of a judicial modesty deferential to Congress, Roberts usurped its role. Obamacare as passed by Congress didn't pass constitutional muster. Obamacare as passed by the Supreme Court didn't pass Congress—and might not have passed Congress had it been presented for an up-or-down vote festooned with yet another tax.

Roberts vindicated the core of the constitutional argument against the individual mandate that had been sneered at by the legal establishment and pronounced preposterous by the likes of Nancy Pelosi. The mandate is unprecedented in that it doesn't regulate existing activity; it compels people to undertake an activity—namely, buying insurance—that Congress then regulates under the Interstate Commerce Clause. This stretches the Commerce Clause beyond the breaking point.

The chief even reverted to the widely derided broccoli argument: If the federal government can make you buy insurance, it can make you eat vegetables. The government's logic, Roberts wrote, ''authorizes Congress to use its commerce power to compel citizens to act as the Government would have them act. That is not the country the Framers of our Constitution envisioned.''

Then, Roberts went out in search of some way, any way, to find the mandate constitutional. He alighted on the argument that the mandate isn't a mandate at all, but a tax. Never mind that the tax argument was an afterthought in the administration's defense of the law. Never mind that administration officials, from the president on down, vociferously denied that it was a tax during the debate over the bill. Never mind that the law itself never defines it as a tax and includes the mandate (and its penalty) in a different title of the act from the revenue provisions. ''To say that the Individual Mandate merely imposes a tax is not to interpret the statute, but to re-write it,'' the four conservative dissenters from the Roberts opinion write. The chief was willing to take out his rewrite pen to avoid striking down the mandate. He did the same to keep from throwing out the Medicaid expansion. He considers it, too, an offense against the constitutional order. Wherever exactly the line for impermissible coercion of the states falls, he noted, ''this statute is surely beyond it.''

Roberts gets points for cleverness. He set clear constitutional boundaries without striking down the law. He largely sided with the critics of Obamacare without enraging its supporters. He came up with the only 54 decision that wouldn't subject his court to the calumny of the Obama administration and law-school deans everywhere. All the op-eds that had been drafted trashing the legitimacy of the court have been filed away for now.

As chief justice, Roberts has competing priorities, of course. But it's not his job to redraft laws under the guise of judicial restraint. On Obamacare, the umpire struck out.

[From the National Review Online, June 28, 2012]

CHIEF JUSTICE ROBERTS'S FOLLY

(By the Editors)

In today's deeply disappointing decision on Obamacare, a majority of the Supreme Court actually got the Constitution mostly right. The Commerce Clause—the part of the Constitution that grants Congress the authority to regulate commerce among the states—does not authorize the federal government to force Americans to buy health insurance. The Court, by a 5-4 margin, refused to join all the august legal experts who insisted that of course it granted that authorization, that only yahoos and Republican partisans could possibly doubt it. It then pretended that this requirement is constitutional anyway, because it is merely an application of the taxing authority. Rarely has the maxim that the power to tax is the power to destroy been so apt, a portion of liberty being the direct object in this case.

What the Court has done is not so much to declare the mandate constitutional as to declare that it is not a mandate at all, any more than the mortgage-interest deduction in the tax code is a mandate to buy a house. Congress would almost surely have been within its constitutional powers to tax the uninsured more than the insured. Very few people doubt that it could, for example, create a tax credit for the purchase of insurance, which would have precisely that effect. But Obamacare, as written, does more than that. The law repeatedly speaks in terms of a ''requirement'' to buy insurance, it says that individuals ''shall'' buy it, and it levies a ''penalty'' on those who refuse. As the conservative dissent points out, these are the hallmarks of a ''regulatory penalty, not a tax.''

The law as written also cuts off all federal Medicaid funds for states that decline to expand the program in the ways the lawmakers sought. A majority of the Court, including two of the liberals, found this cut-off unconstitutionally coercive on the states. The Court's solution was not to invalidate the law or the Medicaid expansion, but to rule that only the extra federal funds devoted to the expansion could be cut off. As the dissenters rightly point out, this solution rewrites the law—and arbitrarily, since Congress could have avoided the constitutional problem in many other ways.

The dissent acknowledges that if an ambiguous law can be read in a way that renders it constitutional, it should be. It distinguishes, though, between construing a law charitably and rewriting it. The latter is what Chief Justice John Roberts has done. If Roberts believes that this tactic avoids damage to the Constitution because it does not stretch the Commerce Clause to justify a mandate, he is mistaken. The Constitution does not give the Court the power to rewrite statutes, and Roberts and his colleagues have therefore done violence to it. If the law has been rendered less constitutionally obnoxious, the Court has rendered itself more so. Chief Justice Roberts cannot justly take pride in this legacy.

The Court has failed to do its duty. Conservatives should not follow its example—which is what they would do if they now gave up the fight against Obamacare. The law, as rewritten by judges, remains incompatible with the country's tradition of limited government, the future strength of our health-care system, and the nation's solvency. We are not among those who are convinced that we will be stuck with it forever if the next election goes wrong: The law is also so poorly structured that we think it may well unravel even if put fully into effect. But we would prefer not to take the risk.

It now falls to the Republicans, and especially to Mitt Romney, to make the case for the repeal of the law and for its replacement by something better than either it or the health-care policies that preceded it. Instead of trusting experts to use the federal government's purchasing power to drive efficiency throughout the health sector—the vain hope of Obamacare's Medicare-cutting board—they should replace Medicare with a new system in which individuals have incentives to get value for their dollar. Instead of having Washington establish a cartel for the insurance industry, they should give individuals tax credits and the ability to purchase insurance across state lines. Instead of further centralizing the health-care system, in short, they should give individuals more control over their insurance.

Opponents should take heart: The law remains unpopular. Let the president and his partisans ring their bells today, and let us work to make sure that they are wringing their hands come November.

[From the Daily Caller, June 28, 2012]

WHAT'S BEHIND ROBERTS' SURPRISING DECISION?

(By Joshua Hawley)

Say this for the lead opinion in the health care case the Supreme Court handed down Thursday: nobody saw that coming. Chief Justice Roberts joins with the court's more liberal wing to uphold the Affordable Care Act . . . as a tax? The result is, to put it mildly, counterintuitive. Scribes have been busily dissecting the chief justice's doctrinal analysis from the instant the opinion went viral, but here's a different thought: doctrine may not be the key to this judgment. As Leo Strauss once made a point of telling his students, a text can be read in many different ways, and will mean different things depending on the lens with which one reads it. The text the chief justice published on Thursday may or may not make good sense read as constitutional doctrine. But read it as constitutional politics and things get more interesting.

Not politics in the way the Washington punditry means, of course. Roberts' opinion has nothing to do with helping or hurting President Obama's re-election chances this fall. The truth is, Supreme Court justices are rarely interested in that sort of thing. They see themselves as above partisan allegiances and the grand questions of law they decide as more important than run-of-the-mill partisan disputes.

No, I mean politics in the constitutional sense, concerning the Supreme Court's role in the Constitution's structure. The danger this case held for the court from the beginning was the possibility—indeed, high likelihood—that it would draw the institution into an acute confrontation with the executive branch in the middle of an election year, and at the same time force the justices into the thick of a policy debate where they have no genuine expertise. The chief justice's opinion can be fruitfully read as a sort of maneuver, an effort to avoid these evils while simultaneously blocking the federal government's attempted power grab.

Consider: Roberts begins with the Commerce Clause question, where the Obama administration placed nearly all the weight of its argument. According to the administration, the Commerce Clause permits Congress to regulate any behavior (or non-behavior) that has some incidental effect on commerce. Roberts rejects that contention root and branch. Indeed, for the first time in the Supreme Court's modern Commerce Clause jurisprudence, he announces a clear and decisive limit to what the federal government may do with its commerce authority: it may regulate only actual economic activity, and then only if the activity has a substantial effect on interstate commerce. It may not regulate a person's choice not to enter the stream of commerce in the first place.

Had this been the sum and substance of the opinion, liberals would have bewailed it as the constitutional apocalypse they feared. But of course it is not the end; Roberts goes on to the administration's secondary argument. Yet by placing the Commerce Clause discussion where he does, by holding unequivocally that the individual mandate cannot survive on commerce grounds, Roberts makes the Commerce Clause holding necessary to the final judgment. That means the limits on the commerce authority he announced (and with which the four dissenting justices agree) will control in future cases.

This is a significant, even major, development, but one that is largely concealed by the opinion's ultimate judgment. Yet even that judgment turns out to be rather less a victory for the government than it first seems.

The key move in Roberts' opinion is his conclusion that the individual mandate is actually a sort of tax, and therefore constitutional by virtue of Congress' unquestioned power to tax. That allows the mandate to stand, yes—but effectively makes the mandate sui generis, and thereby denies the government a new source of regulatory power.

This is why: Roberts does not say that the government may now regulate anything it likes by calling the regulation a tax. He says this mandate can be read as a tax in these circumstances—that is, in light of the fact that it would be unconstitutional on any other ground and the court is supposed to avoid finding statutes unconstitutional if it can—and on these grounds: because it is administered by the IRS through the tax code and operates in many respects like a normal tax. Only if future regulatory schemes can meet all these criteria would they be valid under the taxing power. Yet Roberts does not give a single example of any such scheme—and we know for a fact, because they have told us repeatedly, that members of Congress would never have voted for this regulation if they had believed it was a tax.

Making the mandate a tax has at least one other effect. It makes repeal easier. Now that the mandate has been deemed taxation, it can likely be jettisoned through use of the reconciliation process—meaning the Senate will need to muster only a bare majority for repeal, not 60 votes.

By converting the mandate to a tax, then, Roberts limits the ability of the government to do the same sort of thing in the future and underlines the political unpopularity of the law, all while allowing the law to stand. And because it does stand, the court is spared a nasty turn at center stage in the November elections.

Whether the chief justice's stratagem actually works is a different question. Suffice it to say, I have my doubts. The text and structure of the law seem overwhelmingly to indicate that the mandate is a legal requirement—namely, to buy insurance—enforced with a fine. The mandate does not qualify as a tax under the Supreme Court's settled rules for identifying taxes, and both the text of the law and those who wrote it said it was not.

But then, Roberts' aim may be less to apply tax doctrine than to shift the law's fate from the court to the voters. At the beginning of his opinion, the chief justice pointedly notes that the court ''do[es] not consider whether the Act embodies sound policies. That judgment is entrusted to the Nation's elected leaders.'' He repeats this sentiment at the opinion's close, but with a subtle variation. ''[T]he Court does not express any opinion on the wisdom of the Affordable Care Act, he writes, for ''[u]nder the Constitution, that judgment is reserved to the people.'' Could it be that the chief justice is asking the people to render a verdict on the leaders who wrote the law in the first place? In all events, they should take him up on it.

Mr. KYL. Mr. President, I also refer people to an excellent piece in the Wall Street Journal, ''A Triumph and Tragedy for the Law,'' by David Rivkin, Jr., and Lee Casey, both fine lawyers who frequently opine on matters of this sort.

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

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

The legislative clerk proceeded to call the roll.

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

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

125TH ANNIVERSARY OF THE UNITED WAY OF WEST VIRGINIA

Mr. MANCHIN. Mr. President, to lighten the mood a little bit today, I rise to recognize West Virginia's United Way as this special organization celebrates its 125th anniversary.

The United Way was founded in 1887 by community leaders in Denver, CO. The renowned organization originated through a group of individuals who came together with the drive to improve community conditions. Since then, the organization has grown to 1,800 community-based United Ways in 41 countries and remains the world's largest privately supported nonprofit, raising nearly $5 billion annually.

In our little State of West Virginia, United Way has touched the lives of so many. United Way volunteers have clocked thousands of hours of community service through health services,

senior assistance programs, student tutoring, nutrition sites, job skills training, and financial literacy services.

United Way has enthusiastically embraced local institutions throughout our State. This wonderful organization has provided for at-risk teens at residential treatment centers, such as the Daymark around Kanawha Valley. It has supported comprehensive medical and health services at establishments such as the West Virginia Chapter of the Alzheimer's Association, West Virginia Health Right, Cabell Huntington Children's Hospital, Thomas Memorial Hospital, and the Putnam County Dental Health Council. United Way has supported family counseling at the Kanawha Valley Fellowship Home and at Family Counseling Connection. It has also benefited emergency assistance facilities, such as the Boone County Community Organization and Madison Baptist Church, Mountain Mission, and Nitro-St. Alban's Care and Share.

In 2011 alone, 68,337 individuals were served by United Way-supported programs in West Virginia alone. More than 13,162 children and youth benefited from the services of United Way partner agencies, and more than 26,997 people received financial assistance from a United Way partner agency. In addition, nearly 28,000 people received health-related assistance from a United Way partner agency.

I have always been an avid supporter of United Way and their community service efforts. My wife Gayle also served as chairwoman of Marion County's United Way. I applaud the organization's ability to inspire members in their communities to work together and improve all aspects of their neighborhoods.

United Way has so many laudable goals. The organization is working to promote a healthier society by working with families to develop healthy lifestyles. While Americans continue to struggle in tough economic times, United Way has worked with families to help them achieve financial stability. For example, United Way launched the Financial Stability Partnership, which aims to halve the approximately 40 million Americans who are working in low-paying jobs without basic health benefits. United Way has also targeted key areas of education, addressing problems such as the student dropout rate and preparing children for success at an early age.

United Way also has identified community health care needs and focuses efforts on changing health policies and practices for Americans of all ages. About 47 million Americans don't have health care coverage, and more than 80 percent are working families. The organization tackles tough health problems, such as health insurance coverage, along with the obesity epidemic and prescription drug abuse. These are tough issues that oftentimes have no easy solutions.

I applaud United Way and all of its staff members, its volunteers, and community leaders for their efforts to improve the quality of life in all of our communities. Today the United Way has every reason to celebrate its success as they face this impressive milestone. I once again congratulate their achievements, and I look forward to seeing what this great organization will accomplish in the next 125 years and beyond.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

PILOT'S BILL OF RIGHTS

Mr. INHOFE. Mr. President, before the Senator from West Virginia leaves, I would like to publicly thank him for all his support in something that just happened a few minutes ago; that is, passage of the Pilot's Bill of Rights.

Several—certainly Senator BEGICH—have been working hard, including Senator PRYOR and Senator MANCHIN, as well as many on the Republican side. But it is a reality now.

This is kind of a strange day for me because I have been working on two bills for 1½ years, and both will become a reality on the same day: the highway bill that everyone knows about and then the Pilot's Bill of Rights that only pilots know about.

I have been a pilot for 55 years, and I get the calls and complaints that come in. But pilots are really the only ones in our society who are denied access to justice like every other citizen has, and this corrects it. So I just want to say to my friend that I very much appreciate his support in making this a reality.

Mr. MANCHIN. Mr. President, if I may say I appreciate the leadership of my good friend from Oklahoma and his unwavering support in bringing this to all of our attention. I have been a pilot for not quite 55 years, but 45 years, and I understand completely. Senator INHOFE brought it to the attention of all of us, even the nonpilots here. His steadfast leadership in support of this action and also his ability to work across the aisle with those on our side of the aisle, Democrats, I appreciate so much.

I know Senator BOXER feels very compelled about this and the Senator's leadership in working with her on the Transportation bill and both of them bringing that to the forefront for all of us. We are all going to benefit from that.

I thank the Senator and look forward to continuing to work with him.

Mr. INHOFE. I appreciate the comments of the Senator from West Virginia.

Mr. President, I will make a couple comments and be more detailed later. I know a lot of people will want to talk about the bill that will most likely pass today in both the House and the Senate.

A lot of people are not aware of the fact that a general aviation pilot doesn't have the same access to remedies as everybody else does. What makes this a little bit more compelling to do something about is that if you are not a pilot, you may not appreciate the fact that a lot of them are single-issue people.

I had an experience where my license was in jeopardy for something that we found out I didn't do. I thought about all these complaints I have had over the years about abusive treatment by some of the enforcement people, and I never appreciated it until it happened to me.

I know more people in the FAA who do a great job. They are very conscientious. These are career people. The problem is that every once in a while you have someone in the field with enforcement powers who just can't handle that kind of power.

I was mayor of Tulsa for several years a number of years back. We had a great police force, but every now and then you had someone on the force who couldn't handle the power. They would abuse that power, and you would have to seek them out. And that is what this is all about—you hear from these people when abuses take place.

So what we have done is we have corrected that. We have a system set up in this legislation that if someone is accused of or cited for doing something that was wrong or that might be a violation of one of the FARs, that person will now have access to the evidence that would be used against that person.

People might say: Well, wasn't that happening anyway? No, it wasn't. When this happened to me, I can remember very well—and I say to the Presiding Officer because we are very close and he knows I have been active in aviation for a long time—one year ago in October, I went to land at one of the southernmost airports in America, in South Texas, one at which I have landed more than 200 times. I know every square foot of it. It is a noncontrolled field.

When I came in—there is a thing called NOTEM, Notice to Airmen. You are supposed to and you should find out what the NOTEMs are on the runway you will be landing on so if there is work on the runway—any towers going up, construction going on—you will know that in advance. That is your obligation.

The problem is there has never been a central location where that can be found. In this case there was no NOTEM that had been published. There I go in, with the controller in the valley down there who has actually cleared me to land. Here I am, a United States Senator. It took me 4 months to get the voice recorder and I never did find out, early on, what the evidence was against me. It turned out fine, but nevertheless 4 months to get a voice recording that you were cleared to land, that is unreasonable.

I see my friend from Indiana is on the floor. I do not want to take any more time on this, but on the NOTEM situation we will have a central location for that.

The other problem we are having right now is medical certification. I

have case after case. In fact, at the AOPA, Aircraft Owners and Pilots Association—we are talking about 400,000 pilots out there—they have as their No. 1 concern the lack of consistency and uniformity in medical certification. A person could be a pilot and have a condition, could be a light heart attack or something, temporarily lose his license, then go back and have it reinstated. However, if he lives in another town, has a different doctor, that may not happen. So we have people out there who have lost their licenses. We are going to have a panel set up that is going to include the general aviation, include the medical community, and try to get uniformity. So those are three of the reforms we have in this legislation.

I yield the floor. I will be talking about that later and also talking about the upcoming highway bill. I want to remind people, my good conservative friends, people who are trying to say this is not a conservative bill—it is. The worst thing we can do is continue to operate our roadbuilding and our construction in this country on extensions. When you do an extension you lose about 30 percent of the money. Obviously, the conservative position is to do this.

We have reforms, incredible reforms, enhancement reforms. We will be talking about that during the course of the day.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Indiana.

ORDER OF PROCEDURE

Mr. COATS. Mr. President, can I ask what the procedure is regarding time?

The ACTING PRESIDENT pro tempore. Senators are permitted to speak for 10 minutes each.

Mr. COATS. Mr. President, I ask unanimous consent I be permitted to speak up to 20 minutes. I do not intend to take that much time, I do not think I will take that much time, but I think I will probably go over the 10-minute limit.

Mrs. BOXER. Reserving the right to object, Mr. President, and I will not object, I ask unanimous consent that I be allowed to have 20 minutes following my friend from Indiana.

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

SURFACE TRANSPORTATION

Mr. COATS. Mr. President, I rise here today to express my deep concern with this transportation conference report; in particular, about a provision that was slipped into the transportation conference report literally in the dark of night earlier this week.

This provision, which I will describe, could have a devastating effect on my State as well as the State of Illinois. The Greater Chicago metropolitan region—whether it is northwest Indiana or northeast Illinois—is a region that works together. It is part of the expanded metropolitan area. A critical part of this is a waterway, which allows goods to be transferred up and down all the way to the delta and the Mississippi and all the way out to the St. Lawrence Seaway. It is the middlewest access to commerce that centers around the Chicago-northwest Indiana area.

This provision, which was slipped in without debate, without consideration—it did not appear in the Senate bill, the transportation bill, and it did not appear in the House transportation bill and therefore is a blatant violation of rule XXVIII, which simply states you cannot do this kind of thing—but it was done anyway. I will at the proper point here raise an objection to that in a procedural way.

Let me first talk, if I could, about the way in which we do business around here. Throughout my campaign in 2010 to return to the Senate, I continually heard from people as to how frustrated they were with the process by which laws are passed. We come home and people say why did you vote against that? You say I voted against that because it included this over here which was not relevant to it, and even though I liked the rest of the bill I did not like this part—or vice versa. I voted for this even though I did not like what it included because they packaged it all together and therefore there is nothing on record as to where I stand. They say to us where do you stand? We don't know whether your yes is a yes or your no is a no because it is so confusing the way you mix the whole thing together.

That is exactly what is happening here today. We have taken a transportation bill, which was adeptly led by the Senator from California and the Senator from Oklahoma, they did a marvelous job putting a transportation package together, and now it is merged with two other major provisions. So we get one vote on this. People say: I have a real problem with the student loan bill or I have a real problem with the flood insurance bill, but I wanted to vote for the transportation bill. Now I am stuck in the position of having to vote yes on the whole thing, except what I have a problem with, another bill over here, or no, even though I want parts of the other bills to pass.

Then we go home and explain this to the people we represent and they say: Why can't you guys and ladies take up one thing, vote yes or vote no, come home, defend your vote, but we at least know where you stand? Instead of this gobbledygook, throw everything in one big pot and vote your yes or vote your no. The way we package bills here, it is no wonder people are skeptical. It is no wonder our approval rating is where it is. This gobbledygook, so-called magic dust that we use around here to obscure what we stand for and stand against, is very frustrating for the American people. I can't tell you how much that has been expressed to me when I can go home and talk to them and try to explain certain votes and procedures. They say be straight up, be transparent. Pick out something; you are either for it or against it. We will evaluate whether we want to support you or not support you in the next election on the basis of your voting, but when you cloud over the whole thing we do not know what is going on. That is one thing, packaging bills.

Second, we have a problem here, a major problem with our debt. We have known that. We spent the first 6 months of 2011 trying to come up with a long-term solution which would restructure some of our spending and put a lid on some of our spending. Finally, by August of 2011, Congress reached an agreement called the Budget Control Act which basically put caps on how much we would spend, trying to hold down this plunge into debt.

By the way, just before I came over here I checked the debt clock which I have on my Web site. The numbers of course turn faster than you can write them down because that is how fast we are plunging into more debt, but as of probably minutes or so ago, our national debt stood at $15 trillion, nearly $16 trillion.

None of us can comprehend what $1 trillion is. It is impossible. There have been all kinds of examples—if you stack dollars on top of each other you can go to the Moon and back and so forth—but I think it is important that we understand the gravity of our situation in terms of our plunge into debt and what impact it is going to have on the future for this country and what a debt burden it is going to be on future generations now getting ever closer to—$15,935,594,616,879 was what our debt was. That is 14 digits; 15,935,594,616,879.

We took a little bit of a step in August, a mini step in August, saying we are going to cap this spending so we do not spend more than that going forward. That will at least slow down the rate of plunging into debt. It does not begin to do what we need to do to address this, but it will slow it down.

What have we done since? What we have done is bring a number of bills to this floor, all of which continue to spend beyond our means. I did not vote for the Budget Control Act because I had a lot of skepticism about it. First of all, I felt it was woefully short of what we needed and, second, I believe that, having served here before and seen how this process works, I thought we are going to waive points of order time after time.

We congratulate each other by voting for spending controls. ''This is an important step to dealing with our budget crisis. We have committed now not to spend more than the budget we deemed allows.''

The postal reform bill violated budget rules; the student loan interest rate extension, it looks as though we have the score now, and we are going to violate agreed to levels; the Senate version that went over on the transportation bill violated budget rules; the payroll tax extension and the Violence Against Women Act—all violated what

we promised we would do. And we wonder why the American people are skeptical? We wonder why our approval rating is in the low double digits? I mean really low, almost into single digits—why people are frustrated and upset with us? Because we tell them we have made this promise to be fiscally responsible and virtually every bill we bring up here is irresponsible and we waive what we had agreed to do. We can hardly blame them for their skepticism here.

Let me talk about this middle-of-the-night stuff. Another problem you have—you go home and what you simply can't explain is the fact that, no, this was not talked about in the Senate; no, this was not talked about in the House; there was no process—yet somebody, as we tried to merge the two bills, in the dark of the night, unnamed, no process, slipped in a provision and there it is. Usually we find out about this later.

In this case we had a process. Senator COATS from Indiana worked with Senator DURBIN, a Democrat from Illinois, and worked with another Democrat, the senior Senator from Ohio, to come to an agreement on a provision that impacted our area, the Great Lakes area, in a significant way. That was part of the Senate Energy and Water Appropriations bill.

In the dark of the night, during the conference deliberations, another provision was added, not the bipartisan provision by Senators looking out for the economic interests of their State. And by the way, the economic interests of this country—because what was dropped in, in the middle of the night, is something that could potentially cost our Government and therefore cost our taxpayers hundreds of billions of dollars.

We were fortunate enough to have discovered that because bringing those bills to the floor was delayed and we had time to dig into it and all of a sudden find out that this was done. What is egregious here is that this is not a partisan issue. We all know the House is controlled by my party. I don't know who put this in. I don't know exactly the motives as to why they put this in. But here it is, a dark-of-the-night slip it into the bill and overturn something that was processed through the appropriations committee, deliberated, discussed, and voted on.

So what are the consequences of all that? What does this have to do with what I am talking about here? It sounds minuscule. We are talking about Asian carp. Why is the Senator from Indiana talking about Asian carp and hundreds and billions of dollars of costs? Let me tell you why. Asian carp is a generic term for four species of nonnative fish: grass, bighead, black, and silverhead carp. These fish were introduced to the United States in the 1970s to assist agricultural interests in the southern States.

At some point—probably through flooding—the carp escaped into the Mississippi River system, and they have since spread throughout the whole watershed. They are voracious eaters, which make them beneficial, and we can see why they were imported. They were beneficial for controlled agricultural settings, fish farms, and so forth, but they create serious ecological challenges when competing for food with native species.

I agree wholeheartedly that the spread of Asian carp throughout the Mississippi River and potentially into the Great Lakes is a serious and pressing problem, and I am committed to addressing this, as is Senator DURBIN and Senator BROWN from Ohio. We worked out a compromise agreement in terms of how we should go forward with this.

A number of steps have already been taken by the Corps of Engineers. In 2002, the Army Corps of Engineers installed the first of a series of electric barriers along the lower reach of the Chicago area waterway system. In doing so, they believe, to date, they have successfully prevented the migration of carp into the Great Lakes.

In 2009, the Corps began DNA testing to detect Asian carp in locations upstream in the barrier system. The testing showed these barriers have been very effective—to use the Corps' words—in preventing Asian carp from entering the waterway. In fact, when the Illinois Department of Natural Resources wanted to check this out, they purposefully dumped a bunch of toxins into the Chicago waterway to discover the extent of the Asian carp infestation. Those toxins killed tens of thousands of fish, but only one Asian carp was found among them. Since that time, the Army Corps has firmly held that the electric barriers are working as designated.

Furthermore, in 2010, the Indiana Department of Natural Resources constructed barriers in the watershed. No State has gone further or gone to greater lengths to address this question than my State of Indiana, as well as the State of Illinois, in terms of preventing the introduction of Asian carp in the Great Lakes system. It is economically devastating for us if this happens and it is economically devastating for us and for Illinois if what was proposed in this bill in the dark of the night by the House of Representatives goes forward.

Currently, the Army Corps of Engineers is undergoing an extensive study. Despite all the attempts to take these steps, which so far have proven to be successful, this provision that was incorporated in there could result in the closing of the locks of this waterway system, and it would endanger about $14 billion per year of economic activity and over 100,000 jobs in this area that I described that rely on the Chicago area waterway system.

Closing the locks also may cost up to an additional $100 billion because it would require completely overhauling Chicago's underground water and sewage system. Closing the locks would also render worthless the billions of dollars that have already been invested to complete the Corps of Engineers flood control projects along the entire Mississippi watershed, and they may not even solve the problem.

While the Chicago waterway system is the only direct continuous connection between the Great Lakes system, other potential pathways could allow carp immigration in times of flooding. So while it is clear that closing the Chicago locks is not an economically viable solution for stopping Asian carp—and I do understand the concerns the Great Lakes States have on this issue and I share those concerns—as a result of all that, we worked out a bipartisan compromise solution to addressing this area. We would allow a study to go forward, allow an economic assessment of the various options that had been presented, and then give Congress the information so it can make a decision as to which solution was best needed to go forward.

What this provision does in this bill is simply give the agency responsible the authority to go ahead with the project and what they think the solution is without Congress having anything to say about it whatsoever. It is a preauthorization on a new project which could include closing of the locks, and if it does, it would have hundreds of billions of dollars of financial implications for the taxpayers and for this Congress but also have enormous negative economic impact on northwest Indiana, northeast Illinois and the entire Chicago region and all that commerce that flows up and down the Mississippi and up and down the St. Lawrence Seaway. The other problem with this is the new language also expedites the study, even though the Corps says they need more time to do so.

I guess, in conclusion, there are two things: One is the egregious procedures that continue to give the public such a negative slant on how we do business—this bundling of bills, where we are forced to vote yes or no on the whole bundling, up or down, and we can't let our yes stand for one purposeful interest or another or a no stand due to bundling; second, we need to address these midnight procedures, this issue of ''slip it in there,'' without going through the regular process. This body of Congress, both the House and the Senate, need to return to regular process, where we bring an idea forward, it is worked through the committee, it is transparent to all who are looking at it, we give our yea or nay, and we move it through the system, rather than simply changing things in the dark of the night at the last minute, where we have no opportunity to amend it and no opportunity to address it.

As we go forward with this, I am going to object on the basis of rule XXVIII. I don't know how it will all turn out, but I hope my colleagues will understand this is more than something that just affects Indiana, Illinois,

and the Great Lakes. This is something that affects the way we do business here. If we cannot enforce these rules, we will continue to follow these practices the American people have come to absolutely hate and think they have a dysfunctional Congress. We deserve better than this. I hope my colleagues will agree with that.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from California.

Mrs. BOXER. Before the Senator from Indiana leaves the floor, I wish for him to know I listened very carefully and I know his concern. I have spoken with Senator DURBIN about it, and I hope we can work together. I do want to say this process where sometimes bills are put together is frustrating to everybody, and we do need to take a look at the way we do things. However, I do have some measure of sympathy for the leadership around here because it takes so long to get any one piece done.

So I do agree. I don't like the fact that we cast one vote and there are three subjects. It is very difficult for the people at home to understand it. I also want to say to my friend—before I yield 3 minutes of my time to Senator SANDERS—to feel proud of the way we put together the Transportation bill. I think in that case, which is a huge policy bill, it was transparent and that what my friend complained about was something that was put in by the other body and said it is a must have.

The truth is, up to that point, everything we have done was very much in the open, and I am very sorry my friend feels so negatively toward what we are about to do because in his State it is tens of thousands of jobs and in my State it is hundreds of thousands of jobs. It is thousands of businesses. It is going to mean a boost to this economy and a boost to the private sector. I wish to say to my friend, I understand his frustration, and I will do everything I can to help him on this issue.

Mr. COATS. If the Senator would yield, I appreciate very much her saying that. I did commend, and I will again, the work the Senator from California and Senator INHOFE have done in bringing this bill forward in the right way. I know my friend is as sorry as I am that someone in the other body decided to violate the rule, injecting into all the hard work that has been done. I regret that. I hope in the future we can avoid this.

I thank the Senator for her good words.

Mrs. BOXER. I definitely share the frustration. At this time, I would like to yield 3 minutes of the remainder of my time to Senator SANDERS.

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

The Senator from Vermont.

Mr. SANDERS. Mr. President, I thank the Chair for yielding. As a member of the Transportation Committee, I would like to congratulate Senator BOXER for her extraordinary efforts in pushing this bill forward. This is an enormously important bill that took a lot of hard work, and I commend her for the work she and her staff have done. Senator INHOFE and I have very little in common politically, but I also wish to applaud him and his staff for coming together on this issue and doing something that is extremely important and doing it in a bipartisan way.

Anyone who drives in the State of Vermont or, for that matter, drives around America, understands, to a significant degree, our infrastructure is collapsing. In Vermont, we have dozens and dozens of bridges that are in need of repair. We have many hundreds of miles of roads that need repair. Our public transit system needs help. What this bill is about is a start toward rebuilding our crumbling infrastructure, our roads, our bridges, our public transit and, in the process, putting a significant number of people back to work.

It is estimated this bill will save more than 1.8 million jobs nationwide in each of the next 3 years, and it will create 1 million new jobs through an expanded infrastructure financing program. What that means in the State of Vermont are thousands and thousands of decent-paying construction and other types of jobs, something we sorely need. So this bill is an excellent start. Does it go as far as it should? No, it does not. Compared to China, compared to Europe, our investments in infrastructure are minimal. When we invest in infrastructure, we make our country more productive, we put people back to work, and we make ourselves more internationally competitive. So I just want to say this is an important step forward, but we have more to do.

Today, we are focused on roads, bridges, public transit—very important—but that is not the entire infrastructure. We have to pick up the issue on rail. We are falling further and further behind China, Japan, and Europe in terms of high-speed rail. We have to invest in rail and there are great jobs in doing that. We have to invest in our water systems and in our wastewater plants. We have to make sure every community in America has high-quality broadband as well as cell phone service. That is what infrastructure is about. We have not invested anywhere near the degree we should, and now is the time to get started.

So this bill, which focuses on roads, on bridges, and public transit is an important step forward, and I wish to congratulate Senator BOXER and her staff, Senator INHOFE and his staff for their important work.

With that, I would yield the floor.

Mrs. BOXER. Mr. President, how much time do I have remaining?

The ACTING PRESIDENT pro tempore. The Senator has 14 minutes.

The Senator from California.

Mrs. BOXER. Mr. President, I wish to thank my friend, Senator SANDERS. He is a very active member of the Environmental and Public Works Committee. He is focused on jobs, jobs, jobs. He has looked at the green job sector. He has looked at the effect of what we do on the construction industry. I am ever so grateful to him. He also has been a very clear voice for the way to move this country forward by having a clean energy policy, which we are definitely going to be looking at in the days and weeks ahead. We are now at the moment where we are waiting to see whether our friends on the other side of the aisle will allow us to proceed to finish our work on three issues: One is flood control, one is helping to make sure student loan interest rates do not double, and the third and biggest one involves the transportation sector.

We all know, whether we are Republicans or Democrats, our focus is on boosting this economy. This bill will do that like no other. In this Transportation bill we are talking about protecting 2 million jobs that are currently in place in this country in the construction sector and the transit sector. So these are the jobs that construction workers do on the highways, the freeways, the bridges, making sure our roads are in good shape and our bridges are not going to collapse because we have 70,000 bridges that are deficient, and we know what happens when there is a horrible failure of a bridge.

I know my ranking Member, Senator INHOFE, feels very strongly about this because he had an incident in his State where one of his constituents was actually killed by a bridge failing. We cannot sit by and allow the highway program and the transit program in this country to disappear. We have taken it up to the line.

I am very grateful to Ranking Member INHOFE. I am very grateful to Chairman MICA and to Ranking Member RAHALL for the work we have done in this conference. This is a bill that everyone can be proud of, whether they are Republican or Democrat.

CBO has scored this, and it actually returns money to the Treasury. We have support from people who don't agree on most matters. I am not only talking about Senator INHOFE and myself, who do not see eye to eye on many issues; we have come together on this. Besides that, we see the AFL–CIO and the Chamber of Commerce walking hand in hand asking us to please pass this bill. So we have a few little holdups now, but I am very hopeful we can work through them.

The highlights of this bill: Overall, jobs, jobs, jobs. Jobs in the private sector, businesses in the private sector. We are talking about leveraging a Federal program called TIFIA, which is going to mean, frankly, hundreds of millions of dollars that will go out the door to leverage funds at the local level as well as the private sector.

As we look at our bill, we see a reform bill. We see project deliveries

speeded up from 15 years to 8 years without giving up the health and safety laws people deserve. We have not done away with any environmental law; we have just put deadlines in the law. We have put milestones in the law, and we have stated if people have a problem, let us know the problem and get on with it. If there is anything new—a new factor—we will look at that, but we cannot sit around and wait an average of 13, 12, 14, 15 years to get a project done.

There are no riders in this bill. There are no environmental riders in this bill. I think that sends a good message to the public that we are focused on transportation. These other issues are going to be addressed, but they don't have to be addressed on this bill and become a target of a veto or a standoff between the parties.

What did we do on bike paths? We have had a lot of controversy. People are saying we did away with the money for alternative transportation routes, or bike paths, called safe routes to school, called pedestrian walkways. No, we saved the same level of funding, the same percentage of funding, but we gave more flexibility to the States with their 50-percent share so if they have another pressing need they can use it for something else. Frankly, if the grassroots people at home are not happy with the State, they can let the State know that. For the first time, the other 50 percent goes to the local people. This is very important.

We also have the RESTORE Act. This means those Gulf States that got hit so hard from the BP spill will be able to restore their areas. If they had economic damage, environmental damage, this will help. The money will come from the court settlement, and BP will then make those funds available. So it does not add a dime to the deficit.

So we have a bill that doesn't add to the deficit. We have a bill that will boost this economy. We have a bill that is supported by conservatives and liberals, progressives and moderates. I think it is a great day. I am sorry there are a few issues that got added on that are disappointing to certain colleagues. Believe me, I want to work with them to help resolve those problems. But I have to tell my colleagues, when we write a bill of this scope, of this nature, we are going to have some of these issues. We will work on them.

For my remaining time—how much time do I have remaining?

The ACTING PRESIDENT pro tempore. The Senator has 7 minutes remaining.

Mrs. BOXER. I wish to discuss the Supreme Court ruling. In a very fascinating ruling, the Chief Justice decided that the Affordable Care Act is constitutional. I am not going to spend a lot of time discussing why he said it and why they decided it. What I am going to talk about is what will happen if the Republicans have their way and this law is repealed.

I want the American people to know—and I say this with no animosity at all—I am going to do everything I can to stop them from repealing it for a reason: The reason is the families in my State and all over the country who are getting the benefits of this law.

Governor Romney says it is going to be something he is going to do on the first day—he is going to repeal the health care law, if he gets elected, day one. Let me tell my colleagues very clearly what will happen.

There are 54 million Americans who are now getting access to free preventive services such as mammograms and immunizations, if they have private insurance. That is most of our people. They would no longer get free mammograms, free checkups—over and out. Fifty-four million Americans lose if Governor Romney and the Republicans repeal this bill—6 million of my people in California.

My seniors, over 300,000, would no longer get help with their prescription drug benefits. Now they are getting help. They will then go back to choosing between taking their prescription drugs or eating dinner. I am sorry, I am going to stand in the way, if I can.

Under Medicare, millions of seniors would lose access to free preventive services. Thirty-two million Medicare patients get these services for free, including cancer screenings and flu shots. Why on Earth would somebody or some party want to get up and say: I am repealing that?

There are 105 million Americans who will once again face lifetime limits on their health insurance plans. If someone is diagnosed with cancer and they look at their plan, it says they are covered up to $250,000. That sounds like a lot of money. I can tell my colleagues now, that is not a lot of money for someone who is battling cancer. Now, suddenly, in a person's worst moments, when they are facing radiation and chemo, they have hit up against their lifetime limit. That will be gone.

More than 6 million young adults, including 300,000 in my State, would lose their health insurance because now they have a guarantee. Because of the health care bill, they can stay on their parents' coverage until they are 26. Why would anyone want to repeal that? Ask them. They do.

Insurance companies would no longer owe rebates to customers if those insurance companies spent too much on premiums and paid the CEOs exorbitant bonuses and paid hardly anything to help people with their health care. We are going to see 12 million Americans get back $1 billion in rebate checks in August. They will stop that. They want to stop that.

How about millions of children who are now getting coverage because they have a preexisting condition. Before this law, they couldn't. So if a child was born with a heart defect, even if it was something that could be controlled, they couldn't get insurance. We pity those families. I have had reports of people in my State crying tears of joy when the Supreme Court acted because they could not get insurance because the woman—this particular one—had a preexisting condition, and now she can get insurance.

Because of the work of Senator SANDERS—and I helped him with it—we have community health care centers across the country getting funding. So if a person has no insurance—or even if they have insurance—they can go to a community health center and, based on their ability to pay, get health care. That would be repealed.

School-based health centers would be repealed. Training of our health care workers would be repealed.

I will tell my colleagues, that is just what the benefits are today. In 2014, there will be a slew of new benefits. This bill, while not perfect—and we can fix the problems—is a good bill.

Just remember that everyone in our country gets health care, but the difference is some of them walk into an emergency room having paid nothing for a premium, even if they are wealthy, and they expect us to pay the bill in the emergency room. With the approach that Massachusetts Governor Romney took, he said if a person is responsible and can afford it, that person has to buy a minimal health insurance plan. President Obama got the idea from Governor Romney. I call it a personal responsibility premium. Some people call it a tax. Some people call it a fee. I call it a personal responsibility premium because most of the people I represent buy health care coverage, and a few just say: You know what. I feel terrific. I will wait until something bad happens to me and then I will go to the emergency room. And they can all pay.

That is what we have. We have the people who are responsible paying for the free riders. The idea that President Obama got was from then-Governor Romney.

So this is going to be a long election season, and there are going to be a lot of battles over health care.

I hope we will pass the bill that is in front of us and take care of the construction sector and transportation. I hope we will take care of flood insurance and student loan interest rates. We can do that with one vote on a bill shortly, if we get permission to move forward. If we don't, we will be here all weekend or whatever it takes to get it done. I am not going to go home until this is done.

I will also tell my colleagues—as we look at this health care battle, the lines are pretty clear. There are millions and millions of Americans who are getting benefits today. Why would anyone want to take away those benefits? Yet that is where we are in the debate. So I hope cooler heads will prevail.

Let's get on with bringing this economy back. Let's allow this bill—with a few corrections because we can always fix things that don't work—go forward. Let's stop the heated name calling. Let's make sure we work together, just

as we did on the Transportation bill. I believe this is a good moment for this Senate today. I hope we can get our work done, and then we can actually celebrate something before we start battling over health care.

Let's celebrate and say to the construction sector: We need you to rebuild those broken roads, those broken bridges. We need you to make sure we get those transit systems up and running. Then, I honestly believe, the rest of these problems we will take up one at a time.

Thank you very much, Mr. President. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from South Carolina.

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

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

HONORING OUR ARMED FORCES

SERGEANT FIRST CLASS BRAD THOMAS, LIEUTENANT RYAN DAVIS RAWL, AND SERGEANT JOHN ''J.D.'' DAVID MEADOR, II

Mr. GRAHAM. Mr. President, I rise to pay tribute to three fallen National Guard members from South Carolina who were killed in Afghanistan on June 20, 2012, in Khost Province. They were members of the 133rd Military Police Company who were serving on this duty. There are now 16 members of the South Carolina National Guard who have died in combat in Iraq and Afghanistan since 2003.

With the July 4 weekend coming up, we are preceding one of our biggest holidays in America, and people rightfully will take some time off, I hope, to enjoy their families and friends and get away from work and have some family time. It marks a special event in our Nation's history: The founding of our Nation through a declaration of independence that was not just words but resulted in men and women fighting to achieve our independence.

Here we are a couple hundred years later and we are still fighting. My belief is, as to the radical Islamists who would kill us all if they could, it is better to fight them over there so we do not have to fight them here.

Afghanistan was the place the Taliban took over after the Russians left and invited al-Qaida into the country, with bin Laden as their honored guest. He had sanctuary there and was able to plan the attacks of 9/11 from sanctuary provided to him in Afghanistan.

Our goal is to never let Afghanistan become a sanctuary for al-Qaida or other terrorist groups. Thus, we are in a long struggle. It has been 10 years. It has been hard, but we are making progress. The Afghan Army is getting better and stronger. The police are getting more proficient at their job. We are going to be winding the war down in 2014. But I think we can do it in a fashion to make sure Afghanistan remains stable and our national security interests are protected.

But to make all those things possible—the weekend we are going to enjoy, and the holiday season, and denying terrorists safe havens—some of us have to leave our families and go off and fight this war.

SFC Brad Thomas of Easley, SC, was killed in an attack on June 20. He was a graduate of Travelers Rest High School and attended Greenville Technical College. He was a member of the 133rd Military Police Company of the South Carolina Army National Guard.

He is survived by his wife Jana and a son Cayden, a brother and two sisters. I know the family is devastated. You are in our prayers, and God bless you and give you the healing and understanding during this tough time.

To SFC Brad Thomas, you died in the service of your country, and you will be missed.

LT Ryan Davis Rawl of Lexington, SC, was killed in the same attack. He was a first lieutenant in the 133rd MP Company. He graduated from Lexington High School. He was a graduate of the Citadel. He is survived by his wife Katherine and their daughter Callie and their son Caleb.

I just want to acknowledge to Katherine, who interned in our office, that you are certainly in our prayers. You did a great job for us, and anything we can do for any of these families in South Carolina, we will. We very much pray for you and your family.

Sgt John ''J.D.'' David Meador, II, graduated from Lexington High School. He was a member of the wrestling team and was a wrestling coach. He was a member of the same MP Company. He is survived by his wife Christy and three daughters: Olivia, Brianna, and Elana. To Christy and her family, you will be in our prayers.

This will be a tough weekend in South Carolina. We are going to have three funerals.

To General Livingston and the National Guard family, you are certainly in our prayers. This is a tough blow for an MP company to have three people killed in one attack. So to all the members of that company, we will do our best to take care of your families while you are gone.

We have had a big argument about health care and about transportation, and that is great—democracy in action. What is the right decision for the Court to have made in the health care case? Is this a good transportation bill? I appreciate in a bipartisan fashion trying to find a solution.

But I just wanted to take a few minutes before going to the holiday weekend and remind us of one thing we do have in common: Our freedom depends on people willing to fight for it, and the one thing about this war—whether you agree with the war in Afghanistan or not—virtually every American, regardless of political persuasion, has shown an appreciation for the troops and their families. I cannot thank Members of Congress enough for never losing sight. No matter how they feel about this war, we all appreciate those who fight it, and we all suffer and mourn for those who lose their lives in this cause.

I believe this is a just cause. I believe these men who joined the military voluntarily and left their families to go to Afghanistan were doing so in the most noble tradition of the country—that they were trying to make our families safer, my family safer, and they died in the service of their country. And that is a life well lived. They died far too soon. They left behind young children, but they will never be forgotten.

May God grant them eternal rest and peace. May God bless and provide understanding and healing to the families left behind. And may, as Americans, we never forget that our freedom is dependent upon a few of us being willing to go to faraway places, with strange sounding names, and risk never coming back.

Mr. MCCAIN. Mr. President, if the Senator will yield, first of all, I thank the Senator for his eloquent statement on behalf of those who have served and sacrificed.

Since we will all be spread around at different places over the Fourth of July and celebrating our independence, I think those are very appropriate and moving words.

I am reminded of the saying at the battlefield, written:

They shall grow not old, as we that are left grow old:
Age shall not weary them, nor the years condemn.
At the going down of the sun and in the morning
We will remember them.

Mr. President, I ask unanimous consent for a brief colloquy with the Senator from South Carolina.

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

SEQUESTRATION

Mr. MCCAIN. Mr. President, we are also facing another crisis as far as the military is concerned; that is, the looming prospect of sequestration. The Secretary of Defense has stated that sequestration would have a ''devastating impact'' on our national security. We are talking about layoffs, and some estimates are of as many as 1 million workers in the defense industry. We are looking at unknown effects of the strategic thinking that goes on as we plan to defend our Nation's security—for example, our shift in emphasis from Europe to Asia Pacific, which requires significant air and naval assets amongst other things.

I would ask my colleague—I am not sure the American people are fully aware of the effects of something that is supposed to take effect, as I understand it, at the beginning of the next fiscal year, which would be the beginning of October 2012. Is that a correct statement, I would ask my colleague?

Mr. GRAHAM. Yes, it is.

Mr. MCCAIN. So we are asking the Defense Department to plan on what

our force structure will be, what our mission will be, what our capabilities will be, beginning the first of October, and all I can see so far is total gridlock on this issue.

Now, if somebody wants to say it is our fault because we refused to ''raise revenues'' or because of the other side's insistence on that and a resistance to spending cuts, I say to my colleague, I do not think people understand we still live in a very dangerous world. The Senator just talked about those who have already sacrificed. Don't we owe it to them and their families to stop something that all of us agree would have a catastrophic impact on our ability to defend this Nation?

Isn't it true—would the Senator agree—that it is time we sat down and started having serious negotiations, because there is no greater responsibility the Congress and the people's representatives have than to defend the security of this Nation?

I know the Senator from South Carolina—before I ask him to answer—traveled around his State, which I intend to do, to the various military installations and talked about what would happen with this sequestration. We are talking about a very limited period of time. We are about to go out of session. We will be in during the month of July—most of the month of July—and probably the month of September. End of story.

Mr. KYL. Mr. President, might I ask my colleague to yield, if I could add one other question to his very important question for my colleague from South Carolina.

I have a recollection that during one of the hearings the Senator from South Carolina specifically asked the Secretary of Defense what the consequence would be, and I recall he had a very dramatic response. I wonder if the Senator might share that with us as well.

Mr. MCCAIN. Mr. President, I ask unanimous consent that Senator KYL be included in the colloquy.

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

Mr. GRAHAM. Well, one, I hope my colleagues will stay around for a minute or two because this is an important topic to be talking about.

Let me put this in the perspective of what we are trying to do and what we are trying to avoid. We are about $16 trillion in debt. There is probably no stronger defense supporters in the Congress than JON KYL and JOHN MCCAIN.

The Senator just spoke of war. JOHN MCCAIN has seen his fair share of war. I think he understands as well as anybody in this body—probably better than most—what happens in war. People get hurt and people get killed and anybody who has been in the military is no fan of war. But the goal sometimes is to make sure those who are asked to fight a particular war can fight it quickly, overwhelmingly, win, and come home.

What we are doing is trying to get out of debt. The three of us are pretty big defense hawks, but we have all agreed the Pentagon has to reduce their spending too. I think all of us—particularly Senator MCCAIN—believe there is a lot of waste in the Pentagon and that we could achieve $50 billion in savings over the next decade by reforming the way the Pentagon does business and, quite frankly, do more with less. So count us all in—the three of us—for reducing defense spending to help get us out of debt.

But here is what has us all upset. The supercommittee that was formed by the Budget Control Act had a mission of cutting $1.2 trillion over a decade to help get us out of debt. That is a pretty small number given what we are going to spend over the next 10 years. But the committee—Republicans and Democrats—could not find common ground as to how to cut $1.2 trillion over the next decade. There was a penalty provision in the law, and it said that in the event the supercommittee failed, we would cut $1.2 trillion over the next decade as follows: $600 billion out of the Defense Department, $600 billion out of the rest of the government.

If that penalty kicks in, then we will have cut $1 trillion out of the Defense Department over the next decade, blindly, across the board. Every account gets affected.

What did Secretary Panetta say? He said: Sign me up for $450 billion. I think we can get there. We will lose some capability, but we will be OK as a nation. We could fight Iran and win if we had to.

Then I asked him: What if we did $1 trillion over the next decade—if we overdoubled what you are trying to cut? He said: We would be shooting ourselves in the head as a nation. We would not have the ability to go in and take out the nuclear program in Iran because the weapons we need we could not maintain and afford.

When it comes to personnel costs, we are reducing the Army by 80,000 people under the $450 billion plan. If we do sequestration on top of that, I say to Senator MCCAIN, we are taking another 100,000 people out of the Army. Under sequestration, the Navy would be down to a little over 200 ships. We would have the smallest Navy since 1915, the smallest Air Force in the history of the country, and the Army would go back to 1940 levels.

To my colleagues, do you believe the world has gotten that much safer that we do not need a Navy bigger than in 1915, given the threats we are facing from Iran, China, North Korea? Do you think now is a good time for the country to basically disarm, given the threats we face from radical terrorism throughout the whole globe?

So here is what we are going to do, and our congressional leaders need to be on notice. About 1 million people would lose their jobs if we put these cuts in place, and we would destroy the defense industrial base that provides good jobs to the economy and keeps us free and safe by giving our people technology better than the enemy has.

Three National Guardsmen were killed in June in Afghanistan. We have improved the National Guard. But when we first started this war, National Guard units were leaving to go to the fight with inferior equipment. They did not have armor. So if we do sequestration on top of what we are already trying to cut in the Defense Department, we will destroy the finest military in the history of the world at a time we need it the most.

This is a body known for doing some pretty dumb things. This would be the prize. So what Senators MCCAIN, KYL, and myself are trying to do is avoid sequestration before the first of the year so our defense people can plan. If we do not set this aside before the election, that is political malpractice. I thank Senator MCCAIN and Senator KYL for their leadership.

Mr. MCCAIN. I wish to add—I note the presence of the Senator from New Hampshire who has also played a very key leadership role, including working with the mayors of every city in America, who have issued a resolution about their concern about this issue.

I wish also to state to my friends and colleagues that I know the chairman of the Armed Services Committee, whom I have had the opportunity of working with for 25 years, the Senator from Michigan, also shares our concern.

I hope we could at least get some of us together who have been involved with these issues of national security for so many years on both sides of the aisle, that we could reach some kind of an agreement. We know additional sacrifices have to be made when we are facing a $16 trillion deficit. But to take the overwhelming majority—well over 50 percent of these reductions—out of what is about, I believe, 12 percent of our spending is obviously not appropriate.

One other point. If the President of the United States shares the concern that the Secretary of Defense shares—catastrophic, impossible to plan on, so draconian that it would cripple our ability to defend this Nation; all of those are statements which the Secretary of Defense has made—I would argue that it would be appropriate, and I would sincerely ask that perhaps the President of the United States also be involved and members of his administration or charter members of the administration to sit down with us to see how we could resolve this.

So far the executive branch has not been involved in these efforts, with the exception of the Secretary of Defense, who has told us in the most graphic terms the devastating consequences. Again, I want to point out to my colleagues: You have to plan, especially in national defense, what weapons you are going to procure, the number of people you are going to maintain in the military, what those missions are going to be.

All of those right now, if held in abeyance in the Pentagon as far as planning is concerned, cannot have a

great deal of validity if we are staring at sequestration and these draconian reductions.

Mr. GRAHAM. Would the Senator yield?

Mr. MCCAIN. Yes. And I know our most eloquent member has arrived on the floor, not to mention other attributes we are lacking.

Mr. GRAHAM. I would like all three Senators to comment on this proposition. You have just challenged the President, who is the Commander in Chief, by the way, to fix the problem that your Secretary of Defense has said would be most devastating to our ability to defend ourselves. He said it would be catastrophic, it would be draconian, there is no way to plan for it, we would be shooting ourselves in the head. Mr. President, you are the Commander in Chief. When your Secretary of Defense and every general under your command is telling you and the Congress, you need to fix this before it gets out of hand, why are you not asking us, as Republicans and Democrats, to answer the call of the Secretary of Defense? You are the Commander in Chief, my friend. It is your job to make sure our military has what it needs to go fight wars that we send them to fight and protect our Nation.

But that is not enough. It is also our job as Members of Congress to take care of those who serve. So to our Republican and Democratic leader: Why do you not convene a group of Senators? And to our leaders in the House: Why do you not get a group of House Members, and ask us to come up with a plan to do at least one thing, avoid the consequence of sequestration for 1 year in 2013, to take the monkey off their back?

I am willing to meet our Democratic friends in the middle to find a way to offset the $110 billion in defense and nondefense spending. But to our leaders and to the President, if you think the rest of us are going to sit on the sideline and let this matter be taken up in lameduck when it becomes a nightmare for the country, you can forget it. So we are challenging our leaders and the President to get a group together to fix this.

I ask Senator MCCAIN, do you think that is a good idea?

Mr. MCCAIN. I know it is the only way we are going to solve this. I ask unanimous consent that the Senator from New Hampshire be included. I know the Senator from Tennessee, our friend Senator CORKER, is waiting. But I think my friend from South Carolina, as usual, has stated the problem and a solution here. The problem is, we face a devastating impact on our national security. The solution is for our leaders and the President—if possible—to convene a group of Senators, whether it includes us or not is immaterial, on both sides of the aisle, on both sides of the Capitol, to sit down and work this out so we can avoid the sequester.

I will take responsibility for sequester if that is what is necessary. But I also say that without concrete, significant, and meaningful action to cause this sequester to be prevented, we are risking the lives of our young men and women who are serving in the military. I do not know of a greater responsibility that we have.

I ask the Senator from New Hampshire if she agrees.

The PRESIDING OFFICER (Mr. BLUMENTHAL.) The Senator from New Hampshire is recognized.

Ms. AYOTTE. I join with my colleagues over the concern, deep concern that keeps me up at night about sequestration, because we cannot do this to our national security. Both sides of the aisle have to come together. We need leadership from our Commander in Chief on this issue.

To put it in perspective, I asked the Assistant Commandant of the Marine Corps what the impact of sequestration would be on the Marines. Do you know what he told me? That the Marine Corps of the United States of America would be unable to respond to one major contingency. Talk about putting our country at risk and putting ourselves in a situation where unfortunately there are still so many risks around the world that our country needs to be protected from. To think that our Marine Corps would not be able to respond to one major contingency. It is outrageous. It cries for bipartisan leadership on this issue, particularly leadership from our Commander in Chief.

To put it in perspective, it is not just an issue of our national security. You would think that would be enough to bring people to the table. But we are talking about jobs across this country. The National Association of Manufacturers has estimated it would be nearly 1 million jobs; George Mason University, the same.

To my colleagues, looking around here, polling some States in terms of the estimate of job losses: 24,000 for Alabama. When we look at a State like Missouri, 31,000, when we look at a State, for example, like Florida, 39,000 for Florida. This is an issue that will hit every State in this Nation.

But, most importantly, what I am concerned about is it is going to hit our military in a way that we break faith with our troops. In fact, General Odienero of our Army has said he would have to cut an additional 100,000 troops from our Army on top of the reductions we are making right now, approximately 72,000, and 50 percent of it would have to come from the Guard and Reserve.

You think about the important function not only of protecting our country, we could not have fought in Afghanistan or Iraq without our Guard and Reserve. I am the proud wife of someone who served in the Iraq war. I can tell you, it is not only the function that our Guard and Reserve play in terms of protecting us overseas, but they also perform a very important homeland function. Every Governor in this country will be deeply concerned if we are going to diminish our Guard and Reserve. So this is an issue that cries out for leadership from both sides of the aisle. I look forward to working with my colleagues on this now. It cannot wait until a lameduck session. We cannot put our national security in the balance, and nearly 1 million jobs at issue, to a lameduck session. This is something we should resolve right now.

I appreciate that my colleagues have come to the floor to talk about this issue today. We must get this done on behalf of the American people and our men and women in uniform.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I think Senator CORKER from Tennessee was on the floor before me. I do not know if we are going back and forth or how long he expects to speak. I wish to yield to him to see what his plans are.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, I thank the Senator from Illinois. I am going to speak for about 2½ to 3 minutes if that is okay.

Mr. DURBIN. I would be happy to yield to the Senator from Tennessee. I ask unanimous consent that I follow him.

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

BUDGET CONTROL ACT

Mr. CORKER. Mr. President, I appreciate the comments of my friends from New Hampshire and Arizona and South Carolina regarding the sequestration. I will say the reason we are in this sequestration mode is that six Republicans and six Democrats could not figure out a way, over a 10-year period, to cut $1.2 trillion in spending out of $45 trillion that is going to be spent by the Federal Government during that period of time. So I do hope there is a way to resolve that. But I am here to speak about something related, but in some ways very different.

Today we are getting ready to vote on some legislation dealing with flood insurance, dealing with student lending, dealing with highways. And these are all very popular programs.

What people who are listening, who may be paying attention to what the Senate is doing today, what they may not know is that for the third time, in a bipartisan way, this body is getting ready to spend more money than was deemed by the budget that was ultimately created by the Budget Control Act last year when the country almost shut down trying to save a mere $900 billion over the next 10 years. So a vote today for this piece of legislation is basically a vote to say the Senate cannot be entrusted to carry out what it laid out last August to keep us from spending money we do not have. I know there are going to be some budget points of order that will be brought forth at some point later today.

I want to say as one Senator from Tennessee, it continues to be unbelievable to me that this body does not have the courage, does not have the will, does not have the discipline to even live within a very modest budget that was laid out last August. Today I am certain we are going to pass legislation that spends billions of dollars more than we agreed to in the Budget Control Act and especially the deemed budget that came after that, the deemed budget that was put in place as a result of what we passed last August.

I would say all those who vote for this today are basically saying we do not have the discipline to live within our means. The problems our Nation faces fiscally are only going to get worse. I think this is a very sad day for our country if that, in fact, is what happens within the next 2 or 3 hours on the Senate floor.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

SEQUESTRATION

Mr. DURBIN. Mr. President, I thank the Senator from Tennessee for his comments. I share his concern about our deficit. I was a member of the Simpson-Bowles Commission, voted for the commission report, bipartisan effort to reduce the deficit by $4½ trillion over 10 years. I think we set in place a description, maybe a guidepost for how we can do this.

I would agree with him that we need to take care in the money that we spend now which will add to the deficit, though I have to say my understanding is this transportation bill is paid for. There are revenue sources that are part of this. I know the student loan continued decrease in interest rates to 3.4 percent for student loans is paid for. I believe the changes within the Flood Insurance Program, which is part of this package as well, the Republican leader spoke to that this morning, reforms in that program will move it closer to sustainability and solvency. It is not where it needs to be, but it is moving closer.

But I want to address, if I can, for a minute what has been a topic on the floor this morning about the planned cuts in the Department of Defense. Let me say at the outset what we all agree upon. No. 1, we never, ever want to shortchange America's security, never shortchange our men and women in uniform.

A nephew of mine who serves as a doorman in the gallery recently returned from 1 year in Afghanistan. We were sending packages and were worried about Michael every day. He got home safely. That is happening over and over across America. I wanted my nephew to have all he needed to come home safely. I think everybody feels the same when it comes to the Department of Defense.

Let's step back and look at this deficit debate. Allow me to put it into perspective for a moment. The last time we balanced the Federal budget was not in the 19th century, it was about 11 years ago. It was a time when William Jefferson Clinton was President, and for 3 years we had a balanced budget under a Democratic President—3 years.

When we reach a balanced budget, if you said, ''What do you have in terms of spending and revenue?''—they are the same—here is what we found: Revenue and spending both equaled 19.5 percent of America's gross domestic product. The gross domestic product is the sum total of the goods and services produced in America every year. It changes and grows. The last year we were in balance, taxes equaled 19.5 percent of our GDP and Federal spending equaled 19.5 percent. We had a balanced budget.

Now we are in deep water. We saw the accumulated debt of the United States more than double under President George W. Bush, and it continues to grow, because of the recession, under this President. Our annual deficits are over $1 trillion and are unsustainable. We borrow 40 cents for every dollar we spend, whether we are buying military equipment or paying for food stamps. That is unsustainable.

But now that we know there was a time when we were in balance, it is fair to say: What happened to spending since this budget was in balance? If you do it in constant dollars so there is no monkeying around with numbers, here is what happened since we were last in balance in our budget: Domestic discretionary spending equals student loans, medical research, transportation—all of the different things that don't fit into the Department of Defense. The spending in those areas since we were last in balance has been flat, with no increase.

What about spending for entitlement programs—Medicare, Medicaid, programs such as those—and veterans' care? What has happened to that since we were last in balance? Since we were last in balance, the spending on entitlement programs has gone up 30 percent. Why? The baby boomers have arrived; 10,000 people a day reach the age of 65. They paid into Social Security and Medicare their whole life, and they show up now and say: It is our turn. Because of that, entitlement spending has gone up.

Let's look at the third part of the budget, which was addressed by my Republican colleague this morning—defense spending. What has happened to defense spending since the budget was in balance? Domestic discretionary flat; entitlements 30 percent. As of this year's budget, defense spending will have risen 73 percent since the budget was last in balance.

We created a supercommittee, and Senator KERRY of Massachusetts, who is here, was a member. They said: Let's find ways to reduce the deficit by $1.2 trillion over 10 years. They tried. I am sure Senator KERRY will speak to that effort. At the end of the day, they could not reach a bipartisan agreement on how it would be done. The law we passed said: If you cannot reach agreement, we are going to do it automatically. We are going to take $500 billion out of defense and $500 billion out of nondefense spending. That is what this is about. People are coming to the floor and saying that we cannot take another $500 billion out of defense spending.

I will tell you that I think that is a lot to be taken out in light of what we have already anticipated we are going to reduce in spending. I think it will cause some serious problems. But I reject the notion that that $500 billion, if it is taken out of domestic discretionary, won't have equally horrible results.

So I say to my friends on the other side of the aisle, when you had a chance in the supercommittee to deal with spending cuts of a lesser amount or deal with revenue, closing tax loopholes, you walked away from it. Now you are complaining that we may end up cutting defense spending.

Incidentally, if the sequestration number went through—the additional $500 billion in cuts over the next 10 years—it would bring the amount of money we spend on defense to the same percentage of the GDP as it was when the budget was in balance.

So my friends who are speaking for national defense, I join you, but I also speak for investments in America when it comes to education, innovation, and infrastructure. That will help our economy grow. And sequestration on the domestic side is unacceptable, from this Senator's point of view, as well.

We clearly need to get beyond this and talk about an honest answer to reducing the deficit. An honest answer, going back to Simpson-Bowles, puts everything on the table—everything. To my friends on the other side, I say that it puts revenue on the table, and it must. It puts entitlement programs and spending cuts on the table, and it must. That is the only honest way to address this issue. To pick it off and say that we are going to take the one area that has grown in spending by 73 percent and ignore it and then have them say that we don't touch revenue leaves two possibilities: If we are going to do anything about the deficit—deeper cuts in programs such as student loans, medical research, or cuts in Medicare—that is what it comes down to. They are hard choices, right? I think the Bowles-Simpson approach of putting everything on the table is the right approach.

I urge my colleagues on both sides to take this pain that we are facing December 31 and turn it into an opportunity to work on a bipartisan basis to reduce this deficit.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

SURFACE TRANSPORTATION

Mr. LEE. Mr. President, I stand to raise a concern I have regarding the conference committee report to accompany H.R. 4348.

Pursuant to paragraph 9 of rule XXVIII of the Standing Rules of the Senate, we are supposed to have adequate notice of a report like this before we have the opportunity to vote on it. The rule states:

> It shall not be in order to vote on the adoption of a report of a committee of conference unless such report has been available to Members and to the general public for at least 48 hours before such vote.

The current version of the committee report was filed, as I understand it, at 8:07 p.m. last night. It is not even close to the 48 hours required notice.

What we have, ultimately, when we look at this, is the fact that we have a highway bill that was sent to conference, but it came back from closed-door negotiations with a student loan bill and also with a flood insurance bill attached to it. We were neither given the chance to debate nor to amend these provisions before they came to the floor. Now we are approaching a vote on that.

We did not provide our fellow Senators or the American people with an adequate opportunity to read the 596-page conference report, which is required by our very own rule. This is somewhat reminiscent of a statement made a few years ago by then-Speaker of the House NANCY PELOSI when, speaking to Members of her body regarding the passage of the Affordable Care Act, she said:

> We have to pass the bill so that you can find out what's in it.

This is one of the problems we have in Washington of which the American people are becoming increasingly aware. It is a problem that I think we need to address. Time and again, we have a problem in which the Senate waits until the day before a holiday or the day before a scheduled instate work period before bringing something to the floor for a vote—without following the Senate's own rules, which are designed to promote and protect the openness and transparency of the legislative process. This is a troubling trend and one we should seek to avoid whenever and wherever possible.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Mr. President, currently Congress has about a 10-percent approval rating. One of the reasons is that we don't even obey our own rules.

For goodness' sakes, this is a 600-page bill. I got it this morning. Not one Member of the Senate will read this bill before we vote on it. We are going to vote on this in the next 30 minutes. I, Senator LEE, and others will object to this. We will have a point of order that our own rule says it has to be posted online for 48 hours. It is 600 pages, and nobody will read it. No wonder our approval rating is 10 percent. Nobody knows what we are voting on. In fact, provisions were stuck in this bill last night that have nothing to do with any of these bills. They have been stuck in and we are just now discovering it. I passed two Senators in the hall who are trying to get something out of this bill that affects their States, which they found out about just minutes ago. Nobody would have known about it if they had not found out about it.

There are three bills in question here: transportation, student loans—on the student loan bill, originally we had loans at 6 percent, and it was somehow bringing in money to the Treasury. We were using that money to pay for ObamaCare. Now it is at 3 percent, and that money is gone. Where is the money to pay for ObamaCare? We have a shell game up here. We say one thing will pay for it, and now this will pay for it—the money disappears.

Now they are saying they are going to pay for this by taking money out of pensions. Raise your hand if you think it is a good idea to underfund pensions more. Over half of the pensions in this country are technically insolvent because they don't have enough money to pay for them. Is it a good idea to have less money go into workers' pensions to pay for a student loan program?

I have a bill in Congress that says we should read the bill before we pass it. We should wait 1 day for each 20 pages, to be given time to read 600-page bills. At the very least, we ought to adhere to our own rules. They say it should be posted online at least 48 hours. Forty-eight hours is still a challenge to find out everything in here. Do you know how long the Federal Register is—55,000 pages, which is added to annually. When you read this, you have to refer to the Federal Register, which is hundreds of thousands of pages, to find out what they stuck in this bill in the dead of night. This isn't the way we should operate.

The American people want to know why do we say the government is not going to do something for 3 days. What were they doing the previous 3 months?

The other side hasn't produced a budget in 3 years. That is against the rules. The rules of the Senate say you must produce a budget, and they didn't do it for 3 years. When we presented them with a budget that we wrote for them, nobody voted for it, and zero on the other side voted for their own President's budget.

How are we going to compromise if they are not showing up for work? How are we going to get anything done if they don't obey their own rules?

I will raise a point of order in the next hour that says that we have broken the rules of the Senate, and I will ask them to vote on it. I fully expect that the Parliamentarian will rule in our favor. We will see. The other side will simply close their eyes to the rules, and they won't care what the Parliamentarian says, and they will overturn this by saying: We are the majority, and we deem it so. We are the majority, and we don't care what is in the bill or to take time to read the bill; we just deem it so.

I think this is why the American people are unhappy with what is going on here. I object strenuously. I will vote against this, and I will raise a point of order that says we should read the bill before we pass it.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I thank Senator PAUL for raising these issues. We are mismanaging the American people's money. It is good to see Senator LEE, who just spoke, and Senator PAUL, both new Members of the Senate, who have been out talking to the American people and made commitments that they are going to work to try to improve the process here. I celebrate their activity, their vigor, and their determination, and a lot of others feel the same way in our body.

Shortly we will be moving a cobbled-together bill. An attempt will be made to accomplish this. I expect budget points of order and another point of order to be raised.

I want to share some thoughts about how it is we do business and some of the efforts that are not legitimate as we go about our business and are dangerous to the financial health of America.

Let's take what we call the LUST fund. I know it is an odd name. The true name of it is the leaking underground storage tank fund. People who have them have to pay fees, and it goes into a fund. The idea of the fund is to be available when cleanups need to be done. When the company or other companies have gone bankrupt and there is no money, this fund will pay to clean up the waste. Maybe it makes sense. It has been operating for quite a number of years. It has run up a surplus. That surplus is in the LUST trust fund—leaking underground storage tank fund—and where does it go? What do you do with that money?

The Treasury of the United States is spending more money every year than it takes in. This year we will spend approximately $3.7 trillion. We take in about $2.4 trillion, and we have a $1,300 billion deficit. That is how much we are spending. We spend around $3.7 trillion and are taking in about $2.4 trillion, and we have about a $1.3 trillion deficit this year—the fourth consecutive year that we have had almost a $1,000 billion deficit. We will have a big one again next year because we are systematically overspending.

But let's look at this fund—it has some real money in it, a number of billions of dollars—and what happens to it. Well, when the government spends more money than it takes in, it takes the money from the LUST fund. Well, how does it get it? It borrows it. So there is actually a debt instrument from the United States Treasury to the trustees or the holders or managers of the LUST trust fund, and they have loaned the money. They do not need it today, so they loan it to the government so they can spend it. And it has been borrowed and has been spent.

The assets in the LUST fund are nothing more than debt instruments

from the U.S. Treasury. But on the books, it appears this LUST fund has assets. I guess in a sense it does. It has U.S. Treasury notes. So the people looking around to spend money and to try to meet the demands of our constituents—to build highways in this case—decided they could take that money.

And you know something, it does not score as an expenditure in that fashion. It is an odd way this is done. It is seen as found money that they can go over and spend. But where does the money come from? The money is not in the fund, remember? The fund holds Treasury bills. But the highway trust fund doesn't want Treasury bills, it wants money that can be spent. So what happens is the U.S. Treasury, which has been borrowing money from another government agency and giving a debt instrument in return, has to come up with the money now. It is going to be spent. It is going to be taken out of the trust fund. So where do they get the money? They convert an internal debt to an external debt.

The only thing they will do is borrow more money. So it will be this many billions of dollars more than $1.2 trillion or $1.3 trillion that we have. The debt is converted to a public debt, and somebody in China or in Japan or in New York will loan money to the government and they will use that money to pay the highway trust fund with it.

You see how circular that is? It allows the money to be double counted. And that is actually what happened with President Obama's health care bill. That $400 billion was funded this way. Social Security still has a surplus. Although it has been drawn down, it still has a surplus in its account—or Medicare does. So the Medicare trustees raise Medicare taxes, they cut Medicare benefits, and they save $400 billion, And that would be money of the Medicare and the trustees. It is their money. But what happened with it? Under the conventions of accounting, the money was available to be spent by the U.S. Treasury, and the U.S. Treasury then would spend it on the new health care bill.

The Congressional Budget Office Director, Mr. Elmendorf, wrote me a letter the night before the bill passed—Christmas Eve—and he said this is double counting the money. You can't simultaneously count it as making Medicare better and providing new money to fund the health care bill. Four hundred billion dollars on the night before the vote he announces this is double counting. If a private business were to do it, they would be in big trouble, I suggest. They might be sued for fraud. They would be sued for fraud.

So the money was done in that fashion, and the way it happened was Mr. Elmendorf said it is double counting the money. You cannot simultaneously benefit Medicare and fund a new health care program, although the conventions of accounting might suggest otherwise. So the real smart financiers, what did they do? They figured out how to use the conventions of accounting in a way that obscured the fact they didn't have the $400 billion and that it was, in truth, borrowed money.

Mr. President, I see my colleagues on the floor, and I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I just have a couple of comments to make for clarification purposes.

First of all, I don't think anyone is going to question my conservative credentials over the years I have been here. I have been really offended by a lot of the things that have happened structurally in this institution, over in the House, but so far as this bill is concerned, let me clarify a couple of things.

It sounds good to stand up here and say we have only had a matter of minutes to look at something that is 500 pages. We have had this bill for a long time—for several days. We have had it and gone over everything. On the bill we sent from the Senate to the House, it is essentially the same thing.

I didn't agree when they added the two provisions on student loan and flood insurance. I didn't agree with that. Everyone knows those issues, but I don't think they should have been on here. Nonetheless, we didn't have any control in this body over that. But as far as the provisions of the bill are concerned, these provisions we have seen. And everyone who has spoken against it has been there when we have talked about the great reforms, and I have commented several times that I thought one of the problems was we did too good a job because we had too many reforms. But when it got over to the House, where they are inclined to have more reforms there, they had to start from a base where we had done a good job. Streamlining and enhancements and all those things are in it.

The only thing I can say, from a conservative perspective, is we have seen this bill. We have lived with this bill, not just hours but for days, and actually for weeks, the basic provisions of the bill. But what we have to realize is there is an alternative to what we are doing here today, and that alternative—and the only alternative—is to go back to extensions.

If we go back to extensions, a couple of things happen. No. 1, we don't have any of the reforms we have in the bill; No. 2, we throw away about 30 percent of the money——

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Will my friend yield for a question?

Mr. INHOFE. Yes, of course.

Mr. REID. Through the Chair, I would ask my friend, the ranking member of this committee, is it true this is basically the same bill we are going to vote on today that passed this institution in March?

Mr. INHOFE. It is true, I say through the Chair. It passed this institution with 74 votes, as I recall.

Mr. REID. So again, people have had since March to read this bill and to get up to speed a little bit, don't you think?

Mr. INHOFE. I answer in the affirmative.

Mrs. BOXER. Mr. President, would my friend yield for 1 minute? I want to correct the RECORD.

There are a few changes, there is no question. We have speeded up project delivery, as my friend knows. We gave a little more flexibility to the States in terms of the TE program. So a few things were changed. But my friends are right, primarily, this is a similar bill. It takes the money and we say we are going to spend the same thing, plus inflation. And it is true these bills have been out here for a long time. Actually, they passed our committee, I say to Senator INHOFE, in November of last year.

Mr. INHOFE. I respond, yes, that is correct. That is accurate.

I think that is very important too because we have been talking about this bill for a long period of time. We actually started trying to get a highway reauthorization bill way back in 2009, when the old bill from 2005 expired.

But the problem is—and I want to get back to where I was—there is an alternative to this bill. If we defeat this bill, we go back to extensions. If we go back to extensions, first of all, we are losing about 30 percent of the money off the top. Everybody knows that. Secondly, we don't get these reforms. If people are concerned out there—conservatives—that they want to defeat this and go back to extensions, they are not going to have reform with the enhancements. Right now the law requires 10 percent, depending on how we want to put it, in total funding or 2 percent of surface transportation. That has to be spent on transportation enhancements.

My good friend, the chairman of the committee, Senator BOXER, and I disagree on enhancements. She likes them; I don't. I want money to be spent on concrete, on roads and bridges. This is what I think we should be doing. But that is a disagreement we had and so we had a compromise where she can have—and anyone can have—what they want. It is an oversimplification, but it means, yes, this money is going to be put into something. It can be enhancements. In my State of Oklahoma, it is not going to be in enhancements, it is going to be paying for some of the unfunded mandates. It will be paying for things we have to do in terms of the environment and things that are required. So we have solved that problem. If we don't pass this bill, we go right back and it will have to go to enhancements.

On streamlining, all the streamlining is in this in terms of environmental streamlining. Talk to any of the road contractors out there and they will tell you about the waste of money and the number of miles of roads they can't do

because of some of these requirements—these environmental requirements. We have streamlined those requirements. If we don't pass this bill, we will go back to extensions and the same thing applies—we are going to lose all those opportunities. So not only will it cost more, we will not get the streamlining.

I am very proud of a group that has always supported me, the American Conservative Union. Is there anyone around here who doesn't think the American Conservative Union isn't conservative? I made this a part of a speech yesterday, an editorial by Al Cardenas, the chairman of the American Conservative Union. It is an op-ed piece he wrote. But let me read now two short paragraphs from this op-ed piece from the American Conservative Union:

> Article One, Section Eight of the Constitution specifically lists interstate road-building as one of the delineated powers and responsibilities vested in the federal Government. In Federalist Paper #42, James Madison makes an early case for the federal government's role in maintaining a healthy infrastructure, by stating ''Nothing which tends to facilitate the intercourse between states, can be deemed unworthy of the public care.''

And the article goes on to say—and, remember, this is the American Conservative Union.

> Perhaps most importantly, those of us who believe in constitutional conservatism understand that unlike all the things the Federal Government wastes our money on, transportation spending is at the core of what constitutes legitimate spending.

That is from the American Conservative Union. I wanted people to understand that voting for this is the conservative approach. We get more for the money being spent, it has all the streamlining in it, and it is our constitutional responsibility. This is what we are supposed to do. There are only two ways of doing it: one way is to pass this bill and the other is to operate under extensions, and I think it is very important for people to understand that.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

ORDER OF PROCEDURE H.R. 4348

Mr. REID. I ask unanimous consent that notwithstanding lack of receipt of the papers with respect to the conference report to accompany H.R. 4348, at 12:55 p.m. today, the Senate proceed to a series of stacked votes as outlined in this agreement; that the time until then be equally be divided between the two leaders or their designees; that the only points of order in order to the conference report be budget points of order or points of order relative to rule XXVIII, which is the scope of conference, or rule XXVIII, paragraph 9, availability; that if a rule XXVIII scope of conference point of order, rule XXVIII availability point of order or budget-related point of order is made against the conference report and an applicable motion to waive is made during any debate time, the Senate proceed to vote on the motions to waive in the order they were raised following the use or yielding back of time; that if the motions to waive are successful, the Senate proceed to vote on the conference report; that adoption of the conference report be subject to a 60-affirmative-vote threshold; that there be 2 minutes equally divided in the usual form prior to each vote, and all after the first vote be 10-minute votes, and I ask that in spite of the fact the votes may not come right after each other, all the rest today will be 10-minute votes; further, that if the conference report is adopted, the title amendment be agreed to; finally, that no motions to recommit be in order to the conference report.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. MCCONNELL. Mr. President, on behalf of Senator PAUL, I raise a point of order that the conference report on H.R. 4348 has not been publicly available for 48 hours as required by rule XXVIII, paragraph 9.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I move to waive paragraph 9 of rule XXVIII with respect to the conference report to accompany H.R. 4348.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. REID. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from Hawaii (Mr. INOUYE), and the Senator from Colorado (Mr. UDALL) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Oklahoma (Mr. COBURN), and the Senator from Illinois (Mr. KIRK).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted ''nay.''

The yeas and nays resulted—yeas 72, nays 22, as follows:

[Rollcall Vote No. 169 Leg.]

YEAS—72

Akaka	Gillibrand	Merkley
Barrasso	Graham	Mikulski
Baucus	Hagan	Murkowski
Begich	Harkin	Murray
Bingaman	Heller	Nelson (NE)
Blumenthal	Hoeven	Nelson (FL)
Blunt	Hutchison	Pryor
Boozman	Inhofe	Reed
Boxer	Isakson	Reid
Brown (MA)	Johanns	Rockefeller
Brown (OH)	Johnson (SD)	Sanders
Cantwell	Kerry	Schumer
Cardin	Klobuchar	Shaheen
Carper	Kohl	Shelby
Casey	Landrieu	Stabenow
Chambliss	Lautenberg	Tester
Cochran	Leahy	Thune
Collins	Levin	Udall (NM)
Conrad	Lieberman	Vitter
Coons	Lugar	Warner
Durbin	Manchin	Webb
Enzi	McCaskill	Whitehouse
Feinstein	McConnell	Wicker
Franken	Menendez	Wyden

NAYS—22

Ayotte	Hatch	Risch
Burr	Johnson (WI)	Roberts
Coats	Kyl	Rubio
Corker	Lee	Sessions
Cornyn	McCain	Snowe
Crapo	Moran	Toomey
DeMint	Paul	
Grassley	Portman	

NOT VOTING—6

Alexander	Coburn	Kirk
Bennet	Inouye	Udall (CO)

The PRESIDING OFFICER. On this vote the yeas are 72, the nays are 22. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to and the point of order falls.

The majority leader is recognized.

Mr. REID. Senator COATS wishes to speak.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, I would like to raise the point of order that section 1538 of the conference report to accompany H.R. 4348 violates rule XXVIII as it is a matter not committed by either House.

This is not a partisan issue. The Senator from Illinois, Mr. DURBIN, the Senator from Ohio, Mr. BROWN, the Senator from Illinois, Mr. KIRK, and I reached an agreement on how to deal with this issue. Yet during this conference work that was proceeding in the dark of the night——

The PRESIDING OFFICER. The point of order is not debatable.

Mr. COATS. Mr. President, I am not debating it. I am explaining it.

Mr. REID. Mr. President, I move to waive all scope of conference points of order on rule XXVIII.

The PRESIDING OFFICER. Are there further points of order?

Mr. COATS. Mr. President, I ask for a recorded vote.

The PRESIDING OFFICER. If there are no further points of order on rule XXVIII, the yeas and nays have been asked for on the motion to waive.

Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. There is now 2 minutes of debate on the waiver.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, I jumped the gun a little bit. This gives me a chance to explain it twice. Let me say there was a bipartisan agreement that was reached on this. I will not name names, but after it went over to the House, somebody dropped something in the middle of the night to change this whole process.

The issue is not just so-called Asian carp; the issue is that if this language is allowed to proceed, we will be authorizing over $100 billion of potential spending to address this without any review by the Congress. All we ask for in our agreement was a simple opportunity to review the study by the Corps of Engineers so we can make a decision based on all the facts, which included over $100 billion of authorized spending. That is why I urge my colleagues to oppose any effort to waive this rule.

Mr. LEVIN. Mr. President, the provision in question simply accelerates a study of invasive species such as the destructive Asian carp, a study essential to protecting the Great Lakes, a resource that is vital to the health, safety, and livelihoods of millions of Americans.

The study was included in the Water Resources Development Act of 2007 that authorized the Army Corps of Engineers to conduct a feasibility study to prevent the spread of aquatic nuisance species between the Great Lakes and Mississippi River basins.

Since that time, Congress has provided over $13 million to the Corps to conduct this study. The Corps maintains that the study cannot be completed until the end of 2015.

The provision included in the conference agreement before us today would accelerate this study and require its completion within 18 months.

We should not minimize the threat of the destructive Asian carp entering the Great Lakes.

If Asian carp got into the Great Lakes, they would not only pose a very serious threat to the environment but would have a devastating effect on thousands of local jobs and a $7 billion fishing industry.

Accelerating this study would put us on a better track to protect one of our Nation's greatest treasures and the thousands of jobs that depend on it.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I know everyone is anxious to finish. I am too. This is a massive bill. It is so good for our country. This bill includes student loans, flood insurance, and 2.8 million jobs. There are a lot of disappointments. I have a few in this bill that I would be happy to share with someone at the right time. We must waive this. This is one of the great accomplishments of this Congress. Please, everyone, vote to waive this.

The PRESIDING OFFICER. The yeas and nays were previously ordered.

The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from Hawaii (Mr. INOUYE), and the Senator from Colorado (Mr. UDALL) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Oklahoma (Mr. COBURN), and the Senator from Illinois (Mr. KIRK).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted ''nay.''

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

The yeas and nays resulted—yeas 66, nays 28, as follows:

[Rollcall Vote No. 170 Leg.]

YEAS—66

Akaka	Hagan	Murray
Baucus	Harkin	Nelson (NE)
Begich	Heller	Nelson (FL)
Bingaman	Hoeven	Portman
Blumenthal	Inhofe	Pryor
Blunt	Johanns	Reed
Boozman	Johnson (SD)	Reid
Boxer	Kerry	Rockefeller
Brown (MA)	Klobuchar	Sanders
Brown (OH)	Kohl	Schumer
Cantwell	Landrieu	Sessions
Cardin	Lautenberg	Shaheen
Carper	Leahy	Shelby
Casey	Levin	Stabenow
Cochran	Lieberman	Tester
Collins	Lugar	Udall (NM)
Conrad	Manchin	Vitter
Coons	McCaskill	Warner
Durbin	Menendez	Webb
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wicker
Gillibrand	Murkowski	Wyden

NAYS—28

Ayotte	Graham	Moran
Barrasso	Grassley	Paul
Burr	Hatch	Risch
Chambliss	Hutchison	Roberts
Coats	Isakson	Rubio
Corker	Johnson (WI)	Snowe
Cornyn	Kyl	Thune
Crapo	Lee	Toomey
DeMint	McCain	
Enzi	McConnell	

NOT VOTING—6

Alexander	Coburn	Kirk
Bennet	Inouye	Udall (CO)

The PRESIDING OFFICER. On this vote, the years are 66 and the nays are 28. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to, and the point of order falls.

The Senator from Tennessee.

Mr. CORKER. Mr. President, the pending measure, the conference report to accompany H.R. 4348, would exceed the aggregate level of budget authority and outlays for fiscal year 2012, as set out in the most recent budget resolution deemed by the Budget Control Act of 2011.

Mr. CORNYN. Mr. President, the Senate is not in order.

The PRESIDING OFFICER. Would the Senate please be in order.

Mr. CORKER. Therefore, I raise a point of order under section——

The PRESIDING OFFICER. The majority leader.

Mr. REID. I cannot hear the Senator from Tennessee.

The PRESIDING OFFICER. The Senate will be in order.

The Senator from Tennessee.

Mr. CORKER. Therefore, I raise a point of order under section 311(a)(2) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974, the waiver provisions of applicable budget resolutions, and section 4(g)(3) of the Statutory Pay-As-You-Go Act of 2010, I move to waive all applicable sections of those Acts and applicable budget resolutions for purposes of the pending conference report, and I ask for the yeas and nays.

However, I ask unanimous consent that the letter from CBO be printed in the RECORD at this point, which indicates that not only is everything paid for in this bill, it reduces the debt.

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

CONGRESSIONAL BUDGET OFFICE,
U.S. CONGRESS,
Washington, DC, June 29, 2012.

Hon. DAVID DREIER,
Chairman, Committee on Rules,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed the conference report for H.R. 4348, MAP–21, as posted on the Web site of the House Committee on Rules on June 28, 2012.

CBO estimates that enacting H.R. 4348 would reduce budget deficits over the 2012–2022 period by $16.3 billion. That figure does not include effects that may be counted for budget enforcement purposes in the House of Representatives. Specifically, the House-passed budget resolution calls for counting transfers from the general fund of the Treasury to the Highway Trust Fund as new spending.

Major provisions of the legislation that would affect the budget (see Table 1) would:

Reauthorize, through fiscal year 2014, the surface transportation programs administered by the Federal-Aid Highway Administration, the Federal Transit Administration, the National Highway Traffic Safety Administration, the Federal Motor Carrier Safety Administration, and certain programs administered by the Pipelines and Hazardous Materials Administration;

Establish the Gulf Coast Restoration Trust Fund and require that 80 percent of any administrative and civil penalties paid to the federal government under the Clean Water Act in connection with the April 2010 explosion at the Deepwater Horizon facility in the Gulf of Mexico be deposited into that trust fund and made available to be spent;

Change the interest rate that pension plans use to measure their liabilities, increase pension premium rates for both variable and flat rate premiums paid to the Pension Benefit Guaranty Corporation, and establish a cap on the variable rate premium;

Provide payments to certain states by reauthorizing the Secure Rural Schools and Payments In Lieu of Taxes programs;

Allow eligible federal employees to enter into a phased retirement, during which they continue to work part time while drawing a partial salary and a partial civil service retirement annuity;

Reduce the additional Medicaid payments to Louisiana that it will receive based on prior declarations of federal disasters;

Repeal a requirement that the Department of Transportation reimburse the difference in cost between shipping foreign food aid on a U.S.-flag ship and a foreign-flag ship;

Reduce mandatory payments to states that have completed certain reclamation projects on land formerly used for mining;

Reauthorize the National Flood Insurance Program through 2017 and increase premiums for some subsidized policies;

Retain an interest rate of 3.4 percent on all new subsidized student loans until June 30, 2013, and change the interest the federal government pays on behalf of some borrowers who are attending school; and

Raise additional revenue by increasing the ability of businesses with excess assets in their pension funds to use them for retiree health and life insurance benefits, and by defining businesses that make roll-your-own machines available for consumer use as tobacco manufacturers.

CBO estimates that implementing the legislation also would lead to discretionary spending of $95.9 billion over the 2013–2017 period (see Table 2); such spending would be subject to future appropriation actions. Of that amount, the spending on transportation programs would total $94.3 billion, which reflects estimated obligation levels for 2013 and 2014 that are approximately equal to the obligation levels for 2012, adjusted for inflation.

In addition, CBO estimates that implementing provisions of the conference report for the remainder of 2012, 2013, and 2014 would result in an end-of-year balance in 2014 of approximately $4 billion in the highway account of the Highway Trust Fund and about $1 billion in the transit account of the Highway Trust Fund. Table 3 provides a projection of future spending, revenues, and remaining balances in the Highway Trust Fund over the next 10 years.

I hope this information is useful to you. If you need additional details, we will be pleased to provide them. The staff contact is Sarah Puro, who can be reached at 226–2860.

Sincerely,

DOUGLAS W. ELMENDORF,
Director.

TABLE 1—ESTIMATE OF THE EFFECTS ON DIRECT SPENDING AND REVENUES OF THE CONFERENCE REPORT FOR H.R. 4348, MAP-21, AS POSTED ON THE WEB SITE OF THE HOUSE COMMITTEE ON RULES ON JUNE 28, 2012

	by fiscal year, in millions of dollars—												
	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2012–2017	2012–2022
CHANGES IN DIRECT SPENDING													
Transportation Contract Authority:													
Budget Authority [a]	0	243	800	800	800	800	800	800	800	800	800	3,443	7,443
Estimated Outlays [b]	0	0	0	0	0	0	0	0	0	0	0	0	0
Gulf Coast Restoration:													
Estimated Budget Authority	0	0	45	127	184	339	366	399	372	328	302	695	2,462
Estimated Outlays	0	0	2	14	47	105	175	260	322	351	352	168	1,628
Pension Provisions:													
Estimated Budget Authority	0	0	0	0	0	0	0	0	0	0	0	0	0
Estimated Outlays	0	−220	−350	−1,065	−1,885	−1,685	−1,555	−1,255	−1,115	−1,055	−1,040	−5,205	−11,225
Secure Rural Schools:													
Estimated Budget Authority	288	0	0	0	0	0	0	0	0	0	0	288	288
Estimated Outlays	0	253	35	0	0	0	0	0	0	0	0	288	288
Payment in Lieu of Taxes:													
Estimated Budget Authority	0	398	0	0	0	0	0	0	0	0	0	398	398
Estimated Outlays	0	398	0	0	0	0	0	0	0	0	0	398	398
Phased Retirement:													
Estimated Budget Authority	0	−9	−26	−45	−54	−53	−52	−50	−49	−46	−42	−187	−427
Estimated Outlays	0	−9	−26	−45	−54	−53	−52	−50	−49	−46	−42	−187	−427
Change in Medicaid FMAP Increase:													
Estimated Budget Authority	0	−510	−160	0	0	0	0	0	0	0	0	−670	−670
Estimated Outlays	0	−510	−160	0	0	0	0	0	0	0	0	−670	−670
Repeal Incremental Ocean Freight Differential:													
Estimated Budget Authority	0	−108	−108	−108	−108	−108	−108	−108	−108	−108	−108	−540	−1,080
Estimated Outlays	0	−108	−108	−108	−108	−108	−108	−108	−108	−108	−108	−540	−1,080
Limitation on Abandoned Mine Reclamation Fund Payments:													
Estimated Budget Authority	0	−139	−131	−47	−46	−46	−98	−99	−47	−47	−49	−409	−749
Estimated Outlays	0	−55	−94	−86	−73	−55	−67	−83	−73	−63	−53	−363	−702
National Flood Insurance Program [3]:													
Estimated Budget Authority	0	−5	−30	−70	105	0	0	0	0	0	0	0	0
Estimated Outlays	0	−5	−30	−70	105	0	0	0	0	0	0	0	0
One-Year Extension of Subsidized Student Loan Interest Rates:													
Estimated Budget Authority	4,285	2,595	*	*	*	*	*	*	*	*	*	6,880	6,880
Estimated Outlays	2,480	3,505	*	*	*	*	*	*	*	*	*	5,985	5,985
Eliminate Interest Subsidy for Certain Borrowers:													
Estimated Budget Authority	0	−15	−85	−110	−130	−145	−170	−195	−200	−210	−210	−485	−1,470
Estimated Outlays	0	−10	−55	−90	−105	−120	−140	−160	−175	−180	−185	−380	−1,220
Changes in Direct Spending Excluding Intragovernmental General Fund Transfers [d]													
Estimated Budget Authority	4,573	2,450	305	547	751	787	738	747	768	717	693	9,413	13,075
Estimated Outlays	2,480	3,239	−786	−1,450	−2,073	−1,916	−1,747	−1,396	−1,198	−1,101	−1,076	−506	−7,025
Intragovernmental Transfers from General Fund to Highway Trust Fund [d]:													
Estimated Budget Authority	0	6,200	12,600	0	0	0	0	0	0	0	0	18,800	18,800
Estimated Outlays	0	6,200	12,600	0	0	0	0	0	0	0	0	18,800	18,800
Changes in Direct Spending, Including Intragovernmental General Fund Transfers [d]:													
Estimated Budget Authority	4,573	8,650	12,905	547	751	787	738	747	768	717	693	28,213	31,875
Estimated Outlays	2,480	9,439	11,814	−1,450	−2,073	−1,916	−1,747	−1,396	−1,198	−1,101	−1,076	18,294	11,775
CHANGES IN REVENUES													
Pension Provisions	595	2,391	4,501	5,044	3,540	1,446	74	−882	−2,303	−3,046	−2,616	17,517	8,744
Transfer of Excess Pension Assets and Allow Section 420 to Apply to Life Insurance Benefits	0	0	20	41	42	43	44	45	47	48	24	145	354
Phased Retirement	0	1	2	3	4	4	4	3	3	1	−1	14	24
Expand Definition of Tobacco Manufacturer to Include Roll-Your-Own-Cigarette Machines	2	12	13	11	10	9	8	7	7	7	7	57	94
Increased Civil Penalties for Lenders	0	1	1	1	1	1	1	1	1	1	1	5	10
Total Changes	597	2,405	4,537	5,100	3,597	1,503	131	−826	−2,245	−2,989	−2,585	17,738	9,226
On-budget Revenues	597	2,291	4,324	4,888	3,425	1,422	141	−726	−1,998	−2,712	−2,355	16,946	9,299
Off-budget Revenues	0	114	213	212	172	81	−10	−100	−247	−277	−230	792	−73
NET INCREASE OR DECREASE (-) IN THE DEFICIT FROM CHANGES IN DIRECT SPENDING AND REVENUES—EXCLUDING INTRAGOVERNMENTAL TRANSFERS FROM THE GENERAL FUND TO THE HIGHWAY TRUST FUND													
Impact on Deficit [d]	1,883	834	−5,323	−6,550	−5,670	−3,419	−1,878	−570	1,047	1,888	1,509	−18,244	−16,251
On-budget Deficit Change	1,883	948	−5,110	−6,338	−5,498	−3,338	−1,888	−670	800	1,611	1,279	−17,452	−16,324
Off-budget Deficit Change	0	−114	−213	−212	−172	−81	10	100	247	277	230	−792	73
NET INCREASE OR DECREASE (-) IN THE DEFICIT FROM CHANGES IN DIRECT SPENDING AND REVENUES—INCLUDING INTRAGOVERNMENTAL TRANSFERS FROM THE GENERAL FUND TO THE HIGHWAY TRUST FUND FOR BUDGET ENFORCEMENT PURPOSES IN THE U.S. HOUSE OF REPRESENTATIVES													
Impact on Deficit [d]	1,883	7,034	7,277	−6,550	−5,670	−3,419	−1,878	−570	1,047	1,888	1,509	556	2,549
On-budget Deficit Change	1,883	7,148	7,490	−6,338	−5,498	−3,338	−1,888	−670	800	1,611	1,279	1,348	2,476
Off-budget Deficit Change	0	−114	−213	−212	−172	−81	−10	−100	−247	−277	−230	−792	73
Memorandum:													
Increased Net Income to the National Flood Insurance Program [c]	0	−5	−30	−70	−145	−250	−320	−380	−430	−490	−555	−500	−2,675

Sources: Congressional Budget Office and the staff of the Joint Committee on Taxation. Notes: FMAP = Federal Medical Assistance Percentages; * = between -$500,000 and $0. Amounts may not sum to totals because of rounding.

[a] H.R. 4348 would provide $12.4 billion in contract authority (a mandatory form of budget authority) for the last quarter of fiscal year 2012, $50.1 billion for fiscal year 2013, and $50.9 billion for fiscal year 2014, CBO estimates. Consistent with the rules in the Balanced Budget and Emergency Deficit Control Act for constructing its baseline for future contract authority for transportation programs, CBO assumes that the contract authority for years after 2014 would be equal to the amount provided for 2014, the last year of the authorization.

[b] CBO expects that most of the outlays from contract authority (a mandatory form of budget authority) for surface transportation programs will continue to be controlled by obligation limitations enacted in future appropriation acts. Those expenditures are displayed in Table 2.

[c] The proposed amendment would raise premiums for certain subsidized flood insurance policies, increasing net income to the National Flood Insurance Program by $2.7 billion. However, because many policies would continue to be subsidized and the program would continue to face significant interest costs from its prior and future borrowing, CBO expects that additional receipts collected under this legislation would be spent to cover future program shortfalls, resulting in no net effect on the budget over the 11-year period.

[d] Pursuant to section 508 of H. Con. Res. 112, the Concurrent Resolution on the Budget—Fiscal Year 2013, general fund transfers to the Highway Trust Fund are considered to be new budget authority and outlays for budget enforcement purposes in the House of Representatives. CBO estimates that such transfers would increase the balances attributed to the Highway Trust Fund; however, those transfers would not increase direct spending or affect budget deficits.

TABLE 2—CHANGES IN SPENDING SUBJECT TO APPROPRIATION UNDER THE CONFERENCE REPORT FOR H.R. 4348, MAP–21, AS POSTED ON THE RULES COMMITTEE WEB SITE ON JUNE 28, 2012

	By Fiscal Year, in Millions of Dollars					
	2013	2014	2015	2016	2017	2013–2017
CHANGES IN SPENDING SUBJECT TO APPROPRIATION						
Spending from the Highway Trust Fund:						
Estimated Obligation Limitation [a]	49,409	50,103	0	0	0	99,512
Estimated Outlays	12,318	31,794	27,318	12,134	6,780	90,344
Other Authorized Transportation Programs:						
Estimated Authorization level	2,697	2,198	0	0	0	4,895
Estimated Outlays	379	1,011	1,168	817	618	3,993
Non-Transportation Programs: [b]						
Estimated Authorization Level	438	437	437	437	437	2,186
Estimated Outlays	80	245	337	431	435	1,528
Total Changes:						
Estimated Budgetary Resources	52,544	52,738	437	437	437	106,593
Estimated Outlays	12,777	33,050	28,823	13,382	7,833	95,865
Memorandum:						
Reduction in Offsetting Receipts from.						
Lower Employer Contributions [c]	0	2	3	3	3	11

Note: Components may not sum to totals because of rounding.

[a] Estimated discretionary outlays reflect use of funds from the contract authority provided by the legislation under the obligation limitations specified or estimated by CBO. (Outlays stemming from any additional contract authority that would be provided for years after 2014 would be attributable to future legislation.) Under current law, CBO estimates that spending from the Highway Trust Fund would be about $48 billion in 2012. (See Table 3 for estimates of total outlays from the trust fund in 2013 and subsequent years.)

[b] H.R. 4348 would authorize the appropriation of $440 million a year over the 2013-2017 period for a national flood mapping program and flood mitigation assistance. The legislation also would lower future federal employer retirement contributions. Those contributions are contingent on future appropriation actions.

[c] Employer contributions are intragovernmental transactions that do not affect the deficit; positive numbers indicate a decrease in receipts.

TABLE 3—SUMMARY OF CASH FLOWS FOR ACCOUNTS IN THE HIGHWAY TRUST FUND UNDER H.R. 4348, MAP-21, AS POSTED ON THE WEB SITE OF THE HOUSE COMMITTEE ON RULES ON JUNE 28, 2012

	By fiscal year, in billions of dollars—										
	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Highway Account:											
Start-of-Year Balance	14	8	4	4	c	c	c	c	c	c	c
Revenues and Interest	33	33	33	34	35	36	36	36	36	37	37
Intragovernmental Transfers	2	6	10	0	0	0	0	0	0	0	0
Outlays [a,b]	42	43	44	44	44	45	45	46	46	47	47
End-of-Year Balance	8	4	4	c	c	c	c	c	c	c	c
Transit Account:											
Start-of-Year Balance	7	5	5	1	c	c	c	c	c	c	c
Revenues and Interest	5	5	5	5	5	5	5	5	5	5	5
Intragovernmental Transfers	0	0	2	0	0	0	0	0	0	0	0
Outlays [a,b]	7	8	8	9	10	10	10	9	9	10	10
End-of-Year Balance	5	5	1	c	c	c	c	c	c	c	c
Memorandum:											
Cumulative Shortfall: [c]											
Highway Account Shortfall	n.a.	n.a.	n.a.	−6	−15	−24	−33	−42	−52	−62	−72
Transit Account Shortfall	n.a.	n.a.	n.a.	−3	−7	−12	−16	−20	−24	−29	−33

Notes: n.a. = not applicable.

Contract authority is a mandatory form of budget authority typically provided in authorization acts.

Obligation limitations are limitations on the obligation of contract authority typically provided in appropriation acts.

[a] After 2014, the estimated outlays assume obligations will continue at the 2014 level, adjusted for inflation. The total outlays shown reflect prior and future obligations.

[b] Outlays include amounts ''flexed'' or transferred between the highway and transit accounts. CBO estimates that amount would total about $1 billion annually.

[c] CBO projects that, under provisions of the Conference Report for H.R. 4348, the highway account and the transit account of the Highway Trust Fund would be exhausted in fiscal year 2015. Under current law, the Highway Trust Fund cannot incur negative balances. However, following rules in the Deficit Control Act of 1985, CBO's baseline for highway spending assumes that obligations presented to the Highway Trust Fund will be paid in full. The memorandum to this table illustrates the cumulative shortfall of fund balances, assuming spending levels that would be authorized by the Conference Report for H.R. 4348.

Mr. REID. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

There is a sufficient second.

The yeas and nays are ordered.

The Senator from Tennessee is recognized.

Mr. CORKER. Mr. President, if I could have everybody's attention, according to CBO, this is paid for the old way, where we spend all the money in a year or two and then it is paid for over 10.

This body came together last August in a bipartisan way to put in place the Budget Control Act, and this bill violates the deemed budget by $2.5 billion. This will be the third time we violate the Budget Control Act deemed budget. For all of those people who are meeting in the evenings, meeting in groups in rooms trying to solve our Nation's fiscal issues, a vote to waive this motion says we don't have the discipline, the courage, or the will to do what we told the American people we would do to try to get our fiscal house in order.

I urge my colleagues to vote against this motion to waive right now.

Thank you, Mr. President.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, the Congressional Budget Office is a nonpartisan body that determines what spending is for the Congress, and they have determined that this bill is paid for and it reduces the debt.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The yeas and nays are ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Ms. SNOWE (when her name was called). Present.

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from Hawaii (Mr. INOUYE), and the Senator from Colorado (Mr. UDALL) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Oklahoma (Mr. COBURN), and the Senator from Illinois (Mr. KIRK).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted ''nay.''

The yeas and nays resulted—yeas 63, nays 30, as follows:

[Rollcall Vote No. 171 Leg.]

YEAS—63

Akaka	Hagan	Murkowski
Baucus	Harkin	Murray
Begich	Heller	Nelson (NE)
Bingaman	Hoeven	Nelson (FL)
Blumenthal	Inhofe	Pryor
Blunt	Johanns	Reed
Boxer	Johnson (SD)	Reid
Brown (MA)	Kerry	Rockefeller
Brown (OH)	Klobuchar	Sanders
Cantwell	Kohl	Schumer
Cardin	Landrieu	Shaheen
Carper	Lautenberg	Shelby
Casey	Leahy	Stabenow
Cochran	Levin	Tester
Collins	Lieberman	Udall (NM)
Conrad	Lugar	Vitter
Coons	Manchin	Warner
Durbin	McCaskill	Webb
Feinstein	Menendez	Whitehouse
Franken	Merkley	Wicker
Gillibrand	Mikulski	Wyden

NAYS—30

Ayotte	Chambliss	Crapo
Barrasso	Coats	DeMint
Boozman	Corker	Enzi
Burr	Cornyn	Graham

Grassley	Lee	Risch
Hatch	McCain	Roberts
Hutchison	McConnell	Rubio
Isakson	Moran	Sessions
Johnson (WI)	Paul	Thune
Kyl	Portman	Toomey

ANSWERED ''PRESENT''—1

Snowe

NOT VOTING—6

Alexander	Coburn	Kirk
Bennet	Inouye	Udall (CO)

The PRESIDING OFFICER. On this vote, the yeas are 63, the nays are 30. One Senator responded ''present.'' Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to and the point of order falls.

ABANDONED MINE LAND TRUST FUND

Mr. ENZI. Mr. President, I am extremely disappointed to be here today to discuss a provision in the conference report that impacts my home State and potentially impacts a number of other states. The provision relates to the abandoned mine land trust fund, and undoes a carefully construed compromise that occurred in 2006 between a coalition of Eastern and Western States, mine workers, and coal companies.

This provision was included at the last moment. This pay-for was not in either the Senate version of the Transportation bill, nor was it in the House version. Although it has a tremendous impact on Wyoming, neither Senator BARRASSO nor I were consulted about the impact of the provision. We are extremely disappointed that is the case and seek commitments from our colleagues to fix this provision hopefully as a technical correction, but at any rate not later than the end of the year to reconstruct the careful compromise that occurred in 2006. While I respect the work of the conference committee, provisions like this are the reason that Congress is unpopular. I look forward to working with my colleagues to undo this terrible provision and make Wyoming and other impacted states whole.

Mr. BARRASSO. Mr. President, I second the comments of Senator ENZI. This is an egregious provision that was included at the last moment without any consultation of Senator ENZI or I. I am extremely disappointed that we have not been able to address this matter before the conference report was filed, and it is essential to fix it as soon as possible preferably in a technical corrections bill that will be drafted in the coming weeks but most certainly by the end of the year.

This provision is not well thought out. It has the potential to impact not only Wyoming but a number of other States as well. I look forward to working with my colleagues to fix the provision in an expeditious manner.

Mrs. BOXER. Mr. President, I understand the problems that my colleagues from Wyoming have with section 100125 of the conference report. I recognize that this provision was included in the conference report without their consultation. We will be working on a corrections bill in the coming weeks, and I intend to work with them to address this issue in that bill.

Mr. INHOFE. Mr. President, I second the chairwoman's commitment to working with the Senators from Wyoming to fix this problem in the technical corrections bill. It is important that we find a way to address the issue as soon as possible, and I will work with them to make Wyoming and the other impacted States whole.

Mr. HATCH. Mr. President, a portion of the abandoned mine land trust fund program falls within the jurisdiction of the Senate Finance Committee. I am also committed to working with my colleagues from Wyoming to correct this situation. I hope we can do so as soon as possible.

TRANSIT TITLE

Mr. MENENDEZ. Mr. President, we are poised to pass a truly historic transportation bill and I wanted to engage in a brief colloquy with my colleague Chairman JOHNSON, with whom I have worked closely over the past year and a half to craft the transit title of the bill. He has been a true pleasure to work with and I think we should all be proud that we have secured stable funding for public transportation over the next 2 years.

The bill has record amounts of rail funding and by abandoning earmarks, all of the major formula programs have been increased significantly. We have greatly enhanced the Federal Transit Administration's powers to provide safety oversight and set national standards, which will ensure millions of transit passengers can travel safely and efficiently.

But for the purposes of this colloquy I wanted to focus on section 20013 on private sector participation in public transportation. I ask the chairman, does anything in this section show a preference by Congress for public transportation to be provided by private operators rather than public operators?

Mr. JOHNSON of South Dakota. Absolutely not. That section is intended to help public and private sector providers to better coordinate service and allow for more private investment in public transportation projects. Public providers of public transportation do our Nation a great service in providing affordable efficient service, lowering pollution, and easing traffic congestion. There is no reason to have a policy that favors private-public transportation service, and this language does not do so.

Mr. MENENDEZ. Chairman JOHNSON, I completely agree. This language should not be interpreted to encourage or require public-private partnership activities in transit or give any preference to grantees based on the decisions they make on this issue.

For years, the committee has endorsed the longstanding congressional policy that decisions involving the choice between public and private transit operators should be left to local authorities who are better equipped to make local transportation decisions. The Federal government is clearly best suited to making broad public policy decisions rather than micromanaging the local transit choices selected to meet the needs of rural, urban, and suburban communities. Does the chairman agree?

Mr. JOHNSON of South Dakota. Absolutely. Nothing in this bill changes the fact that decisions to use public or private service should be up to local providers. We firmly believe that the public versus private question should be decided on the basis of local needs, not ideology. And most importantly, the Federal Government should remain neutral, and it should not intrude on local decisionmaking. The language in current 49 U.S.C. 5306 regarding private sector participation states that such issues are guided by local policies, criteria, and decisionmaking. This bill maintains this language, reaffirming Congress' commitment to local control on this issue.

Mr. MENENDEZ. I thank the chairman. I look forward to continue working with you to oversee the implementation of this and other provisions in this bill and continue to do all we can do to support a robust, well-funded public transportation program.

Mrs. FEINSTEIN. Mr. President, I rise today to thank my colleagues on the transportation conference for including the National Flood Insurance Program reauthorization and for removing the controversial residual risk provision.

That provision was a real concern to me and more than a dozen cities and counties in California. It would have required nearly 1 million residents in my State to purchase flood insurance even though they live behind fully functioning levees that meet or exceed Federal safety standards. That provision alone could have quadrupled the number of homeowners in my State who have to buy flood insurance.

The flood insurance bill called this low-level risk behind levees ''residual risk.'' It is the risk left over after a levee has been built—the risk of levee failure, in essence.

These are levees that homeowners funded with their own tax dollars, and the provision would have forced them to spend even more money. That is just not good policy. And I was proud to add my voice to that of the Senator from Arkansas in strong opposition to including it in the bill.

The bottom line is this: Until the residual risk provision was removed, the National Flood Insurance Program reauthorization would have had a devastating effect on communities in California and across the Nation.

Even homeowners in communities who maintain their levees to Federal safety standards with their own tax dollars would have been forced to pay for Federal flood insurance. I simply could not support such an unfair policy. It sent the message to homeowners

and local communities that regardless of their investments in flood protection, it is simply not good enough. That is not the message we should be sending when this country needs to invest more in flood control infrastructure, not when homeowners are struggling to pay their mortgages, not when housing starts are near alltime lows, and not when our economy is still struggling to get back on track.

I was not alone in my opposition to the residual risk provision. I received letters from elected officials across the State—Oceanside, Long Beach, Lakewood, Los Angeles, Santa Maria, Stockton, Sacramento, Yuba City. Del Norte, Sutter, Yolo, and Butte Counties were opposed, as well as San Joaquin County.

This was not a regional issue. The letters came in from southern California, the central coast, northern California and the Central Valley.

In San Joaquin County, in the middle of my State, this provision would have meant 280,000 additional residents had to purchase flood insurance. This is a county where 1 in every 194 homes is in foreclosure—3.3 times the national average. At even $1 a day, this added expense could jeopardize the county's already shaky housing market.

The purchase requirement would have covered most of the city of Stockton, with a population of nearly 300,000. This would have further devastated a city that suffered the second highest foreclosure rate in the Nation last year.

In Palo Alto, this provision would have required another 5,500 homeowners to buy insurance.

In Sutter County, an estimated 28,000 of the 34,308 parcels would have been affected. That is 81.6 percent of all parcels in the county.

In Butte County, 14,000 parcels would have been affected.

In Los Angeles County, supervisors Mark Ridley Thomas and Don Knabe tell me that at least 200,000 properties and 800,000 residents would have been impacted. These homeowners are currently protected by 130 miles of levees and 18 dams in L.A. County.

Many of the affected homeowners live along the Los Angeles River, which isn't really a river at all—it is a concrete channel. And it is very hard to imagine a flood ever occurring there. More than $200 million has been invested to minimize the risk.

The federally authorized Los Angeles County Drainage Area Project reinforced levees along the Los Angeles River to protect against floods well beyond a 100-year event. Local taxpayers contributed $55 million to complete this project; Federal contributions totaled another $155 million. This investment was made so that residents could avoid $32 million in yearly flood insurance premiums. With the inclusion of the residual risk provision, homeowners in the area would have once again had to pay flood insurance bills every year.

I appreciate the efforts of Senators COCHRAN and the chairman and ranking member to address this problem, but changes they made to the original draft did not go far enough. Even with their changes, the provision could have further depressed home prices by driving up ownership costs in many areas.

Let me be clear: This policy wasn't proposed because homeowners lived behind unsafe levees. These were safe levees that meet Federal standards. Some believe this provision was added to the original bill to restore the fiscal solvency of the program. By bringing in new, low-risk properties, it is true that the fiscal health of the Flood Insurance Program would have improved. But I, for one, oppose propping up the Flood Insurance Program on the backs of constituents who played by the rules.

If the goal is to ensure that people are informed about the risks they face, I continue to be willing to work with my colleagues to accomplish that. In fact, California already offers a model for achieving that very goal.

The bottom line is this: Even with the changes made to the residual risk provision, the bill would have still required homeowners and businesses protected by certified levees to purchase mandatory flood insurance. Candidly, I was shocked that we even considered adding this provision without a full floor debate because it was not a trivial extension. The bill would have imposed substantial new costs to nearly 1 million homeowners in California alone.

Again, I thank my colleagues on the conference committee for removing this provision. This conference report was not the time or place for it to be considered.

Now, with the 5-year reauthorization of the National Flood Insurance Program in place, we will be taking an important step to stabilize our housing market. We have also taken some very responsible steps to put the program back on the path to fiscal solvency.

I commend my colleagues for putting together this package of bills. I know they had a tremendous challenge, and I think they have done an exceptional job.

Mr. BAUCUS. Mr. President, I would like to turn to discussing the vital contributions of staff who worked on this bill. We are very fortunate in the Senate to be able to rely on the expertise and the support of so many talented and dedicated staffers whose efforts enabled us to finalize this conference report.

This bill turned out to be unique because it spanned so many different issues. In addition to the ones I have already mentioned, my staff also had to work on pension matters, flood insurance, Federal trust funds, labor, and a range of other issues. All of this combined to make this a very complicated bill with many moving parts.

Accordingly, I want to take this opportunity to publicly and professionally thank the following staffers for guiding this bill through markups in different Senate committees, negotiating with counterparts from the House of Representatives, and getting us over the finish line with a conference report that provides the American people with the good policies included in this bill:

There was Tom Lynch, who worked on both the Environment and Public Works Committee's portion of the bill and the Finance Committee's portion.

Tax Counsel Ryan Abraham, whose work along with Tom Lynch on the highway trust fund was key to being able to fund highways and transit projects under the bill.

Tom, Ryan, and Lily Batchelder, chief tax counsel and head of Finance Committee's tax team, held more than 20 staff meetings with Democrats and Republicans before our Finance Committee markup.

Mark Hybner, who was critical to refining the Indian Reservation Roads Program among other things, a program that is very important to the seven tribes in my State.

Tax and benefits counsel Tom Reeder, a true seasoned professional without whom we couldn't have found the essential offsets to ensure the highway trust fund would remain solvent.

Spencer Gray, who shepherded the secure rural schools and payment in lieu of taxes through this process.

Dave Hughes and Ann Cammack, who made critical contributions both to raise revenue and in tracking policy.

Sean Morrison and Blaise Cote, the Finance Committee's two excellent research assistants.

Heather O'Loughlin, easily one of the most versatile and capable staffers working in the Senate, who was key both to the education and the flood insurance portions.

Amber Cottle, Bruce Hirsch, Gabriel Adler, Hun Quach, Chelsea Thomas, and Rory Murphy, who were very helpful in the effort to develop offsets during the Finance Committee markup.

Department of Transportation detailee and Billings Montana native Avital Barnea, who lent helpful assistance at a crucial time.

Jeffrey Arnold, who was very helpful in assisting on Pension Benefit Guaranty Corporation provisions and phased retirement.

Intern extraordinaire Pete Markuson, who logged a lot of meaningful hours.

The outstanding press team of Jenny Donohue, Meaghan Smith, Ryan Carey, Kate Downen, Kathy Weber, and our newest addition, Sean Neary.

And my indispensable leadership staff of Jon Selib, Russ Sullivan, and Paul Wilkins, who as always remained focused and unflappable despite the challenges.

Finally, I also want to use this opportunity to thank Bettina Poirier, David Napoliello, Andrew Dohrmann, and Grant Cope from Chairman BOXER's Environment and Public Works Committee staff; Ruth Van

Mark, James O'Keeffe, Murphie Barrett, Kyle Miller, Dmitri Karakitsos, and Alex Renjel from Senator INHOFE's staff; Charles Brittingham with Senator VITTER; Tyler Rushforth with Senator REID; Ellen Doneski, James Reid, Ian Jefferies, Rich Swayze, Richard Russell, and Bailey Edwards from the Commerce Committee; and Chris Campbell, Mark Prater, Jim Lyons, Nick Wyatt, and Preston Rutledge from the Finance Committee.

Without the individual and collective contributions of each one of these people I have mentioned, we would not have pulled this off. For them and their efforts to help support American jobs, all of us should be very grateful.

Mr. LEVIN. Mr. President, the bill before us today takes several important steps in several policy areas to move our Nation forward. It prevents a pending student loan interest rate hike that would make college less affordable for American students and their families. It makes important investments in our roads, bridges, and other transportation infrastructure, investments that will put Americans to work today and make our economy more competitive for years to come. It reauthorizes the Flood Insurance Program that provides security to millions of Americans, while making the program more efficient and more fair to States such as Michigan that for too long have paid more in premiums than they receive in benefits. While this legislation does not include everything I had hoped for or supported, it makes significant progress on issues our constituents need us to address.

Millions of Americans will be relieved that this bill avoids a looming increase in student loan interest rates. On July 1, those interest rates are scheduled to double, an increase that Americans already struggling to pay for higher education simply cannot afford. Extending the current 3.4 percent interest rate for another year lifts a significant burden, financial and emotional, from students and their families who were looking to us for aid.

I am pleased Senate and House conferees have come to an agreement on a transportation reauthorization. Reauthorization of our Nation's transportation programs is long overdue.

Investing in transportation infrastructure creates jobs and improves our international competitiveness. We create more than 35,000 jobs for every $1 billion in Federal funds we spend on transportation infrastructure. The bill will create or preserve an estimated 3 million jobs nationwide. In Michigan, the bill will provide more than $2 billion over the next 2 years for road projects and another $261 million over the next 2 years for Michigan transit projects. Funding transportation infrastructure improvements at robust levels is one of the most obvious things we can do to help boost the U.S. economy.

The conference report extends Federal surface transportation programs at current levels, with a small adjustment for inflation, through September 2014. Given the difficult budget climate, this has to be viewed as a victory. Our State transportation agencies need to be able to do long-term planning. This bill helps that cause and is surely better than the short-term extensions we have been living under. Given the negative budget climate and the difficulty we had finding the revenue to offset the highway trust fund shortfall, a 2-year bill is what is possible, although I would have preferred a longer term bill.

I am pleased the agreement includes a provision that would direct the Corps of Engineers to accelerate its feasibility study of preventing the interbasin transfer of aquatic invasive species, such as the destructive Asian carp, between the Mississippi River and the Great Lakes basins. While the Corps is planning to produce an interim report at the end of 2013, this provision would require a full feasibility report that would also include a recommendation for implementing preventative measures. Accelerating this study will put us on a better track to protect our $7 billion Great Lakes fishery that supports thousands of jobs.

The conference agreement includes a provision regarding harbor maintenance that is based on an amendment to the Senate Transportation bill. This is the first time we have addressed harbor maintenance in a transportation bill, and including this language will help elevate this important issue and strengthen momentum to use trust fund receipts for harbor maintenance.

I am disappointed, however, that the provision in the conference agreement does not include the strong enforcement language I urged conferees to include that would ensure that appropriators actually include funding for harbor maintenance that is collected for this purpose.

Navigation infrastructure is a vital link in the transportation system, one our economy depends upon. Maintaining our harbors and ports is vital to our economic competitiveness. I will continue to work to ensure that we provide sufficient Federal funds to properly maintain our harbors.

The conference agreement also extends for 1 year mandatory PILT funding, or payments in lieu of taxes, that will provide about $4 million to Michigan local governments to help offset losses in property taxes due to nontaxable Federal lands within their boundaries. These payments can help support a variety of infrastructure and educational needs. I had urged conferees to include this provision in the bill, and I am pleased it was included in the final agreement.

The conference report should provide some much needed equity to Michigan and other States through a 5-year reauthorization of the National Flood Insurance Program.

Michigan residents have paid more than six times more in premiums than they have received in payouts from the National Flood Insurance Program. We must correct this disparity, and the conference report takes some steps to do so in requiring that premiums be more reflective of the true risk of flooding.

The conference report will phase out subsidies for repetitive-loss properties that continue to be rebuilt in high-risk areas. It will also phase out subsidized rates for vacation homes and businesses located in high-risk areas, many of which have received subsidized rates for more than 30 years.

This bill will clarify the law to allow property owners to purchase flood insurance from a private insurer, rather than the Federal Government, if they so choose. This means private companies can compete with FEMA to offer consumers a better price.

Finally, I am very disappointed that the conference report removes an offshore tax provision that I authored with Senator CONRAD to fight against tax evasion. This provision, which was included by voice vote in the Senate bill and is similar to a provision I introduced as part of a broader offshore tax bill, was scored as raising over $1 billion over 10 years and could have helped pay for transportation programs or reduced the deficit. I am disappointed that Congress has yet again missed an opportunity to fight offshore tax evasion, which robs billions of sorely needed dollars from our Treasury each year.

The legislation before us today does not include everything I had hoped for or supported, but it is necessary, and we should pass it without further delay.

Mr. HATCH. Mr. President, at the first public meeting of the conference committee charged with producing transportation reauthorization legislation, I laid out a series of basic principles that I think should guide our efforts to finance transportation policy. I had voted against the Senate bill in large part because it failed to follow these basic principles.

Boiled down, these principles are simple. The user-pays model that is the reason for the creation of the Highway Trust Fund should be preserved. Revenues and spending should line up on a year-to-year basis. We should avoid spending down the trust fund. And we should not raise taxes, but rather should examine the spending side of the ledger.

The conference agreement is an even further departure from these principles than the Senate bill was. The conference agreement by and large uses sources of revenue that are problematic in and of themselves to facilitate yet another general fund transfer that requires our Nation to make payments for 10 years on 2 years of programs.

Despite all of the committee markups, and staff meetings, and press conferences, and frantic press accounts, at the end of the day we simply got the fourth in a series of general fund transfers that stretches back to 2008.

I think the supposed consensus the conference committee product represents can best be summed up by the Margaret Thatcher quote I cited at the Finance Committee markup of a revenue title held on February 7.

''To me consensus seems to be the process of abandoning all beliefs, principles, values and policies in search of something in which no one believes, but to which no one objects the process of avoiding the very issues that have to be solved, merely because you cannot get agreement on the way ahead . . .''

Well I object. The taxpayers of this country deserve better than this legislation, and I will be voting against it.

Mr. LAUTENBERG. Mr. President, I rise today to oppose to the flood insurance language that is included in the conference report to accompany H.R. 4348, which the Senate will consider today.

The Senate had been debating a stand-alone bill to reform the National Flood Insurance Program for several days, but we were prevented from voting on amendments to the bill and ultimately passing the legislation. Since agreement on a process for considering flood insurance amendments was blocked, we are now forced into an up-or-down vote on a conference report that contains provisions that will save or create millions of jobs in the transportation sector and keep Federal student loan rates from doubling. I will support the conference report because of those provisions, but I oppose the flood insurance portions.

Last September, I saw firsthand how Hurricane Irene's floods devastated communities in my State of New Jersey. President Obama and I toured the wreckage together. It was heartbreaking. We saw families with their belongings on their front lawns, and much of their homes destroyed. Unfortunately, Hurricane Irene was not the only storm to cause major flooding in New Jersey recently. In just the last 3 years, FEMA has declared five federal disasters that caused major flooding in New Jersey. For many of the people who have been hit by these floods, their homes are all they have. Many of them have owned their homes for generations. They have raised their children and built their lives in them. For these homeowners, it would be wrong to turn our backs on them. But I am afraid the flood insurance language in the conference report could do exactly that.

The flood insurance language we are considering will require major insurance premium increases for people living in certain homes built before FEMA's flood maps were finalized. For years, families who bought homes built before floods maps were available paid lower rates for their flood insurance. We did that because we recognized it would be wrong to charge extremely high premiums on families who did not know their flood risk when they purchased their home. But the flood insurance reform proposals on the table would bring the hammer down on those families. Most families affected by the change would see their premiums double. Some may even see their premiums increase five-fold. In New Jersey, we know of families in over 1,800 homes that would see their premiums increase under these provisions. Residents in other States, including Louisiana, Texas, New York, Pennsylvania, and Florida, would also face these dramatic rate hikes.

To address some of these concerns, I introduced two amendments on flood insurance this week. One would have prevented premium increases for primary residences built prior to 1974, and the other would have allowed the increases to occur for some homeowners, but provided for a hardship exemption from premium increases for families that cannot afford the higher rates. Let's remember, many of these homeowners rely on fixed incomes, are retired, and have budgeted with the expectation that their premiums would stay steady. We should not change the rules in the middle of the game when homeowners have played by those rules from day one. Many of these families simply do not have the means to raise more money if rates increase.

I also cosponsored an amendment from Senator PRYOR to eliminate a requirement in the stand-alone bill that owners of homes behind dams and levees obtain flood insurance. I am pleased that the language in the conference report does not include that requirement.

Flood insurance reform will have real implications for millions of people throughout the United States, including in my home State of New Jersey. Changes to the National Flood Insurance Program should not be taken lightly, and deserve to be debated and amended on the Senate floor. I am disappointed my Republican colleagues have prevented us from considering important flood insurance amendments this week, and I oppose including flood insurance reform in the legislative package we are considering today.

The PRESIDING OFFICER. Under the previous order, the question is agreeing to on the conference report to accompany H.R. 4348.

Ms. MIKULSKI. Mr. President, I rise in support of the transportation conference report. This legislation will establish for the first time Federal safety standards for metro systems.

My promises made are promises kept. After the deadly DC Metro crash on June 22, 2009, I promised two things to the workers at Metro and my constituents who ride Metro. One, I would deliver the $150 million in dedicated funding for Metro's capital improvements in the annual Transportation appropriations bill. I have done this every year. Two: pass legislation giving the U.S. Department of Transportation authority to establish safety standards for metro systems across the country. Today, this legislation delivers on that promise.

We always say a grateful nation will never forget. Then we pound our chests, hold hearings, and nothing is ever done. Well, not this time and not this Senator. Immediately following the Metro crash, I was the first to introduce a bill, the National Metro Safety Act of 2009, to establish Federal standards. My bill required the U.S. Department of Transportation to work with the National Transportation Safety Board to implement their most wanted safety recommendations: crashworthiness standards, emergency entry and evacuation design standards, and data event recorders for rail cars; and hours-of-service regulations for train operators.

Now, 3 years later, Congress has finally acted. This highway bill includes similar language to my transit safety bill. It requires the Secretary of the U.S. Department of Transportation to create and implement safety standards and a safety training program. The Secretary must also take into consideration the recommendations of the National Transportation Safety Board when establishing the safety performance standards for railcars.

This bill before us today also requires transit authorities to complete comprehensive safety plans and States to have a safety oversight program approved by the U.S. Department of Transportation. The Secretary must certify that these oversight programs are meeting the new Federal safety standards each year. If a State oversight agency is not doing its job, the Secretary can withhold Federal funding or require that 100 percent of funding be used to fix the metro system's problems.

In addition, the U.S. Department of Transportation has the power to conduct inspections, investigations, and audits of transit system railcars, facilities, and operations. It can also investigate accidents and provide corrective guidance. The Secretary has the authority to issue a subpoena when investigating an accident as well as require additional reporting and recordkeeping.

Every weekday more than 7 million people board railcars. Now they can breathe a bit easier knowing their metro will soon have Federal safety standards just like commercial buses, airplanes, and commuter rail systems. I want to thank Senators TIM JOHNSON and BOB MENENDEZ for working with me on this important safety issue.

Mr. JOHNSON of South Dakota. Mr. President, today I wish to speak in support of the surface transportation conference report. As chairman of the Senate Banking, Housing, and Urban Affairs Committee, which is responsible for authorizing the public transportation portion of the bill, I was proud to serve as one of the conferees.

After intense and exhaustive negotiations our conference committee reached an agreement on a bill that will benefit every American. In my home State of South Dakota alone,

this bill will support 10,000 jobs and across the country it will support nearly 3 million jobs. It will improve rural transit service and make our Nation's highways safer and more efficient. I am relieved that we will not let another construction season go by without certainty of Federal funding.

From the start, the Banking Committee worked in a bipartisan fashion on the transit reauthorization which is why we were able to pass our portion of this bill out of committee by a unanimous voice vote. I am happy to say that most of our committee-passed bill is still intact in the final product we have before us today.

This conference report will increase funding for public transportation through the end of fiscal year 2014 and deliver critical investments in the Nation's aging transit infrastructure.

In addition, the bill will institute much needed reforms such as speeding the construction of public transportation projects. The bill also includes transit safety provisions that have been stalled for 3 years.

Finally, our bill increases formula funding for all types of transit: additional urban and rural formula funds, new money for every State to address state of good repair needs, and more money for tribal transit. Our Nation's transit systems need more than $77 billion to address backlogged repairs. This bill can't address all of those needs, but it can ensure that our transit systems don't fall further behind.

Americans make 35 million trips on public transportation every weekday. Many of these trips are in our cities, but in places like South Dakota, rural transit service connects seniors with their doctors and helps our workers travel long distances to get to jobs. Everyone benefits from public transportation, and this is a bill the American people deserve.

This bill wouldn't have been possible without the hard work and determination of more people than I can name today. However, there are a few in particular that I must single out.

We would not be at the finish line today if we didn't have Senator BOXER as our conference chairwoman. And Senator MENENDEZ, our Transportation Subcommittee chairman, worked side-by-side with me on transit since we started work on this bill last year. I thank them for their support.

And I would be remiss if I did not mention my staff. Homer Carlisle, my lead transit aide, did outstanding work in helping craft this bill. In the last year, he worked countless late nights that often lasted into the early morning. Additionally, Charles Yi and Dwight Fettig were instrumental in getting us to this point today.

There is just so much credit to go around. We had four committees working on this bill and without such dedicated hard-working staffs we could not have reached this agreement.

I am also pleased this conference report will provide stability to the Flood Insurance Program by reauthorizing it for 5 years. The National Flood Insurance Program protects millions of homeowners and is critically important to our Nation's housing market.

As the people of South Dakota and others across the country have experienced firsthand, flooding is responsible for more damage and economic loss than any other type of natural disaster. It affects people across the Nation, in every State, which is why we are going to do the right thing today and pass this bipartisan legislation to provide stability and much needed reforms for the program.

Since 2008, when our last long-term reauthorization expired, we have passed 18 short-term extensions of this program. During this time, the program has lapsed 5 times, for as long as 33 days, with detrimental effects on homeowners and the insurance and housing markets.

By passing this bill, we will end the uncertainty of month-to-month extensions for the NFIP and the families and businesses that rely on its $1.2 trillion of coverage.

This bill is not perfect, and no one has gotten everything that they wanted. Unfortunately, we were unable to reach a bipartisan agreement on addressing the outstanding debt of the program that has accumulated since Hurricane Katrina. But we have found enough common ground to move critically important reforms forward. As part of that effort, I want to thank my colleagues on the Banking Committee and in the House for their cooperation and input.

The flood insurance bill didn't just come together in one night. It came together in countless late nights worked by staff over the last year. So I want to take this opportunity to thank my committee staff—Beth Cooper, Brett Hewitt, Chris Ledoux, Glen Sears, Laura Swanson, and Charles Yi for their work on this legislation. Additionally, I want to thank Alison Wright MacDonald and James Ollen-Smith from the Office of Legislative Counsel.

Lastly, I am pleased that the conference report includes a provision to avert a catastrophic interest rate hike on student loans. If Congress had failed to act, over 7 million students, including an estimated 31,000 undergraduates in South Dakota, would have seen their interest rates double.

Earlier this month, I talked with students at Southeast Technical Institute in Sioux Falls. They told me a rate hike would make it harder for them to complete their schooling and would likely deter countless students from pursuing their higher education goals.

At a time when too many students are graduating with enormous debt loads, we should not make it more difficult for students to finance their education and manage their debt. I am glad we have reached an agreement that prevents the rate hike from taking effect. This is an important victory for students across South Dakota and throughout our country.

In passing this conference report we will send a clear message that it is still possible to work across the aisle and pass commonsense bipartisan legislation in the interest of the American people.

I urge my colleagues to support this bill and I yield the floor.

Mr. REID. Mr. President, I yield back all time.

The PRESIDING OFFICER. Without objection, all time is yielded back.

Mr. REID. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on adoption of the conference report.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Ms. SNOWE (when her name was called). Present.

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from Hawaii (Mr. INOUYE), and the Senator from Colorado (Mr. UDALL) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Oklahoma (Mr. COBURN), and the Senator from Illinois (Mr. KIRK).

The result was announced—yeas 74, nays 19, as follows:

[Rollcall Vote No. 172 Leg.]

YEAS—74

Akaka	Hagan	Murkowski
Baucus	Harkin	Murray
Begich	Heller	Nelson (NE)
Bingaman	Hoeven	Nelson (FL)
Blumenthal	Hutchison	Pryor
Blunt	Inhofe	Reed
Boozman	Isakson	Reid
Boxer	Johanns	Roberts
Brown (MA)	Johnson (SD)	Rockefeller
Brown (OH)	Kerry	Sanders
Burr	Klobuchar	Schumer
Cantwell	Kohl	Sessions
Cardin	Kyl	Shaheen
Carper	Landrieu	Shelby
Casey	Lautenberg	Stabenow
Chambliss	Leahy	Tester
Cochran	Levin	Thune
Collins	Lieberman	Udall (NM)
Conrad	Lugar	Vitter
Coons	Manchin	Warner
Durbin	McCaskill	Webb
Feinstein	McConnell	Whitehouse
Franken	Menendez	Wicker
Gillibrand	Merkley	Wyden
Grassley	Mikulski	

NAYS—19

Ayotte	Enzi	Paul
Barrasso	Graham	Portman
Coats	Hatch	Risch
Corker	Johnson (WI)	Rubio
Cornyn	Lee	Toomey
Crapo	McCain	
DeMint	Moran	

ANSWERED ''PRESENT''—1

Snowe

NOT VOTING—6

Alexander	Coburn	Kirk
Bennet	Inouye	Udall (CO)

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this conference report, the conference report is agreed to.

The title was amended so as to read: ''An Act to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.''.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I move to reconsider the vote and lay that motion upon the table.

The motion to lay upon the table was agreed to.

VOTE EXPLANATION

• Mr. ALEXANDER. Mr. President, I am disappointed in the final version of this bill. If I had been present, I would have voted against it for a number of reasons, including the fact that it violates the Budget Control Act, it does not use the money produced from the pension reforms to shore up the financial strength of pension systems, and it fails to prevent the EPA from regulating coal ash as a hazardous material.•

VOTE EXPLANATION

• Mr. BENNET. Mr. President, I want the record to reflect that I would have voted in favor of H.R. 4348, but I went home to Colorado to be with my constituents, many of whom have lost their homes and are facing severe challenges as several fires continue to rage across the State.

By finally reauthorizing our transportation programs for over 2 years, we will provide some measure of certainty for States, municipalities, and businesses across the country urgently in need of more than just a 2-month extension. The bill includes resources, modeled on legislation that I introduced with Senator MARK WARNER, for transit-oriented development competitive grants to help local communities work with private investors to promote long-term transit planning, and the legislation also contains a commonsense modification to the rural transit formula for which I advocated. These provisions will benefit transit agencies across my State as they provide quality service to Coloradans. The bill also maintains continued funding for the Payment in Lieu of Taxes (PILT) Program and Secure Rural Schools and Community Self-Determination (SRS) Act. These programs are lifelines for financially strapped rural counties and local businesses.

Of course this is not a perfect bill. I am disappointed that the conference committee eliminated the Senate provision funding the Land and Water Conservation Fund, a program that has been vital to preserving Colorado's western heritage. And I would have liked to see a longer reauthorization, with structural reforms to the highway trust fund to ensure we can continue to finance improvements to our public infrastructure and leave more—not less—for the next generation. That said, I commend my colleagues for all their hard work getting this bill across the line.

I am also pleased that this legislation will prevent loan rates from doubling and averts an increase that would have put the dream of a college degree further out of reach for thousands of Colorado students, and increased an already crushing debt burden on the middle class.•

Mrs. BOXER. Mr. President, it has been a very long and winding road to get to this place. I am overwhelmed with the amazing vote we just had—the margin of success, the fact that this is the product that is not only bipartisan but bicameral. I understand that the House vote was equally lopsided in favor of passage. I think this sends a tremendous signal to the people of America, and that is that we can work together. Do not give up hope. When it comes to the well-being of our people, we must get together.

I know the President must be smiling broadly because he has stated over and over how important it has been for us to pass a highway bill and to pass a reduction in student loan interest rate bill in order to help our people.

I have said many times that what kept me going and so many others—and I am going to name the various chairmen whom I worked with here and over on the House side and staff—what really kept us all going is the fact that we know how hard the construction sector has been hit in this recession. The housing crisis started this recession. It has not gotten better. It is slowly coming around, but new construction is going to take a while before all of the inventories are back in their appropriate place. What is going to help us? We could fill 10 Super Bowl stadiums with unemployed construction workers. We are looking at well over 1 million construction workers who are unemployed. Well, this was the answer.

The transportation sector is hurting. The construction sector is hurting. And today we have sent a message, a powerful message that for 2 years and 3 months, we have funded a good bill that is going to employ up to 3 million workers and help thousands of businesses, and it is all in the private sector, the things that need to be done.

We know we have 70,000 bridges that are deficient. We know we have 50 percent of our roads that are deficient. We know we have transit systems that need capital improvements. We know we have bike paths that need fixing and pedestrian walkways that need fixing. All of that has been resolved.

Are there things in this package that I do not like? Absolutely. Are there things in this package my Republican counterparts do not like? Absolutely. We had to give. We had to take. We struggled.

I am going to read into the RECORD the names of these staffers. This is an unbelievable list. I am going to do it quickly. I am going to say to these staffers from the various committees that they knew how important their work was.

If we didn't succeed, there would be no more money in the highway trust fund, and all of the repairs on our roads would stop and the repairs on our bridges because everybody out there, since President Dwight Eisenhower was President, depends on the Federal share.

We cannot have a strong economy without a strong infrastructure. Here are the names. I am not reading Democrats and then Republicans; I am reading the bipartisan list of staffers: Bettina Poirier, Ruth VanMark, David Napoliello, James O'Keeffe, Andrew Dohrmann, Murphie Barrett, Tyler Rushforth, Kyle Miller, Jason Albritton, Grant Cope, Mike Burke, Tom Lynch, Mark Hybner, Charles Brittingham, Alex Renjel, and Dimitri Karakitsos.

I also thank the leadership staff. When things were looking glum, there they were. They are David Krone, Bill Dauster, and Bob Herbert.

Here are the staff directors of the key committees who worked on this—remember, this was a four-committee process, including EPW, Banking, Commerce, and Finance. I thank Russ Sullivan, Dwight Fettig, Ellen Doneski and their extraordinary staff. They include Ryan Abrahams with the Finance Committee; Ian Jefferies, David Bonelli, Anna Laitin, and James Reid with the Commerce Committee; and Homer Carlisle with the Banking Committee.

I also want to thank the Senate legislative counsel, Rachelle Celebreeze and Gary Endicott, whom I drove crazy yesterday by telling them to please produce the paper.

This staff loved their work so much that I thought they would never end it. I had to beg them: Please finish because there will always be something more you can do. You can always find something better or put a comma in a different place. They wanted to make it as perfect as they could. There was a time when we just had to say, OK, we are done. They got it done. I am very moved of their dedication.

I know my staff at EPW—for 3 days, the staff members, whose names I read—if they got 4 or 5 hours of sleep, they got a lot. They are running on empty right now. I tell them that their names will forever be in this record, and people they don't know will flourish because of their work when we start hiring people to do this infrastructure work.

I thank my dear colleagues, JAY ROCKEFELLER, MAX BAUCUS, and TIM JOHNSON. No way could I have done it without them. I also pay tribute to MARY LANDRIEU, who is on the Senate floor today. Senator LANDRIEU and her State have gone through so many traumas—so many—with hurricanes and all of the attendant problems, and the BP oilspill, which did so much terrible damage to her State and the other Gulf States—environmental damage, commercial damage, broken hearts, broken spirits.

Let me tell you, you never break MARY LANDRIEU's spirit. She teamed up with Senator VITTER, and they wrote

the RESTORE Act. Then she went to all of the other colleagues of the gulf cost and said: You have to help me. They put together a great package. What it means—without going into detail; she will do that—is that when the court decision comes down and the funds come to the Federal Government for all the violations of law that took place with the BP spill, 80 percent of the funds will be directed to the very people who got hurt.

Senator LANDRIEU, it is an honor and a privilege to work with you. You have been a model of a Senator who never, ever stops fighting. I am so grateful I was able to step to the plate and help you.

I will add more names of colleagues, but I don't have time at this point. Others want to speak. This is a great moment. The bill we passed is a good bill. It is going to speed up project delivery without waiving any environmental laws that we keep the protections in and give a little more flexibility to the States on the alternative transportation routes. But, believe me, we also add a new piece that gives more power to the local people to decide on these projects. I am so pleased.

I will add more statements to the RECORD later today. We have done this, and we are going to mark this moment.

After we get our breath back and get our energy back, we are going to look at a long-term solution to the problem of the highway trust fund. We know the gas tax receipts are going down, and we have to solve the problem. If it wasn't for Senator BAUCUS and his staff, we never would be at this point because we didn't have the funding. They have to come up with it. I thank them and the Republicans on the committee.

With that, I yield the floor, thanking one and all for this tremendous vote today.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, before the Senator from California leaves the floor, for a much needed rest and relaxation and celebration with her extraordinary staff, let me be one of the first to thank her, to join my colleagues who have thanked her for her leadership.

This Transportation bill would not be a reality for the Nation—not for California, Texas, New York, or Louisiana,—if it weren't for the leadership of the chairperson of this committee. Senator ROCKEFELLER was there to push, Senator BAUCUS was there to push, Senator JOHNSON was there to push, but the leader of this victory was Senator BARBARA BOXER.

Her colleague, Senator INHOFE, stood bravely against winds of opposition, ideology, without common sense—ideology without regard to the needs of the Nation. Senator INHOFE, a Republican, stood against those winds and with the Senator from California to produce a jobs bill for the Nation.

I hope people appreciate the extraordinary accomplishment this is in the context of the political quagmire we find ourselves in just a few months before a very significant national election, with both sides hugging the opposite wall. For these two to come forward today and meet in the middle of the Chamber and produce a bill with this kind of vote, people did not think it was possible up until just a few weeks ago. There was still the majority saying it will never happen.

But I know something about BARBARA BOXER, as well. She came here as a fighter. Her name ''BOXER'' says it all. It is the way she fought her way to the Senate, and she continues to fight not just for the people of California but the people of the Nation.

I knew 2 years ago—now a little over 2 years ago—when the Deepwater Horizon platform blew up in the gulf, one of the first people I could go to, to ask for help, for support, for ideas and advice about what to do would be Senator BOXER. She is a strong environmentalist. She has a heart for our oceans, and she understood the challenge of Louisiana's eroding coastline—more so than many Members in this body.

I will be forever grateful for the fact that she and her staff sat with me and other colleagues and crafted the RESTORE Act, which is a historic piece of legislation. It has no precedent in Congress. It will, for the first time, set aside such a significant amount of money from a penalty that has yet to be determined by a polluter that has been determined—BP—that under the law, after the Valdez spill, now has to pay to the Federal Government $1,000 for every barrel of oil that was spilled or gushed out of the explosion for months on end. They have to pay $1,000 for every barrel of oil that was spilled. The estimates are that, unfortunately for our coast, our people, our fishermen, shrimpers, charter boat captains, and the pelicans, fish, shrimp, and oystermen, for us it was 5 million barrels of oil spilled between August and July, until the well was capped. It is the largest pollution event in the history of the Nation. It will be the largest fine.

I have every confidence that the people of the gulf coast and the Nation will find justice in the courts. I hope this fine is as high as it can be, based on the damage that has been done from Texas to Florida and off the coast of Louisiana. When I brought this to Senator BOXER, she understood that we had to find a way for justice in the gulf. I crafted the RESTORE Act with my colleague DICK SHELBY. For months we negotiated about how to craft it, what to say, how to specifically direct the funding, and had the benefit of having the support of the White House, the support of every commission and every individual appointed by the President supportive of this idea.

So I first thank the VP's Presidential commission that was one of the first to step up and support this concept of an 80-percent set-aside and redirect to the gulf.

I particularly thank Secretary Ray Mabus, whom we will remember led the President's first commission, former Governor of Mississippi, who knows the gulf coast well and understands Louisiana's coast as a neighbor for so long. He stepped up and said: Yes, this is the right thing to do. We had hundreds—and, really, thousands—of individuals and hundreds of organizations that started to come forward.

Let me name a few: the Environmental Defense Fund was absolutely instrumental, National Audubon Society, National Wildlife Federation, Nature Conservancy, Ocean Conservancy, Oxfam America, and GNO, Inc.—Greater New Orleans, Inc. They were some of the first organizations to step up.

The Greater Houston Partnership was invaluable in the early days to build support among the business community, as were the Mobile Chamber of Commerce, Ducks Unlimited, America's WETLAND Foundation, Restore or Retreat—a vibrant local and dynamic organization in south Louisiana—Chamber of Southwest Louisiana, Baton Rouge Area Foundation, and Women of the Storm—representing thousands of women, not just throughout the gulf coast, but as well from your State and every State. Women stepped up who said this kind of accident has to stop. This kind of explosion should never happen again.

Most important, they said the people who were hurt the most, the area damaged the worst should be compensated by this fine. This money should not come to the general fund of the United States to be spent everywhere else in the Nation for a variety of unrelated purposes. The RESTORE Act says: No, the right way for this money to be allocated is to the area where the accident occurred, where the injury occurred, and that is exactly what RESTORE does—no more and no less.

There is one other person who deserves particular thanks and a shoutout, and that is the Senator from Rhode Island SHELDON WHITEHOUSE. When Senator SHELBY and I finished crafting this bill, which was introduced by a few colleagues—a similar bill—on the House side, Representative STEVE SCALISE, CEDRIC RICHMOND, and Representative BONNER from Alabama—we were having a great deal of difficulty moving a bill through a committee that only had two gulf coast Members and Senator BOXER.

The other Members were sympathetic but not that enthusiastic, and I can most certainly understand why. As you know, this is going to be a tremendous amount of money. It is going to direct these funds to only five States. They were sympathetic, but what was in it for everyone else? SHELDON WHITEHOUSE and I put our heads together and came up—it was his idea—with the bill itself and thought maybe we could, as a part of RESTORE—an integral part of RESTORE—say perhaps the oceans deserved justice as well because water knows no boundaries. What happened

in the gulf could have impacts in the Atlantic, up the Atlantic, and out to the Pacific. Who knows. And that is the problem. We don't have enough scientific research going on in this Nation about our oceans, which is 70 percent of our planet. In Louisiana, we derive great pleasure, joy, and income from our oceans, and from our oil and gas exploration, which is usually safe, on any normal day. This was not a normal day in the gulf, not a normal operation when the Horizon rig blew up. We get our fish, our oysters, our seafood industry, our restaurant industry, our hotels, and our ecotourism—and I could go on and on—from the ocean. We make our living from the ocean. Senator WHITEHOUSE and I thought—and I think most reasonable people agreed—the oceans deserve something out of this. So at no cost to the five States, we put in a provision that a small portion—a half percent of the interest earnings that would be generated—not the fund itself, not taking money away from the gulf coast, as some have claimed, but appropriately saying interest earnings—would create a trust fund for the oceans so that every State could use it for research along their coast.

But that was a bridge too far for the Republican leaders in the House who think we can learn nothing, who want no partnerships, no research whatsoever, I guess, to go on in the oceans. So as that amendment became a part of the committee process over here, we had that amendment connected to RESTORE at the committee level. It was part of RESTORE. It was moved to the floor and it enabled us to build a broader coalition, which is the way legislation is built. It is not one person's idea. It is not one person's work. The best of the bills and legislation we pass are about teams, about generosity and sharing and understanding, a little give here, a little take there.

It is a shame there are some people on the other side of this Capitol who don't seem to know that is the basic operation of a democracy. I am not sure what books they read in school, but they weren't the ones we read at Ursuline Academy, taught by the Ursuline nuns. But SHELDON WHITEHOUSE read those same books, and we put this bill together. I couldn't have been happier. Not only could I go home and say we did this great thing for the Gulf of Mexico and that everyone came together to help us in our time of need, but I could also look at our great friends from other parts of the country and say there is a portion in here for the oceans.

That is how the bill came to the floor. One of my proudest days, in my 16 years here in the Senate, was when this Senate voted, under the leadership of Senator BOXER and myself and Senator SHELBY, for this bill—the RESTORE Act—with 76 votes. I don't think the transportation bill itself got 76 votes, to indicate how difficult it is to get 76 votes. Other than just for immaterial items, it is hard to get 76 votes for apple pie and Mother's Day greetings. But we got 76 votes, and I was so proud. Not only was it the right thing to do—a great help to the region I help to represent—but also very fair, with the inclusion also of the land and water, which was not part of RESTORE but an amendment that was put on to help this effort with other parts of the country. So the good news is we passed that bill and paid for it in full over here with a pay-for that was also agreed to by 76 Senators.

But when the bill went over to the House, one of the first and most serious detrimental things that happened was the oceans endowment trust fund was stripped out. I want those who stripped it out to know this: We will be back. We are going to lead a coalition of Democrats and Republicans in the Senate who are going to send a strong message to House Republicans that the oceans do deserve our time, our attention, our love and support and our money. We can't do this on a wish and a prayer. We have wildlife and fish and migratory birds that depend on healthy oceans. The people of our country and the world depend on that.

This will not be the last time they see the national oceans endowment. I will be proud to have my name right next to SHELDON WHITEHOUSE's and we will go into battle again.

But around here, you don't win everything every day, and so they cut it out. But we will put it back and it will be bigger and stronger than it was when they took it out.

The other thing the House Republicans did, which I have no understanding of why, to pay for this RESTORE Act, the student loans, the transportation bill, and the flood insurance bill, is they took $700 million away from Louisiana's Medicaid budget. I will have more to say about the details of that later, because I want to stay focused on RESTORE, but I want to put in the record what our Commissioner of Administration said, who, of course, works for Republican Governor Bobby Jindal, and Republican Secretary of Health and Hospitals Bruce Greenstein:

> . . . the loss of more than $400 million—

And that was in fiscal year 2013, and it was another $250 million, so it was $650 in 2014.

> —in so-called FMAP money, already built into the state's Fiscal 2013 budget passed by the Legislature and signed into law by Gov. Bobby Jindal, would altogether lead to a loss in Medicaid dollars that would require $1.1 billion in cuts.

Mr. President, I ask unanimous consent to have printed in the RECORD a copy of this quote from Paul Rainwater and Bruce Greenstein.

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

> Louisiana Commissioner of Administration Paul Rainwater and Secretary of Health and Hospitals Bruce Greenstein said the loss of more than $400 million in so-called FMAP money, already built into the state's Fiscal 2013 budget passed by the Legislature and signed into law by Gov. Bobby Jindal, would altogether lead to a loss in Medicaid dollars that would require $1.1 billion in cuts.

Ms. LANDRIEU. The House Republicans who came up with this idea insisted on this offset when there were others that could have been offered that were much more fair, much less impactful, and much less hurtful. There were some Republican Members who absolutely insisted this offset be included, and so the Republican Governor Bobby Jindal, with a Republican legislature and a Republican delegation in the House, will have to find a way forward. I am not sure what that way is going to be, but when the bill left the Senate that was not even discussed under any circumstance whatsoever.

But even this terrible action taken on the House side cannot diminish the extraordinary victory of the RESTORE Act. Bills such as this, that basically distribute anywhere from $5 billion to $20 billion for coastal restoration efforts, take years, even decades to pass. We did this in 2 years, working together, staying focused, and building a support structure nationwide from the business community to the environmental community. The Chamber of Commerce stepped up, the American Petroleum Institute did their part, and many of the oil and gas companies stepped up as well. With the coalition of environmentalists, business organizations, wildlife enthusiasts, we were able to get this significant bill passed. It is going to be a tremendous downpayment for the challenge in the gulf coast.

Let me, for the record, say again that there were 86,985 square miles of water closed to fishing, approximately 36 percent of Federal waters in the gulf that were closed to fishing for months, causing a loss to the industry of $2.5 billion. There were 600 miles of the gulf coastline that were oiled. Over half of those miles were in Louisiana, and some oil is still lingering. In fact, scientists who have been studying the baseline said the erosion of the marsh that was oiled was eroding at twice the speed as normal, and that normal erosion is pretty breathtaking in terms of its rate.

We have lost basically the size of the State of Rhode Island in the last 50 years. If our delegation is not successful in continuing to have victories such as this, it is conceivable, with the climate change that is happening, the rising of the tides and the frequency of these great storms, that one day, if we are not successful in preserving these wetlands—and these are wetlands of all of America, that drain 40 percent of our Nation, that supply 40 percent of the fisheries to everybody, and 80 percent of the oil and gas to everyone—that New Orleans will be existing as a city with a 30-foot concrete levee around it and everything else washed away—our culture, our hope, our way of life.

I have said this a thousand times: We are not sunbathing here in south Louisiana. We are not vacationing in south Louisiana. We have fun, we have weekends where we fish and we hunt, but we are not vacationing for weeks and weeks in south Louisiana, lying on the beach and getting a tan. There are no beaches to lie on. We only have two. Grand Isle is 7 miles long, and Holly Beach, which got washed away in Rita and still has not been rebuilt.

The Corps of Engineers continues to tell me there is nothing they can do for the last inhabited island off the coast of Louisiana. Well, there is a lot they can do, and we will see to that in another bill. But we want these wetlands preserved for our children, for our grandchildren, and for the economic vitality of the Nation. This is the mouth of the greatest river system in North America and we intend to save what we can. We will never get everything back. We have lost 1,900 square miles since 1930. We lose 25 square miles of wetlands each year, and we lose a football field every 30 minutes.

Two million people live in coastal Louisiana, about ½ million in Mississippi, about 1 million in Alabama, and probably about 4 million in Texas. We cannot get up and move. There is no place to go. We don't want to live in Arkansas and Missouri. We want to live on the gulf coast, and we have been there since before this Nation was a nation, and we are not leaving. We are tired of retreating. We know this can be done. We have been to The Netherlands and places around the world where wetlands have been saved—levees built that don't break. It is cost effective in the long run. In the short run it costs investment. In the long run, it creates wealth for everyone.

Three trillion dollars is contributed to the national economy by the gulf coast every year, 17 percent of the national GDP comes from the gulf coast every year, 50 percent of all the oil and gas that fuels this Nation comes from the gulf coast, and 80 percent comes from offshore. Every year, despite how much we do, we get zero back from offshore oil and gas drilling off our shore. The interior States have received 50 percent since 1923, but not Texas, not Louisiana, not Mississippi, and not Alabama. We drill, drill, drill, and send oil everywhere, keeping lights on everywhere. The pipelines just run through our State. We are happy to have the industry, but we would like to share the revenues with the Federal Government. We send to the Federal Government about $6 billion a year, and have for decades. So when people say, don't you ever get embarrassed by asking for so much money? No. I could not possibly ask for as much money from Washington as we have already sent here. So I am going to continue to ask for funding for our State because we send off of our coast, and we are happy to do it, but we believe in fair partnerships and mutual respect. And until we get that, I am not going to stop advocating for our State. So RESTORE is a first step. It is the right step.

It is the fair step and justice for the goals for right now. This isn't taxpayer money. No taxpayers are paying this. BP is going to pay this. But we are going to come back next year and talk about the sharing of the tax revenues that the oil companies—not individuals but the oil companies—pay to the Federal Government every year for every barrel of oil, every cubic foot of gas they take out of the gulf. That sharing should be done not just here in America, it should be done off the coast of Africa, off the coast of South Africa, off the coast of Brazil, off the coast of Ghana, so the people who live along the coast can be respected, since that is where the drilling and the exploration is taking place.

Just as people in North Dakota and Utah and Wyoming share their revenues with the Federal Government, we intend to have a more robust revenue-sharing effort in the future. But until the day that happens—and I am confident, as sure as I am standing here, it will—this RESTORE money will go as a significant downpayment to help jump-start coastal efforts. We are not doing it like every man or woman for himself. It is not a grab bag for Governors. Senator SHELBY and I carefully crafted this so the money will be spent wisely, well, and efficiently in coordination with the Federal and State governments.

Is it going to be perfect? No. I am sure we are going to have some stumbling blocks. But this is unprecedented in its nature. This kind of public works effort has never been undertaken in this great way. So the scientists hopefully will lead us, the engineers and designers will design what we need, and we can continue giving our best effort in hopes of saving a great place on this Earth; that is, the great marshes of the gulf coast and the great delta that this mighty Mississippi River built thousands and thousands of years ago and leave it better to our grandchildren than most certainly we found it.

It has been a wonderful part of my life's work. It has been a worthy project to work on. There are others who have most certainly joined me in this leadership. But I am very proud of the work this Senate did and very disappointed in some things the House did on it. But as Senator BOXER said, it is legislation and we just can't have a perfect bill. It was better to get this than to leave it on the cutting-room floor, even though they did leave important pieces of it there.

I wish to thank Senator BOXER's staff, in particular, Senator INHOFE's staff for being so courteous, and Senator BOXER's staff for being very tenacious—to Tina and Jason particularly—to help us negotiate one of the great environmental pieces of legislation in decades.

I yield the floor.

Mr. LIEBERMAN. Mr. President, I rise today to discuss the transportation reauthorization bill that passed today. Having served on past transportation bill conference committees, I know the long hours and intense negotiations that were required to prepare this bill for consideration today, and I want to extend my congratulations, appreciation, and respect to Senators BOXER and INHOFE. I know from past experience that they are both principled, tough negotiators, and I am sure that is why the transportation bill returned from conference with so many key provisions intact.

In March, the Senate acted in a bipartisan manner to pass a transportation bill that contained significant achievements for our country, and would have greatly benefited my State of Connecticut. The bill would have reduced red tape for transportation projects while still protecting our environment and resources. It included a provision I worked on with my colleague from Delaware, Senator CARPER, which would have required cities and States to take air quality goals into account when drafting transportation plans. It also would have provided mass transit benefits the same tax beneficial treatment as parking benefits, and would have funded Connecticut's transportation programs at a level that met our basic needs for the next few years.

The bill that came back from conference retained many of these provisions, but I regret to see that it weakened others and discarded some of the rest. As I stated earlier, I am no stranger to working on a conference committee, and I fully realize that the best legislation is produced through a give and take on various issues. Clearly, that was the case here. Despite my disappointment on some of these compromises, I believe that it was essential that we acted to ensure that our national transportation programs did not lapse on July 1, and that is why I supported the transportation bill conference report. I would like to take a few minutes to briefly explain some of my concerns, and why I ultimately voted the way I did.

My concerns can generally be broken down into three categories: environmental, Connecticut-specific programs, and the long-term viability of the transportation system. First, let me touch upon the environment. We have come a long way since the days when Federal and State transportation departments labored under the mistaken belief that building our roads and highways bigger was better, no matter the consequences. We have long since realized that land deserves to be preserved, the purity of our water protected, and our air quality improved. I worry that the bill would be a step backwards because it would waive environmental reviews of many transportation projects, including some in environmentally endangered areas of our country. By providing a categorical exclusion under the National Environmental Policy Act for any projects within an existing

operational right-of-way, I can foresee wetlands being filled, sensitive habitat threatened, and resources spoiled, all without any environmental review. There is a right way and a wrong way to expedite projects, and I believe this is the wrong way. I understand this was a necessary concession in order to get a conference report agreed to, but I hope it will be addressed in the future.

The second concern I have is the impact of the bill on my State, Connecticut. The Federal highway program is just that: a Federal program that is intended to address the needs of the national transportation system. Nonetheless, our country's different regions have particular needs. Connecticut, and the Northeast in general, have urgent needs when it comes to transportation. My State has one of our Nation's oldest transportation systems, because Connecticut has been around a long time, one of the Nation's highest ratios of traffic volume to miles of road, and is a frequent pass-through State for commuters throughout the Northeast. Federal transportation funding should go to areas with the greatest need, just as happens with other government programs such as farm subsidies and disaster relief. Connecticut residents do not protest these agricultural support programs despite our paying a disproportionate share of taxes for them, but we deserve to receive adequate funds to address our unique transportation needs. Under this bill, Connecticut will receive inadequate funding. I would urge my colleagues to reconsider this problem, as well as the 95 percent minimum rate of return for all States, during deliberations on the next transportation bill just as we did during consideration of the 2005 transportation bill.

Finally, I want to take a moment to address a growing concern across the country: the future of our Highway Trust Fund. Since the establishment of the Federal highway system, we have utilized a user-fee system to fund our transportation programs. That system served us well for years, and relied on a gas tax to fill the Highway Trust Fund, which in turn distributed funds to our States. As is so often the case, with the good comes the bad: as we make cars that are more fuel efficient, thereby cleaning up our air and reducing emissions, we also purchase less gas per mile driven, and the amount of money flowing into the Trust Fund shrinks as a result. The gas tax has stayed static at 18.4 cents per gallon since 1993. Because it is not adjusted for inflation, the federal gas tax has experienced a cumulative loss in purchasing power of 33 percent since 1993. For 4 years now, the Trust Fund has been running a deficit and we have had to bail it out with transfers from the Treasury. This is not the way the system was meant to work, and it is not a way it can long survive.

The blame lies at all of our feet. Neither party has had the courage to face the reality that we are running out of money for our roads and bridges. Instead of dealing with the problem, we have continued to bail out the trust fund, hoping that some future Congress will take necessary steps to fix this problem. I applaud my colleague from Wyoming, Senator ENZI, who took a stand and proposed adjusting the gas tax for inflation, basically a half-cent a gallon increase. This could have gone a long way to reducing the amount of money we need to use to bailout the trust fund. Unfortunately, we never had a chance to discuss the matter. I understand that colleagues do not want to talk about raising taxes. But in the end we have no choice but to talk about raising taxes if we want our transportation infrastructure to keep pace with our people's needs.

We need leadership from Congress, and the President, to face the facts: our transportation system is both broke and broken. The system does not have funds for some basic repairs, let alone to make the new investments for infrastructure we urgently need. In 2002, the United States was ranked fifth, in terms of infrastructure quality, worldwide. Today, we have dropped to twenty-fourth. We have fallen 19 places down in less than a decade.

Unfortunately, the large-scale investments we need will not be possible until we can fix the funding issue. The Simpson-Bowles Commission recommended a 5-cent per year increase to the gas tax for 3 years. Others have recommended shifting to a system that charges users for vehicle-miles-travelled. Such a VMT would ensure that those driving fuel efficient, electric, or alternative fuel vehicles pay for the wear-and-tear to the roads they cause. Although I will not be a member of the Senate when the next transportation bill is debated, I would urge my colleagues to begin to address this issue before the trust fund goes broke once again. Washington must have the courage to keep all options on the table, and then do what works to fix this problem.

In closing, I wish to again express my gratitude to Senators BOXER and INHOFE. This is a true jobs bill, and it will guarantee that millions of construction workers are still employed come Sunday, that student loan interest rates do not double this school year, and that our truly important flood insurance program will be reauthorized.

I thank Senator BOXER, Senator INHOFE, the staff of the EPW committee, as well as the staffers at the Departments of Transportation both in Washington and Connecticut, for their efforts in bringing this bill to fruition.

Ms. LANDRIEU. Mr. President, I forgot to thank my own staff, which would be very important to do. Elizabeth Weiner, Elizabeth Craddock, Jane Campbell, my chief of staff, and my entire staff for their tremendous work—we are all going to get a good rest in the week to come—and other staff, Tanner Johnson in particular, no longer with my staff but who put the original bill together.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

Ms. LANDRIEU. Mr. President, I ask unanimous consent the Senate proceed to immediate consideration of S. Con. Res. 51, the adjournment resolution which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 51) providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives.

There being no objection, the Senate proceeded to the concurrent resolution.

Ms. LANDRIEU. Mr. President, I ask unanimous consent the concurrent resolution be agreed to and the motion to reconsider be laid upon the table, with no intervening action or debate.

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

The concurrent resolution (S. Con. Res. 51) was agreed to, as follows:

S. CON. RES. 51

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Friday, June 29, 2012, through Monday, July 2, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12:00 noon on Monday, July 9, 2012, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day from Friday, June 29, 2012, through Friday, July 6, 2012, on a motion offered pursuant to this concurrent resolution by its majority leader or his designee, it stand adjourned until 2:00 p.m. on Monday, July 9, 2012, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

SMALL BUSINESS JOBS AND TAX RELIEF ACT—MOTION TO PROCEED—Continued

Mr. REID. Mr. President, we are on the motion to proceed to Calendar No. 341, S. 2237; is that true?

The PRESIDING OFFICER. The Senator is correct.

CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion at the desk.

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

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 341, S. 2237, the Small Business Jobs and Tax Relief Act.

Harry Reid, Kent Conrad, Tom Harkin, Richard Blumenthal, Jeff Bingaman, Carl Levin, Al Franken, Daniel K. Inouye, Richard J. Durbin, Benjamin L. Cardin, Max Baucus, Charles E. Schumer, Jeff Merkley, Patty Murray, John D. Rockefeller IV, John F. Kerry.

Mr. REID. Mr. President, I ask unanimous consent that the mandatory quorum under rule XXII be waived; that at 2:15 p.m., Tuesday, July 10, there be 10 minutes equally divided between the two leaders or their designees prior to a vote on the motion to invoke cloture on the motion to proceed to S. 2237.

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

UNANIMOUS-CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that on Tuesday, July 10, 2012, at 11:30 a.m., the Senate proceed to executive session to consider the following nomination: Calendar No. 661; that there be 30 minutes of debate equally divided in the usual form; that upon the use or yielding back of that time, the Senate proceed to vote on that matter without intervening action or debate, the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; that President Obama be immediately notified of the Senate's action, and the Senate then resume legislative session.

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

EXECUTIVE SESSION

NOMINATIONS DISCHARGED

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session and the Foreign Relations Committee be discharged from further consideration of Presidential Nomination 1680 and the Senate proceed to its consideration; that the nomination be confirmed, the motion to reconsider be laid upon the table, there be no intervening action or debate; that no further motions be in order to the nomination; that any related statements be printed in the RECORD; and that President Obama be immediately notified of the Senate's action.

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

The nomination considered and confirmed is as follows:

DEPARTMENT OF STATE

Derek J. Mitchell, of Connecticut, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Union of Burma.

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Commerce be discharged from further consideration of PN 1442, 1461, 1462, 1671, 1377, and 1734; that the nominations be confirmed, the motion to reconsider be considered made and laid upon the table; that there be no intervening action or debate; that no further motions be in order to the nominations; that any related statements be printed in the RECORD; and that the President be immediately notified of the Senate's action.

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

The nominations considered and confirmed are as follows:

COAST GUARD

The following named officers for appointment to the grade indicated in the United States Coast Guard under title 14, U.S.C., section 271:

To be rear admiral upper half

Rear Admiral (lh) Daniel B. Abel
Rear Admiral (lh) Frederick J. Kenney Jr
Rear Admiral (lh) Marshall B. Lytle III
Rear Admiral (lh) Fred M. Midgette
Rear Admiral (lh) Karl L. Schultz
Rear Admiral (lh) Cari B. Thomas
Rear Admiral (lh) Christopher J. Tomney

The following named officer for appointment in the United States Coast Guard Reserve to the grade indicated under the 10 U.S.C., section 12203:

To be rear admiral upper half

Rear Adm. (lh) John S. Welch

The following named officers for appointment to the grade indicated in the United States Coast Guard under title 14, U.S.C. section 211(A)(2):

To be lieutenant commander

Jason A. Boyer
Eric A. Cain
William E. Donohue
Roy Eidem
Matthew A. Pickard

The following named officers as members of the Coast Guard permanent commissioned teaching staff for appointment in the grade indicated in the United States Coast Guard under title 14, U.S.C., section 188:

To be commander

Russell E. Bowman

To be lieutenant commander

Joseph D. Brown

To be lieutenant

Meghan K. Steirhaus

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Subject to qualifications provided by law, the following for permanent appointment to the grade indicated in the National Oceanic and Atmospheric Administration:

To be ensign

Lucas D. Johnson
Kevin G. Doremus
Michael N. Hirsch
Joshua D. Witmer
Jared R. Halonen
Daniel P. Langis
Andrew R. Clos
John R. Kidd
Aras J. Zygas
Refael W. Klein
David B. Keith
Whitley J. Gilbert
Kelsey E. Jeffers
Kasey M. Sims
Junie H. Cassone
Ricardo Rodriguez Perez
Aaron D. Colohan
Veronica J. Brieno Rankin
Chelsea D. Frate
Theresa A. Madsen

Subject to qualifications provided by law, the following for permanent appointment to the grade indicated in the National Oceanic and Atmospheric Administration:

To be lieutenant (junior grade)

Kyle S. Salling
Daniel D. Smith
Anthony R. Klemm
Richard J. Park
David J. Rodziewicz
Andrea L. Proie
Joseph T. Phillips
Kelli-Ann E. Bliss
Larry V. Thomas, Jr.
Leslie Z. Flowers
Shannon K. Hefferan

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to consider Calendar Nos. 726, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 778, 819, 820, 821, 822, 823, and 824; that the nominations be confirmed en bloc; that the motion to reconsider be considered made and laid upon the table; that there be no intervening action or debate; that no further motions be in order to any of the nominations; that any related statements be printed in the RECORD; and that the President be immediately notified of the Senate's action.

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

The nominations considered and confirmed en bloc are as follows:

NOMINATIONS

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Lt. Gen. Herbert J. Carlisle

NATIONAL BOARD FOR EDUCATION SCIENCES

Larry V. Hedges, of Illinois, to be a Member of the Board of Directors of the National

Board for Education Sciences for a term expiring November 28, 2015.

Susanna Loeb, of California, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring March 15, 2016.

NATIONAL COUNCIL ON DISABILITY

Kamilah Oni Martin-Proctor, of the District of Columbia, to be a Member of the National Council on Disability for a term expiring September 17, 2014.

Sara A. Gelser, of Oregon, to a Member of the National Council on Disability for a term expiring September 17, 2014.

DEPARTMENT OF STATE

Edward M. Alford, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of The Gambia.

Peter William Bodde, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federal Democratic Republic of Nepal.

Piper Anne Wind Campbell, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Mongolia.

Dorothea-Maria Rosen, of California, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United State of America to the Federated States of Micronesia.

Mark L. Asquino, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Equatorial Guinea.

Michele Jeanne Sison, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Democratic Socialist Republic of Sri Lanka, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Maldives.

Douglas M. Griffiths, of Texas, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Mozambique.

Jay Nicholas Anania, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Suriname.

Susan Marsh Elliott, of Florida, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Tajikistan.

Richard L. Morningstar, of Massachusetts, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Azerbaijan.

DEPARTMENT OF JUSTICE

Patrick A. Miles, Jr., of Michigan, to be United States Attorney for the Western District of Michigan for the term of four years.

John S. Leonardo, of Arizona, to be United States Attorney for the District of Arizona for the term of four years.

Jamie A. Hainsworth, of Rhode Island, to be United States Marshal for the District of Rhode Island for the term of four years.

COMMUNITY RELATIONS SERVICE

Grande Lum, of California, to be Director, Community Relations Service, for a term of four years.

NUCLEAR REGULATORY COMMISSION

Kristine L. Svinicki, of Virginia, to be a Member of the Nuclear Regulatory Commission for the term of five years expiring June 30, 2017.

Allison M. Macfarlane, of Maryland, to be a Member of the Nuclear Regulatory Commission for the remainder of the term expiring June 30, 2013.

Mr. REID. Mr. President, I ask unanimous consent that the Homeland Security and Government Affairs Committee be discharged from further consideration of PN 1121; that the nomination be confirmed; that the motion to reconsider be considered made and laid upon the table; that there be no intervening action or debate; that there be no further motions in order to the nomination; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action; and that the Senate then resume legislative session.

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

The nomination considered and confirmed is as follows:

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

Deborah J. Jeffrey, of the District of Columbia, to be Inspector General, Corporation for National and Community Service.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

MORNING BUSINESS

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

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

BUDGET REVISIONS

Mr. CONRAD. Mr. President, I previously filed committee allocations and budgetary aggregates pursuant to section 106 of the Budget Control Act of 2011. Today, I am adjusting some of those levels, specifically the allocation to the Committee on Appropriations for fiscal year 2013 and the budgetary aggregates for fiscal year 2013.

Section 101 of the Budget Control Act allows for various adjustments to the statutory limits on discretionary spending, while section 106(d) allows the chairman of the Budget Committee to make revisions to allocations, aggregates, and levels consistent with those adjustments. The Committee on Appropriations reported four bills that are eligible for adjustments under the Budget Control Act. Consequently, I am making adjustments to the 2013 allocation to the Committee on Appropriations and to the 2013 aggregates for spending by a total of $9.245 billion in budget authority and $2.385 billion in outlays. Those adjustments reflect the sum of $5.648 billion in budget authority and $403 million in outlays for funding designated for disaster relief, $2.547 billion in budget authority and $1.075 billion in outlays for funding designated as being for overseas contingency operations, and $1.050 billion in budget authority and $907 million in outlays for program integrity initiatives. The two program integrity initiatives for which adjustments are in order under the Budget Control Act are continuing disability reviews and redeterminations and health care fraud and abuse control.

I ask unanimous consent that the following tables detailing the changes to the allocation to the Committee on Appropriations and the budgetary aggregates be printed in the RECORD.

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

BUDGETARY AGGREGATES

[Pursuant to section 106(b)(2)(C) of the Budget Control Act of 2011 and section 311 of the Congressional Budget Act of 1974]

$s in millions	2012	2013
Current Spending Aggregates:		
Budget Authority	3,075,731	2,828,030
Outlays	3,123,589	2,944,872
Adjustments:		
Budget Authority	0	9,245
Outlays	0	2,385
Revised Spending Aggregates:		
Budget Authority	3,075,731	2,837,275
Outlays	3,123,589	2,947,257

REVISIONS TO THE BUDGET AUTHORITY AND OUTLAY ALLOCATIONS TO THE COMMITTEE ON APPROPRIATIONS

[Pursuant to section 106 of the Budget Control Act of 2011 and section 302 of the Congressional Budget Act of 1974]

In millions of dollars	Current Allocation/ Limit	Adjustment	Revised Allocation/Limit
Fiscal Year 2012:			
Security Discretionary Budget Authority	816,943	0	816,943
Nonsecurity Discretionary Budget Authority	363,536	0	363,536
General Purpose Discretionary Outlays	1,320,414	0	1,320,414
Fiscal Year 2013:			
Security Discretionary Budget Authority	546,000	254	546,254
Nonsecurity Discretionary Budget Authority	501,000	8,991	509,991
General Purpose Discretionary Outlays	1,222,497	2,385	1,224,882

DETAIL ON ADJUSTMENTS TO FISCAL YEAR 2013 ALLOCATIONS TO COMMITTEE ON APPROPRIATIONS

[Pursuant to section 106 of the Budget Control Act of 2011]

$s in billions	Program Integrity	Disaster Relief	Emergency	Overseas Congency Operations	Total
Financial Services:					
Budget Authority	0.000	0.167	0.000	0.000	0.167
Outlays	0.000	0.129	0.000	0.000	0.129
Homeland Security:					
Budget Authority	0.000	5.481	0.000	0.254	5.735
Outlays	0.000	0.274	0.000	0.203	0.477
Labor-HHS-ED:					
Budget Authority	1.050	0.000	0.000	0.000	1.050
Outlays	0.907	0.000	0.000	0.000	0.907
State-Foreign Operations:					
Budget Authority	0.000	0.000	0.000	2.293	2.293
Outlays	0.000	0.000	0.000	0.872	0.872
Total:					
Budget Authority	1.050	5.648	0.000	2.547	9.245
Outlays	0.907	0.403	0.000	1.075	2.385
Memorandum 1: Breakdown of Above Adjustments by Category:					
Security Budget Authority	0.000	0.000	0.000	0.254	0.254
Nonsecurity Budget Authority	1.050	5.648	0.000	2.293	8.991
General Purpose Outlays	0.907	0.403	0.000	1.075	2.385
Memorandum 2: Cumulative Adjustments (Includes Previously Filed Adjustments)					
Budget Authority	1.050	5.648	0.000	2.547	9.245
Outlays	0.907	0.403	0.000	1.075	2.385

REQUEST FOR SEQUENTIAL REFERRAL

Mr. LEAHY. Mr. President, I ask unanimous consent to have printed in the RECORD a letter dated June 28, 2012, to the Majority leader from myself and Senator GRASSLEY.

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

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, DC, June 28, 2012.

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

DEAR MAJORITY LEADER REID: Pursuant to Section 3(b) of Senate Resolution 400 of the 94th Congress, as amended by Senate Resolution 445, 108th Congress, we request that S. 3276, the FAA Sunsets Extension Act of 2012, which was filed by the Select Committee on Intelligence on June 7, 2012, be sequentially referred to the Judiciary Committee. The bill contains matters within the jurisdiction of the Judiciary Committee.

Thank you for your assistance and cooperation.

Sincerely,

PATRICK LEAHY,
Chairman.
CHARLES E. GRASSLEY,
Ranking Member.

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

UNITED STATES SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, DC, June 28, 2012.

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

DEAR MAJORITY LEADER REID: Pursuant to Section 3(b) of Senate Resolution 400 of the 94th Congress, as amended by Senate Resolution 445, 108th Congress, we request that S. 3276, the FAA Sunsets Extension Act of 2012, which was filed by the Select Committee on Intelligence on June 7, 2012, be sequentially referred to the Judiciary Committee. The bill contains matters within the jurisdiction of the Judiciary Committee.

Thank you for your assistance and cooperation.

Sincerely,

PATRICK LEAHY,
Chairman.
CHARLES E. GRASSLEY,
Ranking Member.

CONTINUATION OF THE WIPA PROGRAM

Mr. BAUCUS. Mr. President, I rise today to express my disappointment and frustration that the Work Incentives Planning and Assistance program also known as WIPA run by the Social Security Administration is being shut down today. Congress has not acted to extend this important program and the Commissioner of Social Security does not believe he has the authority to continue the program. I disagree. I think he could continue this program under his broad authority to implement the Social Security Act. It is my belief that if he did that and that was contrary to congressional intent, Congress would express that disapproval through the appropriations process.

Let me explain what the WIPA program does. Both the Social Security disability insurance, SSDI, program and the supplemental security income, SSI, program have many provisions to assist beneficiaries in attempting to return to work, but the rules and features of the work incentives are complex and can be intimidating. Through the WIPA program, SSA makes grants to community-based organizations to provide SSDI and SSI disability beneficiaries with assistance in navigating and using the return-to-work features. The total budget for the WIPA grant program is $23 million a year. Because it is such a large State, Montana has two WIPA grantees. The Montana Center for Inclusive Education at Montana State University in Billings is the WIPA specialist for residents of eastern Montana. Over the last 30 months, the WIPA in MSU Billings has served over 100 Montana residents. On the western side of the State, the North Central Independent Living Services, Inc., near Great Falls runs an innovative program where the WIPA grant is dispersed among several Centers for Independent Living in order to provide more personal, one-on-one service for residents of Montana. That program has served over 220 Montana residents.

I think the WIPA program should continue. I know many Members of Congress agree. I hope the Commissioner will continue these important programs as soon as possible. Given the state of the economy today, we should not limit important services that can help our constituents who want to help themselves by attempting to work.

AUTHORIZED RURAL WATER PROJECTS COMPLETION ACT

Mr. BINGAMAN. Mr. President, I rise today as an original co-sponsor of the Authorized Rural Water Projects Completion Act, introduced by my colleague, Senator BAUCUS. I am pleased to support this important legislation which would address the serious backlog in the construction of Bureau of Reclamation water projects that are intended to serve rural and tribal communities.

All of these projects have already been studied and authorized by the Congress. However, the funding for constructing the projects has lagged, causing a delay in addressing the needs of rural and tribal communities to have potable water delivered for their use.

In 1902, the Reclamation Fund was established by Congress, intended to be used as a funding source to construct water projects in the West. It is funded through a variety of receipts, including Federal mineral leasing receipts. However, the use of monies from the Reclamation Fund has been subject to appropriation, and therefore, large balances have remained in the Fund. The average annual surplus in the Reclamation Fund from FY 2005 through FY 2011 was $960 million. While these monies were intended to be used for water project construction, they have not always been appropriated when needed.

The bill that is being introduced today would direct that every year $80 million that would otherwise be deposited in the Reclamation Fund be made available without further appropriation for the construction of the authorized rural water projects—projects that Congress has already determined are in the public interest and should be built.

I would like my colleagues to note that according to Bureau of Reclamation analysis, an increase in funding for the construction of rural water projects to $80 million per year would reduce the total Federal appropriations needed to complete the projects by more than $1 billion, due to project costs and inflation. Therefore, this bill will have a positive fiscal impact. The bill also includes language that states that amounts may not be transferred for rural water projects pursuant to the legislation if to do so would raise the deficit.

The legislation provides that the Secretary may not expend amounts under the bill until the Secretary develops programmatic goals that would: enable completion of rural water projects as quickly as possible; reflect the goals and priorities identified in the laws authorizing the rural water projects; and reflect the goals of the Reclamation Rural Water Supply Act of 2006. The bill does not direct that a particular project receive funding, but rather provides that the Secretary develop funding prioritization criteria to serve as a formula for distributing funds consistent with considerations set forth in the bill.

This bill is important to our citizens in rural and tribal communities in the West. Adequate water supplies are fundamental to our way of life, and far too many Americans still live without safe drinking water. Congress has already determined that the rural water projects it has authorized are needed to provide water supplies to our rural and tribal communities and are in the best interests of public.

Mr. President, I urge my colleagues to join me in supporting this important legislation, so that the promise of these important water projects can become an on-the-ground reality.

50TH ANNIVERSARY OF THE INTERNATIONAL BRIDGE

Mr. LEVIN. Mr. President, the International Bridge at Sault St. Marie stands as an enduring, visible reminder of the connection Michigan has with our neighbor to the north. This nearly 2-mile expanse, quite literally, brings communities in Michigan and Canada closer together, forging a mutually beneficial partnership in the process. To commemorate the construction of the bridge, a new, patriotic lighting scheme will be introduced on the American side of the bridge this week.

Thousands of vehicles cross this bridge each day. In fact, in 2007 alone, nearly 2 million cars traversed this roadway. This bridge is a pathway for commerce and trade; it is a convenient way for families separated by a short distance, but still a Nation apart to visit; and it supports recreation and tourism, which are central to the economies of many of Michigan's communities. Designed by Dr. Carl Gronquist, this sprawling structure has buoyed a number of industries important to Michigan, including steel, paper and forestry.

Before the International Bridge opened to traffic on October 31, 1962, Michiganians crossed the St. Mary's River either by car ferry or by railway. The need for a more efficient means to connect Sault Ste. Marie, MI and Sault Ste. Marie, Ontario was evident. In response, in 1940, Congress approved an international crossing in Sault Ste. Marie, and in 1955, the Canadian Parliament established the St. Mary's Bridge Company to facilitate and oversee an international crossing. The $16 million construction project that ensued lasted nearly 2 years and gave way to the structure we enjoy today.

Connecting Sault Ste. Marie with a city of 75,000 in Ontario that also serves as an important international trade crossing in Northwestern Ontario has been very beneficial. The theme of this celebration—Celebrating 50 years of International Friendship—speaks powerfully to this point. I also would like to recognize the work of the Sault Ste. Marie Bridge Authority and the International Bridge Administration for their tremendous work and dedication. The work that is done each day to ensure an efficient and steady flow of traffic across this bridge has positively impacted the lives of Michiganians and countless businesses for the last half century. As we look toward the future, it is important to preserve and maintain the International Bridge for future generations.

TRIBUTE TO GUNNERY SERGEANT THOMAS J. BOYD, USMC

Mr. LIEBERMAN. Mr. President, this Sunday, Marine Corps GySgt Thomas Boyd, who is currently serving as a legislative fellow in my office, will receive his promotion to master gunnery sergeant at his home in Uniontown, PA, surrounded by his wife Reagan and his family. I would like to take the opportunity to recognize Tom's accomplishments and selfless service to our Nation.

Tom enlisted in the Marine Corps in 1996, following in the footsteps of his father, older brother, and great uncle. He immediately took on the very demanding occupational specialty of signals intelligence, which involves the collection and analysis of enemy communications. It is a unique and critically important specialty that accepts only the highest quality and most trustworthy marines, which tells you a lot about Tom's character.

From 2005 to 2009 Tom was stationed at Fort Meade and served at the National Security Agency. His skills were put to the test in three combat deployments, two to Iraq and one to Afghanistan, during which he supported numerous counterterrorism operations that helped make those countries and our own more secure. The Department of Defense recognized his contributions with the Defense Meritorious Service Medal, one of the highest awards the Department can bestow upon a servicemember.

Last year the Marine Corps selected Tom for its Congressional Fellowship Program, which, as my colleagues know, is highly selective. Tom is one of only two enlisted Marines selected to serve on Capitol Hill this year. While working in a Senate office is considerably less action-packed than the jobs he has had in the recent past, Tom has tackled all the tasks we have assigned to him with the overwhelming enthusiasm and tenacity we expect from our marines.

I know some of our constituents who have met Tom are sometimes surprised to come to my office and find themselves across the table from ''Big Country,'' as Tom is affectionately known among his peers. Then they realize that not only is Tom as dedicated to serving them as any member of any Senator's staff but also that it can be a big advantage to have a man who was clearly born to be a leatherneck on their side.

To my colleagues, should you see Tom walking the halls of the Senate, I ask that you take a moment to congratulate him on his promotion and thank him and his family for their sacrifices on behalf of our country. In his personality, professionalism, and selflessness, Tom Boyd reflects the best traditions of the U.S. Marine Corps.

REMEMBERING VICE ADMIRAL WILLIAM D. HOUSER, USN

Mr. McCAIN. Mr. President, today I rise to honor a great naval officer and a true friend. Yesterday, VADM William ''Bill'' Douglas Houser, USN, Retired, was buried with full military

honors at Arlington National Cemetery. His was a life spent in service to our great country and its Navy and sailors.

An Atlanta native, Admiral Houser entered the Naval Academy in 1938 at the age of 16, as part of the class of 1942. He was commissioned early with his class in 1941, after the Japanese attacked Pearl Harbor. During World War II, he served for 3 years as a deck officer aboard the USS Nashville, which saw combat in the battle for Guadalcanal, raids on the Marcus and Wake Islands, and operations around Leyte and Luzon in the Philippines. In 1945, Admiral Houser entered flight training and was designated a naval aviator the following year. He saw combat in Korea as commanding officer of Fighter Squadron 44 and during the Vietnam War as commanding officer of the aircraft carrier USS Constellation. Other commands-at-sea included Fighter Squadron 124, the USS Mauna Loa, and Carrier Division TWO as a flag officer.

Ashore, Admiral Houser served on the staff of the Joint Chiefs of Staff from 1960 to 1962 and again from 1967 to 1968 as Director, Strategic Plans Division. He was the Military Assistant to the Deputy Secretary of Defense from 1962 through 1963; a member of the staff of the National Security Council in 1965; and Director of Aviation Plans and Requirements for the U.S. Navy from 1968 through 1970. He was promoted to Vice Admiral in 1972 and served his last tour of duty from 1972 to 1976 as Deputy Chief of Naval Operations for Air Warfare, where he was responsible for all Naval aviation matters. Admiral Houser said that his most satisfying accomplishment as Deputy Chief was saving the F–14 fighter from cancellation.

Admiral Houser received numerous medals and decorations while on Active Duty. They include the Distinguished Service Medal, two awards; the Legion of Merit, four awards; the Bronze Star with Combat V; and the Air Medal, two awards. In retirement, he was also honored to receive the prestigious U.S. Naval Academy Alumni Association Distinguished Graduate Award in 2003.

After retirement from the Navy, Admiral Houser went on to a successful career in the telecommunications industry, working for the Corporation for Public Broadcasting, Communications Satellite Corporation, and Com21, among others. But he always remained dedicated to the Navy he so loved. He served as a trustee of the U.S. Naval Academy Foundation for 30 years. He served on the International Midway Memorial Foundation and helped establish the annual Navy Midway Dinner. He spearheaded the creation of a Midway Memorial in the yard of the U.S. Naval Academy.

Beyond all his accomplishments, Bill was a great friend. When I returned home from prison in Vietnam, he was instrumental in helping me return to flying status. I remain forever indebted to him for his support and assistance.

Bill passed away on February 5, 2012, and is survived by his wife Jan; his 3 daughters, Cindy, Gayle, and Francie; his 2 stepdaughters, Karla and Louise; 11 grandchildren; and 1 great-granddaughter. President John F. Kennedy once said, ''Any man who may be asked in this century what he did to make his life worthwhile, I think can respond with a good deal of pride and satisfaction, 'I served in the United States Navy.''' By that standard, VADM William D. Houser, USN, Retired, lived a life of immeasurable worth. God bless and Godspeed, old friend.

TRIBUTE TO REVEREND FRED LUTER, JR.

Ms. LANDRIEU. Mr. President, I rise today to ask my colleagues to join me in congratulating Rev. Fred Luter, Jr., of New Orleans, LA on being elected to be president of the Southern Baptist Convention and acknowledging Reverend Luter's unique role as the first African-American leader of the Southern Baptist Convention.

Rev. Fred Luter, Jr. preached his first church sermon in 1983 at the Law Street Baptist Church in New Orleans, LA. He then became pastor of Franklin Avenue Baptist Church in 1986. Under the leadership of Reverend Luter, the Franklin Avenue Baptist Church community grew from 65 members in 1986 to over 7,000 members in 2005. Thanks to Reverend Luter, the Franklin Avenue Baptist Church grew to be the largest Southern Baptist Church in the State of Louisiana.

In 2005, Franklin Avenue Baptist Church was extensively damaged by Hurricane Katrina. Along with the church, Reverend Luter also lost his home to flooding. Displaced members of the church totaled approximately 2,000 people. Reverend Luter, in cooperation with Rev. David Crosby, found a temporary home for Franklin Avenue Baptist Church during the aftermath of Hurricane Katrina. As well as setting up a temporary church, Reverend Luter continued to minister to his congregation, even holding services in Baton Rouge, LA, and Houston, TX. After tremendous hard work and determination, Reverend Luter reopened the door to Franklin Avenue Baptist Church in April of 2008.

In 2011, Reverend Luter became the first African-American to be elected as first vice president of the Southern Baptist Convention. The Southern Baptist Convention is a cooperative of over 45,000 churches they diligently seek to bring about greater racial and ethnic representation at every level of Southern Baptist institutional life.

Reverend Luter was then nominated by Rev. David Crosby to become president of the Southern Baptist Convention. On June 19, 2012, Reverend Luter was elected to be the first African-American president of the Southern Baptist Convention.

It is with a special measure of commendation and heartfelt congratulations on becoming the first African-American president of the Southern Baptist Convention and for his commitment to ministering to his congregation that I ask my colleagues to join me along with Reverend Luter's family in honoring and celebrating the life of this most extraordinary person.

ADDITIONAL STATEMENTS

RECOGNIZING JEWISH FAMILY SERVICES

• Mr. BLUMENTHAL. Mr. President, today I wish to recognize Jewish Family Services, a philanthropic treasure in Connecticut. This year marks a momentous 100th anniversary of community service.

Founded June 1912, Jewish Family Services was built to assist European immigrants coming to this country to seek the American dream and escape persecution. These new residents of Connecticut confronted the challenges of their new lives with hope and determination.

Jewish Family Services has touched all generations, giving unconditionally to all those in need. Following the value of Tikkun Olam—''healing the world''—their mission is truly boundless. Their courageous staff of experienced social workers has helped facilitate new lives for many citizens, empowering their first steps towards change.

Jewish Family Services has recently focused on programs to support new careers and combat long-term unemployment. Through the Jewish Employment Transition Services, JFS has helped ease the desperation of joblessness. These programs complement many others including a food pantry, mental health services, care for the aging, children, and Holocaust survivors, counseling for life transitions such as divorce, and financial tutoring.

To celebrate its 100th anniversary while preparing for the next decades, Jewish Family Services has created three new funds—one dedicated to our children, the Changing Children's Lives Fund, another for those confronting emergency situations or personal crisis, the First Responders Fund, and a third, aptly named the Future Fund.

By giving help and getting help, Jewish Family Services has formed a family for the Greater Hartford area. It embraces community assistance as a given and disperses inspiration and hope. Its one hundred years are a prelude to future accomplishment and contribution.•

FOREST RIVER, NORTH DAKOTA

• Mr. CONRAD. Mr. President, I am pleased to honor a community in North Dakota that will soon celebrate its 125th anniversary. On July 13, 2012, the residents of Forest River will recognize the community's history and founding.

Named after the river that flows through the area, Forest River was established in 1878 as a stop for both the

Northern Pacific Railroad Company and the Soo Line Railroad. The river's original name was the Big Salt River; however, it was later changed to reflect the thick growth of trees along the banks of the water.

Residents of Forest River will celebrate the town's 125th anniversary with fun activities, including a parade, an ice cream social, a street fair, several street dances, and a museum exhibit chronicling the history and heritage of the town and its residents. These activities reflect the charm and character of Forest River and the town's strong sense of community.

I ask the Senate to join me in congratulating Forest River, ND, and its residents on their 125th anniversary and in wishing them a bright future.●

REGAN, NORTH DAKOTA

● Mr. CONRAD. Mr. President, I am pleased to honor a community in North Dakota that will soon celebrate its 100th anniversary. From July 13 through the 15, the residents of Regan will recognize the community's history and founding.

Regan, like many towns in North Dakota, began with the coming of the Northern Pacific Railroad Company. Regan was named after J. Austin Regan, a businessman from nearby Fessenden and an official of Dakota Land and Townsite, the company which originally mapped the town. The first building in Regan was a cream station named Tolchinsky's, where early settlers sold their cream. In the following years, the town grew quickly with the additions of a post office, a church, many businesses, and a baseball diamond.

Dubbed ''Rockin' Regan'' the residents have an extensive list of events for the centennial celebration, including a parade, a raffle, and the Centennial Tractor Trek that will travel along ND-Highway 36.

Today, Regan, although small, is still a prominent farming community. I am reminded of a saying from their 75th celebration: ''We are not just a town, but a community, and a community we will remain.'' This is the true essence of the people of North Dakota; no matter what the future brings, communities will remain. The town of Regan has demonstrated its independence as a strong community and has remained strong since 1912.

I ask the Senate to join me in congratulating Regan, ND, and its residents on their 100th anniversary and in wishing them a bright future.●

BRIDAL VEIL POST OFFICE

● Mr. MERKLEY. Mr. President, today I wish to commemorate the one hundred and twenty fifth anniversary of the Bridal Veil Post Office.

Since July 7th, 1887, the Bridal Veil Post Office has delivered letters and packages to the community in a timely and efficient manner. The post office, all 100 square feet of it, manages to keep up with the thousands of brides that flood to this town every year, seeking the coveted Bridal Veil postmark on their wedding invitations. While the town of Bridal Veil may have decreased in size since its days as a bustling mill-town, the dedication and service of this post office has certainly remained.

The Bridal Veil Post Office also serves as a testament to a time in Oregon's past that is too often forgotten; a time that the Bridal Veil Historical Preservation Society and its supporters have fought to preserve. Even in the face of post office closures and modernizations, this post office has endured. The efforts of those that have fought to maintain this structure, especially the Historical Preservation Society, serve as a testament to its importance not only to this community, but to the state of Oregon as well.

To President and Postmaster Geri Canzler, the citizens of Bridal Veil, and all those that have fought to preserve this historic site: thank you and congratulations on 125 years and counting.●

NOTIFICATION OF THE PRESIDENT'S INTENT TO TERMINATE THE DESIGNATIONS OF GIBRALTAR AND THE TURKS AND CAICOS ISLANDS AS BENEFICIARY DEVELOPING COUNTRIES UNDER THE GENERALIZED SYSTEM OF PREFERENCES (GSP) PROGRAM—PM 53

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States which was referred to the Committee on Finance:

To the Congress of the United States:

In accordance with section 502(f)(2) of the Trade Act of 1974, as amended (the ''1974 Act'') (19 U.S.C. 2462(f)(2)), I am providing notification of my intent to terminate the designations of Gibraltar and the Turks and Caicos Islands as beneficiary developing countries under the Generalized System of Preferences (GSP) program. Section 502(e) of the 1974 Act (19 U.S.C. 2462(e)) provides that if the President determines that a beneficiary developing country has become a ''high income'' country, as defined by the official statistics of the International Bank for Reconstruction and Development (i.e., the World Bank), then the President shall terminate the designation of such country as a beneficiary developing country for purposes of GSP, effective on January 1 of the second year following the year in which such determination is made.

Pursuant to section 502(e) of the 1974 Act, I have determined that it is appropriate to terminate Gibraltar's designation as a beneficiary developing country under the GSP program, because it has become a high income country as defined by the World Bank. Accordingly, Gibraltar's eligibility for trade benefits under the GSP program will end on January 1, 2014.

In addition, pursuant to section 502(e) of the 1974 Act, I have determined that it is appropriate to terminate Turks and Caicos Islands' designation as a beneficiary developing country under the GSP program, because it has become a high income country, as defined by the World Bank. Accordingly, Turks and Caicos Islands' eligibility for trade benefits under the GSP program will end on January 1, 2014.

BARACK OBAMA.

THE WHITE HOUSE, *June 29, 2012*.

NOTIFICATION OF THE PRESIDENT'S INTENT TO ADD THE REPUBLIC OF SENEGAL TO THE LIST OF LEAST-DEVELOPED BENEFICIARY DEVELOPING COUNTRIES UNDER THE GENERALIZED SYSTEM OF PREFERENCES (GSP) PROGRAM—PM 54

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States which was referred to the Committee on Finance:

To the Congress of the United States:

In accordance with section 502(f)(2) of the Trade Act of 1974, as amended (the ''1974 Act'') (19 U.S.C. 2462(f)(2)), I am providing notification of my intent to terminate the designations of Gibraltar and the Turks and Caicos Islands as beneficiary developing countries under the Generalized System of Preferences (GSP) program. Section 502(e) of the 1974 Act (19 U.S.C. 2462(e)) provides that if the President determines that a beneficiary developing country has become a ''high income'' country, as defined by the official statistics of the International Bank for Reconstruction and Development (i.e., the World Bank), then the President shall terminate the designation of such country as a beneficiary developing country for purposes of GSP, effective on January 1 of the second year following the year in which such determination is made.

Pursuant to section 502(e) of the 1974 Act, I have determined that it is appropriate to terminate Gibraltar's designation as a beneficiary developing country under the GSP program, because it has become a high income country as defined by the World Bank. Accordingly, Gibraltar's eligibility for trade benefits under the GSP program will end on January 1, 2014.

In addition, pursuant to section 502(e) of the 1974 Act, I have determined that it is appropriate to terminate Turks and Caicos Islands' designation as a beneficiary developing country under the GSP program, because it has become a high income country as defined by the World Bank. Accordingly, Turks and Caicos Islands' eligibility for trade benefits under the GSP program will end on January 1, 2014.

BARACK OBAMA.

THE WHITE HOUSE, *June 29, 2012*.

MESSAGES FROM THE HOUSE

At 10:22 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1447. An act to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to establish an Aviation Security Advisory Committee, and for other purposes.

H.R. 3173. An act to direct the Secretary of Homeland Security to reform the process for the enrollment, activation, issuance, and renewal of a Transportation Worker Identification Credential (TWIC) to require, in total, not more than one in-person visit to a designated enrollment center.

H.R. 3276. An act to designate the facility of the United States Postal Service located at 2810 East Hillsborough Avenue in Tampa, Florida, as the ''Reverend Abe Brown Post Office Building''.

H.R. 3412. An act to designate the facility of the United States Postal Service located at 1421 Veterans Memorial Drive in Abbeville, Louisiana, as the ''Sergeant Richard Franklin Abshire Post Office Building''.

H.R. 3501. An act to designate the facility of the United States Postal Service located at 125 Kerr Avenue in Rome City, Indiana, as the ''SPC Nicholas Scott Hartge Post Office''.

H.R. 3772. An act to designate the facility of the United States Postal Service located at 150 South Union Street in Canton, Mississippi, as the ''First Sergeant Landres Cheeks Post Office Building''.

H.R. 4005. An act to direct the Secretary of Homeland Security to conduct a study and report to Congress on gaps in port security in the United States and a plan to address them.

H.R. 4251. An act to authorize, enhance, and reform certain port security programs through increased efficiency and risk-based coordination within the Department of Homeland Security, and for other purposes.

H.R. 5843. An act to amend the Homeland Security Act of 2002 to permit use of certain grant funds for training conducted in conjunction with a national laboratory or research facility.

H.R. 5889. An act to amend title 18, United States Code, to provide for protection of maritime navigation and prevention of nuclear terrorism, and for other purposes.

At 1:38 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4348) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

At 2:40 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 6064. An act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs.

The message also announced that pursuant to section 1238(B)(3) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002), as amended, and the order of the House of January 5, 2011, the Speaker appoints the following member on the part of the House of Representatives to the United States-China Economic and Security Review Commission for a term to expire December 31, 2014: Mr. Peter Brookes of Springfield, Virginia.

At 3:50 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5972. An act making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2013, and for other purposes.

MEASURES REFERRED

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

H.R. 1447. An act to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to establish an Aviation Security Advisory Committee, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 3173. An act to direct the Secretary of Homeland Security to reform the process for the enrollment, activation, issuance, and renewal of a Transportation Worker Identification Credential (TWIC) to require, in total, not more than one in-person visit to a designated enrollment center; to the Committee on Commerce, Science, and Transportation.

H.R. 3276. An act to designate the facility of the United States Postal Service located at 2810 East Hillsborough Avenue in Tampa, Florida, as the ''Reverend Abe Brown Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3412. An act to designate the facility of the United States Postal Service located at 1421 Veterans Memorial Drive in Abbeville, Louisiana, as the ''Sergeant Richard Franklin Abshire Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3501. An act to designate the facility of the United States Postal Service located at 125 Kerr Avenue in Rome City, Indiana, as the ''SPC Nicholas Scott Hartge Post Office''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3772. An act to designate the facility of the United States Postal Service located at 150 South Union Street in Canton, Mississippi, as the ''First Sergeant Landres Cheeks Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4005. An act to direct the Secretary of Homeland Security to conduct a study and report to Congress on gaps in port security in the United States and a plan to address them; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4251. An act to authorize, enhance, and reform certain port security programs through increased efficiency and risk-based coordination within the Department of Homeland Security, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 5843. An act to amend the Homeland Security Act of 2002 to permit use of certain grant funds for training conducted in conjunction with a national laboratory or research facility; to the Committee on Homeland Security and Governmental Affairs.

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. 5972. An act making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2013, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 4018. An act to improve the Public Safety Officers' Benefits Program.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC–6749. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bell Helicopter Textron Canada Limited Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2012–0084)) received in the Office of the President of the Senate on June 21, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6750. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0293)) received in the Office of the President of the Senate on June 26, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6751. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; BAE SYSTEMS (Operations) Limited Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0188)) received in the Office of the President of the Senate on June 26, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6752. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter Deutschland GMBH Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2012–0101)) received in the Office of the President of the Senate on June 26, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6753. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–1320)) received

in the Office of the President of the Senate on June 26, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6754. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0109)) received in the Office of the President of the Senate on June 26, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6755. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Fokker Services B.V. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0141)) received in the Office of the President of the Senate on June 26, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6756. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Tallahassee, FL'' ((RIN2120–AA66) (Docket No. FAA–2012–0240)) received in the Office of the President of the Senate on June 21, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6757. A communication from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Recreational Accountability Measures'' (RIN0648–BB66) received in the Office of the President of the Senate on June 20, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6758. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery Off the Southern Atlantic States; Amendment 24'' (RIN0648–BA52) received in the Office of the President of the Senate on June 21, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6759. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Coastal Fisheries Cooperative Management Act Provisions; American Lobster Fishery'' (RIN0648–BA56) received in the Office of the President of the Senate on June 21, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6760. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery Off the Southern Atlantic States; Amendment 18A'' (RIN0648–BB56) received in the Office of the President of the Senate on June 21, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6761. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Western Pacific Pelagic Fisheries; Modification of American Samoa Large Vessel Prohibited Area'' (RIN0648–BB45) received in the Office of the President of the Senate on June 21, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6762. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Framework Adjustment 47'' (RIN0648–BB62) received in the Office of the President of the Senate on June 20, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6763. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Final 2012 Spiny Dogfish Fishery Specifications'' (RIN0648–XA973) received in the Office of the President of the Senate on June 12, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6764. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Accountability Measures for the Recreational Sector of Gray Triggerfish in the Gulf of Mexico for the 2012 Fishing Year'' (RIN0648–XCO36) received in the Office of the President of the Senate on June 21, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6765. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XC052) received in the Office of the President of the Senate on June 21, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6766. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Biennial Specifications and Management Measures; Inseason Adjustments'' (RIN0648–BC11) received in the Office of the President of the Senate on June 20, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6767. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries'' (RIN0648–XC006) received in the Office of the President of the Senate on June 12, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6768. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries'' (RIN0648–XC035) received in the Office of the President of the Senate on June 12, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6769. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod for American Fisheries Act Catcher/Processors Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XC064) received in the Office of the President of the Senate on June 21, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6770. A communication from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Systems for Telephonic Notification of Unsafe Conditions at Highway-Rail and Pathway Grade Crossings'' (RIN2130–AC12) received in the Office of the President of the Senate on June 21, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6771. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Flightcrew Member Duty and Rest Requirements; Correction'' (RIN2120–AJ58) received in the Office of the President of the Senate on June 12, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6772. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of VOR Federal Airways V–135 and V–137; Southwest United States'' ((RIN2120–AA66) (Docket No. FAA–2011–0654)) received in the Office of the President of the Senate on June 26, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6773. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Multiple Compulsory Reporting Points; Continental United States, Alaska and Hawaii'' ((RIN2120–AA66) (Docket No. FAA–2012–0130)) received in the Office of the President of the Senate on June 26, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6774. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification, Revocation and Establishment of Air Traffic Service Routes; Windsor Locks Area; CT'' ((RIN2120–AA66) (Docket No. FAA–2011–1386)) received in the Office of the President of the Senate on June 12, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6775. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class D and Class E Airspace and Revocation of Class E Airspace; Bellingham WA'' ((RIN2120–AA66) (Docket No. FAA–2011–0363)) received in the Office of the President of the Senate on June 26, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6776. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class D and Class E Airspace; Leesburg, FL'' ((RIN2120–AA66) (Docket No. FAA–2012–0445)) received in the Office of the President of the Senate on June 26, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6777. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Orlando, FL'' ((RIN2120–AA66) (Docket No. FAA–2011–0503)) received in the Office of the President of the Senate on June 26, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6778. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Carriage of Digital Television Broadcast Signals: Amendment to Part 76 of the Commission's Rules'' (FCC 12–59, CS Docket No. 98–120) received during adjournment of the Senate in the Office of the President of the Senate on June 15, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6779. A communication from the Regulatory Ombudsman, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Inspection, Repair, and Maintenance; Driver-Vehicle Inspection Report for Intermodal Equipment'' (RIN2126–AB34) received in the Office of the President of the Senate on June 21, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6780. A communication from the Chief of Staff, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Improving Spectrum Efficiency through Flexible Channel Spacing and Bandwidth Utilization for Economic Area-based 800 MHz Specialized Mobile Radio Licensees, et. al.'' (WT Docket Nos. 12–64 and 11–110; FCC 12–55) received in the Office of the President of the Senate on June 12, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6781. A communication from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Wireline Competition Bureau Announces Support Amounts for Connect America Fund Phase One Incremental Support'' (WT Docket Nos. 10–90, 05–337; DA 12–639) received in the Office of the President of the Senate on June 12, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6782. A communication from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Connect America Fund; A National Broadband Plan for Our Future; Establishing Just and Reasonable Rates for Local Exchange Carriers; High-Cost Universal Service Support'' (WT Docket Nos. 10–90, 07–135, 05–337, 03–109; GN Docket No. 09–51; CC Docket Nos. 01–92, 95–45; WT Docket No. 10–208) received in the Office of the President of the Senate on June 12, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6783. A communication from the Chief of Staff, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Wireless Telecommunications Bureau and Public Safety and Homeland Security Bureau Suspend Acceptance and Processing of Certain Part 22 and 90 Applications for 470–512 MHz Spectrum'' (DA 12–643) received in the Office of the President of the Senate on June 12, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6784. A communication from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Connect America Fund; High-Cost Universal Service Support'' (WC Docket Nos. 10–90, 05–337; DA–646) received in the Office of the President of the Senate on June 12, 2012; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 2239. A bill to direct the head of each agency to treat relevant military training as sufficient to satisfy training or certification requirements for Federal licenses.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. BAUCUS for the Committee on Finance.

*Matthew S. Rutherford, of Illinois, to be an Assistant Secretary of the Treasury.

*Meredith M. Broadbent, of Virginia, to be a Member of the United States International Trade Commission for a term expiring June 16, 2017.

*Mark J. Mazur, of New Jersey, to be an Assistant Secretary of the Treasury.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

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. AKAKA (for himself, Mr. BOOZMAN, Mr. WHITEHOUSE, and Mr. CRAPO):

S. 3362. A bill to reauthorize the National Dam Safety Program Act, and for other purposes; to the Committee on Environment and Public Works.

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

S. 3363. A bill to provide for the use of National Infantry Museum and Soldier Center Commemorative Coin surcharges, and for other purposes; considered and passed.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. NELSON of Florida (for himself and Mr. BROWN of Ohio):

S. Res. 516. A resolution expressing the sense of the Senate on the restitution of or compensation for property seized during the Nazi and Communist eras; to the Committee on Foreign Relations.

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

S. Res. 517. A resolution congratulating the Northwestern Wildcats Women's Lacrosse Team on winning the 2012 National Collegiate Athletic Association Division I Women's Lacrosse Championship; to the Committee on the Judiciary.

By Ms. LANDRIEU:

S. Res. 518. A resolution congratulating the Southern Baptist Convention for election Reverend Fred Luter, Jr., as the president of the Southern Baptist Convention, acknowledging Reverend Luter's unique role as the first African-American leader of the Southern Baptist Convention, and honoring the commitment of the Southern Baptist Convention to an inclusive faith-based community and society; to the Committee on the Judiciary.

By Mr. REID (for himself and Mr. MCCONNELL):

S. Con. Res. 51. A concurrent resolution providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives; considered and agreed to.

ADDITIONAL COSPONSORS

S. 344

At the request of Mr. REID, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 344, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 362

At the request of Mr. WHITEHOUSE, the names of the Senator from Kansas (Mr. MORAN) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 362, a bill to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative, and for other purposes.

S. 697

At the request of Mr. CASEY, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 697, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for amounts paid by a spouse of a member of the Armed Services for a new State license or certification required by reason of a permanent change in the duty station of such member to another State.

S. 952

At the request of Mr. DURBIN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 952, a bill to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children and for other purposes.

S. 974

At the request of Ms. SNOWE, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 974, a bill to amend the Internal Revenue Code of 1986 to expand the tip tax credit to employers of cosmetologists and to promote tax compliance in the cosmetology sector.

S. 1245

At the request of Mr. JOHANNS, his name was added as a cosponsor of S. 1245, a bill to provide for the establishment of the Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia.

S. 1283

At the request of Mr. DURBIN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1283, a bill to amend the Family and Medical Leave Act of 1993 to permit leave to care for a same-sex spouse, domestic partner, parent-in-law, adult child, sibling, grandchild, or grandparent who has a serious health condition.

S. 1301

At the request of Mr. LEAHY, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 1301, a bill to authorize appropriations for fiscal years 2012 through 2015 for the Trafficking Victims Protection Act of 2000, to enhance measures to combat trafficking in persons, and for other purposes.

S. 1591

At the request of Mr. THUNE, his name 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. 1929

At the request of Mr. BLUMENTHAL, the names of the Senator from Virginia (Mr. WARNER), the Senator from Arkansas (Mr. PRYOR), the Senator from Indiana (Mr. COATS), the Senator from Texas (Mrs. HUTCHISON), the Senator from Texas (Mr. CORNYN), the Senator from Mississippi (Mr. WICKER), the Senator from Idaho (Mr. RISCH), the Senator from Wyoming (Mr. BARRASSO), the Senator from North Carolina (Mr. BURR), the Senator from Florida (Mr. RUBIO), the Senator from North Dakota (Mr. HOEVEN), the Senator from Oklahoma (Mr. INHOFE), the Senator from Pennsylvania (Mr. CASEY) and the Senator from Vermont (Mr. LEAHY) 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. 1935

At the request of Mrs. HAGAN, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 1935, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the 75th anniversary of the establishment of the March of Dimes Foundation.

S. 1979

At the request of Mr. CONRAD, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 1979, a bill to provide incentives to physicians to practice in rural and medically underserved communities and for other purposes.

S. 1990

At the request of Mr. JOHANNS, his name was added as a cosponsor of S. 1990, a bill to require the Transportation Security Administration to comply with the Uniformed Services Employment and Reemployment Rights Act.

S. 2165

At the request of Mrs. BOXER, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 2165, a bill to enhance strategic cooperation between the United States and Israel, and for other purposes.

S. 2189

At the request of Mr. HARKIN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 2189, a bill to amend the Age Discrimination in Employment Act of 1967 and other laws to clarify appropriate standards for Federal antidiscrimination and antiretaliation claims, and for other purposes.

S. 2201

At the request of Mr. GRASSLEY, the name of the Senator from South Dakota (Mr. JOHNSON) 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. 2239

At the request of Mr. JOHANNS, his name was added as a cosponsor of S. 2239, a bill to direct the head of each agency to treat relevant military training as sufficient to satisfy training or certification requirements for Federal licenses.

At the request of Mr. NELSON of Florida, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 2239, supra.

S. 2244

At the request of Mr. PORTMAN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 2244, a bill to direct the Secretary of Veterans Affairs to assist in the identification of unclaimed and abandoned human remains to determine if any such remains are eligible for burial in a national cemetery, and for other purposes.

S. 2320

At the request of Ms. AYOTTE, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 2320, a bill to direct the American Battle Monuments Commission to provide for the ongoing maintenance of Clark Veterans Cemetery in the Republic of the Philippines, and for other purposes.

S. 2369

At the request of Mr. LAUTENBERG, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2369, a bill to establish the American Innovation Bank, to improve science and technology job training, to authorize grants for curriculum development, and for other purposes.

S. 3077

At the request of Mr. PORTMAN, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 3077, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the Pro Football Hall of Fame.

S. 3186

At the request of Mr. SCHUMER, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. 3186, a bill to make it unlawful to alter or remove the identification number of a mobile device.

S. 3287

At the request of Mr. PAUL, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 3287, a bill to protect individual privacy against unwarranted governmental intrusion through the use of the unmanned aerial vehicles commonly called drones, and for other purposes.

S.J. RES. 29

At the request of Mr. UDALL of New Mexico, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S.J. Res. 29, a joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections.

S.J. RES. 43

At the request of Mr. MCCONNELL, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S.J. Res. 43, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

S.J. RES. 45

At the request of Mrs. HUTCHISON, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S.J. Res. 45, a joint resolution amending title 36, United States Code, to designate June 19 as ''Juneteenth Independence Day''.

S. CON. RES. 46

At the request of Mr. WEBB, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. Con. Res. 46, a concurrent resolution expressing the sense of Congress that an appropriate site at the former Navy Dive School at the Washington Navy Yard should be provided for the Man in the Sea Memorial Monument to honor the members of the Armed Forces who have served as divers and whose service in defense of the United States has been carried out beneath the waters of the world.

S. CON. RES. 48

At the request of Mr. LEAHY, the names of the Senator from Pennsylvania (Mr. CASEY), the Senator from North Dakota (Mr. HOEVEN) and the Senator from North Dakota (Mr. CONRAD) were added as cosponsors of S. Con. Res. 48, a concurrent resolution recognizing 375 years of service of the National Guard and affirming congressional support for a permanent Operational Reserve as a component of the Armed Forces.

S. CON. RES. 50

At the request of Mr. RUBIO, the names of the Senator from Delaware (Mr. COONS) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. Con. Res. 50, a concurrent resolution expressing the sense of Congress regarding actions to preserve and advance the multistakeholder governance model under which the Internet has thrived.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. AKAKA (for himself, Mr. BOOZMAN, Mr. WHITEHOUSE, and Mr. CRAPO):

S. 3362. A bill to reauthorize the National Dam Safety Program Act, and for other purposes; to the Committee on Environment and Public Works.

Mr. AKAKA. Mr. President, I rise today to introduce legislation to reauthorize the National Dam Safety Program managed by the Federal Emergency Management Agency, FEMA. I thank Senators BOOZMAN, WHITEHOUSE, and CRAPO for joining me in sponsoring this bill that will help promote public safety and prevent the destruction caused by dam failures. This fiscally responsible legislation will help states do more to protect communities and avoid costly dam incidents without increasing funding above the most recent authorization level.

With more than 84,000 dams listed in the National Inventory of Dams, dams are a critical and ubiquitous part of our nation's infrastructure. In Hawaii, 142 State-regulated dams are located across our islands from Kekaha on Kauai to Paauilo on Hawaii Island. These dams are owned by non-profit organizations, private companies, individuals, and Federal, State, and local governments. While they go largely unseen, dams benefit our lives every day. They provide drinking water, hydroelectric power, irrigation water, flood control, and recreational opportunities.

However, dams also pose a significant risk to public safety, local economies, and the environment. Our nation's dams received a grade of ''D'' from the American Society of Civil Engineers 2009 Report Card for America's Infrastructure, which cited more than 4,000 deficient dams, including more than 1,800 that would result in loss of life if they failed. Unfortunately, we know that this risk is not just hypothetical. In 2006, the Ka Loko Dam on Kauai collapsed killing seven people, and dozens of other dam failures have occurred across the nation since that time. While we cannot avoid all dam incidents, this legislation will help prevent dam disasters and better prepare Americans for when they do happen.

The National Dam Safety Program is the foundation of prevention efforts nationally. The program helps states to check for deteriorating conditions at dams. This is important so that repairs can be made in order to safeguard against incidents that result in loss of life and property. The program also helps ensure that states have the technical assistance, training, and procedures needed to prevent dams from reaching a condition that puts communities in danger.

I very much appreciate the involvement of experts in dam safety, including FEMA, the Army Corps of Engineers, Hawaii Department of Land and Natural Resources, the American Society of Civil Engineers, and the Association of State Dam Safety Officials, in developing this legislation. I urge my colleagues to support his measure.

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

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

S. 3362

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 ''Dam Safety Act of 2012''.

SEC. 2. PURPOSE.

The purpose of this Act and the amendments made by this Act is to reduce the risks to life and property from dam failure in the United States through the reauthorization of an effective national dam safety program that brings together the expertise and resources of the Federal and non-Federal communities in achieving national dam safety hazard reduction.

SEC. 3. ADMINISTRATOR.

(a) IN GENERAL.—The National Dam Safety Program Act (33 U.S.C. 467 et seq.) is amended by striking ''Director'' each place it appears and inserting ''Administrator''.

(b) CONFORMING AMENDMENT.—Section 2 of the National Dam Safety Program Act (33 U.S.C. 467) is amended—

(1) by striking paragraph (3);

(2) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively; and

(3) by inserting before paragraph (2) (as redesignated by paragraph (2)) the following:

''(1) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the Federal Emergency Management Agency.''.

SEC. 4. INSPECTION OF DAMS.

Section 3(b)(1) of the National Dam Safety Program Act (33 U.S.C. 467a(b)(1)) is amended by striking ''or maintenance'' and inserting ''maintenance, condition, or provisions for emergency operations''.

SEC. 5. NATIONAL DAM SAFETY PROGRAM.

(1) OBJECTIVES.—Section 8(c) of the National Dam Safety Program Act (33 U.S.C. 467f(c)) is amended by striking paragraph (4) and inserting the following:

''(4) develop and implement a comprehensive dam safety hazard education and public awareness program to assist the public in preparing for, mitigating, responding to, and recovering from dam incidents;''.

(2) BOARD.—Section 8(f)(4) of the National Dam Safety Program Act (33 U.S.C. 467f(f)(4)) is amended by inserting '', representatives from nongovernmental organizations,'' after ''State agencies''.

SEC. 6. PUBLIC AWARENESS AND OUTREACH FOR DAM SAFETY.

The National Dam Safety Program Act (33 U.S.C. 467 et seq.) is amended—

(1) by redesignating sections 11, 12, and 13 as sections 12, 13, and 14, respectively; and

(2) by inserting after section 10 (33 U.S.C. 467g–1) the following:

''SEC. 11. PUBLIC AWARENESS AND OUTREACH FOR DAM SAFETY.

''The Administrator, in consultation with other Federal agencies, State and local governments, dam owners, the emergency management community, the private sector, nongovernmental organizations and associations, institutions of higher education, and any other appropriate entities shall carry out a nationwide public awareness and outreach program to assist the public in preparing for, mitigating, responding to, and recovering from dam incidents.''.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

(1) NATIONAL DAM SAFETY PROGRAM.—

(A) ANNUAL AMOUNTS.—Section 14(a)(1) of the National Dam Safety Program Act (33 U.S.C. 467j(a)(1)) (as so redesignated) is amended by striking ''$6,500,000'' and all that follows through ''2011'' and inserting ''$9,200,000 for each of fiscal years 2012 through 2016''.

(B) MAXIMUM AMOUNT OF ALLOCATION.—Section 14(a)(2)(B) of the National Dam Safety Program Act (33 U.S.C. 467j(a)(2)(B)) (as so redesignated) is amended—

(i) by striking ''The amount'' and inserting the following:

''(i) IN GENERAL.—The amount''; and

(ii) by adding at the end the following:

''(ii) FISCAL YEAR 2013 AND SUBSEQUENT FISCAL YEARS.—For fiscal year 2013 and each subsequent fiscal year, the amount of funds allocated to a State under this paragraph may not exceed the amount of funds committed by the State to implement dam safety activities.''.

(2) NATIONAL DAM INVENTORY.—Section 14(b) of the National Dam Safety Program Act (33 U.S.C. 467j(b)) (as so redesignated) is amended by striking ''$650,000'' and all that follows through ''2011'' and inserting ''$500,000 for each of fiscal years 2012 through 2016''.

(3) PUBLIC AWARENESS.—Section 14 of the National Dam Safety Program Act (33 U.S.C. 467j) (as so redesignated) is amended—

(A) by redesignating subsections (c) through (f) as subsections (d) through (g), respectively; and

(B) by inserting after subsection (b) the following:

''(c) PUBLIC AWARENESS.—There is authorized to be appropriated to carry out section 11 $1,000,000 for each of fiscal years 2012 through 2016.''.

(4) RESEARCH.—Section 14(d) of the National Dam Safety Program Act (as so redesignated) is amended by striking ''$1,600,000'' and all that follows through ''2011'' and inserting ''$1,450,000 for each of fiscal years 2012 through 2016''.

(5) DAM SAFETY TRAINING.—Section 14(e) of the National Dam Safety Program Act (as so redesignated) is amended by striking ''$550,000'' and all that follows through ''2011'' and inserting ''$750,000 for each of fiscal years 2012 through 2016''.

(6) STAFF.—Section 14(f) of the National Dam Safety Program Act (as so redesignated) is amended by striking ''$700,000'' and all that follows through ''2011'' and inserting ''$1,000,000 for each of fiscal years 2012 through 2016''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 516—EXPRESSING THE SENSE OF THE SENATE ON THE RESTITUTION OF OR COMPENSATION FOR PROPERTY SEIZED DURING THE NAZI AND COMMUNIST ERAS

Mr. NELSON of Florida (for himself and Mr. BROWN of Ohio) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 516

Whereas protecting and respecting private property rights is a basic principle for all democratic governments that operate according to the rule of law;

Whereas Nazi or Communist regimes dominated many Eastern European countries without the consent of their people for parts of the 20th century;

Whereas the authoritarian and totalitarian regimes that emerged in Eastern Europe

after World War II perpetuated the wrongful and unjust confiscation of property, including immovable property, personal property, and financial assets, that belonged to victims of Nazi persecution;

Whereas the Nazi regime considered religious property an early target and denied religious communities the temporal facilities that held them together by expropriating churches, synagogues, religious seminaries, cemeteries, and other communal property;

Whereas, after World War II, Communist regimes expanded the systematic expropriation of private, communal, and religious property in an effort to eliminate the influence of religion;

Whereas, since the fall of the Iron Curtain, only part of the immovable property confiscated during and after the Holocaust has been recovered or compensated;

Whereas, in July 2001, the Paris Declaration of the Organization for Security and Cooperation in Europe Parliamentary Assembly noted that the process of restitution, compensation, and material reparation of victims of Nazi persecution has not been pursued with the same degree of comprehensiveness by all of the participating states of that Organization;

Whereas the Organization for Security and Co-operation in Europe Parliamentary Assembly has called on each participating state to adopt and implement appropriate legislation to ensure that victims of Nazi persecution, including communal organizations and institutions, receive restitution of or compensation for lost property, without regard to the current citizenship or place of residence of the victims or their heirs or the relevant successors to communal property;

Whereas the United States Congress has, unanimously and on numerous occasions, urged countries in Europe that have not yet done so to immediately enact fair, comprehensive, nondiscriminatory, and just legislation to provide restitution, or fair compensation in cases in which restitution is not possible, to victims of persecution who had private property looted or wrongfully confiscated by Nazis during World War II or subsequently seized by a Communist government and the heirs of those victims;

Whereas the representatives of 44 countries that participated in the 1998 Washington Conference on Holocaust-Era Assets agreed on principles intended to guide just and equitable solutions to confiscated art, insurance, and communal property, but did not address the complex issue of private property;

Whereas, 11 years later, representatives of more than 45 countries participated in the Prague Holocaust-Era Assets Conference in June 2009, and agreed to the Terezin Declaration of June 30, 2009, which—

(1) recognized that Holocaust (Shoah) survivors and other victims of Nazi persecution have reached an advanced age and that respecting their personal dignity and addressing their social welfare needs is an issue of utmost urgency;

(2) recognized that wrongful property seizures, such as confiscation, forced sales, and sales under duress of property, were part of the persecution by the Nazis of innocent people, many of whom died without heirs;

(3) recognized the importance of restituting communal and individual property that belonged to victims of the Holocaust (Shoah) and other victims of Nazi persecution and urged that every effort be made to rectify the consequences of wrongful property seizure;

(4) urged that every effort be made to provide for the restitution of former Jewish communal and religious property through in rem restitution or compensation in cases in which restitution has not yet been effectively achieved; and

(5) recognized that in some countries heirless property could serve as a basis to address the material necessities of Holocaust (Shoah) survivors and to ensure ongoing education about the Holocaust (Shoah) and its causes and consequences;

Whereas nearly 3 years have passed since the adoption of the Terezin Declaration and the governments of some countries have still not fulfilled or made progress toward fulfilling the moral obligations expressed in that document, including—

(1) the Government of Poland, which is virtually alone among post-Communist countries in not having adopted any legislation providing a process for restitution of or compensation for private property that Nazi or Communist regimes confiscated despite numerous public promises from various administrations;

(2) the Government of Romania, which has halted implementation of legislation to return former communal property or pay compensation to claimants;

(3) the Government of Latvia, which has failed to press forward with legislation to return Jewish communal and religious properties or provide financial compensation for the loss of those properties despite numerous promises to domestic and international claimants;

(4) the Government of Slovenia, which has refused to pay compensation for officially recognized former Jewish property; and

(5) the Government of Croatia, which has still not adopted appropriate legislation to provide compensation for property that the Nazis and their allies confiscated during the Holocaust;

Whereas the governments of Serbia and Lithuania have recently enacted restitution and compensation programs for private and Jewish communal property, respectively, serving as a potential model for other governments to follow;

Whereas some Holocaust survivors, now in the twilight of their lives, are impoverished and in urgent need of assistance, lacking the resources to support basic needs, including adequate shelter, food, or medical care;

Whereas the Washington and Prague conferences on Holocaust-era assets should not be the last opportunity for the international community to address property restitution at the highest level;

Whereas the European Shoah Legacy Institute will hold an Immoveable Property Review Conference in late November 2012 in Prague to review compliance with the Terezin Declaration as well as the document entitled ''Guidelines and Best Practices for the Restitution and Compensation of Immovable (Real) Property Confiscated or Otherwise Wrongfully Seized by the Nazis, Fascists and Their Collaborators during the Holocaust (Shoah) Era between 1933-1945, Including the Period of World War II'', which 43 countries adopted following the Prague Conference; and

Whereas, although those documents are not legally binding, the governments of all countries bear a moral responsibility to uphold and defend the plight and dignity of Holocaust survivors, ensure their well-being, and respond to their social needs: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the unmet needs of many Holocaust survivors and the urgency of addressing those needs;

(2) appreciates the efforts of the governments of countries in Europe that have enacted and implemented legislation for the restitution of or compensation for private, communal, and religious property wrongly confiscated during the Nazi or Communist eras;

(3) welcomes the efforts of the governments of many post-Communist countries to address complex and difficult questions relating to the status of wrongly confiscated property;

(4) urges each government that has not already done so to complete the process of adopting and implementing necessary and proper legislation to effect the in rem return of or the payment of compensation for wrongly confiscated property;

(5) calls on each government to establish restitution and compensation schemes in a simple, transparent, and timely manner to provide a real benefit to those who suffered from the unjust confiscation of their property; and

(6) calls on the Secretary of State to issue an updated report on property restitution in Central and Eastern Europe that evaluates whether the governments of those countries have met the basic standards and best practices of the international community.

SENATE RESOLUTION 517—CONGRATULATING THE NORTHWESTERN WILDCATS WOMEN'S LACROSSE TEAM ON WINNING THE 2012 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I WOMEN'S LACROSSE CHAMPIONSHIP

Mr. DURBIN (for himself and Mr. KIRK) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 517

Whereas, on May 27, 2012, the Northwestern Wildcats Women's Lacrosse Team (referred to in this preamble as the ''Wildcats'') won the National Collegiate Athletic Association Division I Women's Lacrosse Championship;

Whereas the Wildcats defeated Syracuse University by a score of 8-6 in the championship game, giving the Wildcats their 7th victory over the last 8 NCAA Division I Women's Lacrosse Championships;

Whereas reigning National Player of the Year Shannon Smith had 2 goals and 2 assists in the championship game;

Whereas 2012 National Player of the Year Finalist Taylor Thornton scored the game-winning goal;

Whereas Northwestern University established their first women's lacrosse team in 1982, playing in the NCAA tournament 5 times before the team was disbanded in 1992 due to budget cuts;

Whereas, in 2002, Northwestern University revived the women's lacrosse team and hired former University of Maryland player Kelly Amonte Hiller as head coach;

Whereas, in 2005, the Wildcats went undefeated and won their first NCAA title;

Whereas, in 2007, the Wildcats joined the University of Maryland as the only 2 teams to win 3 consecutive NCAA titles;

Whereas, during their 5-year championship run from 2005 to 2009, the Wildcats were undefeated at home and had a record of 106 wins and 3 losses;

Whereas the Wildcats won their 6th and 7th NCAA titles in 2011 and 2012;

Whereas, in her final game for the Wildcats, Shannon Smith was named Most Valuable Player at Championship Weekend for the second straight year;

Whereas, for seniors like Shannon Smith, the victory on May 27, 2012 was their third NCAA championship;

Whereas, as head coach of the Wildcats, Kelly Amonte Hiller has a record of 32 wins and only 2 losses in the NCAA tournament;

Whereas Kelly Amonte Hiller will be inducted into the United States Lacrosse Hall of Fame for her performance as a player at

the University of Maryland and is just one more title away from tying her former coach, Cindy Timchal, for the most NCAA championships;

Whereas, as a college athlete, Kelly Amonte Hiller earned All-American honors in both Women's Lacrosse and Soccer;

Whereas, as a lacrosse player at the University of Maryland, Kelly Amonte Hiller was a 4-time All-American and the school's record holder for career goals (187), assists (132), and points (319, which is 70 more points than the second-place holder);

Whereas, for nearly a decade, Kelly Amonte Hiller played for the United States Women's National Team, leading the United States to the International Federation of Women's Lacrosse Associations World Cup titles in 1997 and 2001;

Whereas Kelly Amonte Hiller was named to the Atlantic Coast Conference 50th Anniversary Women's Lacrosse Team in 2002 and to the NCAA Division I 25th Anniversary Women's Lacrosse Team in 2006; and

Whereas the State of Illinois celebrates the Wildcats's seventh championship and commends the fans, players, and coaches of all the teams that competed in the 2012 NCAA Women's Lacrosse Division I Championship; Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Northwestern Wildcats Women's Lacrosse Team (referred to in this resolution as the ''Wildcats'') on winning the 2012 National Collegiate Athletic Association Division I Women's Lacrosse Championship; and

(2) commends the Wildcats players and their fans, as well as head coach Kelly Amonte Hiller, on winning their seventh title in the last 8 years.

SENATE RESOLUTION 518—CONGRATULATING THE SOUTHERN BAPTIST CONVENTION FOR ELECTION REVEREND FRED LUTER, JR., AS THE PRESIDENT OF THE SOUTHERN BAPTIST CONVENTION, ACKNOWLEDGING REVEREND LUTER'S UNIQUE ROLE AS THE FIRST AFRICAN-AMERICAN LEADER OF THE SOUTHERN BAPTIST CONVENTION, AND HONORING THE COMMITMENT OF THE SOUTHERN BAPTIST CONVENTION TO AN INCLUSIVE FAITH-BASED COMMUNITY AND SOCIETY

Ms. LANDRIEU submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 518

Whereas the Southern Baptist Convention formed in 1845 in Augusta, Georgia, in opposition to the abolition of slavery;

Whereas the Southern Baptist Convention supported racial segregation for much of the twentieth century;

Whereas the Southern Baptist Convention issued a resolution stating that the Convention sought to purge itself and society of all racism in 1978;

Whereas the Southern Baptist Convention issued a resolution denouncing racism as a deplorable sin in 1995;

Whereas, in 2012, the Southern Baptist Convention is a cooperative of more than 45,000 churches that seek diligently to bring about greater racial and ethnic representation at every level of Southern Baptist institutional life;

Whereas Reverend Fred Luter, Jr., was born on November 11, 1956, in New Orleans, Louisiana;

Whereas Reverend Luter preached his first church sermon in 1983 at the Law Street Baptist Church in New Orleans, Louisiana;

Whereas Reverend Luter became the pastor of Franklin Avenue Baptist Church in 1986;

Whereas, under the leadership of Reverend Luter, the Franklin Avenue Baptist Church community grew from 65 members in 1986 to more than 7,000 members in 2005;

Whereas the Franklin Avenue Baptist Church was destroyed in 2005 by Hurricane Katrina and lost approximately 2,000 members;

Whereas Reverend Luter, in cooperation with Reverend David Crosby, found a temporary home for Franklin Avenue Baptist Church during the aftermath of Hurricane Katrina;

Whereas, continuing that spirit of cooperation, Reverend Crosby nominated Reverend Luter to become president of the Southern Baptist Convention;

Whereas Reverend Luter was elected to be the first African-American president of the Southern Baptist Convention on June 19, 2012; and

Whereas the election of Reverend Luter brings great pride and honor to the membership of the Southern Baptist Convention: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Southern Baptist Convention for electing Reverend Fred Luter, Jr., as the president of the Southern Baptist Convention;

(2) acknowledges Reverend Luter's unique role as the first African-American leader of the Southern Baptist Convention; and

(3) honors the commitment of the Southern Baptist Convention to an inclusive faith-based community and society.

SENATE CONCURRENT RESOLUTION 51—PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND AN ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

Mr. REID of Nevada (for himself and Mr. MCCONNELL) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 51

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Friday, June 29, 2012, through Monday, July 2, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12:00 noon on Monday, July 9, 2012, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day from Friday, June 29, 2012, through Friday, July 6, 2012, on a motion offered pursuant to this concurrent resolution by its majority leader or his designee, it stand adjourned until 2:00 p.m. on Monday, July 9, 2012, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2489. Mr. REID (for Mrs. HUTCHISON (for herself and Mr. INHOFE)) proposed an amendment to the bill S. 1335, to amend title 49, United States Code, to provide rights for pilots, and for other purposes.

TEXT OF AMENDMENTS

SA 2489. Mr. REID (for Mrs. HUTCHISON (for herself and Mr. INHOFE)) proposed an amendment to the bill S. 1335, to amend title 49, United States Code, to provide rights for pilots, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Pilot's Bill of Rights''.

SEC. 2. FEDERAL AVIATION ADMINISTRATION ENFORCEMENT PROCEEDINGS AND ELIMINATION OF DEFERENCE.

(a) IN GENERAL.—Any proceeding conducted under subpart C, D, or F of part 821 of title 49, Code of Federal Regulations, relating to denial, amendment, modification, suspension, or revocation of an airman certificate, shall be conducted, to the extent practicable, in accordance with the Federal Rules of Civil Procedure and the Federal Rules of Evidence.

(b) ACCESS TO INFORMATION.—

(1) IN GENERAL.—Except as provided under paragraph (3), the Administrator of the Federal Aviation Administration (referred to in this section as the ''Administrator'') shall provide timely, written notification to an individual who is the subject of an investigation relating to the approval, denial, suspension, modification, or revocation of an airman certificate under chapter 447 of title 49, United States Code.

(2) INFORMATION REQUIRED.—The notification required under paragraph (1) shall inform the individual—

(A) of the nature of the investigation;

(B) that an oral or written response to a Letter of Investigation from the Administrator is not required;

(C) that no action or adverse inference can be taken against the individual for declining to respond to a Letter of Investigation from the Administrator;

(D) that any response to a Letter of Investigation from the Administrator or to an inquiry made by a representative of the Administrator by the individual may be used as evidence against the individual;

(E) that the releasable portions of the Administrator's investigative report will be available to the individual; and

(F) that the individual is entitled to access or otherwise obtain air traffic data described in paragraph (4).

(3) EXCEPTION.—The Administrator may delay timely notification under paragraph (1) if the Administrator determines that such notification may threaten the integrity of the investigation.

(4) ACCESS TO AIR TRAFFIC DATA.—

(A) FAA AIR TRAFFIC DATA.—The Administrator shall provide an individual described in paragraph (1) with timely access to any air traffic data in the possession of the Federal Aviation Administration that would facilitate the individual's ability to productively participate in a proceeding relating to an investigation described in such paragraph.

(B) AIR TRAFFIC DATA DEFINED.—As used in subparagraph (A), the term ''air traffic data'' includes—

(i) relevant air traffic communication tapes;

(ii) radar information;

(iii) air traffic controller statements;

(iv) flight data;

(v) investigative reports; and

(vi) any other air traffic or flight data in the Federal Aviation Administration's possession that would facilitate the individual's ability to productively participate in the proceeding.

(C) GOVERNMENT CONTRACTOR AIR TRAFFIC DATA.—

(i) IN GENERAL.—Any individual described in paragraph (1) is entitled to obtain any air traffic data that would facilitate the individual's ability to productively participate in a proceeding relating to an investigation described in such paragraph from a government contractor that provides operational services to the Federal Aviation Administration, including control towers and flight service stations.

(ii) REQUIRED INFORMATION FROM INDIVIDUAL.—The individual may obtain the information described in clause (i) by submitting a request to the Administrator that—

(I) describes the facility at which such information is located; and

(II) identifies the date on which such information was generated.

(iii) PROVISION OF INFORMATION TO INDIVIDUAL.—If the Administrator receives a request under this subparagraph, the Administrator shall—

(I) request the contractor to provide the requested information; and

(II) upon receiving such information, transmitting the information to the requesting individual in a timely manner.

(5) TIMING.—Except when the Administrator determines that an emergency exists under section 44709(c)(2) or 46105(c), the Administrator may not proceed against an individual that is the subject of an investigation described in paragraph (1) during the 30-day period beginning on the date on which the air traffic data required under paragraph (4) is made available to the individual.

(c) AMENDMENTS TO TITLE 49.—

(1) AIRMAN CERTIFICATES.—Section 44703(d)(2) of title 49, United States Code, is amended by striking ''but is bound by all validly adopted interpretations of laws and regulations the Administrator carries out unless the Board finds an interpretation is arbitrary, capricious, or otherwise not according to law''.

(2) AMENDMENTS, MODIFICATIONS, SUSPENSIONS, AND REVOCATIONS OF CERTIFICATES.—Section 44709(d)(3) of such title is amended by striking ''but is bound by all validly adopted interpretations of laws and regulations the Administrator carries out and of written agency policy guidance available to the public related to sanctions to be imposed under this section unless the Board finds an interpretation is arbitrary, capricious, or otherwise not according to law''.

(3) REVOCATION OF AIRMAN CERTIFICATES FOR CONTROLLED SUBSTANCE VIOLATIONS.—Section 44710(d)(1) of such title is amended by striking ''but shall be bound by all validly adopted interpretations of laws and regulations the Administrator carries out and of written agency policy guidance available to the public related to sanctions to be imposed under this section unless the Board finds an interpretation is arbitrary, capricious, or otherwise not according to law''.

(d) APPEAL FROM CERTIFICATE ACTIONS.—

(1) IN GENERAL.—Upon a decision by the National Transportation Safety Board upholding an order or a final decision by the Administrator denying an airman certificate under section 44703(d) of title 49, United States Code, or imposing a punitive civil action or an emergency order of revocation under subsections (d) and (e) of section 44709 of such title, an individual substantially affected by an order of the Board may, at the individual's election, file an appeal in the United States district court in which the individual resides or in which the action in question occurred, or in the United States District Court for the District of Columbia. If the individual substantially affected by an order of the Board elects not to file an appeal in a United States district court, the individual may file an appeal in an appropriate United States court of appeals.

(2) EMERGENCY ORDER PENDING JUDICIAL REVIEW.—Subsequent to a decision by the Board to uphold an Administrator's emergency order under section 44709(e)(2) of title 49, United States Code, and absent a stay of the enforcement of that order by the Board, the emergency order of amendment, modification, suspension, or revocation of a certificate shall remain in effect, pending the exhaustion of an appeal to a Federal district court as provided in this Act.

(e) STANDARD OF REVIEW.—

(1) IN GENERAL.—In an appeal filed under subsection (d) in a United States district court, the district court shall give full independent review of a denial, suspension, or revocation ordered by the Administrator, including substantive independent and expedited review of any decision by the Administrator to make such order effective immediately.

(2) EVIDENCE.—A United States district court's review under paragraph (1) shall include in evidence any record of the proceeding before the Administrator and any record of the proceeding before the National Transportation Safety Board, including hearing testimony, transcripts, exhibits, decisions, and briefs submitted by the parties.

SEC. 3. NOTICES TO AIRMEN.

(a) IN GENERAL.—

(1) DEFINITION.—In this section, the term ''NOTAM'' means Notices to Airmen.

(2) IMPROVEMENTS.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall begin a Notice to Airmen Improvement Program (in this section referred to as the ''NOTAM Improvement Program'')—

(A) to improve the system of providing airmen with pertinent and timely information regarding the national airspace system;

(B) to archive, in a public central location, all NOTAMs, including the original content and form of the notices, the original date of publication, and any amendments to such notices with the date of each amendment; and

(C) to apply filters so that pilots can prioritize critical flight safety information from other airspace system information.

(b) GOALS OF PROGRAM.—The goals of the NOTAM Improvement Program are—

(1) to decrease the overwhelming volume of NOTAMs an airman receives when retrieving airman information prior to a flight in the national airspace system;

(2) make the NOTAMs more specific and relevant to the airman's route and in a format that is more useable to the airman;

(3) to provide a full set of NOTAM results in addition to specific information requested by airmen;

(4) to provide a document that is easily searchable; and

(5) to provide a filtering mechanism similar to that provided by the Department of Defense Notices to Airmen.

(c) ADVICE FROM PRIVATE SECTOR GROUPS.—The Administrator shall establish a NOTAM Improvement Panel, which shall be comprised of representatives of relevant nonprofit and not-for-profit general aviation pilot groups, to advise the Administrator in carrying out the goals of the NOTAM Improvement Program under this section.

(d) PHASE-IN AND COMPLETION.—The improvements required by this section shall be phased in as quickly as practicable and shall be completed not later than the date that is 1 year after the date of the enactment of this Act.

SEC. 4. MEDICAL CERTIFICATION.

(a) ASSESSMENT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall initiate an assessment of the Federal Aviation Administration's medical certification process and the associated medical standards and forms.

(2) REPORT.—The Comptroller General shall submit a report to Congress based on the assessment required under paragraph (1) that examines—

(A) revisions to the medical application form that would provide greater clarity and guidance to applicants;

(B) the alignment of medical qualification policies with present-day qualified medical judgment and practices, as applied to an individual's medically relevant circumstances; and

(C) steps that could be taken to promote the public's understanding of the medical requirements that determine an airman's medical certificate eligibility.

(b) GOALS OF THE FEDERAL AVIATION ADMINISTRATION'S MEDICAL CERTIFICATION PROCESS.—The goals of the Federal Aviation Administration's medical certification process are—

(1) to provide questions in the medical application form that—

(A) are appropriate without being overly broad;

(B) are subject to a minimum amount of misinterpretation and mistaken responses;

(C) allow for consistent treatment and responses during the medical application process; and

(D) avoid unnecessary allegations that an individual has intentionally falsified answers on the form;

(2) to provide questions that elicit information that is relevant to making a determination of an individual's medical qualifications within the standards identified in the Administrator's regulations;

(3) to give medical standards greater meaning by ensuring the information requested aligns with present-day medical judgment and practices; and

(4) to ensure that—

(A) the application of such medical standards provides an appropriate and fair evaluation of an individual's qualifications; and

(B) the individual understands the basis for determining medical qualifications.

(c) ADVICE FROM PRIVATE SECTOR GROUPS.—The Administrator shall establish a panel, which shall be comprised of representatives of relevant nonprofit and not-for-profit general aviation pilot groups, aviation medical examiners, and other qualified medical experts, to advise the Administrator in carrying out the goals of the assessment required under this section.

(d) FEDERAL AVIATION ADMINISTRATION RESPONSE.—Not later than 1 year after the issuance of the report by the Comptroller General pursuant to subsection (a)(2), the Administrator shall take appropriate actions to respond to such report.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Committee on Energy and Natural Resources. The hearing will be held on Thursday, July 12, 2012, at 9:30 a.m. in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to provide oversight on Remediation of Federal Legacy Wells in the National Petroleum Reserve-Alaska.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, 304 Dirksen Senate Office Building, Washington, DC 20510–6150, or by email to Jake_McCook@energy.senate.gov.

For further information, please contact Patricia Beneke (202) 224–5451 or Jake McCook (202) 224–9313.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FINANCE

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Friday, June 29, 2012.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on Friday, June 29, 2012.

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

TEMPORARY SURFACE TRANSPORTATION EXTENSION ACT

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 6064, which was received from the House and is at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will state the bill by title.

The bill clerk read as follows:

A bill (H.R. 6064) to provide an extension of Federal aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, I ask unanimous consent that the bill be read the 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 bill (H.R. 6064) was ordered to a third reading, was read the third time, and passed.

UNITED STATES-ISRAEL ENHANCED SECURITY COOPERATION ACT OF 2012

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 437, S. 2165.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 2165) to enhance strategic cooperation between the United States and Israel, and for other purposes.

The Senate proceeded to consider the bill which had been reported from the Committee on Foreign Relations, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''United States-Israel Enhanced Security Cooperation Act of 2012''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Since 1948, United States Presidents and both houses of Congress, on a bipartisan basis and supported by the American people, have repeatedly reaffirmed the special bond between the United States and Israel, based on shared values and shared interests.

(2) The Middle East is undergoing rapid change, bringing with it hope for an expansion of democracy but also great challenges to the national security of the United States and our allies in the region, particularly to our most important ally in the region, Israel.

(3) The Government of the Islamic Republic of Iran is continuing its decades-long pattern of seeking to foment instability and promote extremism in the Middle East, particularly in this time of dramatic political transition.

(4) At the same time, the Government of the Islamic Republic of Iran continues to enrich uranium in defiance of multiple United Nations Security Council resolutions.

(5) A nuclear-weapons capable Iran would fundamentally threaten vital United States interests, encourage regional nuclear proliferation, further empower Iran, the world's leading state sponsor of terror, and pose a serious and destabilizing threat to Israel and the region.

(6) Over the past several years, with the assistance of the Governments of the Islamic Republic of Iran and Syria, Hizbollah and Hamas have increased their stockpile of rockets, with more than 60,000 now ready to be fired at Israel. The Government of the Islamic Republic of Iran continues to add to its arsenal of ballistic missiles and cruise missiles, which threaten Iran's neighbors, Israel, and United States Armed Forces in the region.

(7) As a result, Israel is facing a fundamentally altered strategic environment.

(8) Pursuant to chapter 5 of title 1 of the Emergency Wartime Supplemental Appropriations Act, 2003 (Public Law 108–11; 117 Stat. 576), the authority to make available loan guarantees to Israel is currently set to expire on September 30, 2012.

SEC. 3. STATEMENT OF POLICY.

It is the policy of the United States:

(1) To reaffirm our unwavering commitment to the security of the State of Israel as a Jewish state. As President Barack Obama stated on December 16, 2011, ''America's commitment and my commitment to Israel and Israel's security is unshakeable.'' And as President George W. Bush stated before the Israeli Knesset on May 15, 2008, on the 60th anniversary of the founding of the State of Israel, ''The alliance between our governments is unbreakable, yet the source of our friendship runs deeper than any treaty.''.

(2) To help the Government of Israel preserve its qualitative military edge amid rapid and uncertain regional political transformation.

(3) To veto any one-sided anti-Israel resolutions at the United Nations Security Council.

(4) To support Israel's inherent right to self-defense.

(5) To pursue avenues to expand cooperation with the Government of Israel both in defense and across the spectrum of civilian sectors, including high technology, agriculture, medicine, health, pharmaceuticals, and energy.

(6) To assist the Government of Israel with its ongoing efforts to forge a peaceful, negotiated settlement of the Israeli-Palestinian conflict that results in two states living side-by-side in peace and security, and to encourage Israel's neighbors to recognize Israel's right to exist as a Jewish state.

(7) To encourage further development of advanced technology programs between the United States and Israel given current trends and instability in the region.

SEC. 4. UNITED STATES ACTIONS TO ASSIST IN THE DEFENSE OF ISRAEL AND PROTECT UNITED STATES INTERESTS.

It is the sense of Congress that the United States Government should take the following actions to assist in the defense of Israel:

(1) Seek to enhance the capabilities of the Governments of the United States and Israel to address emerging common threats, increase security cooperation, and expand joint military exercises.

(2) Provide the Government of Israel such support as may be necessary to increase development and production of joint missile defense systems, particularly such systems that defend against the urgent threat posed to Israel and United States forces in the region.

(3) Provide the Government of Israel assistance specifically for the production and procurement of the Iron Dome defense system for purposes of intercepting short-range missiles, rockets, and projectiles launched against Israel.

(4) Provide the Government of Israel defense articles and defense services through such mechanisms as appropriate, to include air refueling tankers, missile defense capabilities, and specialized munitions.

(5) Provide the Government of Israel additional excess defense articles, as appropriate, in the wake of the withdrawal of United States forces from Iraq.

(6) Examine ways to strengthen existing and ongoing efforts, including the Gaza Counter Arms Smuggling Initiative, aimed at preventing weapons smuggling into Gaza pursuant to the 2009 agreement following the Israeli withdrawal from Gaza, as well as measures to protect against weapons smuggling and terrorist threats from the Sinai Peninsula.

(7) Offer the Air Force of Israel additional training and exercise opportunities in the United States to compensate for Israel's limited air space.

(8) Work to encourage an expanded role for Israel with the North Atlantic Treaty Organization (NATO), including an enhanced presence at NATO headquarters and exercises.

(9) Expand already-close intelligence cooperation, including satellite intelligence, with Israel.

SEC. 5. ADDITIONAL STEPS TO DEFEND ISRAEL AND PROTECT AMERICAN INTERESTS.

(a) EXTENSION OF WAR RESERVES STOCKPILE AUTHORITY.—

(1) DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2005.—Section 12001(d) of the Department of

Defense Appropriations Act, 2005 (Public Law 108–287; 118 Stat. 1011) is amended by striking ''more than 8 years after'' and inserting ''more than 10 years after''.

(2) FOREIGN ASSISTANCE ACT OF 1961.—Section 514(b)(2)(A) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h(b)(2)(A)) is amended by striking ''fiscal years 2011 and 2012'' and inserting ''fiscal years 2013 and 2014''.

(b) EXTENSION OF LOAN GUARANTEES TO ISRAEL.—Chapter 5 of title I of the Emergency Wartime Supplemental Appropriations Act, 2003 (Public Law 108–11; 117 Stat. 576) is amended under the heading ''LOAN GUARANTEES TO ISRAEL''—

(1) in the matter preceding the first proviso, by striking ''September 30, 2011'' and inserting ''September 30, 2015''; and

(2) in the second proviso, by striking ''September 30, 2011'' and inserting ''September 30, 2015''.

SEC. 6. REPORTS REQUIRED.

(a) REPORT ON ISRAEL'S QUALITATIVE MILITARY EDGE (QME).—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on the status of Israel's qualitative military edge in light of current trends and instability in the region.

(2) SUBSTITUTION FOR QUADRENNIAL REPORT.—If submitted within one year of the date that the first quadrennial report required by section 201(c)(2) of the Naval Vessel Transfer Act of 2008 (Public Law 110–429; 22 U.S.C. 2776 note) is due to be submitted, the report required by paragraph (1) may substitute for such quadrennial report.

(b) REPORTS ON OTHER MATTERS.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report on each of the following matters:

(1) Taking into account the Government of Israel's urgent requirement for F-35 aircraft, actions to improve the process relating to its purchase of F–35 aircraft, particularly with respect to cost efficiency and timely delivery.

(2) Efforts to expand cooperation between the United States and Israel in homeland security, counter-terrorism, maritime security, energy, cyber-security, and other related areas.

(3) Actions to integrate Israel into the defense of the Eastern Mediterranean.

SEC. 7. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Appropriations, the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Appropriations, the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) QUALITATIVE MILITARY EDGE.—The term ''qualitative military edge'' has the meaning given the term in section 36(h)(2) of the Arms Export Control Act (22 U.S.C. 2776(h)(2)).

Mr. REID. Mr. President, I further ask that the committee-reported substitute amendment be agreed to; that the bill, as amended, be read the third time; and that the Senate proceed to a voice vote on passage of the bill, as amended.

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

The committee amendment in the nature of a substitute was agreed to.

The bill, as amended, was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 2165), as amended, was passed.

Mr. REID. Mr. President, I ask unanimous consent that the motion to reconsider be laid upon the table, with no intervening action or debate and that any statements relating to the measure be printed in the RECORD.

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

DAVID F. WHITE DEPARTMENT OF VETERANS AFFAIRS COMMUNITY BASED OUTPATIENT CLINIC

Mr. REID. Mr. President, I ask unanimous consent that the Veterans Affairs Committee be discharged from further consideration of S. 3238 and that the Senate proceed to its consideration.

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

The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 3238) to designate the Department of Veterans Affairs community based outpatient clinic in Mansfield, Ohio, as the David F. White Department of Veterans Affairs Community Based Outpatient Clinic, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, I ask unanimous consent that the bill be read the 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 measure be printed in the RECORD.

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

The bill (S. 3238) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3238

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

SECTION 1. FINDINGS.

Congress makes the following findings:

(1) David F. Winder, was born on August 10, 1946, in Edinboro, Pennsylvania.

(2) David F. Winder served as a Private First Class in the United States Army, enlisting in Columbus, Ohio, in 1968. His service in the Army ended in May 1970.

(3) David F. Winder was awarded the Medal of Honor, the highest honor in the United States awarded for valor to members of the Armed Forces, for his actions during the ambush of his company, on May 13, 1970, in the Republic of Vietnam for conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty as a senior medical aidman with Company A, 3rd Battalion, 1st Infantry Regiment, 11th Infantry Brigade, Americal Division.

(4) Unarmed, PFC Winder proceeded to crawl over 100 meters of open, bullet swept terrain to treat the 2 different wounded soldiers while suffering 2 serious wounds himself in the process. He was mortally wounded for the third and final time when closing to within 30 feet of a third soldier.

(5) PFC Winder was laid to rest in Mansfield Memorial Park.

SEC. 2. DAVID F. WINDER DEPARTMENT OF VETERANS AFFAIRS COMMUNITY BASED OUTPATIENT CLINIC.

(a) DESIGNATION.—The Department of Veterans Affairs community based outpatient clinic located in Mansfield, Ohio, shall after the date of the enactment of this Act be known and designated as the ''David F. Winder Department of Veterans Affairs Community Based Outpatient Clinic''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Department of Veterans Affairs community based outpatient clinic referred to in subsection (a) shall be deemed to be a reference to the David F. Winder Department of Veterans Affairs Community Based Outpatient Clinic.

COMMEMORATING THE 225TH ANNIVERSARY OF THE SIGNING OF THE CONSTITUTION OF THE UNITED STATES AND RECOGNIZING THE CONTRIBUTIONS OF THE NATIONAL SOCIETY OF THE SONS OF THE AMERICAN REVOLUTION AND THE NATIONAL SOCIETY DAUGHTERS OF THE AMERICAN REVOLUTION

Mr. REID. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of and the Senate proceed to S. Res. 376.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 376) commemorating the 225th anniversary of the signing of the Constitution of the United States and recognizing the contributions of the National Society of the Sons of the American Revolution and the National Society Daughters of the American Revolution, and for other purposes.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 376) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 376

Whereas the American Revolution secured the independence of the United States of America and made possible the vibrant system of self-government of the United States;

Whereas the supporters of the American Revolution, through their vision and determination, enhanced the lives of countless individuals and made possible the system of equal justice, limited government, and the rule of law that exists in the United States;

Whereas the people who fought in the American Revolution made great sacrifices for their fledgling country;

Whereas the 55 delegates who attended the Constitutional Convention in Philadelphia, Pennsylvania, 225 years ago, and the 39 delegates who signed the Constitution of the United States at the Constitutional Convention, irrevocably changed the course of history;

Whereas the Constitution of the United States, a revered and living document—

(1) provides important rights to every citizen of the United States;

(2) secures ''the Blessings of Liberty to ourselves and our Posterity''; and

(3) sets the standard of democracy for the world;

Whereas the delegates to the Constitutional Convention in 1787 established the imperative precedent of compromise;

Whereas the Constitution and the subsequent 27 amendments to the Constitution outline the freedoms and the principles of representative government that are as strong today as they were on that momentous occasion in 1787;

Whereas September 17, 2012, marks the 225th anniversary of the signing of the Constitution of the United States, which is the supreme law of the land and the document by which the people of the United States govern their great country;

Whereas, to venerate the immeasurable importance of the Constitution and the day on which the Constitution was signed, it is essential to continually educate people about, and celebrate, the principles and legacy of the Founding Fathers; and

Whereas members of organizations such as the National Society of the Sons of the American Revolution and the National Society Daughters of the American Revolution play an important role in promoting patriotism, preserving the history of the United States, and educating the public about the rights and responsibilities of citizenship: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates the 225th anniversary of the signing of the Constitution of the United States on September 17, 2012, and remembers the sacrifices made by the people who made the signing possible; and

(2) applauds the continuing contributions made by the members, volunteers, and staff of historical, educational, and patriotic societies of the United States, such as the National Society of the Sons of the American Revolution and the National Society Daughters of the American Revolution, in promoting patriotism and the values embodied in the Constitution of the United States.

PROVIDING FOR USE OF NATIONAL INFANTRY MUSEUM AND SOLDIER CENTER COMMEMORATIVE COIN SURCHARGES

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. 3363.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 3363) to provide for the use of National Infantry Museum and Soldier Center Commemorative Coin surcharges, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. I ask unanimous consent that the bill be read a third time, passed, the motion to reconsider be laid upon the table, and any statements related to this bill be printed in the RECORD.

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

The bill (S. 3363) was read the third time and passed, as follows:

S. 3363

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

SECTION 1. NATIONAL INFANTRY MUSEUM AND SOLDIER CENTER COMMEMORATIVE COIN SURCHARGES.

Section 6(b) of the National Infantry Museum and Soldier Center Commemorative Coin Act (Public Law 110-357, 122 Stat. 3999) is amended by inserting before the period at the end the following: '', and for the retirement of debt associated with building the existing National Infantry Museum and Soldier Center.''

VETERAN SKILLS TO JOBS ACT

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to Calendar No. 439, S. 2239.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 2239) to direct the head of each agency to treat relevant military training as sufficient to satisfy training or certification requirements for Federal licenses.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

S. 2239

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 ''Veteran Skills to Jobs Act of 2012''.

[SEC. 2. TREATMENT OF RELEVANT MILITARY TRAINING AS SUFFICIENT TO SATISFY TRAINING OR CERTIFICATION REQUIREMENTS FOR FEDERAL LICENSES.

[The head of each agency (as defined under section 551 of title 5, United States Code) shall deem an applicant for a license issued by the agency who has received relevant training while serving as a member of the Armed Forces, as determined by the head of the agency, to have satisfied any training or certification requirements for the license, unless the head of the agency determines that the training received by the applicant is substantially different from the training or certification required for the license.]

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Veteran Skills to Jobs Act''.

SEC. 2. CONSIDERATION OF RELEVANT MILITARY TRAINING FOR ISSUANCE OF A FEDERAL LICENSE.

(a) IN GENERAL.—The head of each Federal licensing authority shall consider and may accept, in the case of any individual applying for a license, any relevant training received by such individual while serving as a member of the armed forces, for the purpose of satisfying the requirements for such license.

(b) DEFINITIONS.—For purposes of this Act—

(1) the term ''license'' means a license, certification, or other grant of permission to engage in a particular activity;

(2) the term ''Federal licensing authority'' means a department, agency, or other entity of the Government having authority to issue a license;

(3) the term ''armed forces'' has the meaning given such term by section 2101(2) of title 5, United States Code; and

(4) the term ''Government'' means the Government of the United States.

SEC. 3. REGULATIONS.

The head of each Federal licensing authority shall—

(1) with respect to any license a licensing authority grants or is empowered to grant as of the date of enactment of this Act, prescribe any regulations necessary to carry out this Act not later than 180 days after such date; and

(2) with respect to any license of a licensing authority not constituted or not empowered to grant the license as of the date of enactment of this Act, prescribe any regulations necessary to carry out this Act not later than 180 days after the date on which the agency is so constituted or empowered, as the case may be.

Mr. REID. I ask unanimous consent that the committee-reported substitute amendment be agreed to, the bill, as amended, then be read a third time and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the bill be printed in the RECORD.

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

The committee amendment in the nature of a substitute was agreed to.

The bill (S. 2239), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

MEASURE READ THE FIRST TIME—H.R. 4018

Mr. REID. Mr. President, I understand that H.R. 4018 is at the desk and is due for its first reading.

The PRESIDING OFFICER. The clerk will read the bill for the first time.

The bill clerk read as follows:

A bill (H.R. 4018) to improve the Public Safety Officers' Benefits Program.

Mr. REID. Mr. President, I would now ask for a second reading, and I object to my own request.

The PRESIDING OFFICER. Objection is heard. The bill will be read for the second time on the next legislative day.

SIGNING AUTHORITY

Mr. REID. Mr. President, I ask unanimous consent that from Friday, June 29 through Monday, July 9, the majority leader and Senator CARDIN be authorized to sign duly enrolled bills or joint resolutions.

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

APPOINTMENTS AUTHORITY

Mr. REID. Mr. President, I ask unanimous consent that notwithstanding the upcoming recess or adjournment of the Senate, the President of the Senate, the President pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

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

ORDERS FOR MONDAY, JULY 2 THROUGH MONDAY, JULY 9, 2012

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn and convene for pro forma sessions only, with no business conducted, on the following dates and times, and that following each pro forma session, the Senate adjourn until the next pro forma session: Tuesday, July 3, at 12 p.m.; Friday, July 6, at 12 p.m.; and that the Senate adjourn on Friday, July 6, until 2 p.m. on Monday, July 9, unless the Senate has received a message from the House that it has adopted S. Con. Res. 51, which is the adjournment resolution; that if the Senate has received such a message, the Senate adjourn until Monday, July 9, at 2 p.m., under the provisions of S. Con. Res. 51; 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 use later in the day; that the majority leader be recognized and Senators be permitted to speak for up to 10 minutes each.

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

PROGRAM

Mr. REID. Mr. President, as previously announced, there will be no rollcall votes on Monday, July 9. The next rollcall vote will be at noon on Tuesday, July 10, on the confirmation of the Fowlkes nomination.

ADJOURNMENT UNTIL TUESDAY, JULY 3, 2012, AT 12 NOON

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

The PRESIDING OFFICER. The Senate stands adjourned until Tuesday, July 3, 2012, at 12 p.m., unless the Senate has received a message that the House has agreed to S. Con. Res. 51, in which case the Senate stands adjourned until 2 p.m. on Monday, July 9, 2012.

Thereupon, the Senate, at 4:04 p.m., adjourned until Tuesday, July 3, 2012, at 12 noon.

DISCHARGED NOMINATIONS

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION NOMINATIONS BEGINNING WITH LUCAS D. JOHNSON AND ENDING WITH THERESA A. MADSEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 13, 2012.

COAST GUARD NOMINATIONS BEGINNING WITH REAR ADMIRAL (LH) DANIEL B. ABEL AND ENDING WITH REAR ADMIRAL (LH) CHRISTOPHER J. TOMNEY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 12, 2012.

COAST GUARD NOMINATION OF REAR ADM. (LH) JOHN S. WELCH, TO BE REAR ADMIRAL UPPER HALF.

COAST GUARD NOMINATIONS BEGINNING WITH JASON A. BOYER AND ENDING WITH MATTHEW A. PICKARD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 19, 2012.

COAST GUARD NOMINATIONS BEGINNING WITH RUSSELL E. BOWMAN AND ENDING WITH MEGHAN K. STEINHAUS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 14, 2012.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION NOMINATIONS BEGINNING WITH KYLE S. SALLING AND ENDING WITH SHANNON K. HEFFERAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 14, 2012.

DEREK J. MITCHELL, OF CONNECTICUT, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE UNION OF BURMA.

DEBORAH J. JEFFREY, OF THE DISTRICT OF COLUMBIA, TO BE INSPECTOR GENERAL, CORPORATION FOR NATIONAL AND COMMUNITY SERVICE.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 29, 2012:

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. HERBERT J. CARLISLE

NATIONAL BOARD FOR EDUCATION SCIENCES

LARRY V. HEDGES, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL BOARD FOR EDUCATION SCIENCES FOR A TERM EXPIRING NOVEMBER 28, 2015.

SUSANNA LOEB, OF CALIFORNIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL BOARD FOR EDUCATION SCIENCES FOR A TERM EXPIRING MARCH 15, 2016.

NATIONAL COUNCIL ON DISABILITY

KAMILAH ONI MARTIN-PROCTOR, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 2014.

SARA A. GELSER, OF OREGON, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 2014.

DEPARTMENT OF STATE

EDWARD M. ALFORD, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF THE GAMBIA.

PETER WILLIAM BODDE, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERAL DEMOCRATIC REPUBLIC OF NEPAL.

PIPER ANNE WIND CAMPBELL, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO MONGOLIA.

DOROTHEA-MARIA ROSEN, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERATED STATES OF MICRONESIA.

MARK L. ASQUINO, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF EQUATORIAL GUINEA.

MICHELE JEANNE SISON, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MALDIVES.

DOUGLAS M. GRIFFITHS, OF TEXAS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MOZAMBIQUE.

JAY NICHOLAS ANANIA, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SURINAME.

SUSAN MARSH ELLIOTT, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF TAJIKISTAN.

RICHARD L. MORNINGSTAR, OF MASSACHUSETTS, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF AZERBAIJAN.

DEPARTMENT OF JUSTICE

PATRICK A. MILES, JR., OF MICHIGAN, TO BE UNITED STATES ATTORNEY FOR THE WESTERN DISTRICT OF MICHIGAN FOR THE TERM OF FOUR YEARS.

JOHN S. LEONARDO, OF ARIZONA, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF ARIZONA FOR THE TERM OF FOUR YEARS.

JAMIE A. HAINSWORTH, OF RHODE ISLAND, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF RHODE ISLAND FOR THE TERM OF FOUR YEARS.

COMMUNITY RELATIONS SERVICE

GRANDE LUM, OF CALIFORNIA, TO BE DIRECTOR, COMMUNITY RELATIONS SERVICE, FOR A TERM OF FOUR YEARS.

NUCLEAR REGULATORY COMMISSION

KRISTINE L. SVINICKI, OF VIRGINIA, TO BE A MEMBER OF THE NUCLEAR REGULATORY COMMISSION FOR THE TERM OF FIVE YEARS EXPIRING JUNE 30, 2017 .

ALLISON M. MACFARLANE, OF MARYLAND, TO BE A MEMBER OF THE NUCLEAR REGULATORY COMMISSION FOR THE REMAINDER OF THE TERM EXPIRING JUNE 30, 2013.

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES COAST GUARD UNDER TITLE 14, U.S.C., SECTION 271:

To be rear admiral upper half

REAR ADMIRAL (LH) DANIEL B. ABEL
REAR ADMIRAL (LH) FREDERICK J. KENNEY, JR.
REAR ADMIRAL (LH) MARSHALL B. LYTLE III
REAR ADMIRAL (LH) FRED M. MIDGETTE
REAR ADMIRAL (LH) KARL L. SCHULTZ
REAR ADMIRAL (LH) CARI B. THOMAS
REAR ADMIRAL (LH) CHRISTOPHER J. TOMNEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES COAST GUARD RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral upper half

REAR ADM. (LH) JOHN S. WELCH

COAST GUARD NOMINATIONS BEGINNING WITH JASON A. BOYER AND ENDING WITH MATTHEW A. PICKARD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 19, 2012.

COAST GUARD NOMINATIONS BEGINNING WITH RUSSELL E. BOWMAN AND ENDING WITH MEGHAN K. STEINHAUS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 14, 2012.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION NOMINATIONS BEGINNING WITH LUCAS D. JOHNSON AND ENDING WITH THERESA A. MADSEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 13, 2012.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION NOMINATIONS BEGINNING WITH KYLE S. SALLING AND ENDING WITH SHANNON K. HEFFERAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 14, 2012.

DEPARTMENT OF STATE

DEREK J. MITCHELL, OF CONNECTICUT, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE UNION OF BURMA.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

DEBORAH J. JEFFREY, OF THE DISTRICT OF COLUMBIA, TO BE INSPECTOR GENERAL, CORPORATION FOR NATIONAL AND COMMUNITY SERVICE.

EXTENSIONS OF REMARKS

GAUGING AMERICAN PORT SECURITY ACT

SPEECH OF

HON. YVETTE D. CLARKE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 26, 2012

Ms. CLARKE of New York. Mr. Speaker, I rise in support of H.R. 4005—''Gauging American Port Security Act'' also known as the ''GAPS Act.'' I would like to thank Congresswoman JANICE HAHN from California for her diligent work on this bill. I would also like to thank the efforts of the Committee on Homeland Security. This bill requires the Homeland Security Department, within one year of enactment, to conduct a study of the remaining gaps in port security in the United States and submit a classified report to Congress prioritizing these gaps and a plan to address them.

As a New York City Member on the House Homeland Security Committee, I understand how important border security is and how threats to our national security need to be reduced. I will continue to work to ensure that our nation is better prepared to terrorist attacks at our ports.

Ports are important to American commerce and a way to connect us to the rest of the world. We have more than 11 million cargo containers arrive in U.S. ports every year and we need to ensure that our ports are secure for this part of commerce.

Congress needs to continue to focus on improving security on our borders, land and port. I fully believe that this is a step to improving our port security and H.R. 4005 will help the Homeland Security Department to come up with a plan that will help with these challenges at our ports. This plan will address threats we face at maritime borders by closing the gaps in our security at our Nation's ports. The benefit of this legislation will greatly outweigh the cost. It is a way for us to adequately invest in our response capacities and security to safeguard our citizens and economy.

So today, I urge my colleagues to support this bill.

HONORING BISHOP WILLIAM P. DEVEAUX

HON. HENRY C. ''HANK'' JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following Proclamation:

Whereas, Bishop William P. DeVeaux is celebrating eight years (8) in leadership this year as the presiding prelate for all of the African Methodist Episcopal (AME) churches in Georgia and Dr. Patricia Ann Morris is celebrating eight years as the Episcopal Supervisor, they have both provided stellar leadership to their church on an international level; and

Whereas, Bishop and Dr. DeVeaux, under the guidance of God has pioneered and sustained the African Methodist Episcopal churches in Georgia, as an instrument in our community that uplifts the spiritual, physical and mental welfare of our citizens; and

Whereas, this remarkable and tenacious man and virtuous woman of God give hope to the hopeless, feed the hungry and are a beacon of light to those in need; and

Whereas, Bishop and Dr. DeVeaux are spiritual warriors, persons of compassion, fearless leaders and servants to all, but most of all visionaries who share not only with their Church, but with our District and the world their passion to spread the gospel of Jesus Christ; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Bishop and Dr. DeVeaux on their excellent leadership in Georgia;

Now therefore, I, Henry C. ''Hank'' Johnson, Jr. do hereby proclaim June 1, 2012 as Bishop William P. DeVeaux and Dr. Patricia Ann Morris DeVeaux Day in the 4th Congressional District.

Proclaimed, this 1st day of June, 2012.

IN TRIBUTE TO SERGEANT JOHN ''J.D.'' DAVID MEADOR II

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. WILSON of South Carolina. Mr. Speaker, on Wednesday, June 20, 2012, Sgt. John ''J.D.'' David Meador II, of Columbia, South Carolina, was killed in action while serving in the South Carolina Army National Guard in Afghanistan. Sergeant Meador began his career in service to our country when he enlisted in the United States Army in 1994. He is a graduate of Lexington High School and a member of the Lexington County Sherriff's Department. As a former high school wrestler, Sergeant Meador enjoyed coaching wrestling at his alma mater, White Knoll High School, and Irmo High School. He also enjoyed hunting, the outdoors and carpentry.

Every member of our Armed Forces sacrifices their lives to keep America and her freedoms safe. Without these sacrifices, America would not remain the most free and prosperous country in the world. Specialist Meador paid the ultimate sacrifice and died honorably protecting these freedoms that we all enjoy.

My thoughts and prayers are with his wife Christy, and their two daughters, Brianna and Elana, as well as his parents, John and Sharon Meador. His service to our nation will never be forgotten and we will always be eternally grateful. As a Guard veteran myself with four sons currently serving in the military, I particularly appreciate your extraordinary military family. Freedom is not free.

HONORING THE CARROLLTON BLACK CEMETERY

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. MARCHANT. Mr. Speaker, it gives me great pride and pleasure to rise today to recognize and commemorate the heritage of the Carrollton Black Cemetery. Buried beneath its soil are the men and women who forged the pathway for the Carrollton community. Today we recognize those who have gone before us, the sacrifices they have made, and the impact they have had on the lives of today's Carrollton citizens.

In 1850, the first recorded burial in the cemetery was Mary Lamer, an immigrant from Illinois and the original owner of the property. In 1871, the Carrollton Black Cemetery was established on a forty-acre sited owned by Mr. Scott Boswell, an early African American Carrollton farmer. By 1915, Mr. C.B. Baxley purchased the land with a deed exclusion to keep the cemetery intact. Up until the Civil War, it was customary to bury slaves on their owner's land. After Emancipation, freed slaves and their families wished to have their own burial locations. Unfortunately, the Carrollton Black Cemetery has undergone flooding from the Trinity River which has caused the loss of many of its gravestones. In 1981, to preserve the cemetery's history, a fence was erected around its perimeter. On Saturday, June 23, the cemetery was identified as a Texas historical site.

The Carrollton Black Cemetery is referred to by many names including the Carrollton Community Cemetery and the Carrollton Memorial Cemetery. The record of the Carrollton Black Cemetery reflects the rich history of the African American community in Carrollton. Many of the people buried in the Carrollton Black Cemetery were trailblazers of growth, development, and continued successes in the Carrollton community.

Mr. Speaker, it is an honor to recognize the Carrollton Black Cemetery for the heritage and history it brings to the 24th District of Texas. I ask all of my distinguished colleagues to join me in honoring the Carrollton Black Cemetery and in commending the current citizens who care for it.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

SPEECH OF

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 26, 2012

The House in Committee of the Whole House on the state of the Union had under

consideration the bill (H.R. 5972) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2013, and for other purposes:

Mr. DINGELL. Mr. Chair, I rise today in support of H.R. 5972. While this is not a perfect bill, it will fund important transportation and housing projects creating well-paying jobs across this country.

I am pleased that this bill provides a much-needed increase to Amtrak, which will greatly help Amtrak accommodate growing ridership and develop intercity passenger rail. It also continues to invest in the FAA's NextGen air traffic control modernization effort, which will help to keep our public airspace safe and reduce flight times. The Community Development Block Grants program is also fully funded helping local governments to address housing and social service issues unique to their communities. It also fully funds the Veterans Affairs Supportive Housing program, providing the nearly 70,000 homeless veterans with long-term housing when they need it.

However, I want to express my deep disappointment that this bill does not provide any funding to high speed intercity passenger rail or the TIGER program. Both of these programs have proven to be successful and play an integral role in bringing our infrastructure in to the 21st Century. At a time when you have labor and business—the U.S. Chamber of Commerce and AFL–CIO—calling for stronger investment in our infrastructure, it is short-sighted that we not provide this necessary funding. We cannot continue to compete with our neighbors abroad if we are not improving and growing our infrastructure. My colleagues in the House, on the left and the right, have called for a jobs package and this funding could have been that first step.

I am disappointed at the lack of funding for critical housing programs. This bill drastically cuts funds to the Project-Based Section 8 voucher program that provides rental assistance to approximately 1.2 million low-income families. Furthermore, there is no funding for programs that would help rebuild blighted communities. Not only would eliminating blight and rebuilding neighborhoods create jobs, but they would also rejuvenate communities in areas like Southeast Michigan that were hit so hard by the collapse of the housing market and the economic recession.

Taken as a whole Mr. Chair, H.R. 5972 will make needed investments in our transportation and housing infrastructure, but more must be done. As our bridges, roads, sewers, buildings, and neighborhoods crumble, we cannot afford to underfund critical programs that rehabilitate and rebuild. We cannot move in to the 21st century with 20th century investments. I call on my colleagues to pass a strong surface transportation reauthorization that will fix this oversight of needed funding and put Americans across the country back to work bettering our neighborhoods and communities.

TRIBUTE TO JOHN JOHNSON

HON. WILLIAM L. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. OWENS. Mr. Speaker, I rise today to honor the career and service of one of my constituents, John Johnson, President and CEO of Alice Hyde Medical Center in Malone, New York. John's time as a public servant in the North Country and hospital administrator reflects an enduring commitment to our community and to improving the access and quality of healthcare for the people of Northern New York.

After graduating with a Bachelor's of Science degree from SUNY Plattsburgh in 1971, John went on to rise through the ranks of the Franklin County Probation Department to become its Director in 1977. He later worked as Franklin County Manager in 1984 until he joined Alice Hyde as an Associate Director in 1990. He soon became the Executive Vice President of the Acute Care Facility, the Outpatient Health Center, and the Adjacent Skilled Nursing Facility. John went on to become President and CEO of Alice Hyde in 1994 where he has served till recently.

Under John's tenure as President and CEO, the AHMC has established five health centers and opened cancer, hemodialysis, ambulatory and orthopedic and rehabilitation centers. In 2009, AHMC was recognized as the Organization of the Year by the Malone Chamber of Commerce for its efforts to pursue innovative medicine, growth, and community programs.

I had the privilege to serve with John on the Plattsburgh State University College Council where he exemplified his community commitment. While I am saddened by the departure of John as President and CEO of AHMC, his work will continue to have an impact for years to come. I congratulate John on his retirement and wish him all the best in the many years ahead.

PERSONAL EXPLANATION

HON. VICKY HARTZLER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mrs. HARTZLER. Mr. Speaker, on Thursday, June 28, 2012, I was unable to vote. Had I been present, I would have voted as follows: on rollcall No. 442, "yea."

IN HONOR OF MIKE SEDELL

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. GALLEGLY. Mr. Speaker, I rise in honor of my close personal friend Mike Sedell, who is retiring next week as the City Manager of the City of Simi Valley, California.

Mike and I have worked together for 33 years. When I was first elected to the Simi Valley City Council, he was Simi Valley's Deputy City Manager under then-City Manager Lin Koester. When I was elected to Congress in 1986, he came to Washington, DC, to serve as my first Chief of Staff. After three years in Washington, he returned to Simi Valley as Assistant City Manager, becoming City Manager in 1995.

Mike and I are not just professional associates. We are personal friends and have continued to be personal friends in the 17 years since he left my employ. Not a week goes by that we don't connect to discuss a federal issue, or a local issue, or our respective families.

Mike began working for the people of Simi Valley in 1972 as a California State University, Northridge, intern and subsequently served the City in a variety of assigmnents. He first worked as Simi Valley's Personnel Administrator and Community Services Coordinator, which included working on the Neighborhood Council Program, the Youth Council, and Youth Services. In 1975, he was asked to become part of the City Manager's office.

Once in the City Manager's Office, Mike effectively supervised several programs, including public affairs, media relations, City Council/staff relations, governmental affairs, labor relations, transit system operations, and elections.

When Lin Koester left Simi Valley to become the Chief Administrative Officer for Ventura County in 1995, the City Council unanimously appointed Mike as City Manager, a position he has held since.

In addition to serving as Simi Valley's City Manager, Mike periodically teaches an Intergovernmental Relations Seminar in the Master's Degree program in Public Administration at Cal State Northridge, and has served as past Chair of the Board of Directors of Interface Children and Family Services of Ventura County.

With his contacts developed over the years in both Washington and Sacramento, Mike is often called upon by Simi Valley, and occasionally other cities, to assist whenever a legislative or intergovernmental crisis occurs. Mike also works with Sacramento and Washington legislators on budget issues affecting Simi Valley and other California cities, and he has been a key player in developing the final funding formula for local agencies, and crafting complex intergovernmental agreements.

His liaison work between the City and The Ronald Reagan Presidential Library has been instrumental in forming a strong operating bond between the Library and the City, and Mike was proud to be a member of the coordinating team that put together the local events for the funeral of President Reagan.

Mr. Speaker, Mike Sedell has spent a lifetime in public service at the local and federal level. He has steered the City of Simi Valley through many difficult times with great success and his expertise is recognized and sought after by many other government officials. I know my colleagues join my wife, Janice, and me in thanking Mike for his lifetime of public service and in wishing our good friends Mike and his wife, Judie, the best in retirement.

HONORING BRIAN A. MANN

HON. HENRY C. "HANK" JOHNSON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following proclamation:

Whereas, Brian A. Mann has distinguished himself as an outstanding researcher in the area of Science from Rockdale Magnet School for Science and Technology; and

Whereas, Mr. Mann has competed throughout the state of Georgia, the Nation and internationally; and

Whereas, his research project the "Piezoelectric Nanogenerators" received the designation and prestigious ranking of #3 worldwide as a Bronze medalist this year in Istanbul, Turkey; and

Whereas, he has studied hard, sacrificed much and balanced his life as a teenager maintaining a high grade point average throughout the school year; and

Whereas, he is a model student leader with the heart to serve his community and a drive to one day be the best of the best for his school, his family and his country; and

Whereas, his boundless energy and enthusiasm has opened internationally recognized opportunities, helping Fourth District Congressional students understand that their futures are as limitless as the skies; and

Whereas, we are grateful for the accomplishments and work of this outstanding student of honor who define the power of education and imagination; and

Now therefore, I, Henry C. "Hank" Johnson, Jr. do hereby proclaim June 26, 2012 as Brian A. Mann Day in Georgia's 4th Congressional District.

Proclaimed, this 26th day of June, 2012.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

SPEECH OF

HON. MARCIA L. FUDGE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 26, 2012

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 5972) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2013, and for other purposes:

Ms. FUDGE. Mr. Chair, I rise today to address the dire need to provide resources to repair our nation's infrastructure and put Americans back to work.

One of the best ways to create jobs today is to invest in American transportation and infrastructure through the fiscal year 2013 Transportation-Housing and Urban Development Appropriations bill.

According to the Federal Highway Administration, approximately 35,000 jobs are created for every $1 billion spent on highway and bridge construction. If Congress can spend a billion dollars each month fighting wars in Iraq and Afghanistan, then we should be able to invest in America's workforce and infrastructure.

The very foundation of America, our infrastructure, is crumbling beneath our feet. The current condition of the infrastructure in the U.S. earns a grade of "D".

One-third of our roads are in poor, mediocre or fair condition and nearly 70,000 of our bridges are structurally deficient.

China and India have outpaced the U.S. with respect to infrastructure spending. Among developed countries, we rank 23rd in the world, behind South Korea, Taiwan and Barbados.

Now is not the time to short change our future; now is the time to repair our infrastructure.

In addition to repairing America's infrastructure, it is imperative that I address the lack of funding for housing in the Transportation-Housing and Urban Development Appropriations bill. Allowing drastic cuts in the HUD budget squanders the opportunity to create jobs and address the nation's affordable housing needs.

Simply stated, vulnerable Americans will lose their housing if Congress passes this bill in its current form. This bill will "short fund" project-based Section 8 contracts, which will force HUD to straddle fiscal years to shift costs from FY2013 to FY2014 and beyond. Because contracts are currently funded for 12 months, the proposed $1.1 billion in "savings" will have to be made up in the next fiscal year.

If the funds are not replenished in fiscal year 2014 and beyond, the consequences will be dire:

1.3 million families, 53 percent of whom are elderly or disabled, face losing their housing;

100,000 jobs will be in jeopardy;

$460 million in local tax receipts could be lost; and

$13.6 billion in Federal Housing Authority insured debt will be at risk.

If funding for contract renewals under the Tenant Based Rental Assistance program is not increased, 58,000 low-income households will lose rental assistance in fiscal year 2013.

The reality is that millions of low-income families, who need a strong safety net, are assisted by HUD to help them through difficult times. By eliminating this funding, we are pulling the safety, net from underneath them allowing more Americans to fall into poverty and homelessness.

I urge my colleagues to oppose this Appropriations bill.

IN HONOR OF ANTHONY A. TORRE AND JOHN GALLACHER, PH.D.

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. COURTNEY. Mr. Speaker, I rise today to recognize the careers of Dr. John Gallacher and Anthony A. Torre. As they prepare to retire as the Superintendent and Assistant Superintendent of Schools for the town of Enfield, respectively, they leave behind a legacy of excellence.

Dr. John Gallacher's passion for education began in 1968, when he started his career as a sixth grade teacher for the Elmhurst U–205 School District in Elmhurst, Illinois. He moved to Iowa eight years later to become an Elementary School Principal: first for the Ponora-Linden Community School District in Panora, Iowa, and then for Washington and Torrence Schools in Keokuk. Dr. Gallacher continued his work in Keokuk until 1992, serving as the Instructional Services Coordinator and the Superintendent of Schools for the district. Having held a variety of positions within the public school system, Dr. Gallacher brought an impressive knowledge and diverse set of skills to Enfield, Connecticut. He has worked as the Superintendent for the past twenty years, where he earned the reputation of an astute problem solver and tireless worker.

Like Dr. Gallacher, Anthony Torre served in different facets of education before becoming an administrator for the Enfield Public School System. In 1959, he started out a classroom teacher at A.D. Higgins Junior High School, working for six years before transitioning to the Chair of the Math Department at Enfield High. Mr. Torre went on to serve as the school's Assistant Principal and Principal, as well as the Principal of Enrico Fermi High School in town. He has remained at his current position of the Assistant Superintendent of Schools for nearly forty years, playing a key role overseeing the expansion of the town's High Schools and ensuring that technological advances were integrated into classrooms.

These two men share nearly 100 years of experience between them that has been an invaluable asset to the children of Enfield. Both have been passionate advocates of education and have gone above and beyond the boundaries of their job description to transform the lives of thousands of youngsters. They will be missed greatly. I ask my colleagues to join with me to recognize the exemplary service that Dr. John Gallacher and Mr. Anthony Torre have provided to Connecticut's children.

IMPORTANCE OF THE WEATHERIZATION ASSISTANCE PROGRAM

HON. PAUL TONKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. TONKO. Mr. Speaker, I would like to draw our colleagues' attention to the OP–ED that appeared in Roll Call's online issue on June 20 authored by Tim Warfield, the Executive Director of the National Association for State Community Services Programs. The OP–ED, which I have included below, addresses the Weatherization Assistance Program (WAP), our nation's largest residential energy efficiency program. Energy efficiency represents one of our greatest opportunities to reduce energy expenditures for industry, government, and for individual citizens. Dollars we do not have to spend to heat or cool homes and buildings are dollars that can be invested elsewhere. Reducing energy use extends the years we can use non-renewable energy sources and brings us closer to achieving the goal of energy independence. Buildings represent a significant proportion of our energy use and heating and cooling expenditures are a significant portion of household budgets. At a time when we want to create jobs and lower energy costs for our constituents, programs like WAP should receive our full support.

I am disappointed that the Energy and Water Appropriations bill that we passed earlier did not maintain funding for this important

program. As Mr. Warfield's editorial points out, the funding level in the House bill will not sustain this important program through 2013. I hope our colleagues in the other body will do better.

[Special to Roll Call; June 20, 2012]

WARFIELD: WEATHERIZATION IS EFFECTIVE INVESTMENT

(By Tim Warfield)

The Weatherization Assistance Program employs workers in every state and county in America and has weatherized more than 7.1 million homes over the past 35 years. Weatherization has proved its value and is a highly successful and effective investment in the American workforce—weatherization improvements funded by the 2009 stimulus law alone created 14,000 new jobs, according to the White House Recovery.gov website.

Weatherization reduces household energy use by almost 35 percent in the typical weatherized home, allowing families to use their limited funds for other necessities. The reduction in energy demand also reduces our nation's reliance on foreign oil.

The success of a program that brings the threefold benefit of jobs, household savings and energy conservation is a powerful argument to sustain and fully fund the program, yet it still has its opponents on Capitol Hill, where two Republican House Members have introduced bills to abolish it.

Unfortunately, much of the information that has been presented as an argument to cut funding is a disingenuous misrepresentation of facts. Opponents have created the false impression that remaining stimulus funds will allow the program to serve just as many households in 2013 as it did before the program expansion under the 2009 law. This misstatement occurred again during floor debate recently on the House Energy and water development appropriations bill. The argument about ''available funds'' would seem to demonstrate that the Weatherization Assistance Program can absorb proposed cuts and still maintain services at a fiscal 2010 level. This characterization is entirely wrong.

Program opponents in the House are taking advantage of the confusion that arises because the ''program year'' is not the same as the federal fiscal year. The program year was set later in the year at the Weatherization Assistance Program's inception so it wouldn't suffer the disruptive and costly effects of funding gaps that might result from prolonged federal budget negotiations.

In most states, the new program year begins in April, and by that time almost all stimulus funding will be spent. Nominal amounts will remain in three states, but in the vast majority the ''available funds'' that program opponents propose to use for the 2013 program year will already be used up. Additionally, regular appropriations are similarly depleted, with the $68 million provided for 2012 being far below a sustainable level. States have already begun slowing down operations and eliminating jobs.

The funding levels debated on the Hill threaten the nationwide network and many states will be hard pressed to operate a program at all in fiscal 2013. For example, at the $54 million level in the House-passed bill, Arizona, Hawaii and Delaware could weatherize about a dozen homes each in 2013, effectively forcing them to halt services. The ripple effect will disperse a well-trained workforce, reduce purchases from vendors that provide supplies, leave the government investment in equipment and vehicles unused, and leave many families to struggle financially because of high utility bills.

Rather than dismantling a beneficial and cost-effective operation that has been successful for 35 years, Congress should allocate funds to sustain the program at its true prestimulus level of $220 million to $240 million.

We are mindful of the difficult budget choices that face Congress, but these choices should be made based on facts. The facts show that the Weatherization Assistance Program performs a vital role in reducing the burden of high energy prices on low-income families. The program creates jobs and strengthens the economy through the purchase of materials and equipment from the private sector. Each dollar is multiplied as it flows through our communities.

Congress must restore the program to prestimulus levels to maintain an effective commitment to weatherization, maintain the trained workforce and provide a much needed economic boost to a fragile economy. Don't allow distortions of the facts to put the truly effective 35-year effort that is the Weatherization Assistance Program in peril.

PERSONAL EXPLANATION

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Ms. SCHAKOWSKY. Mr. Speaker, on rollcall Nos. 441, 442 I would not participate in what I strongly believe was an abuse of power by the majority who, for illegitimate reasons, chose to hold the Attorney General, Eric Holder, in contempt of Congress. I was against the rollcall votes.

Had I been present, I would have voted ''nay.''

HOME HEALTH COMMUNITY

HON. THOMAS J. ROONEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. ROONEY. Mr. Speaker, America's health care sector is wrought with waste, fraud and abuse, but the home healthcare industry has proposed thoughtful reforms that will strengthen program integrity and achieve substantial savings without burdening beneficiaries.

Among the home health community's proposals are measures to reduce the abusive use of home health care services in order to eliminate excessive overpayments, as well as implement initiatives that will drive innovation and reduce program costs. Other proposed safeguards achieve savings by screening questionable claims, improving payment accuracy, and targeting bad actors. The home health care industry's proposal is a responsible initiative and should be taken into consideration as Congress continues to address ways to reduce health care costs and improve patient care.

Home health care is a key source of clinical treatment for millions of Americans and is meeting complex needs in the most cost-effective, patient-preferred setting available—patients' own homes. Unfortunately, some are now advocating the reintroduction of a copayment for home health services at a time when the industry is already threatened by arbitrary yearly payment cuts. I believe that the imposition of a home health care copayment and misguided cuts could seriously impact Florida's seniors and result in increased Medicare costs.

The home health community is vital to upholding our commitment to America's seniors and the millions of beneficiaries who depend on a meaningful and affordable Medicare program.

RECOMMENDING THAT ATTORNEY GENERAL ERIC HOLDER BE FOUND IN CONTEMPT OF CONGRESS

SPEECH OF

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 2012

Mr. VAN HOLLEN. Mr. Speaker, I rise to oppose this misguided effort to inject the politics of a presidential election year into what should be a serious investigation. I oppose the resolutions to hold the Attorney General Eric Holder in criminal and civil contempt, because they are unwarranted and motivated by politics instead of facts. I voted for a resolution sponsored by Rep. JOHN DINGELL to require the Oversight and Government Committee to conduct a real investigation into the Fast and Furious operation. The American public deserves a legitimate investigation into the actions of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) in Arizona. Members of Congress have a responsibility to ensure that the ATF was abiding by the law and ensure that the ''gun-walking'' programs that took place under the Bush and Obama Administrations do not take place again. The American people deserve answers and they deserve an investigation that is based on fact and the truth, not on political gamesmanship and finger-pointing. Unfortunately, these resolutions are not based on real investigations or the desire to prevent future ''gun-walking'' operations.

This contempt resolution alleges that the Attorney General is not cooperating with the Oversight and Government Reform Committee's investigation. The Attorney General has testified before Congress nine times and the Department of Justice (DOJ) has produced 7,600 pages of documents to the Oversight and Government Reform Committee. Additionally, two dozen DOJ officials have testified before the Congress. Something lost in the political allegations on cable news is that the documents at issue in the Contempt Citation are not related to the Committee's investigation into how ''gun-walking'' was initiated and utilized in Operation Fast and Furious. Attorney General Holder has turned documents relating to Operation Fast and Furious over to the committee. This contempt citation is over the DOJ's internal deliberative documents unrelated to the actual Fast and Furious operation. This contempt resolution does not list any proof that the Attorney General had any knowledge of the Fast and Furious operation. In fact, when the Attorney General did discover the Fast and Furious program he took action to shut down the operation, held those responsible accountable, requested an investigation by the DOJ's IG office and cooperated with House and Senate investigations. To this day, no evidence has shown that he or the President had any knowledge of the Fast and Furious operation.

What the American people also deserve to know is why the Majority is putting partisan politics above the public's right to a fair and balanced investigation. The Oversight and Government Reform Committee Republicans have not granted a single Democratic witness request in 16 months. If this investigation was on the up and up, it seems that the Democrats should be allowed the opportunity to bring forward at least one witness. In fact, the Republicans refused ten requests by Democrats to hold a hearing with the former Acting Director of the ATF Kenneth Melson. He was in charge of the agency responsible for the Fast and Furious operation. The Majority also rejected requests to have William Hoover, the former Acting Deputy Director of the ATF during Operation Fast and Furious, testify before the committee. They also refused to allow former U.S. Attorney General Michael Mukasey to testify about gun-walking programs initiated under the previous administration. I hope that by opposing these resolutions we can have a real congressional investigation into the ATF's ''gun-walking'' operations and pass legislation to ensure that similar operations never happen again. The Dingell Resolution I voted for requires the Oversight and Government Reform Committee to hold bipartisan public hearings with the Kenneth Melson, William Hoover, Michael Mukasey, and others.

The House of Representatives has never voted to hold a sitting Attorney General in contempt. I don't think Republicans and Chairman Issa have provided us a real reason to do so today. Instead, they have prevented a legitimate investigation from taking place and continue to move the goalpost again and again to demand documents unrelated to the Fast and Furious Operations. Their conduct has revealed they are far more interested in getting Attorney General Holder than getting the facts. This has been a total abuse of power and process. I believe that we should be voting on the President's jobs bill today instead of this misguided and partisan resolution.

I urge my colleagues to join me in opposing this resolution.

CAL FORMOLO

HON. DAN BENISHEK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. Speaker, let it be known that it is an honor and pleasure to pay tribute to Lieutenant Cal Formolo for his distinguished military career. Lieutenant Formolo, a native of Iron Mountain, Michigan, joined the Navy in November 1987, and graduated from basic training from the Electrician's Mate ''A'' School and Naval Nuclear Power School. After graduation, he went on to the Nuclear Power Training Unit (S1W) where he completed prototype training. He remained in Idaho Falls for a staff instructor tour at the A1W prototype.

In August 1991, Lieutenant Formolo reported to his first ship, the Ohio Class submarine USS *Florida* in Bangor, Washington, where he was assigned to the Electrical Division. During his tour, the USS *Florida* completed nine strategic deterrent patrols, and Lieutenant Formolo was awarded two Battle Efficiency ''E'' awards. He was also selected as the USS *Florida* Sailor of the Year in 1996. Leaving the USS Florida, Lieutenant Formolo served at the Nuclear Power Training Unit in Ballston Spa, New York. As a First Class Petty Officer, he quickly qualified as the engineering officer of the watch, and advanced to the rank of Chief Petty Officer. In December 2000, Lieutenant Formolo reported to the Los Angeles Class submarine USS *Honolulu* in Pearl Harbor, Hawaii, where he completed one Western Pacific Deployment and two Eastern Pacific Deployments. During his tour, the USS *Honolulu* was awarded the Battle Efficiency ''E'' Award. Lieutenant Formolo next reported to the USS *John C. Stennis* in San Diego, California. As the ship's reactor controls technical assistant, he was responsible for the safe operation and maintenance of *John C. Stennis*'s two 500 mega-watt reactors. He stood watch as Officer of the Deck during a six-month Western Pacific Deployment. In 2004, Lieutenant Formolo reported aboard the Naval Submarine Support Center Performance Monitoring Team in Norfolk, Virginia, as Officer in Charge. He was responsible for monitoring submarine systems and creating work requests for system repairs, and was promoted to Lieutenant during this tour.

In January 2007, Lieutenant Formolo reported to Commander Submarine Squadron Six to perform the duties of the Material Officer and Depot Availability Coordinator. There he was responsible for the planning and execution of submarine dry-docking repair periods. After serving in the U.S. Navy for over 24 years, Lieutenant Formolo retired during this tour on April 1, 2012. Lieutenant Formolo was awarded the Navy and Marine Corps Commendation Medals, Navy and Marine Corps Achievement Medal, Surface Warfare Officer Breast Insignia and Enlisted Submarine Warfare Breast Insignia. Lieutenant Formolo is currently employed at WE Energies as an Electric Distribution Controller. He is married to the former Cheryl Simonson of Benicia, California. They reside in Kingsford, Michigan, with their son Jacob. On behalf of the citizens of Michigan's First District, it is my privilege to recognize Cal Formolo for his service, sacrifice, and continued patriotism.

MAINE WABANAKI-STATE CHILD WELFARE TRUTH AND RECONCILIATION MANDATE

HON. CHELLIE PINGREE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mrs. PINGREE of Maine. Mr. Speaker, I want to express my gratitude and best wishes to a coalition doing very important work in my state to heal injuries of the past and find a better path into the future.

Today, Wabanaki Chiefs, officials, and citizens—along with members of the Maine Legislature, Truth and Reconciliation Convening Group, Maine Indian Tribal-State Commission, and Maine's governor—are gathering to sign the Maine Wabanaki-State Child Welfare Truth and Reconciliation Mandate.

This historic signing will begin work to seek truth and healing in how the state child welfare system has treated the families of these indigenous Maine tribes—including the Houlton Band of Maliseet Indians, Passamaquoddy Tribe at Motahlunikuk, Passamaquoddy Tribe at Sipayik, Penobscot Indian Nation, and the Aroostook Band of Micmacs. In recent decades, these groups have seen their children taken from them to be placed with non-native families through adoption and foster care.

Through this process, the commission will listen to stories of families affected by these practices and learn how the loss has impacted cultures that rely on their children for continued existence. The goal is not to injure, blame or shame anyone, but to bring these truths to the open air so they can heal, teach, and prevent future harm.

I'm so proud to live in a state that is willing to have these difficult, but crucially important, conversations with a spirit of honesty and reconciliation. I wish my best to this group and fervently hope it reaches a successful conclusion.

HONORING BISHOP DR. STEWART REESE, JR.

HON. HENRY C. ''HANK'' JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following proclamation:

Whereas, Bishop Dr. Stewart Reese, Jr., is celebrating forty three (43) years in pastoral leadership this year as the founder of Bethesda Cathedral of the Apostolic Faith, Inc., and has provided stellar leadership to his church; and

Whereas, Bishop Reese, under the guidance of God has pioneered and sustained Bethesda Cathedral as an instrument in our community that uplifts the spiritual, physical and mental welfare of our citizens; and

Whereas, this remarkable and tenacious man of God has given hope to the hopeless and is a beacon of light to those in need; and

Whereas, Bishop Reese is a spiritual warrior, a man of compassion, a fearless leader and a servant to all, but most of all a visionary who has shared not only with his Church, but with our District and the nation his passion to spread the gospel of Jesus Christ; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Bishop Reese, as he celebrates forty three years in pastoral leadership on this the Founder's Day of Bethesda Cathedral of the Apostolic Faith;

Now Therefore, I, Henry C. ''Hank'' Johnson, Jr. do hereby proclaim June 3, 2012 as Bishop Dr. Stewart Reese, Jr. Day in the 4th Congressional District.

Proclaimed, this 3rd day of June, 2012.

THE WIPA AND PABSS CONTINUATION OF SERVICES ACT OF 2012

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. BECERRA. Mr. Speaker, today I am introducing, along with my colleagues, the ''WIPA and PABSS Continuation of Services Act of 2012,'' which would support Americans with severe disabilities who want to attempt to

work and potentially reduce their need for Social Security Disability Insurance (DI) and Supplemental Security Income (SSI) disability benefits. It does so by ensuring the continuation of two important community-based programs that assist individuals who wish to transition off of benefits by seeking and maintaining paid employment.

These programs have in the past been extended with overwhelming bipartisan support. Unfortunately, due to lack of action by the majority, the programs are today on the verge of expiring, and disability beneficiaries who want to try to work will be without the assistance they need to move ahead. We have worked extensively to find another solution, but we have reached an impasse.

I have received many letters, calls and emails of support for extending WIPA and PABSS. I'd like to submit three of these for inclusion in the CONGRESSIONAL RECORD—the endorsements of the bill by the Consortium for Citizens with Disabilities Task Force on Social Security, the National Disability Rights Network, and Easter Seals.

Helping individuals with disabilities who want to return to work should not be a partisan issue. I encourage all Members to join me in support of this legislation, and I hope we can move forward promptly, so Americans who are disabled are not denied the support they need to return to work.

More detailed information about WIPA and PABBS, and a description of the bill, follows.

"WORK INCENTIVES PLANNING AND ASSISTANCE" (WIPA)

When Congress passed the Ticket to Work Act in 1999, we recognized that beneficiaries needed help in navigating the work rules for DI and SSI recipients, which can seem like a complex maze. The Social Security Administration (SSA) lacked and still lacks the resources to be able to provide the kind of individualized assistance beneficiaries often need in order to use the work incentives. Moreover, Congress recognized that beneficiaries may be reluctant to discuss with SSA their interest in trying to work despite the obstacles, out of fear that they may lose their benefits even if their attempt to work fails. WIPA was created to fill this vacuum.

WIPA funds community-based programs through which trained benefit counselors help beneficiaries understand how to use the SSA work incentives. These counselors help people with disabilities in a number of ways:

They provide basic information on how disability beneficiaries can test out their ability to obtain and sustain employment, using work incentive provisions in DI, SSI and other programs to transition off of benefits.

They provide intensive, individualized guidance on the operation of these complex benefit rules and help beneficiaries report their earnings to SSA.

Their guidance helps reduce the likelihood of overpayments and increase beneficiaries' confidence that their attempt to work will not risk a catastrophic loss of basic economic security.

Recognizing the reality that SSA cannot always adjust benefit payments quickly in light of an individual's earnings, WIPA staff also counsel clients to set aside any overpaid benefits so that they are prepared to repay the overpayment once SSA processes their case.

Since their inception in 2000, WIPA programs have served nearly half a million SSA beneficiaries. SSA currently funds 140 WIPA grantees, using $23 million included in its overall annual operating budget. However, funding for more than half of the WIPA programs will expire on June 30, 2012, unless Congress or SSA is able to extend them.

"PROTECTION AND ADVOCACY FOR BENEFICIARIES OF SOCIAL SECURITY" (PABSS)

During consideration of the Ticket to Work Act, Congress also recognized that Americans with disabilities who can work may need legal advocacy in order to be able to obtain a job or maintain employment, so that they eventually won't need disability benefits. The PABSS program was established to assist such Americans.

PABSS organizations provide a wide range of services in support of work by persons with disabilities:

An individual with an intellectual disability was told that the job-coach assistance that enabled her to work would be terminated. Her local PABSS program intervened and the client was able to maintain her employment.

A blind individual had accommodations in place at work, but a software change at his company made it impossible to use them to perform his job. The PABSS office helped the employer upgrade the accommodations and worked with the Commission for the Blind to split the cost.

An individual with muscular dystrophy who lived in a rural area needed car repairs so he could get to his job. PABSS helped him resolve the issue with his warranty company so that his car could be repaired and he could keep his job.

A disabled individual was able to drive a taxi, but needed prompt payment of his past-due DI benefits in order to purchase a vehicle. PABSS helped the client obtain his past-due benefits, and he was able to purchase the cab.

PABSS operates through the protection and advocacy agencies in each state and territory. Since its inception, PABSS has assisted more than 80,000 individuals. The $7 million annual cost is included in SSA's annual operating budget. Funding for PABSS expires September 30, 2012.

STATUS OF WIPA AND PABSS

Both programs are permanently authorized, and SSA uses its annual appropriation for the agency's overall operating expenses to fund the grantees. To reinforce and clarify the underlying law, Congress has several times adopted legislation, with overwhelming bipartisan support, to extend SSA's specific authorization to use already-appropriated operating budget funds. However, in the 112th Congress, the majority has not been able to pass an extension and has not introduced any legislation on this topic.

We have been working to find an administrative solution, since the programs are permanently authorized in statute, but the issues are complicated. The simplest way to address the problem is to pass legislation.

THE WIPA AND PABSS CONTINUATION OF SERVICES ACT OF 2012

The legislation would clarify the existing law by removing any ambiguity about SSA's authority to continue WIPA and PABSS grants. The bill removes a conflicting provision from the statute that authorized a particular amount and time frame for funding of the WIPA and PABSS programs. It leaves in place the underlying provisions that permanently establish the two programs, including the standing authorization for SSA to use its annual operating budget to fund them.

I urge all Members to support this legislation. I hope that Congress will act promptly so that we can keep these programs in operation and continue to serve Americans with disabilities.

NATIONAL DISABILITY RIGHTS NETWORK,
June 27, 2012.

Hon. XAVIER BECERRA,
Ranking Member, House Ways and Means Social Security Subcommittee, Washington, DC.

DEAR RANKING MEMBER BECERRA: On behalf of the National Disability Rights Network (NDRN), and the 57 Protection and Advocacy (P&A) agencies we represent in every state and territory, I write to express our strong support for the "WIPA and PABSS Continuation of Services Act of 2012" that you are introducing.

NDRN is the national membership association for the fifty-seven P&A agencies that run the Protection and Advocacy for Beneficiaries of Social Security (PABSS) program in every state, the District of Columbia, and all U.S. territories. Collectively, the P&A Network is the largest provider of legally-based advocacy services for persons with disabilities in the United States. NDRN strives to promote a society where people with disabilities have equality of opportunity and are able to participate fully in community life (including employment) by exercising informed choice and self-determination.

Every year, the PABSS program and the Work Incentives Planning and Assistance (WIPA) program help thousands of people with disabilities enter or stay in the workforce, and to progress towards independence and economic self-sufficiency. Ensuring that these programs continue is critical to addressing the high unemployment and low labor participation rates for people with disabilities in this country, while simultaneously helping beneficiaries of Social Security disability benefits attain economic self-sufficiency.

The PABSS program was created in 1999 as part of the Ticket to Work and Work Incentives Act to protect the rights of beneficiaries as they attempt to go to work. PABSS provides a wide range of services to Social Security beneficiaries. This includes information and advice about obtaining vocational rehabilitation and employment services, information and referral services on work incentives, and advocacy or other legal services that a beneficiary needs to secure, maintain, or regain gainful employment. Advocates funded by PABSS can investigate and advocate to remedy complaints of employment discrimination and other civil and legal rights violations. These advocates also address deficiencies in entities providing employment supports and services to beneficiaries.

Authorization for both the PABSS and WIPA programs expired on September 30, 2011. Fortunately, the Social Security Administration (SSA) was able to set aside funding to sustain the WIPA program until June 30, 2012, and the PABSS program until September 30, 2012. However, without the passage of a new authorization bill, like your legislation, the Social Security Administration says that the funding for these programs will end, which will cause many Social Security recipients to go without services to help them return to work. Additionally, layoffs and long-term disruptions to the ability of grantees to provide these services will occur with the loss of experienced personnel.

Failure to reauthorize these programs will mean that the following success story, which

repeats around the country every day, will no longer be able to occur:

PABSS staff represented a 57-year-old female and SSDI beneficiary, diagnosed with bilateral blindness and orthopedic disabilities. She had not been employed since losing her eyesight several years ago. She sought to return to work, and applied for services from the Division of Vocational Rehabilitation (DVR). DVR took her application, disregarded her statutory presumptive eligibility, and sent her a letter stating that she was ineligible for DVR services because of ''transferable job skills.'' As a direct result of PABSS advocacy, DVR reopened this woman's case, found her presumptively eligible, conducted an appropriate Comprehensive Assessment of Rehabilitation Needs, and negotiated with her former employer to allow her to return to her previous job. As a result, this woman has returned to the workforce.

Examples, such as the above story, demonstrate that losing the PABSS program will hurt efforts to encourage people with disabilities to return to work, which in turn leads to further depletion of the Social Security Disability trust fund.

Again, thank you for introducing the ''WIPA and PABSS Continuation of Services Act of 2012.'' We look forward to working with you and your colleagues to enact this important legislation into law.

Sincerely,

CURT DECKER,
Executive Director.

CONSORTIUM FOR CITIZENS WITH DISABILITIES,
June 28, 2012.

Hon. XAVIER BECERRA,
Ranking Member, Subcommittee on Social Security of the Committee on Ways and Means, Washington, DC.

DEAR RANKING MEMBER BECERRA: The undersigned Co-Chairs of the Consortium for Citizens with Disabilities (CCD) Employment and Training and Social Security Task Forces are writing to thank you and express our strong support for the bill you are introducing to ensure the continuation of services under the Work Incentives Planning and Assistance (WIPA) program and the Protection and Advocacy for Beneficiaries of Social Security (PABSS) program. These two critically important programs help beneficiaries of the Social Security disability programs navigate the complex program rules and work incentives and attain economic self-sufficiency. The PABSS program was created in 1999 to protect the rights of beneficiaries as they attempt to go to work. The WIPA program funds Community Work Incentive Coordinators who help beneficiaries understand their options if they choose to return to work. Without congressional action, these programs will run out of funding soon causing many Social Security disability beneficiaries to go without services to help them return to work.

As you know, both WIPA and PABSS are vital to help Social Security Disability Insurance and Supplemental Security Income beneficiaries who wish to return to the workforce. WIPA grants go to local non-profits and other agencies to support outreach, education and benefits planning. WIPA grantees inform beneficiaries on the impact that employment will have on their disability income and medical coverage, and address many of the real fears that individuals have about going to work at the risk of losing health coverage.

PABSS provides a wide range of services to Social Security beneficiaries. This includes information and advice about obtaining vocational rehabilitation and employment services, information and referral services on work incentives, and advocacy or other legal services that a beneficiary needs to secure, maintain, or regain gainful employment. Advocates funded by PABSS can investigate and advocate to remedy complaints of employment discrimination and other civil and legal rights violations, and to address deficiencies in entities providing employment supports and services to beneficiaries.

Thank you for your leadership in continuing the WIPA and PABSS programs. We thoroughly support the continuation of these vital programs for people with disabilities.

Sincerely,

Consortium for Citizens with Disabilities Employment & Training Task Force Co-Chairs:

ALICIA EPSTEIN,
NISH.

SUSAN GOODMAN,
National Down Syndrome Congress.

CHARLES HARLES,
Inter-National Association of Business Industry and Rehabilitation (I–NABIR).

SUSAN PROKOP,
Paralyzed Veterans of America.

Consortium for Citizens with Disabilities Social Security Task Force Co-Chairs:

JEANNE MORIN,
National Association of Disability Representatives.

TJ SUTCLIFFE,
The Arc of United States

ETHEL ZELENSKE,
National Association of Social Security Claimants' Representatives.

EASTER SEALS,
Washington, DC, June 27, 2012.

Hon. XAVIER BECERRA,
Ranking Member, Social Security Subcommittee, Committee on Ways and Means, Washington, DC.

DEAR RANKING MEMBER BECERRA: I am writing in support of your legislative efforts to continue the Work Incentives Planning and Assistance (WIPA) and Protection and Advocacy for Beneficiaries of Social Security (PABSS) programs at the Social Security Administration (SSA).

WIPA and PABSS provide Social Security beneficiaries with disabilities with access to reliable work incentive and benefits information that can help lead to increased employment and decreased reliability on public benefits. Four Easter Seals affiliates provide work and benefits counseling through WIPA to veterans, transition-to-work aged youth, and other Social Security beneficiaries who are interested in entering or returning to the workforce. Through the WIPA program, Easter Seals affiliates have helped thousands of individuals across the country, including many who are now working, paying taxes and improving their futures.

SSA has taken steps to wind down these programs by informing current WIPA and PABSS grantees to stop taking new clients and to finish their work with existing clients. Service disruption will further discourage beneficiaries from working—the very problem these programs were designed by Congress to address. In addition, gaps in service will result in the loss of experienced work incentive staff members that are specially trained on the complexities of the current work incentive system and rules. Shutting down and reopening WIPA services will cost far more in terms of dollars and lost expertise than a simple continuation. While Easter Seals believes SSA has the authority and funding to continue WIPA and PABSS through the end of fiscal year 2012, we strongly support your legislative fix to make it absolutely clear and to avoid future shutdowns of these programs.

Easter Seals applauds your efforts to continue these important programs for people with disabilities. We look forward to working with you to move the bill through the legislative process.

Sincerely,

KATY BEH NEAS,
Senior Vice President, Government Relations.

IN TRIBUTE TO CAPTAIN RYAN RAWL

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. WILSON of South Carolina. Mr. Speaker, on Wednesday, June 20, 2012, Captain Ryan Rawl, of Lexington, South Carolina, was killed in action while serving in the South Carolina Army National Guard in Afghanistan. Captain Rawl is a graduate of Lexington High School in 2000. After graduating from high school, Captain Rawl furthered his education and graduated from The Citadel in 2004 with a major in Criminal Justice before joining the South Carolina National Guard in 2006. While in college, Captain Rawl received an award for his outstanding service on the school's Honor Court and enjoyed leading underclassmen in Bible study. Captain Rawl joined the National Guard in 2006. Since his active duty deployment, Captain Rawl has received numerous decorations and honors including The Bronze Star, The Purple Heart, The Combat Action Badge, The South Carolina Medal of Valor, and The South Carolina Meritorious Service Medal.

We are able to enjoy our freedoms due to the sacrifices of the brave men and women serving in our Armed Forces. Captain Rawl paid the ultimate sacrifice dedicating his life protecting American families and all of the freedoms we hold so dear.

My thoughts and prayers are with wife, Katherine, and their two young children, Callie and Caleb, as well as his parents Stanley and Diane Rawl. As a Guard veteran myself with four sons currently serving in the military, I particularly appreciate your extraordinary military family. Freedom is not free.

RECOMMENDING THAT ATTORNEY GENERAL ERIC HOLDER BE FOUND IN CONTEMPT OF CONGRESS

SPEECH OF

HON. DARRELL E. ISSA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 2012

Mr. ISSA. Mr. Speaker, I submit the following letters to Ranking Member ELIJAH CUMMINGS regarding H. Res. 711.

CONGRESS OF THE UNITED STATES,
COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, DC, May 30, 2012.

Hon. ELIJAH E. CUMMINGS,
Ranking Member, Committee on Oversight and Government Reform,House of Representatives, Washington, DC.

DEAR RANKING MEMBER CUMMINGS: This letter is a follow-up to my letter dated May 24, 2012 regarding the March 15, 2010 application for a wire intercept that the Justice Department authorized in support of Operation Fast and Furious.

ADDITIONAL WIRETAP APPLICATIONS OBTAINED BY THE COMMITTEE

The Committee has obtained three additional wiretap applications from the Fast and Furious investigation, dated April 19, 2010, May 7, 2010, and May 18, 2010, respectively. These three applications pertain to four target telephone lines. Each application includes an accompanying memorandum, dated April 15, 2010, May 6, 2010, and May 14, 2010, respectively, from Assistant Attorney General of the Criminal Division Lanny A. Breuer to Paul M. O'Brien, Director, Office of Enforcement Operations, authorizing the interception application. The memoranda from Breuer were marked specifically for the attention of Emory Hurley, the lead federal prosecutor for Operation Fast and Furious.

In response to your personal request, I am enclosing copies of these three wiretap applications. Please take every precaution to treat them carefully and responsibly. I am hopeful that they will assist you in understanding the extent of information brought to the attention of senior officials in the Criminal Division who were responsible for reviewing the contents of the applications to determine if they were legally sufficient and conformed to Justice Department policy. The information is as vast as it is specific. These wiretap applications, signed by the late Deputy Assistant Attorney General John C. Keeney under the authority of his supervisor, Assistant Attorney General Breuer, provide additional insight into who knew—or should have known—what and when in Operation Fast and Furious.

To assist you in better understanding the facts, I appreciate the opportunity to provide relevant and necessary context for some of the information in these wiretap applications. Due to the sensitivity of the documents, individual targets and suspects will be referred to with anonymous designations. Nonetheless, you will see that the individuals referred to in the wiretap applications are well-known to our investigation.

FACTS LEARNED FROM THE FIRST WIRETAP APPLICATION

As I understand it, the wiretap application authorized on March 15, 2010 was the first in this controversial case. Like many federal wiretap applications, the affidavit provided significant details about the controversial operational tactics used in the case, such as breaking off surveillance of a suspect who had illegally purchased firearms. As we now know, as early as December 2009 agents from ATF and DEA knew that the main target of the case, Target 1, planned to acquire firearms for the purpose of transporting them to Mexico. In fact, the affidavit in the first wiretap application provides entire conversations obtained through a separate DEA wire intercept detailing Target 1's efforts. The affidavit acknowledges that while monitoring the DEA target telephone numbers, law enforcement officers intercepted calls that demonstrated that Target 1 was conspiring to purchase and transport firearms for the purpose of trafficking the firearms from the United States to Mexico.

At the time it was preparing the first wiretap affidavit, ATF was aware that from September 2009 to March 15, 2010, Target 1 acquired at least 852 firearms valued at approximately $500,000 through straw purchasers. As of March 15, 2010, ATF had identified 21 of these straw purchasers. Between September 23, 2009 and January 27, 2010, 139 firearms purchased by these straw purchasers were recovered—81 of those in Mexico. These recoveries occurred one to 49 days after their purchase in Arizona. The document reflects that the Justice Department should have been fully aware that large sums of money were being used to purchase a large numbers of firearms, many of which were flowing across the border. In fact, ATF even knew the tactics the smugglers were using to bring the guns into Mexico. The straw purchasers would purchase the firearms in Arizona and then transport them either to Mexico or a location near the U.S.-Mexico border from which others would drive the guns into Mexico.

The first wiretap application in Fast and Furious contains rich detail about the transactions by many of the straw purchasers. Given this detail, it shocks the conscience that federal law enforcement officials intentionally abandoned surveillance. Even more shocking is that upon reviewing these facts, senior Justice Department officials authorized the wiretap applications instead of shutting down the investigation.

NEW INFORMATION CONTAINED IN ADDITIONAL WIRETAP APPLICATIONS

These three additional wiretap applications further demonstrate that senior officials in the Justice Department's Criminal Division failed to sound the alarm, despite being presented with unmistakable evidence of the extent of the Fast and Furious gun trafficking ring. Given the danger involved, these officials should have intervened without hesitation. Throughout this investigation, one of my goals has been to hold these officials accountable for their management failures. In public statements, you have indicated you agree with this objective. Given this new evidence obtained by the Committee, I expect you to join me in seeking to hold these officials accountable.

SENIOR DOJ OFFICIALS KNEW BY MAY 2010 THAT AT LEAST 1,500 FIREARMS WERE INVOLVED, AND RECOVERIES IN MEXICO WERE ONGOING

The affidavits for the additional wiretap applications demonstrate that senior officials at both ATF and Justice Department headquarters knew that Target 1 was continuing to acquire firearms illegally and traffic them to Mexico. By April 19, 2010, Target 1 had acquired at least 1,217 firearms through straw purchasers, costing approximately $800,000. By May 17, 2010, less than a month later, Target 1 had acquired nearly 300 additional firearms. Between September 23, 2009 and March 23, 2010, 302 of these firearms were recovered, including 182 in Mexico and 116 along the U.S.-Mexico border. These recoveries occurred between one and 105 days after the firearms were purchased in Arizona. The affidavits illustrate that ATF allowed Target 1 to continue to operate the firearms trafficking ring despite evidence indicating that they should have shut it down. Senior Department officials also failed to act on these facts. As a result, Target 1 was able to acquire even more firearms.

MONITORED PHONE CALLS DETAIL LARGE NUMBERS OF FIREARMS

The affidavits include details of phone conversations showing that Target 1 and related straw purchasers were heavily involved in illegal firearms trafficking. For example, one affidavit details recorded conversations over the course of a 30-day period between Straw Purchaser Y and a cooperating FFL. In each of these recorded conversations, Straw Purchaser Y discussed future firearms purchases from the FFL. Following each of those conversations, Straw Purchaser Y later arrived at the FFL and purchased firearms.

In that month alone, Straw Purchaser Y bought a total of 120 AK–47 type rifles, 6 FN Herstal 5.7 caliber pistols, a Springfield Armory .40 caliber pistol, a Glock .45 caliber pistol, a Colt model ''El Jefe'' .38 super, and a Barrett .50 caliber rifle. One person's purchase of over 120 assault-type firearms in less than a month should have set off alarm bells for Criminal Division lawyers reading these affidavits. That fact alone should have been enough for a senior Department official to stop this program. Nobody did. This failure to raise an alarm represents a major breakdown in leadership.

SURVEILLANCE CONTINUES ON THE ILLEGAL PURCHASE AND TRANSFER OF FIREARMS

In addition to recording conversations of straw purchasers, ATF surveillance units continued to observe them buy guns illegally. For example, on April 16, 2010 surveillance units witnessed Straw Purchaser Y buy three Barrett .50-caliber rifles at a cost of $9,000 each from an FFL. Surveillance followed Straw Purchaser Y and observed him transfer at least one of the rifles into a vehicle registered to Target 1. After the transfer, surveillance followed Target 1's vehicle to the residence of Straw Purchaser V, where the firearm was unloaded from the vehicle. Again, law enforcement did not interdict these guns or make an arrest.

On April 24, 2010, surveillance units observed Straw Purchaser Y purchase three FN Herstal 5.7 mm pistols from the same FFL. Later that day, surveillance units followed Straw Purchaser Y to his residence, where the same vehicle belonging to Target 1 was parked. After leaving Straw Purchaser Y's residence, the vehicle was later observed at the residence of Straw Purchaser V. At that point, surveillance was simply terminated.

A Barrett .50-caliber is a fearsome rifle that New York City Police Commissioner Ray Kelly has called a ''weapon of war.'' Senior Justice Department officials should have asked tough questions of ATF about the circumstances surrounding each of these purchases. Given the circumstances of these purchases and the subsequent transfer to Target 1's vehicle, senior Department officials had a duty to intervene in the operation to ensure that it was being conducted in accordance with the law and Department policy. Instead, they stood by as the straw purchasing ring continued unabated.

TRACKING BORDER CROSSINGS

The affidavits also describe Target 1's border crossings, some of which occurred immediately following periods of buying from the straw purchasers. From December 17, 2009 to March 23, 2010, Target 1 made 13 documented crossings from Mexico into the United States. Eleven of these crossings occurred at Texas points of entry.

On December 31, 2009, Straw Purchaser Y purchased seven firearms. The following day, Target 1 crossed by vehicle from Mexico into the United States via a port of entry in Fabens, Texas. From December 30, 2009 to January 15, 2010, Straw Purchaser Y and Straw Purchaser Z purchased a combined total of 80 firearms. Then, on January 18, 2010, Target 1 again crossed from Mexico into the United States via the Faben, Texas point of entry. From January 26, 2010 to February 12, 2010, Straw Purchaser B, Straw Purchaser N, and Straw Purchaser Y purchased 62 firearms combined. On February 13, February 15, and February 16, 2010, Target 1 crossed by vehicle from Mexico into the United States via a port of entry in El Paso, Texas. From April 6, 2010 to April 24, 2010, Straw Purchaser Y purchased 24 firearms. On April 26, 2010, Target 1 crossed by vehicle from Mexico into the

United States via a port of entry in Lukeville, Arizona. The affidavits also state that Target 1 routinely travelled to El Paso, Texas. In fact, according to the affidavits, intercepted phone calls show that at that time, Target 1 was engaging in conversations relating to firearms trafficking with individuals in and around El Paso, Texas.

Moreover, one of the affidavits states that ATF agents believed Straw Purchaser Y was also traveling to El Paso, Texas to receive U.S. currency to transport back to Mexico for future gun purchases in the Phoenix, Arizona area. For example, on March 23, 2010, the day after Straw Purchaser Y returned from El Paso, Texas, Straw Purchaser M, Straw Purchaser N, and Straw Purchaser Q purchased a total of 30 AK–47 type rifles and 7.62x39 caliber ammunition from Phoenix, Arizona FFLs. Straw Purchaser Y traveled to El Paso, Texas on two occasions after March 21, 2010. On both occasions, Straw Purchaser Y drove to El Paso, Texas, stayed at a hotel approximately one day, and then drove back to Phoenix, Arizona. On the second occasion, surveillance units observed Straw Purchaser Y meeting with an unknown individual before returning to Phoenix, Arizona a short time later.

CONCLUSION

These wiretap affidavits show that straw purchasers were buying massive numbers of guns from Phoenix area FFLs, and that federal law enforcement officials were contemporaneously aware of many of these sales. By monitoring and recording phone calls and conducting extensive surveillance, ATF tracked the actions of the firearms trafficking ring. ATF knew, and shared with the Criminal Division, that Target 1 facilitated the illegal transfer of these firearms to Mexico for the drug cartels. The volume of firearms distributed by the gun trafficking ring was a major threat to public safety. Despite the volume of information gathered through this field work, no one in ATF or Justice Department headquarters took action. This is inexcusable.

The new facts these wiretap applications reveal are dismaying. More than we previously believed, senior officials at the Department of Justice were aware of specific information about ATF's efforts to monitor illegal transactions and subsequently abandon surveillance. Now, more than ever, it is imperative that you join me in demanding that these senior officials be held accountable.

Sincerely,

DARRELL ISSA,
Chairman.

CONGRESS OF THE UNITED STATES,
COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, DC, June 1, 2012.

Hon. ELIJAH E. CUMMINGS,
Ranking Member, Committee on Oversight and Government Reform,House of Representatives, Washington, DC.

DEAR RANKING MEMBER CUMMINGS: This letter is a follow-up to my letters dated May 24, 2012 and May 30, 2012 regarding the applications for wire intercepts the Justice Department authorized on March 15, 2010, April 19, 2010, May 7, 2010, and May 18, 2010 in support of Operation Fast and Furious.

ADDITIONAL WIRETAP APPLICATIONS OBTAINED BY THE COMMITTEE

The Committee has obtained two additional wiretap applications from the Fast and Furious investigation, dated June 2, 2010 and July 2, 2010. These two applications pertain to two target telephone lines. Each application includes an accompanying memorandum, dated June 1, 2010 and July 1, 2010, respectively, from Assistant Attorney General Lanny A. Breuer to Paul M. O'Brien, Director of the Office of Enforcement Operations, authorizing the interception application. The memoranda from Breuer were marked specifically for the attention of Emory Hurley, the lead federal prosecutor for Operation Fast and Furious.

These documents further highlight the scope and volume of information known by the Department of Justice, including senior officials in the Criminal Division, about Fast and Furious. Between March and July 2010, these officials had access to rapidly mounting evidence of firearms trafficking and gunwalking, and had multiple opportunities to halt Operation Fast and Furious. They did not. Instead, these officials authorized the wiretap applications, and Fast and Furious continued unabated.

In response to your personal request, I am enclosing copies of these two wiretap applications. Please take every precaution to treat them carefully and responsibly. I am hopeful that they will assist you in understanding the extent of information brought to the attention of senior officials in the Criminal Division who were responsible for reviewing the contents of the applications to determine if they were legally sufficient and conformed to Justice Department policy. The information they contain is as vast as it is specific. These wiretap applications were signed by Jason M. Weinstein and Kenneth A. Blanco, respectively, under the authority of their supervisor, Assistant Attorney General Breuer.

To assist you in better understanding the facts, I appreciate the opportunity to provide relevant and necessary context for some of the information in these wiretap applications. Due to the sensitivity of the documents, individual targets and suspects will be referred to with anonymous designations. Nonetheless, you will see that the individuals referred to in the wiretap applications are well-known to our investigation.

FACTS LEARNED FROM THE PRIOR WIRETAP APPLICATIONS

The prior four wiretap applications provided a breathtaking amount of facts and details about the operational tactics used in Fast and Furious. The applications demonstrate that ATF knew as early as December 2009 that the main target of the case, Target 1, planned to acquire firearms for the purpose of transporting them to Mexico. In fact, the applications include entire conversations obtained through a DEA wire intercept demonstrating Target 1's specific plans. The applications acknowledge that while monitoring the DEA target telephone numbers, law enforcement officers intercepted calls that demonstrated that Target 1 was conspiring to purchase and transport firearms for the purpose of trafficking the firearms from the United States to Mexico.

The applications include transcripts of phone conversations showing that Target 1 and related straw purchasers were heavily involved in illegal firearms trafficking. The applications describe ATF surveillance units observing straw purchasers buying guns illegally. The applications also describe Target 1's border crossings, which often coincided with firearms purchases by the straw buyers. The affidavits even show that firearms were recovered in Mexico soon after straw purchasers bought them in Arizona, sometimes the next day. Though aware of all of these facts, ATF did not arrest anyone in the gun trafficking ring until many months later.

NEW INFORMATION CONTAINED IN ADDITIONAL WIRETAP APPLICATIONS

These two additional wiretap applications further demonstrate that senior officials in the Justice Department's Criminal Division failed to sound the alarm, despite being presented with unmistakable evidence of the extent of the gun trafficking ring and the controversial tactics used in Fast and Furious. Given the danger involved, these officials should have intervened without hesitation. Throughout this investigation, one of my goals has been to hold these officials accountable for their management failures. In public statements, you have indicated you agree with this objective.

$1 MILLION WORTH OF FIREARMS

From September 2009 to July 2010, Target 1 acquired over 1,500 firearms through his straw purchasers at a cost of approximately $1,000,000. In other words, Target 1's firearms trafficking ring acquired at least an additional 700 guns at a cost of $500,000 in approximately four months after the Justice Department authorized the first wiretap application.

From December 17, 2009 to July 2, 2010, Target 1 crossed from Mexico into the United States a total of 15 times. Thirteen of these 15 crossings occurred at Texas port of entries. According to the applications, Target 1 orchestrated both narcotics and firearms transactions with the intent to sell narcotics, purchase firearms, and then transport the firearms into Mexico from the United States. Although ATF and the Justice Department were aware of this information for many months, they took no steps to interrupt Target 1's criminal activities.

STRAW PURCHASERS BY THE NUMBERS

These additional wiretap applications again provide startling numbers regarding Target 1's straw purchasers. For example, by July 2, 2010, Straw Purchaser Y had purchased at least 616 firearms from the Arizona Federal Firearms Licensees (FFLs). Y purchased 125 of these guns between March 26, 2010 and June 5, 2010. By March 26, 2010, ATF had only recovered 81 firearms purchased by Straw Purchaser Y, including 28 in Mexico, within eight to 120 days after the firearms were purchased in Arizona.

Straw Purchaser Z had bought 281 firearms from Arizona FFLs by June 8, 2010. By July 2, 2010, at least 57 of these guns had been recovered in the possession of others or at crime scenes, either in the United States or Mexico. Surveillance units also observed a vehicle registered to Straw Purchaser Z parked in front of Target 1's residence from June 4, 2010 until June 7, 2010. On June 7, 2010, Customs and Border Protection officers observed Straw Purchaser Z and Target 1 crossing into the United States from Mexico in a vehicle registered to Straw Purchaser B.

Between January 26, 2010 and June 5, 2010, Straw Purchaser N purchased 96 firearms from Arizona FFLs. From October 5, 2009 through June 8, 2010, Straw Purchaser B bought 83 firearms from Arizona FFLs. In that same period, Straw Purchaser Q purchased 141 firearms.

The applications painstakingly document several of the straw purchasers' firearms acquisitions, including specific quantities, dates, and locations. The applications also specify to whom the firearms were transferred, and even at what specific crime scenes the guns were later recovered. Though fully aware that these firearms were being smuggled into the hands of the Mexican drug cartels, senior Department officials allowed the illegal purchases and transfers to continue. The continued acquisition of firearms by the gun trafficking network exacerbated the threat to public safety. Even when faced with these stark facts, senior Department officials failed to put an end to this operation.

ADDITIONAL WIRETAP APPLICATIONS

You now have a total of six applications for Fast and Furious. Officials in the Justice Department's Criminal Division authorized these applications on the following dates:

Wiretap	Date	Criminal Division Signature
1	March 10, 2010	Kenneth Blanco.
2/3	April 15, 2010	John Keeney.
4	May 6, 2010	John Keeney.
5	May 14, 2010	John Keeney.
6	June 1, 2010	Jason Weinstein.
7	July 1, 2010	Kenneth Blanco.

There may be additional wiretaps from Fast and Furious that are not currently in the Committee's possession. During his transcribed interview, Deputy Assistant Attorney General Jason Weinstein said:

Q. And did you review wiretap applications in Operation Fast and Furious?

A. I reviewed what I believe to be three of the wiretaps in Fast and Furious, in what I now know to be Fast and Furious.

Weinstein later clarified:

Q. How many did you authorize?

A. I authorized three to the best of my recollection.

Q. You were the signing official authorizing three?

A. On three of them, yes.

As the chart above reflects, however, Weinstein only signed one of the wiretaps currently in possession of the Committee. This leaves the likely possibility that at least two more wiretaps from Fast and Furious exist. To fully understand the scope of what the Criminal Division knew about Fast and Furious and when they knew it, it is essential that the Committee have access to these other two wiretap applications, if they exist.

CONCLUSION

The volume of information known to senior Justice Department officials regarding Fast and Furious by July 2, 2010 is overwhelming. Despite this, Fast and Furious continued for nearly seven more months. Notably, only after U.S. Border Patrol Agent Brian Terry's murder were arrests made and indictments issued. In light of the information contained in these wiretap affidavits, approved under Assistant Attorney General Breuer's authority, Washington, D.C.-based Justice Department officials can no longer disclaim responsibility in failing to shut down Fast and Furious. We now know numerous senior officials had access to information about the controversial and dangerous operational tactics used in Fast and Furious.

At the Committee's February 2, 2012 hearing with the Attorney General, you stated that we ''now have all the facts.'' These wiretap applications prove that your comment was premature. The information contained in these wiretaps underscores the reality that we do not have all the facts. I hope you will join me in strongly urging the Department of Justice to cooperate with our investigation fully until we obtain all the facts and it holds those responsible for authorizing the continuance of this operation accountable.

Sincerely,

DARRELL ISSA,
Chairman.

IN CELEBRATION OF THE 25TH CHURCH ANNIVERSARY OF REVEREND DAVID L. STANLEY, SR.

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. BISHOP of Georgia. Mr. Speaker, it is my honor to extend my personal congratulations to the Reverend David L. Stanley, the beloved pastor of Union Baptist Church in Macon, Georgia, who will be celebrating 25 years at this wonderful church. On Sunday, July 8, 2012, he will be honored by his congregation at Union Baptist Church for this important milestone.

Rev. Stanley, the second youngest of five children, was born to Charles and Anna Stanley. He grew up in Dublin, Georgia and attended M.M. Burdell Elementary School and Northeast High School in Macon, Georgia.

Rev. Stanley went on to receive a Certificate of Diploma in Old and New Testament Studies from Moody Bible College. He also obtained a Bachelor of Arts degree in Biblical Studies from Carolina University in Lincolnton, North Carolina. However, Rev. Stanley's studies have not concluded as he strives to continue to understand and keep abreast of the Word of God.

Before becoming pastor of Union Baptist Church, Rev. Stanley served as a Sunday School teacher, Assistant Superintendent and Superintendent. He received God's call to the ministry in 1985 and accepted pastoral duties at Union Baptist Church two years later in 1987.

Union Baptist Church has had an enduring history. After relocating many times since the church was founded in 1893, a church at the present site was built in 1963. Many improvements and additions have been made since then and groundbreaking for the new edifice was held on November 27, 1999, during Rev. Stanley's tenure. Two years later, on April 1, 2001, the new sanctuary was unveiled and dedicated to the Lord.

Under Rev. Stanley's leadership, Union Baptist Church has grown not only in size, but also in faith. Always pressing towards the mark for the prize of the high calling of God in Christ Jesus, in order to better improve the craft of Christian discipleship, Rev. Stanley's philosophy emphasizes the importance of instructing his flock and others in becoming more knowledgeable about God's Word. Putting his philosophy into action, he implemented the Union Baptist Non-Accredited Bible School to enhance regular Bible study among members of his congregation and the community.

As a servant of God, Rev. Stanley is also a servant of others. He has received a ''Key to the City'' for his community work. Always endeavoring to motivate others, he was chosen as one of Macon's Most Inspirational Speakers by the residents of the city. He is also involved in the Union Baptist Association, the Georgia Baptist Convention and the Baptist Minister's Union.

Rev. Stanley is a great and inspirational leader, but none of this would have been possible without the love and support of his wife, Deborah, and his son, David, Jr.

Mr. Speaker, I ask that my colleagues join me today in congratulating Reverend David L. Stanley for 25 outstanding years of pastorship at Union Baptist Church in Macon, Georgia. He has truly implemented the Word of God in his congregation and in the community. I am profoundly grateful for his outstanding Christian stewardship and dedication to his church and family.

Truly to God be the glory!

PERSONAL EXPLANATION

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Ms. WOOLSEY. Mr. Speaker, on June 28, 2012, I was unavoidably detained and was unable to record my vote for rollcall No. 438. Had I been present I would have voted:

Rollcall No. 434: ''yes''—Securing Maritime Activities through Risk-based Targeting (SMART) for Port Security Act.

HONORING DR. EDMUND O. SCHWEITZER, III

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mrs. McMORRIS RODGERS. Mr. Speaker, I rise today to congratulate a very good friend and constituent, Dr. Edmund O. Schweitzer, III on receiving the 2012 Institute of Electrical and Electronics Engineers Medal in Power Engineering.

Truly one of the most inspirational individuals I have ever met, Dr. Schweitzer is an electrical engineer and President, CEO, and Founder of Schweitzer Engineering Laboratories in Pullman, Washington. After growing up in Chicago, he received his bachelor's and master's degrees in electrical engineering from Purdue University, West Lafayette, Indiana, and his doctorate from Washington State University, Pullman. After sharpening his craft at Ohio University and Washington State University, Dr. Schweitzer founded SEL, Inc. in 1982 in Pullman, Washington. An IEEE Fellow and member of the U.S. National Academy of Engineering, Dr. Schweitzer's has more honors and accolades to fully list, but they include an Alumni Achievement Award from Washington State University and the Purdue University Outstanding Electrical and Computer Engineer Award.

Since its founding, SEL has grown into the world's leading power protection company with over 3,000 employee-owners with facilities in 20 countries around the world. Dr. Schweitzer envisioned the concept of the ''smart grid'' long before the term was popularized. He recognized early in his career the importance of computer technology for power protection and how it could change the field. Dr. Schweitzer's pioneering inventions and leadership in bringing computer-based methods to the marketplace starting in the 1980s have revolutionized safety, reliability and efficiency in generating, transmitting and distributing electric power and have transformed operation of the power grid.

Much like Benjamin Franklin and many of our nation's greatest inventors, Dr. Schweitzer was not deterred by early set backs or conventional wisdom that ran contrary to his transformational vision. Dr. Schweitzer's innovations have allowed engineers of all backgrounds to monitor, control and protect power systems in ways not previously imagined. As an engineer with keen business intellect, Dr. Schweitzer realized early on that his innovations could revolutionize companies' bottom line—allowing them to reduce expenses, expand, and create jobs. The application of Dr.

Schweitzer's digital technology as replacement equipment or in new installations has led to reduced design work in protection and control systems, flexible operation options and increased reliability, resulting in reduced cost.

Recently, Speaker JOHN A. BOEHNER and I had the pleasure of touring and meeting the newest employee-owners at SEL's headquarters in Pullman, Washington. The Speaker and I were a touched by the sincerity and pride each of SEL's employees have in their work—a direct reflection of the Dr. Schweitzer's leadership.

Mr. Speaker, I urge all of my colleagues to join me in congratulating one of America's great innovators and modern day pioneers, Dr. Edmund O. Schweitzer, III, on receiving the 2012 Institute of Electrical and Electronics Engineers Medal in Power Engineering.

HONORING MRS. CAROLYN B. PARKS

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following Proclamation:

Whereas, the lives of many have been touched by the life of one—Mrs. Carolyn B. Parks; and

Whereas, Mrs. Carolyn B. Parks is the District I Vice President of the American Business Women's Association (ABWA), she has been and continues to be involved in promoting business and community by informing, educating and giving support to our citizens in our District; and

Whereas, this phenomenal woman has shared her time and talents for the betterment of our community through her tireless works, words of encouragement and empowerment; and

Whereas, Mrs. Carolyn B. Parks has given DeKalb County and the Metropolitan Atlanta area, tools that enhance lives, supports our youth, protect our seniors and promotes our community businesses; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Mrs. Carolyn B. Parks for her outstanding leadership and service to our District;

Now therefore, I, HENRY C. "HANK" JOHNSON, Jr. do hereby proclaim July 27, 2012 as Carolyn B. Parks Day in the 4th Congressional District of Georgia.

Proclaimed, this 27th day of July, 2012.

PERSONAL EXPLANATION

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. REED. Mr. Speaker, I was detained on June 20, 2012, and was unable to be on the House floor to vote. Had I been there, I would have voted as follows:

Rollcall 389: H. Res. 691, On Ordering the Previous Question: "yes."

Rollcall 390: H. Res. 691, Rule providing for consideration of H.R. 4480: "yes."

Rollcall 391: Walz of Minnesota Motion to Instruct Conferees on H.R. 4348: "yes."

CONGRATULATING LIEUTENANT COMMANDER ZACHARY DANIEL MERRITT

HON. TODD RUSSELL PLATTS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. PLATTS. Mr. Speaker, I am delighted to offer my heartiest congratulations to Lieutenant Commander Zachary Daniel Merritt of the United States Navy on his recent promotion. This is certainly a momentous occasion and one worthy of great commendation.

Lieutenant Commander Merritt was born and raised in my hometown of York, Pennsylvania. He graduated from the Naval Reserves Officer Training Corps at Penn State University with a Bachelor's Degree in nuclear engineering. He was commissioned at Penn State in December 2004.

Lieutenant Commander Merritt served his junior officer tour aboard the U.S.S. *Michigan* and later served on the faculty of the Naval Submarine School, where he earned the distinction of "Instructor of the Year." He currently serves as the Engineer aboard the U.S.S. *Alexandria*.

Lieutenant Commander Merritt's outstanding record of service to our country is certainly worthy of great praise. All Americans are forever indebted to him and his family for their dedicated service and deep commitment to our country. I am certain that Lieutenant Commander Merritt's fellow citizens, family, friends and colleagues join me congratulating him on his recent promotion.

RECOMMENDING THAT ATTORNEY GENERAL ERIC HOLDER BE FOUND IN CONTEMPT OF CONGRESS

SPEECH OF

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 2012

Mrs. LOWEY. Mr. Speaker, for the first time in the history of the House of Representatives, the House Majority has brought a contempt vote against the Attorney General of the United States, even though he has complied with federal law. This act is purely political and unnecessary.

Chairman ISSA has admitted that he has no evidence that the Attorney General authorized, condoned, or was even aware of Operation Fast and Furious, nor does he have any evidence of wrongdoing. Rather, the evidence shows that as soon as the Attorney General was aware of the gunwalking program he immediately halted it and ordered an investigation by the Office of the Inspector General. To date, the Attorney General has provided thousands of pages of documents and testified before Congress nine times. The House Majority's unprecedented political attack, despite any evidence of wrongdoing, flies in the face of our justice system and is a disservice to the American people.

The death of Border Patrol Agent Brian Terry is tragic, and the criminals responsible for his death should be prosecuted to the full extent of the law. Sadly, the goal of today's vote is not to bring justice for Agent Terry, secure our border, eliminate illegal guns, or even uphold the law. Today's vote is an attempt to discredit the President of the United States and the Attorney General through whatever means necessary, with no regard to evidence, a fair process, or the truth.

The American people want Congress to focus on growing the economy. If Congress does not act by the end of this year, taxes will rise on every American, and the government will face massive budget cuts that our economy cannot afford. The House should be focused on creating jobs for Americans, not ending the tenure of the Attorney General.

IN HONOR OF THE RETIREMENT OF GAIL MILLAR

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. VAN HOLLEN. Mr. Speaker, my colleague, Mr. RYAN of Wisconsin, and I would like to take a moment to recognize the career and the retirement of Gail Millar, the General Counsel for the House Budget Committee, and to thank her for the service she has provided to not just the Committee, but to the Congress and the United States of America in a wide variety of roles. Ms. Millar is retiring after more than three decades of dedicated service to our Nation as an employee of the Federal Government.

In 1981, she began her time on Capitol Hill by joining the Senate Budget Committee under Senator Pete Domenici and became Chief Counsel. She went from there to the Senate Parliamentarian's Office and stayed there from 1984 through 1988. After the departure of the Senate Parliamentarian, Bob Dove, she took on the enormous responsibility in 1987 as First Assistant to the new Parliamentarian, Alan Frumin. He has characterized her as a "great colleague, smart, courageous, reliable, loyal, and tough as nails."

When she announced that she was leaving the office, Majority Leader Robert C. Byrd made a personal appeal for her to stay with the Office.

Even so, soon after, Ms. Millar began as an assistant counsel for the Congressional Budget Office, rising to General Counsel during her stay there, which lasted from 1989 to 2000. Ms. Millar's area of expertise was budget scorekeeping and working with budget analysts and program analysts on budget issues.

She also served from 2000 to 2002 as clerk for the Subcommittee on Commerce, State, Justice, the Judiciary and Related Agencies at the House Committee on Appropriations. After that position, she worked from 2002 to 2005 as associate director for budget policy and management in the Office of Technical Assistance at the Department of the Treasury, a job in which she and her staff advised governments around the world about how to put in place budget processes and procedures to advance their nations.

In 2005, she began serving as Chief Counsel to the Senate Budget Committee before

leaving to work for the House Budget Committee as General Counsel in 2007.

As Counsel to both the House and Senate Budget Committees, Ms. Millar has been dedicated to the proper interpretation of the law, the drafting of bills and amendments, and the development of important concepts related to those laws.

Throughout her public service, she has fearlessly advocated to preserve the integrity of the budget process and the principles of the House and Senate.

For all of the outstanding work she has done in her 32-year career, her greatest accomplishments and her proudest achievements are her two children, Joe and Jeanne.

We deeply appreciate Gail Millar's long service to Congress and to the Executive Branch, which has been manifested in so many ways and in so many roles. We will truly miss the wisdom that she brings to her work. We wish her the best in her retirement and in her new opportunity to spend more time with her family and friends.

TRIBUTE TO ERNESTINE CORNETT

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. ROGERS of Kentucky. Mr. Speaker, I rise today to pay tribute to Ernestine Cornett, in honor of her retirement after dedicating nearly 30 years to WYMT–TV, a CBS-affiliate in Hazard, Kentucky, providing continuous news coverage and serving as a tireless ambassador for southern and eastern Kentucky.

With Ernestine Cornett at the helm of WYMT as General Manager, hundreds of thousands of families gained access to local, live-remote news coverage in southern and eastern Kentucky with the station's first satellite truck. Over the years, WYMT–TV has also answered the call for more than news coverage. To promote higher attainment rates for college degrees, Ernestine led the way for thousands of students in the region to gain access to college scholarships through fundraising efforts by the station. In the midst of flooding, tornadoes and other natural disasters, the station has provided staff and airtime for numerous telethons to raise money to give back to families and communities in dire need. During the holidays, WYMT also promotes food and donation drives to make sure the less fortunate have something to celebrate.

Ernestine Cornett is also a model for women in business in rural communities. Starting in the commercial traffic department at WYMT more than two decades ago, Ernestine worked her way up the ladder to general manager in 1990 through her loyalty to the region, integrity in decision-making, her astute leadership, and pure hard work. The station's call letters, WYMT, stand for "We're Your Mountain Television" and it's Ernestine's passion for connecting and improving the region that have served as hallmarks for the station's mission.

Mr. Speaker, I ask my colleagues to join me in honoring a leader and dear friend of southern and eastern Kentucky, Ernestine Cornett, on her retirement. My wife, Cynthia and I wish Ernestine and her family all the best in the years to come.

PERSONAL EXPLANATION

HON. CAROLYN McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mrs. McCARTHY of New York. Mr. Speaker, I was unavoidably absent for a vote on June 26th 2012. Had I been present, I would have voted in the following manner:

Rollcall No. 416—On Agreeing to the Amendment (Connolly of Virginia Amendment) "yes."

CONGRATULATING THE MIAMI HEAT

HON. FREDERICA S. WILSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Ms. WILSON of Florida. Mr. Speaker, I rise today to congratulate the Miami Heat on its 2011–2012 National Basketball Association (NBA) Championship. The Miami Heat's journey to its second championship is a testament to teamwork and selflessness. In honor of their remarkable season and leadership in my community, I submit the following poem, written by Albert Carey Caswell.

THE HEAT IS ON,
FEEL . . . FEEL THE HEAT!
IN HONOR OF THE WORLD CHAMPIONS
THE MIAMI HEAT
THE HEAT IS ON, FEEL . . . FEEL THE HEAT!

(By Albert Carey Caswell)

THUNDER and HEAT!
When two forces of nature so meet!
But only one can so hold that title so very sweet?
As World Champions, as out into a future which so speaks!
Feel . . . Feel The Heat!
"WADE' a minute, your over your head . . . so very deep!
Something so fast and so furious that no one can beat!
Like a Category 5 Hurricane coming at you, up from the beach!
You better get your children inside, because this title is so out of reach!
Feel! Feel The Heat!
It begins . . . with a little boy with a ball in hand. . .
As into the wee hours of the night he now so stands . . .
Shot after shot, rebound after rebound, as he takes command!
Dreaming that Dream, that once so began!
To walk upon that hardwood, and so see and so feel the crowd . . .
To play in the NBA, all of those sights and so sounds!
As it all so begins with that first basketball, The Round!
Pee wee leagues, elementary, pick up games, middle and high school ball!
And just maybe a college so comes to call . . .
And then The Pro's, The Greatest of All!
Oh how I wonder, if all of this Dr. Naismith saw?
And for many, this dream but so gives them that chance!
To leave a life of heartache and poverty, and to so advance!
To go to March Madness, and The Big Dance . . .
And to get an education, and have a life and make future plans!
And yet still for some, even greater dreams may so advance!
To play in The NBA!
And then the greatest of all of them,
That One Golden Chance!
To be a World Champion,
and wear that crown and ring and so dance!
And so reside at The Top of Round Ball,
oh what a romance!
That of a World Champion, to so take that most lofty stance!
For only a very few will ever be in such a circumstance!
For these are sheer men of might!
Who fly through the air almost at the speed of light!
Who jump high above those backboards all on game night!
With such catlike reflexes and speed, to the crowds to ignite!
Even Spider Man could learn lessons from them all about flight!
The ones who can shoot the eyes out of basket going left or right!
And who will wear this most hallowed crown, so very bright?
And earn that great title of World Champions, this night!
THUNDER AND HEAT!
When two forces of nature on the hardwood so meet!
Something's got to give, THUNDER AND HEAT!
And after last year's loss they had down graded, The Heat!
But, this year's version . . .
according to The Book of King James, "hunt it . . . hunt it" was ready to compete!
As they took that loss and planted it all in their hearts so very deep!
As day in and day out they so strived for that title to seek!
AS THE THREE AVENGERS AND THE TEAM,
ALL CAME TOGETHER AT WARP SPEED!
THE BIG THREE, WHAT HELL TRULY CAN BE!
Melding into a perfect storm,
in the NBA to create such havoc, to reek!
Making grown men so weep!
AS IT WAS JUDGEMENT DAY!
AS THIS TIME THEY WERE PLAYING FOR KEEPS!
A New Kid in town, Durant and his Thunder at the OK Corral!
When, The James Gang came riding into town!
Two of the best ball slingers in the NBA to be found!
But they were ambushed in game one, as The Heat went down!
As Dwayne said "WADE, A MINUTE . . . WADE A MINUTE NOW!"
And King James said, "its' not OK, we're going to be wearing that crown!"
And he said, "you won't get this title sooner, much later now!
And BOSH, put it into high gear . . . high performance so now!
As The Heat evened the series,
and cried take me to Miami. . . were heading South!
As it was Mano v Mano,
LeBron and Durant who would so bow?
Even Spider Man wishes he could be like LeBron,
someway. . . or somehow!
Maybe if he goes to his basketball camp,
King James will show him just how!
A question asked, "did LeBron, really turn that role of Spider Man down?"
As the next three games, were all so insane. . .
As THE HEAT said feel my pain!
With a wave of DEFENSE, that washed The Thunder out!
As this Hurricane's intensity grew so, and how!

Even the weather channel was forecasting major damage, about!
As they gave The Thunder fair warning to evacuate this town!
As Dwayne was smooth as silk, as he comes from a different ilk!
Is he from another planet? WOW!
Shooting the eyes out of the basket, up and down the court on a cloud!
As The Thunder said,
''cape crusaders in the NBA should not be allowed!''
Like Batman and Robin. . . King James and Wade,
The Dynamic Duo said throw in the towel!
Now that's what I'm talking about!
And then throw in THE BOSH, making The Big Three!
IT'S LIKE A BATTLE STAR, HOLY COW!
James, Wade and Bosh have more combined take offs and landings,
than Miami's airport does so now!
We need an air traffic controller on the court,
to regulate these take offs and landings somehow!
You know, ''Sometimes you get a ''REVEALING''!
Like you never had before!
As they turned UP THE HEAT and LeBron triple doubled,
and went beyond a category 5 to victory insure!
A category, is that what his number 6 on his jersey stands for?
Ruling, over his Kingdom from baseline to baseline. . .
Something so beautiful and pure!
He'll slam you, he'll jam you, like a vampire make your neck sore.
As he was a Man For All Seasons, need I say more?
He's a Tour De Force!
As once again MVP once more!
As Miller Time, throwing up three's like he was out of his mind!
And Shane Battiher would ''Duke it out'',
making threes from the back line!
As they were all giving James, a very Harden time!
As Serge couldn't Iblocka each and every Heat shota he'd find!
And Westbrook, Miami's D gave him the hook making him whine!
As Mario Charmed them from down town one at a time!
And Udonis U Hasem,
all on defense and rebounds making them hide!
AND WHEN GAME FIVE WAS DONE,
THAT'S HOW THE WEST WAS WON!
AS KING JAMES SAID, THE HEAT IS ON!
STAY OUT OF THE HEAT MY SON!
Even skin block won't protect you, get the job done!
As you looked around,
you saw the tears in The Heat's eyes!
As they had a feeling like they never had before!
A revealing!
As coach Erik Poelstra said, ''I'm so proud of you guys!''
And Riley said, ''Erik, I worship you on high!''
For money can not buy, that feeling of a dream deep down inside!
That all little boys hearts, one day hope to realize!
Somewhere in America tonight, a little boy stands. . .
shot after shot, rebound after rebound into the night making plans!
Dreaming that dream, fighting that fight!
WARNING! WARNING! A NATIONAL WEATHER ALERT!
MORE HURRICANES ARE PREDICTED IN THE FUTURE THAT HURT!
MORE NBA CHAMPIONSHIPS ARE COMING FROM THE HEAT!
THE HEAT IS ON, IT'S ON THE COURT, IT'S IN THE SEATS,
IT'S IN THE OCEAN, IT'S IN THE STREETS, ON BISCAYNE BVD
SO SWEET! THE HEAT IS ON, FEEL. . . FEEL THE HEAT!

HONORING CRYSTAL BROCKINGTON AND JOHNATHAN DAVIS

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following Proclamation:

Whereas, Crystal Brockington and Johnathan Davis have distinguished themselves as an outstanding research team in the area of Science from Rockdale Magnet School for Science and Technology; and

Whereas, Miss Brockington and Mr. Davis have competed throughout the state of Georgia, the Nation and internationally; and

Whereas, their research project the "Optimization of Solar Cells Using Quantum Dots & Nanofibers" received the designation and prestigious ranking of #2 worldwide as a Silver medalist this year in Istanbul, Turkey; and

Whereas, these students have studied hard, sacrificed much and balanced their lives as teenagers maintaining high grade point averages throughout the school year; and

Whereas, they are model student leaders with the heart to serve their community and a drive to one day be the best of the best for their school, their family and their country; and

Whereas, their boundless energy and enthusiasm have opened internationally recognized opportunities, helping Fourth District Congressional students understand that their futures are as limitless as the skies; and

Whereas, we are grateful for the accomplishments and work of these outstanding students of honor who define the power of education and imagination; and

Now Therefore, I, HENRY C. "HANK" JOHNSON, Jr. do hereby proclaim June 12, 2012 as Crystal Brockington and Johnathan Davis Day in Georgia's 4th Congressional District.

Proclaimed, this 12th day of June, 2012.

IN CELEBRATION OF HOWARD E. JEFFERSON'S 75TH BIRTHDAY

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. AL GREEN of Texas. Mr. Speaker, I would like to acknowledge the 75th birthday of a respected community and business leader, Howard Jefferson. Born in Mississippi, on this day in 1937, Mr. Jefferson rose from humble beginnings to preeminence in Houston, Texas.

He excelled in school, graduating from Southern University with a Bachelor of Science degree in Chemistry. In 1962, he was the recipient of the prestigious Academic Year Fellowship in Science and Mathematics from the University of Texas. Mr. Jefferson received a Masters Degree in Administration and Supervision from the University of Houston in 1967.

A born scholar and educator, Mr. Jefferson finished his education and quickly rose to the position of Assistant Superintendent in the Houston Independent School District, where he supervised over 120 schools and eight area superintendents. He later retired and went on to become the Chairman of Protectors Insurance and Financial Services, LLC as well as the Protectors Health Partners, LLC.

Mr. Jefferson has held leadership positions on various boards and commissions, including President of the National Association of the Advancement of Colored People (NAACP), Houston Branch, Vice-Chairman of the Board of Commissioners of the Houston Housing Authority, Chairman of the Veterans Advisory Committee, Vice President of the Houston Principals Association, Vice President of the Mustang Little League Football Team and Chairman of the Board of Directors of Operation PULL. He has also been a member of numerous boards and commissions, including the Harris County Board of Education, Shell Oil Company Diversity Advisory Board and City of Houston Urban Policy Advisory Board.

Mr. Jefferson's leadership and community service have been consistently recognized by his colleagues. Amongst other honors, Mr. Jefferson has received the State of Texas NAACP Heroes Award, the NAACP Mickey Leland Humanitarian Award, National Baptist Association Humanitarian Award, Houston Lawyers Association Outstanding Services Award, Houston Black Fire Fighters Service Award and had a day pronounced in the city of Houston in his honor by Houston mayor Lee P. Brown.

Mr. Speaker, I am blessed to have the opportunity to pay tribute to a man who so selflessly acts as an agent for change and a coalition builder. He is an exemplar for all those who aspire to selflessly serve others, and most of all he is a friend.

RECOMMENDING THAT ATTORNEY GENERAL ERIC HOLDER BE FOUND IN CONTEMPT OF CONGRESS

SPEECH OF

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 2012

Ms. SEWELL. Mr. Speaker, yesterday's contempt votes were yet another example of partisan politics and an attempt by House Republicans to discredit the Obama Administration. I could not, in good conscience, participate in such deception and disservice to the American people. To simply vote against the House Resolution does not adequately demonstrate the outrage and disdain that I feel about this unfair and woefully political vote.

CELEBRATING THE ACHIEVEMENTS OF EUGENE SHEA

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. YOUNG of Florida. Mr. Speaker, I stand today to recognize the life and achievements

of one of my constituents, Eugene Shea of St. Petersburg, Florida. Now 100 years old, Mr. Shea has been blessed to have lived such a long life and he has not wasted any part of that gift. In his youth, he was a world champion speed skater from his native state of New York. Since moving to St. Petersburg, he has built a successful career as a real estate agent with Coldwell Banker Commercial. He continues to work there today. Each day, he sits down at his desk with his trusted typewriter and phone. He is known for his hard work and still closes negotiations worth more than a million dollars. We should all celebrate his century of setting such a fine example.

This illustration is important for today as our expectations of a long and fruitful life continue to grow. Mr. Shea, at age 100, demonstrates for us that it is possible to continue contributing to the community long after age 65. Working as a real estate agent, Mr. Shea is often in stressful negotiations. He handles these situations with the strength of his immense experience and hopes to continue to work at his typewriter for years to come. I hope that this might inspire others to believe that they too can continue to live healthy and productive lives.

For the last century, Mr. Shea has led a life of fine character, working hard and contributing to the community in my district. His success and continued work ethic truly represent the best ideals of his profession and are a source of inspiration for all who meet him. Mr. Shea is an exceptional example of Pinellas County, the state of Florida and the United States. I am proud to congratulate Mr. Shea for his quality and achievements which deserve to be recognized by this chamber and the country.

BETH CHAVERIM'S 30TH ANNIVERSARY

HON. E. SCOTT RIGELL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. RIGELL. Mr. Speaker, I rise today to enter a statement into the RECORD on behalf of my constituent, Dr. Israel Zoberman. Dr. Zoberman is the Founding Rabbi of Congregation Beth Chaverim in Virginia Beach, Virginia. He is also the president of the Hampton Roads Board of Rabbis and Cantors. Dr. Zoberman asked me to enter the following remarks into the RECORD regarding Chanaka. Dr. Zoberman's statement follows:

At the Shabbat morning service, June 30, at 10:30 a.m., followed by a festive luncheon, the family of Beth Chaverim will joyfully celebrate its 30th anniversary which officially falls on July 2. What a milestone in the history of our young congregation that has endured and even flourished during these three eventful decades of accomplishments!

I, a grateful founding rabbi, shall always remember and cherish the transforming birth of what we affectionately called, ''the baby.'' Much love and tenderness has been bestowed upon the fast-growing ''baby,'' remaining the newest synagogue in the exceptional community of Hampton Roads and the only Reform Jewish temple in Virginia Beach. The congregation's name, ''Beth Chaverim,'' was deliberately chosen to reflect the very essence of what we wanted our temple to be, an embracing ''House of Friends,'' whose birth would always be justified by trying harder than others to create a loving and accepting Jewish home for those choosing to enter our gates and hearts. Admittedly, we have also learned that we are only human and that the perfect vision of our innocent youth was bound to be challenged by a complex and, at times, trying reality.

It is though beyond doubt that our beloved Beth Chaverim has generated multiple blessings onto its immediate congregational family, the larger Jewish community and the general one with interfaith bonds of historical significance. For our first three years we were kindly hosted by the now Heritage United Methodist Church, followed for ten years (1985–1995) at the most gracious Catholic Church of the Ascension, at that time the only such Jewish-Catholic relationship in the world! While at the church I invited in 1993 Muslims to join in the first Jewish-Muslim joint prayer in Hampton Roads, celebrating the beginning of the Peace Process in the Middle East. Currently Beth Chaverim is home to two African American churches, New Jerusalem Ministries led by Dr. Veronica Coleman and Emmanuel Way of the Cross Church led by Bishop Fred E. Hill. Another giant breakthrough! Peace by Piece by Edmarc Hospice For Children and Jewish Family Service of Tidewater meets here as well, along with Boy Scouts Troop #488 that we sponsor.

I profoundly thank you, founding president Dr. Jerry and Paula Levy, and all members of our Founding Generation, for being such an indispensable part of our noble endeavors and dreams, making possible our sacred work in progress. Your faithful participation has nourished and sustained the miracle called Beth Chaverim, a caring, courageous and creative congregation! Our remarkable Bingo Bunch has made a critical contribution. Our inspiring additions in 2006 of the Marilyn and Marvin Simon Family Sanctuary and the Religious School wing have made a significant difference, allowing us to host the notable Yom Ha'Shoah gathering sponsored by the Holocaust Commission of the United Jewish Federation of Tidewater.

How appropriate and symbolic that our first ''home-grown'' rabbi, Sam Rose, Lora's son, was ordained on June 4th, 2012 in Cincinnati, Ohio, at my alma mater, the Hebrew Union College-Jewish Institute of Religion, from which I was ordained 38 years ago. We are proud of him, his wife Andrea, Lora and the entire family. Rabbi Rose will serve at Temple Beth Israel in Austin, Texas, as of July 1st.

A heartfelt Mazal Tov & Le'Chaim—To life for a great past and even a greater future as we continue to go and grow from strength to strength. My beloved wife Jennifer, soulmate and helpmate, founding rebbitzen, founding president Dr. Jerry and Paula Levy, president Nate and Janet Rubin, immediate past-president Chris and Dr. Jim Ohlstein, along with past-president Dr. Marty and Judi Snyder, join me in offering heartfelt gratitude on truly a grand Simcha celebration of a very special ''baby.''

THE SUPREME COURT OF THE UNITED STATES DECISION ON THE CONSTITUTIONALITY OF THE AFFORDABLE CARE ACT

HON. MARTHA ROBY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mrs. ROBY. Mr. Speaker, I rise today to express my deep disappointment with the recent United States Supreme Court ruling on June 28, 2012 that upheld the constitutionality of the Patient Protection and Affordable Care Act (PPACA).

The Court's opinion is lengthy and complicated and will require careful evaluation and review. However, we know that the Court affirmed the view that President Obama's law represents a significant tax on the American people, and that it is through the federal government's power to levy taxes that the Court upheld the law as constitutional.

Mr. Speaker, the Court's legal analysis is dubious and cause for concern given the dangerous precedent it sets. Can the government now require Americans to purchase government-approved goods and services or else face the threat of a tax? What we do know, however, is that the Court put restraint on the power of Congress to mandate the purchase of goods and services under the Commerce Clause of the United States Constitution.

The Court ruled on the legal issues, not the wisdom of the policy. The American people have already weighed in and overwhelmingly rejected this law. As a whole, the law, which the nonpartisan Congressional Budget Office predicts will cost $1.6 trillion and will result in as many as 20 million Americans losing their existing health care coverage, remains deeply unpopular with the public. This is a stark contrast to the President Obama's repeated promise that, ''if you like your health care plan, you can keep your health care plan.''

The President's law has also proven to be ineffective at reducing the cost of health care, as it is suffocating small businesses with overbearing regulations and hampering job creation in a time of economic uncertainty. Recent estimates indicate that the law will actually cost 800,000 American jobs, not create 400,000 jobs as NANCY PELOSI claimed in 2010.

By law, beginning in 2014, employers with more than 50 employees will be required to offer health insurance coverage or face financial penalties. In addition, an employer plan must cover a specific set of services determined by the Department of Health and Human Services (HHS) and meet actuarial standards laid out in the law. As a result, employers will be forced to choose whether to meet the new insurance requirements, pay noncompliance penalties to the Internal Revenue Service (IRS), or reduce workers' hours so they do not qualify as full-time. I have heard from several small business owners in my home state of Alabama, and across the United States, that will have financial struggles no matter which decision they chose. How can a business owner provide health insurance to his employees if his business is bankrupt?

We can all agree that the Court's preservation of PPACA's employer health insurance mandate is costly, to both employers and to their employees. Rising costs will force employers to consider dropping health coverage

altogether. Recent polls state that 30 percent of employers will ''definitely'' or ''probably'' stop offering health insurance after 2014. In the wake of the Court's ruling, employers will have three options in coming years: maintain coverage and absorb cost increases, maintain coverage and pass on as many costs as possible to workers, or drop coverage and pay a penalty. Despite the court's ruling, I remain committed to working toward the repeal of this harmful law.

The House of Representatives will vote yet again to repeal the law in early July and immediately begin deliberate work to replace the law with free market reforms that truly improve access to quality and affordable care. Americans and their doctors, not federal bureaucrats and politicians, are in the best position to determine which health care options best meet their individual needs.

300TH ANNIVERSARY OF UWCHLAN TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. GERLACH. Mr. Speaker, I rise today to congratulate Uwchlan Township, Chester County, Pennsylvania on its 300th anniversary.

Founded by Welsh Quakers in the late 17th century, the first European inhabitants called the area ''Uwchlan,'' meaning ''upland'' in Welsh. In 1712, Uwchlan was established as a township, having grown up around ancient Native American trails that today are part of South Village Avenue and Dowlin Forge Road.

Uwchlan existed principally as a rural, farming community well into the 20th century. The end of World War II brought about new changes as suburban developments gradually began replacing farms. A census taken in 1973 counted 6,616 residents, up from about only 500 in 1920. Three hundred years after its establishment as a township, the most recent census presents a robust population of 18,088.

While Uwchlan Township has changed a great deal since its establishment 300 years ago, it still retains much of the charm from its historic past. Now pre-Revolutionary farmhouses stand in close proximity to modern business parks. Today, Uwchlan Township and its citizens continue to make valuable contributions to the quality of the economic and social life of Chester County while preserving the rich and storied heritage of their past.

Mr. Speaker, I ask that my colleagues join me today in congratulating Uwchlan Township and its remarkable history on the occasion of its 300th anniversary and to extend best wishes for the Township's continued prosperity and longevity.

TRIBUTE TO MRS. LINDA SCRITCHFIELD

HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mrs. CAPITO. Mr. Speaker, I rise today to recognize the accomplishment of a constituent of mine, Mrs. Linda Scritchfield, and to praise her 25 years of service as Site Manager for the Ravenswood Senior Center.

Linda, whose first day as Site Manager was January 1, 1987, will work her final day on June 29, 2012. When Linda took over the Senior Center, it was located in an old locks building on the banks of the Ohio River and offered few activities. Under Linda's guidance, the seniors started looking for land in order to build a new center. They held multiple fundraisers, and with the help of Jackson County Commission on Aging, grants, and the city of Ravenswood, the new center opened in November 1997.

Linda was instrumental in raising funds for the services that the senior citizens of Ravenswood enjoy. The new center has a dining area, computer room, billiards room, library, pool area and offices. A therapeutic pool was opened a few years later. The center also provides services for veterans along with offering wigs for cancer patients, flu shot clinics, water aerobics, and open swim classes.

Although Linda has helped the Senior Center make great strides over the years, Linda says her biggest accomplishments in life are the personal relationships she formed with the seniors. They have made such an impact on her life, and she hopes that she has been able to do the same for them.

I thank Linda for her years of service and Ravenswood is fortunate to call Linda one of its own.

IN REMEMBRANCE OF JUDGE PATRICK F. GALLAGHER

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in remembrance of Judge Patrick F. Gallagher, who spent nearly 20 years as a judge for the Cuyahoga County Domestic Relations Court.

Born on September 1, 1918, Judge Gallagher was raised in the City of Cleveland. He graduated from St. Ignatius High in 1936. Before enrolling in college, Judge Gallagher served with the U.S. Army for four years in England during World War II. He was discharged, having earned the rank of master sergeant.

Upon returning home, Judge Gallagher graduated from Case Western Reserve University and earned his law degree from Cleveland Marshall College of Law. In 1956, he joined the Cuyahoga County Juvenile Court as a legal consultant. He would eventually become the Juvenile Court's chief clerk.

Judge Gallagher was first elected as a Judge for Cuyahoga Court Domestic Relations Court in 1972. He was subsequently reelected for two additional terms and retired after 18 years on the bench.

I offer my condolences to his wife, Eileen; children, Patrick (Cynthia), Dr. Michael (Catherine), Dr. Timothy (Lynn), John and Captain Colleen Gallagher Thomas; grandchildren, Molly (Kevin), Kate, Mary Catherine, Brian, Kelly, Amy, Jaci, Timothy, Erin, Daniel, Bridget and Brendan; and great-grandson, Jack.

Mr. Speaker and colleagues, please join me in honoring Cuyahoga County Domestic Relations Court Judge Patrick F. Gallagher.

COMMENDATION OF GROSSE POINTE SOUTH HIGH SCHOOL GIRLS' TRACK AND FIELD AND TENNIS TEAMS

HON. HANSEN CLARKE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. CLARKE of Michigan. Mr. Speaker, I rise today to recognize the Grosse Pointe South girls' track and field and tennis teams for being Michigan High School Athletic Association (MHSAA) Division 1 champions! I am proud of the Grosse Pointe South athletes' discipline, motivation, and perseverance.

For the second year in a row, the Grosse Pointe South girls' track and field team won the Division 1 state championship and demonstrated the power of friendship and teamwork. Track and field team members Ersula Farrow, Haley Meier, Hannah Meier, and Kelsie Schwartz beat the state record in the 3200-meter relay by 17 seconds and set a National Federation high school track and field record with a time of 8 minutes and 48.29 seconds. Grosse Pointe South is the only Michigan team to break the 9-minute barrier in the 3200-meter relay.

The same day, the Grosse Pointe South girls' tennis team won the highly competitive Division 1 state championship title and finished with 26 points. Maggie Sweeney won the individual championship at No. 4 singles and Amelia Boccaccio and Carrie Lynch won at No. 2 doubles.

I am honored to recognize the Grosse Pointe South girls' track and field and tennis teams, their standout athletes, and their dedicated coaches for their commitment and hard work.

HONORING L.L. BEAN

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. MICHAUD. Mr. Speaker, I rise today to recognize L.L. Bean on the occasion of its 100th anniversary.

It was one century ago that Leon Leonwood Bean sent out his first shipment of Maine hunting shoes. Defects in the shoe's initial design caused individuals to return 90 pairs of those shoes. Undeterred, Bean provided the purchasers with full refunds, corrected the design flaws and set back to work marketing his products. This commitment to customer satisfaction has been the cornerstone of L.L. Bean's success throughout the last 100 years. Not only does their customer satisfaction guarantee remain in effect, but L.L. Bean's store in

Freeport, Maine is still open to visitors 24 hours a day, 365 days a year.

L.L. Bean has since grown to become a global retail giant. The company achieved over $1.52 billion in sales last year while providing over 4,900 full-time jobs. Shoppers can visit any one of the retail or outlet stores located throughout the United States and Japan, or purchase quality products online. Despite its success in appealing to consumers from all over the world, L.L. Bean is beloved for retaining its uniquely Maine character.

From July 4th to 7th, L.L. Bean will be celebrating its 100th anniversary with music, parades, and a fireworks display. I am pleased to be one of the countless individuals throughout Maine who will be congratulating L.L. Bean, and all of its employees, on achieving this impressive milestone.

Mr. Speaker, please join me in congratulating L.L. Bean on its tremendous success over the last 100 years.

HONORING SENATOR MARGARITA PRENTICE ON HER RETIREMENT FROM THE WASHINGTON STATE SENATE

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. SMITH of Washington. Mr. Speaker, I rise to honor Margarita Prentice as she retires from the Washington State Senate after 24 years of distinguished public service. Representing Washington's 11th Legislative District, her constituents included residents of Seattle, Renton, and SeaTac.

Senator Prentice's voice as a healthcare champion has been invaluable and has bettered our community. She previously worked as a registered nurse at Valley Medical Center and in recognition of her career in public service and leadership, the Emergency Services Tower at Valley Medical Center is named in her honor.

The Senator's contributions have been recognized by many throughout the years. She has dedicated countless hours of hard work on behalf of her constituents in the 11th District and all of Washington State. She has been recognized as the 2008 Children's Advocate by the Pediatric Interim Care Center and in 2007 was named by the Community Health Care Network of Washington as their Health Care Champion. She has also been named Legislator of the Year by the Washington State Nurses Association and Washington State Dental Hygienists Association.

Mr. Speaker, it is with respect and great pleasure that I recognize the work Senator Prentice has done for Washington State's 11th Legislative District.

PERSONAL EXPLANATION

HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent for a vote in the House chamber on June 21, 2012. Had I been present, I would have voted "nay" on rollcall vote 411.

I was also unavoidably absent in the House Chamber for one vote on June 26, 2012. Had I been present, I would have voted "yea" on rollcall votes 414, 416 and 419 and "nay" on rollcall votes 412, 413, 415, 417, 418, 420, 421, 422 and 423.

HONORING EZEKIEL DEMPSEY

HON. HENRY C. "HANK" JOHNSON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following Proclamation:

Whereas, the birth of Ezekiel Dempsey in the state of North Carolina in the 1800's began the Dempsey family lineage which has blessed us with descendants that have helped to shape our nation; and

Whereas, the Dempsey Family has produced many well respected citizens and the patriarchs and matriarchs of the Dempsey Family are pillars of strength that have touched many throughout our nation, family members of the past and present such as Rev. Tom Dempsey, Stephen Dempsey, William Dempsey, James Dempsey and Sarah Dempsey; and

Whereas, in our beloved Fourth Congressional District of Georgia, we are honored to have members of the Dempsey family for they are some of our most beloved citizens in our District; and

Whereas, family is one of the most honored and cherished institutions in the world, we take pride in knowing that families such as the Dempsey family have set aside this time to fellowship with each other, honor one another and to pass along history to each other by meeting at this year's family reunion in DeKalb County, Georgia; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize the Dempsey family;

Now therefore, I, HENRY C. "HANK" JOHNSON, Jr. do hereby proclaim June 8, 2012 as Dempsey Family Reunion Day in the 4th Congressional District of Georgia.

Proclaimed, this 8th day of June, 2012.

THE INTRODUCTION OF THE RACHEL CARSON NATURE TRAIL DESIGNATION ACT OF 2012

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Ms. NORTON. Mr. Speaker, today, I am introducing the Rachel Carson Nature Trail Designation Act of 2012 to recognize Rachel Carson, an environmental pioneer and inspiration for the development of environmental consciousness and the environmental movement, best known for her groundbreaking book Silent Spring. September marks the fiftieth anniversary of the publication of Silent Spring, which has been translated into more than a dozen foreign languages. My bill designates a National Park Service trail in the District of Columbia in honor of Rachel Carson.

Ms. Carson was born on May 27, 1907, on a farm in Springdale, Pennsylvania, graduated magna cum laude with a biology degree from the Pennsylvania College for Women (later Chatham College), and received a full scholarship that enabled her to obtain a master's degree in marine zoology from Johns Hopkins University in Baltimore. A world-renowned environmental scientist, writer, and educator, Ms. Carson worked as a writer, editor, and ultimately Editor-in-Chief for the U.S. Department of Fish and Wildlife Service's publications department.

Ms. Carson lived in a city, not in the wilderness or in rural America. She accomplished much of her seminal professional work as a federal employee at the U.S. Department of the Interior in the District. She often used the Glover Archbold Park in the District as a site from which she drew observations about nature and the environment. She performed research on dangers of pesticides, and her findings were sustained by the Science Advisory Committee, created during President John F. Kennedy's administration. As a result, federal and state legislatures enacted pesticide legislation. Her work paved the way for groundbreaking environmental protection legislation throughout the world.

Ms. Carson was inducted into the American Academy of Arts and Letters and received many other honors. She died on April 14, 1964, in Silver Spring, Maryland, leaving a rich legacy that will continue to benefit present and future generations well beyond the fiftieth anniversary of Silent Spring.

My bill serves to commemorate Rachel Carson for her tireless efforts to make the District of Columbia, the United States, and, indeed, the world a better and safer place for us all. The trail designated by the bill, located in the NPS's Glover Archbold Park in the District of Columbia, will be known as the "Rachel Carson Nature Trail." The bill ensures that Rachel Carson's contributions, many of which resulted from observations in Glover Park, will be remembered and treasured for years to come.

I strongly urge my colleagues to support this legislation.

I CANNOT SUPPORT A TAINTED PROCESS

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. KUCINICH. Mr. Speaker, I rise today because I cannot support a tainted process. Congress generally, and the Oversight and Government Reform Committee specifically, has the duty and obligation to provide effective oversight. Congress should not be interrupted in that process, but neither should that process be sullied.

Under the Constitution, Congress has the authority to compel testimony and issue subpoenas. When the President of the United States exercises the right of Executive Privilege and there is a dispute over whether that exercise is a valid one, the matter should then be referred to the courts. I have stated this publicly and frequently. While Congress has the authority to compel the information being protected by the Presidential exercise of privilege, the process by which H.R. 706 has been brought to the floor has been tainted.

I voted for the Motion to Refer brought by Congressman JOHN DINGELL which called for a real investigation. The Majority on the Committee on Oversight and Government Reform rejected all Democratic witnesses. They would not allow Michael Mukasey, former Attorney General, and Kenneth Melson, former director of the Bureau of Alcohol Tobacco, Firearms and Explosives to testify before the Committee. While Congress has the authority take this to the courts, it is premature to use this authority before a full investigation has been conducted.

Secondly, I cannot support the injudicious context in which H.R. 706 finds its way before us today. This could be a meritorious process, but it has been tainted with partisan vitriol. This takes a fundamental right of Congress and propels it into a realm of partisan action with wild charges and abuse of power. There have been charges of Presidential cover-up, despite the Chairman of the Committee admitting there is no such evidence.

Both parties should have been able to work this out before we got to this situation. This is not how Congress should have proceeded. I cannot dignify a tainted process. I have joined my colleagues in abstaining from voting, on H.R. 706 as well H.R. 711.

IN RECOGNITION OF THE LEADERSHIP OF HIGHLAND VILLAGE FIRE DEPARTMENT CHIEF LONNIE TATUM

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. BURGESS. Mr. Speaker, I rise today to honor Highland Village Fire Department Chief Lonnie Tatum. Chief Tatum has spent over 42 years in public service; he began his notable career as a Firefighter/Paramedic for the City of Nacogdoches, advancing through the ranks over the next 32 years serving as Driver/Operator, Lieutenant, Captain and Arson Investigator. In 2001, he began his ten year tenure as Fire Chief at the City of Highland Village, Texas.

Chief Tatum is a graduate of the National Fire Academy and attended St. Edwards University, Angelina College and graduated from Weatherford College with a degree in Fire Service Administration. He holds Masters Level Certifications from the Texas Commission on Fire Protection, the Texas Commission on Law Enforcement and the Texas Department of Public Safety.

On numerous occasions, he has been recognized for his expertise in fire administration and personal dedication as a firefighter. Chief Tatum was chosen by the Angelina College Board of Regents to establish a Fire Academy and Training Facility at Angelina College in Lufkin, Texas, serving as Director for five years. He also served as Regional Faculty for the American Heart Association CPR training program at Stephen F. Austin University in Nacogdoches, Texas. In 1992, he was recognized as "Outstanding Firefighter" of the year, and in 1994, he received the department's Medal of Valor.

Under his laudable direction, the Highland Village Fire Department has expanded from all volunteer to a professional full-time staff comprised of fifteen Firefighters/Paramedics and additional administrative personnel. The Highland Village Fire Department has garnered recognition reflective of Chief Tatum's capable direction; in 2006, the Highland Village Fire Department was awarded an ISO Classification of 2 and celebrated the grand opening of their new state-of-the-art Central Fire Station in May 2008.

After a decade as Highland Village Fire Chief, Chief Tatum's bravery and dedication to the safety and well being of his community will be greatly missed; his positive contributions will continue long past his retirement. It is my pleasure to recognize Highland Village Fire Chief Lonnie Tatum, and I am privileged to represent the City of Highland Village in the U.S. House of Representatives.

HONORING THE LIFE AND SERVICE OF NORMAN F. LENT

HON. JOHN L. MICA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. MICA. Mr. Speaker, I rise today to honor the life and accomplishments of a statesman and a friend, former Member of Congress Norman "Norm" F. Lent, who passed away on June 11th.

Norm was born March 23, 1931 in Oceanside, NY on Long Island. He graduated from Hofstra University in 1952 and in 1957 got his law degree from Cornell University. After serving in the Navy for two years and achieving the rank of Lieutenant, Norm worked as a lawyer in private practice in Lynbrook, New York beginning in 1957, and served as an Associate Police Justice in East Rockaway in 1959–60. He then worked as the Confidential Law Secretary (law clerk) to New York State Supreme Court Justice Thomas P. Farley from 1960–62.

After leaving the private sector in 1962, Lent was elected to the New York State Senate from Nassau County, and served from 1963 until 1970, when he was elected to the U.S. House of Representatives.

During his long tenure in the U.S. House of Representatives, Norm served on the House Committee on Energy and Commerce and the House Committee on Merchant Marine and Fisheries, ultimately becoming the ranking minority member of both committees often being cited as a "key player in environmental and energy legislation."

To Norm's wife Barbara and children, Barbara and Norman we extend our deepest sympathies.

Norm truly made an indelible mark on our nation and he leaves a proud and distinguished legacy. Mr. Speaker, I ask all Members of the U.S. House of Representatives join me in recognizing Norman Lents' years of service and dedication to his community, state and our Nation.

HONORING JULIA ANN SNELL

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following proclamation:

Whereas, One hundred five years ago a virtuous woman of God was born in Buena Vista, Alabama on July 1, 1907; and

Whereas, Mrs. Julia Ann Snell was born Julia Ann Holt to Mr. Daniel and Mrs. Irean Holt, she was educated in the local school system in Alabama, married Mr. Tim Wilson in Mobile, Alabama and was a homemaker and a store clerk at their grocery store until Mr. Wilson preceded her in death; She later married Mr. Nathaniel Snell and lived in California until Mr. Snell preceded her in death, after Mr. Snell's passing, she moved backed to Mobile, Alabama and eventually to Decatur, Georgia; and

Whereas, this Phenomenal Proverbs 31 woman has shared her time and talents as a Wife, Sister, Aunt and Motivator, giving the citizens of Georgia a person of great worth, a fearless leader and a servant to all who wants to advance the lives of others; and

Whereas, Mrs. Snell has been blessed with a long, happy life, devoted to God and credits it all to the Will of God; and

Whereas, Mrs. Snell along with her family and friends are celebrating this day a remarkable milestone, her 105th Birthday, we pause to acknowledge a woman who is a cornerstone in our community in DeKalb County, Georgia; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Mrs. Snell on her birthday and to wish her well and recognize her for an exemplary life which is an inspiration to all;

Now therefore, I, HENRY C. "HANK" JOHNSON, Jr., do hereby proclaim July 1, 2012 as Mrs. Julia Ann Snell Day in the 4th Congressional District of Georgia.

Proclaimed, this 1st day of July, 2012.

TRIBUTE TO WHEELER COUNTY JUDGE JEANNE BURCH

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. WALDEN. Mr. Speaker I rise today to recognize the tremendous, longtime, and diverse public service of a leader who lives and works in the heart of Oregon's Second District, Wheeler County Judge Jeanne Burch. Judge Burch has served as Wheeler County Judge since 1994 but began serving her County long before that. Mr. Speaker, I have enjoyed working with her and I will miss her service and so will Wheeler County.

Judge Burch lives in the town of Fossil, the county seat of Wheeler County which has a total population of around 1,400 people. Wheeler County is one of Oregon's most geographically diverse counties—it's a rugged place home to Oregon's most unique John Day Fossil Beds, two national forests, and the iconic John Day River which runs right through the middle of it. Judge Burch has seen days when her county has thrived from the economic benefits generated by the adjacent forests. And she's been there when things haven't been so good as the forest sector was forced to a halt and those jobs and benefits disappeared. Regardless, good times or bad, Judge Burch has been there to lead her county when they needed her most.

Judge Burch has called Oregon home since 1947. In the early 1950s her father got a job as a railroad conductor in the region and the family moved to Wheeler County. Jeanne was a freshman in high school then, but went on to study at UC-Berkley where she received a degree in accounting. That is where she met her husband, Howard, who worked for oil companies as a drilling supervisor. Howard's job took them around the world—to such places as Nigeria, Iran, Greece, and the Canary Islands. After living and seeing the world, Jeanne moved back to Wheeler County to raise her daughters Belinda and Jennifer.

In 1985, Jeanne began working as the Fossil City Recorder and Finance Director. From there, she was appointed Wheeler County Judge in early 1994. Since then, Judge Burch has been described as a ''one woman county,'' and it's not hard to see why. She serves as a probate and juvenile court judge, the county administrator, and chair of the County Court. In her years of service she has overseen the complete rehabilitation of the county's courthouse, boosted local tourism, and opened the door for businesses to create jobs in Wheeler County.

As the Chairman of the Communications and Technology Subcommittee on the House Energy and Commerce Committee, I am grateful for Judge Burch's remarkable work on telecommunications issues. As a founding board member of Frontier TeleNet over ten years ago, she has helped implement communication services and rural broadband to communities in Gilliam, Sherman and Wheeler counties. It began as a need for broadband access and distance learning opportunities to the rural schools in the three counties. Under Judge Burch's leadership as Chair, Frontier TeleNet has expanded service coverage from roughly 4,000 square miles across three counties to 21,000 square miles across nine counties, bringing with it new ways for medical clinics to help their patients and a backbone for public safety communications in these rural counties. Judge Burch understands the important role that modern communications play in rural isolated communities.

Not only a driving force behind Frontier TeleNet's expansion, she spearheaded efforts to bring cell phone coverage to Fossil and the northern portion of Wheeler county, and continues these efforts in Mitchell and the southern end. Accomplishing these feats has not been an easy task and Judge Burch continued to push through. She has brought the knowledge gained from her experiences to other parts of Oregon as Chair of the Telecommunications Committee for Association of Oregon Counties.

Mr. Speaker, one of my fondest memories of Judge Burch is and will remain her long fight to bring modern telecommunications into the county. Years after most rural communities around Oregon had some access to cellular service, Wheeler County and the county seat of Fossil remained a completely isolated island without cell phone service. Judge Burch would often tell me about the number of recreational accidents and ''potential drownings'' that float down the John Day River through the county every week in the summer, and the need for cell phone service for emergencies and other uses. With this need and Jeanne's stories on my ''to-do'' list, I took the opportunity to point out to U.S. Cellular that this unserved area was in their coverage territory. Well, the company took Jeanne's and my message to heart and within weeks U.S. Cellular began analyzing how to cover this county. In July 2008, Jeanne's coordinated and unrelenting efforts culminated with the community celebration of the county's first cell tower.

I can recall that months after the cell service was established, Judge Burch closed a town meeting I held in Wheeler County by giving me a note from a woman whose husband most likely would have died from the heart attack he suffered, expect for the fact that she was able to use her cell phone to call for emergency assistance.

Mr. Speaker, I know you would appreciate Judge Burch's get'r done attitude. It's makes all the travel and work worthwhile to know that someone like Judge Burch was there to help find solutions to real problems.

Although the sun is setting on Jeanne Burch's career leading Wheeler County, I can tell you the sun will never set on the impact she has on this county and region and the people who call it home.

I ask my colleagues to join me in wishing Judge Jeanne Burch and her husband Howard the best as she retires. Judge, thank you for your exemplary service to Wheeler County and to Oregon.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. COFFMAN of Colorado. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $15,780,999,920,520.17. We've added $5,154,122,871,607.09 to our debt in just over 3 years. This is debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

THE 62ND ANNIVERSARY OF THE OUTBREAK OF THE KOREAN WAR

HON. MIKE KELLY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. KELLY. Mr. Speaker, the United States and the Republic of Korea have a deep and sustaining relationship built on shared values and shared sacrifice.

June 25th marked the 62nd anniversary of the outbreak of the Korean War and the early days of an alliance with Korea that has withstood the test of time.

In honor of those who made the ultimate sacrifice for the cause of freedom on the Korean Peninsula, we should affirm our continued support of this trusted ally who has fought alongside the U.S. in nearly every major conflict the U.S. has faced since World War II.

Earlier this year, the United States and the Republic of Korea began the implementation of the U.S.—Korea Free Trade Agreement, the product of years of negotiation and persuasion that will be beneficial to both of our countries and to businesses, workers, and consumers both here and in Korea.

This Free Trade Agreement will stimulate America's economic recovery—without government spending—by increasing U.S. exports and creating jobs in the U.S. According to the Senate Finance Committee, data taken from the independent, nonpartisan U.S. International Trade Commission (ITC) suggest that KORUS could create up to 280,000 jobs in the United States. While conservative estimates from the Office of the U.S. Trade Representative show a more modest increase of 70,000 jobs, either way you cut it, KORUS means more jobs for Americans, and that's great news for a nation that's suffered one of the longest periods of high unemployment rates since the Great Depression.

In order to level the playing field for American businesses and manufacturers, the agreement has already begun to reduce Korean tariffs on U.S. exports. The ITC estimates that full implementation of KORUS will increase U.S. exports to Korea by nearly 30 percent more than imports from Korea would increase in the U.S., an amount equaling more than $10 billion.

Even setting aside the great strides we have made by implementing the Free Trade Agreement, the relationship between the United States and Korea could not be stronger.

Economically and politically speaking, Korea is stronger today than at any time in its history, a strength that would have been unimaginable in the dark days after the North Korean invasion 62 years ago.

We have one of the strongest relationships in that part of the world and it will be growing stronger as we have more opportunities to advance our national security interests in the area of nuclear energy cooperation.

Mr. Speaker, let me add that, after 40 years of a really close partnership in nuclear energy, it's now time to renew our 123 Agreement with Korea to strengthen our cooperation in this area. The Korea—U.S. 123 Agreement will create good jobs for Americans in a key industry, nuclear energy.

Clean, safe nuclear energy creates red, white, and blue jobs. I'm talking about evening the playing field for American energy companies that are competing with foreign companies and ensure American global leadership to energy exports of strong domestic energy companies such as Westinghouse, which is one of the most successful employers in Pennsylvania.

Over the past 4 years, Westinghouse has added about 5,000 new employees to sustain its ability to deliver new nuclear power plants in China and the U.S., and provide services and nuclear fuel to the world's existing fleet of nuclear power plants. The majority of these new jobs were added in Western Pennsylvania. In fact, recently Westinghouse has consolidated about 4,000 of the 6,000 employees in Western Pennsylvania in a new facility in Cranberry Township in Butler County. Westinghouse is building products to export to Korea and other countries, and we must assure that all the legal hurdles to these exports are overcome. This includes renewal of our Section 123 agreement that dates to the early 1970s.

Mr. Speaker, as I mentioned, the Republic of Korea has been a partner with us since 1950 in every endeavor we've had—commercially, diplomatically, and militarily.

The Korean people don't wait for the call. They don't wait for somebody saying, we need

your help. They are there. And they stay until it's over.

We have fought side-by-side with Korean soldiers in Vietnam, Iraq, and Afghanistan, and Korea has been a reliable diplomatic ally as we seek peace and stability in Northeast Asia and elsewhere around the world.

Mr. Speaker, that last year I had the opportunity to travel to Korea to meet with political and military leaders and with business executives. The hospitality I encountered was remarkable. My hosts were gracious and informative, and being ''on the ground'' helped me to understand how the U.S.—Korea partnership works so well and, indeed, how it endures.

I urge my colleagues to join me in saluting our Korean allies on this 62th anniversary of the beginning of the Korean War. More than six decades have passed but the sacrifices of our American soldiers, sailors, airmen and Marines as well as the untold sacrifices of the Korean people have not and will not be been forgotten.

IN HONOR OF THE ITALIAN CULTURAL GARDEN

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of the Italian Cultural Garden, a Cleveland landmark that will be dedicating a statue of the great author Dante Alighieri and celebrating the 66th anniversary of the Republic of Italy on June 29, 2012.

The 254 acre piece of land that constitutes Rockefeller Park was donated to the City of Cleveland by John D. Rockefeller in 1896. The Cleveland Cultural Gardens were founded in 1926 to create a memorial area for the diverse ethnic groups that shape the region, and to serve as a space for reflection on peace, cooperation and understanding. The Cultural Gardens are currently a collection of 26 gardens which include African-American, American Indian, British, Chinese, Czech, Estonian, and Slovenian gardens, among others.

The Italian Cultural Garden was established in 1930 ''as a symbol of the contribution of Italian culture to American democracy.'' It lies in Rockefeller Park among 35 other cultural gardens representing the diverse ethnic populations of Cleveland. The Italian Garden is the most-visited of all the gardens and is the venue of various free concerts.

The Italian Cultural Garden has been in the process of a massive restoration since 2007. The garden was enhanced with new historic lampposts, new fountains and new statues. More renovations are planned for the future.

Currently, the garden honors noteworthy figures in Italian history, including Giotto, Michelangelo, and Guglielmo Marconi. The addition of Dante Alighieri, the author of The Divine Comedy and a master of the Italian language, will pay tribute to this outstanding Italian and symbolize the contributions of Cleveland's Italian community. The ceremony will be hosted by the Italian Cultural Garden Foundation.

Mr. Speaker and colleagues, please join me in honoring the Italian Cultural Garden, a historic landmark and tribute to Cleveland's beloved Italian community.

IN HONOR OF MASTER SERGEANT JOSEPH J. DUFFY

HON. DOUG LAMBORN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. LAMBORN. Mr. Speaker, I rise today in honor of Master Sergeant Joseph J. Duffy's induction to the Air Force Communications and Information Hall of Fame. His service to this country spanned over 42 years from 1955 to 1997. He started as a Crypto Operator and trained over 75 personnel in Crypto Operations.

While stationed at Tan Son Nhut in Vietnam, he was responsible for the second largest COMSEC account. During his second tour in Vietnam, he was tasked with terminating all communications activities within 90 days; this was completed in less than 80 days. Due to this exemplary performance, he was assigned to RAF Bruggen, Germany as Site Commander; he was the only Tech Sergeant to achieve this distinction.

His final Air Force assignment was at HQ SAC where he attained the rank of Master Sergeant and was the COMSEC Manager for 12 AF Special Security Offices. Thanks to his unique experience and skill set, MSgt. Duffy was appointed as the Foreign Service Communications Officer for the State Department. His first three assignments were high value hardship postings to Moscow, Beijing and Berlin. He followed that up with a tour in Sydney, Australia.

His outstanding performance resulted in him being assigned to State Department HQ as the COMSEC Manager for over 70 overseas significant activities. MSgt. Duffy has earned numerous decorations including the Bronze Star, the Air Force Commendation Medal with 3 Oak Leaf Clusters, the Outstanding Unit Award with 2 Oak Leaf Clusters with the ''V'' device, the Vietnam Gallantry Cross with Palms, and State Department Superior and Meritorious Honor Awards.

MSGT Duffy's service to the nation has continued into his retirement. He has spent his retirement volunteering with the Warrior Games. The Warrior Games was created in 2010 as an introduction to Paralympics for injured service members and veterans and has since developed into a premier military program under the United States Olympic Committee. I applaud MSgt. Duffy for his tireless service to our country and I offer my sincere congratulations for his induction to the Air Force Communications and Information Hall of Fame.

ROCK ISLAND ARSENAL'S 150TH BIRTHDAY

HON. ROBERT T. SCHILLING

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. SCHILLING. Mr. Speaker, I rise today to wish the Rock Island Arsenal in the 17th District of Illinois a happy 150th Birthday.

An act of Congress in 1809 first established the Rock Island facility as a military reservation. In 1862 Congress officially established Rock Island Arsenal as a facility for the deposit and repair of military materiel in a bill that President Abraham Lincoln signed into law on July 11, 1862.

This Arsenal has provided equipment for our military in every major conflict since the Spanish-American War. It has supported our Army's readiness in times of both peace and war. I am proud of the work that the men and women at Rock Island Arsenal have done and are still doing because they have played a role in making our military become the best in the world.

In addition to supporting our troops and contributing our national defense capabilities, the Rock Island Aresnal has taken an active role in job creation and economic development in our region. For that reason, I am proud to be an original cosponsor of a resolution by Congressman DAVE LOEBSACK that recognizes and honors this great facility.

I am also proud to have worked hard for the Rock Island Arsenal with Congressman LOEBSACK on getting important provisions in the Fiscal Year 2012 and 2013 National Defense Authorization Acts that will help strengthen this national treasure and recognize the critical manufacturing capability of the organic base. I will continue to support this important facility.

I want to thank the past and current men and women of the Rock Island Arsenal for everything they have done for the Army and our country as a whole and I want to wish them a Happy Birthday. Here is to 150 more years.

RECOMMENDING THAT ATTORNEY GENERAL ERIC HOLDER BE FOUND IN CONTEMPT OF CONGRESS

SPEECH OF

HON. YVETTE D. CLARKE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 2012

Ms. CLARKE of New York. Mr. Speaker, I am disheartened by the Republican majority's decision to hold Attorney General Eric Holder in contempt and am deeply concerned with the partisan basis of this investigation.

For the first time in the history of the United States House of Representatives, a Cabinet official, in this case an Attorney General has been held in contempt of Congress—simply for doing his job. This act is a deliberate misuse of power which I hope will be challenged.

In the previous sessions of Congress, the Oversight Committee has been a watchdog, ensuring that our Government works as effectively and efficiently as possible. Whether it was investigating our government's failed response to Hurricane Katrina, or investigating our government's role in the financial crisis, the Oversight Committee has been at the forefront of issues that concern the American people.

However, during this 112th Congress, the Oversight Committee's leadership has pressed for an investigation, requesting irrelevant documents, and narrowly focusing his inquiries on the current Attorney General's continuation of a program established long before his tenure.

Attorney General Holder has cooperated with the Oversight Committee's investigation, providing thousands of documents on the operation. However, after finding no wrongdoing, the Oversight Committee's leadership remains

unsatisfied with its investigation into the Department of Justice.

This political showboating has forced the President to get involved and invoke executive privilege, an implied Constitutional power given to the President, because the Framers deemed it important that the President and his Officers were given the freedom to act candidly under certain circumstances, primarily with regard to foreign policy and national security.

Our system of government depends on a separation of powers that allows Congress to enact laws and the President to execute these laws, as mandated by Article 1 and Article 2 of the Constitution. The Republican majority in the House of Representatives has decided to interfere with the authority of the Attorney General, who was appointed by President Obama and confirmed by a bipartisan majority of the Senate, to implement policy.

In addition, the vote to hold Attorney General Holder in contempt indicates that many in Congress are more interested in preventing President Obama and the officials he has appointed from fulfilling their duties than in talking about the issues that matter to the American people.

We are not debating proposals to create jobs today. We are not debating immigration reform. Why? Republicans have decided to investigate the internal deliberations of the Department of Justice, a 15-month investigation that has not revealed any misconduct—an investigation by the Committee on Oversight and Government Reform with which Attorney General Holder has cooperated. This vote creates a dangerous precedent for the future.

This is not the time for politics or games. We have all taken an oath to serve the American people and today's vote is a disservice to the women and men whose interests have been repeatedly ignored. I am certain that the millions of Americans, who want to restore our economic prosperity, share my disappointment.

With this in mind, I urge all of my colleagues, on both sides of the aisle, to walk out in opposition to or oppose the vote to hold Attorney General Eric Holder in contempt. Cooperation between Congress and the Executive Branch, as a matter of national security, should not be a partisan issue.

HONORING MARY THERESA JOHNSON

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following proclamation:

Whereas, Forty-two years ago a young woman accepted her calling to serve in the Health Care System as a Nurse; and

Whereas, Ms. Mary Theresa Johnson began her nursing career in Wilmington, Delaware and this year she retires from nursing at the Shepherd Spinal Center in Atlanta, Georgia, she has served the Health Care System well and our community has been blessed through her service; and

Whereas, this phenomenal woman has shared her time and talents as a Nurse, Mother and Motivator, giving the citizens of Georgia a person of great worth, a fearless leader, a devoted professional and a servant to all who want to advance the lives of others through medicine; and

Whereas, Ms. Johnson is formally retiring from her nursing career today, she will continue to promote healthy living because she is a cornerstone in our community that has enhanced the lives of thousands for the betterment of our District and Nation; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Ms. Mary Theresa Johnson on her retirement and to wish her well in her new endeavors;

Now therefore, I, HENRY C. "HANK" JOHNSON, JR. do hereby proclaim May 26, 2012 as Ms. Mary Theresa Johnson Day in the 4th Congressional District of Georgia.

Proclaimed, this 26th day of May, 2012.

RECOGNIZING BONNEVILLE POWER ADMINISTRATION ADMINISTRATOR AND CEO STEVE WRIGHT ON HIS RETIREMENT

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. SMITH of Washington. Mr. Speaker, I rise to honor Bonneville Power Administration (BPA) Administrator and Chief Executive Officer, Steve Wright, on his upcoming retirement. He has served as Administrator of the BPA for over a decade and is the second-longest serving administrator in the organization's history.

Mr. Wright joined BPA in 1981 in the agency's conservation office. From this entry-level position he became the permanent BPA Administrator in February of 2002 after serving as Acting Administrator since late 2000.

Mr. Wright began his tenure as head of the BPA at the beginning of the West Coast energy crisis in 2000 and 2001. He successfully avoided electrical blackouts in the Pacific Northwest by reducing spot market purchases, which helped return BPA to financial stability. He also worked to negotiate and preserve the hydropower system and bring more renewable resources to the region.

His leadership of BPA has been based on collaboration and transparency. Steve's work to reach out to customers, tribes, and stakeholders resulted in the highest ever customer, constituent, and tribal satisfaction scores. By opening up the financial and decision-making process to the public he increased transparency and reduced internal inefficiencies, saving millions of dollars.

Mr. Speaker, it is with great pleasure that I recognize the career of Steve Wright. His leadership and dedication to Bonneville Power Administration has had an astounding impact on the lives of everyone living in the Pacific Northwest. I wish him the best in all of his future endeavors.

PERSONAL EXPLANATION

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Ms. WOOLSEY. Mr. Speaker, on June 6, 2012, I was unavoidably detained and was unable to record my vote for rollcall Nos. 414–423. Had I been present I would have voted:

Rollcall No. 414: "yes"—On Hoyer of Maryland Motion to Instruct Conferees; rollcall No. 415: "no"—On Black Tennessee Motion to Instruct Conferees; rollcall No. 416: "yes"—Connolly of Virginia Amendment; rollcall No. 417: "no"— McClintock of California Amendment; rollcall No. 418: "no"—Garrett of New Jersey Amendment; rollcall No. 419: "yes"—Capps of California Amendment; rollcall No. 420: "no"—Gosar of Arizona Amendment; rollcall No. 421: "no"—First Broun of Georgia Amendment; rollcall No. 422: "no"—Second Broun of Georgia Amendment; rollcall No. 423: "no"—Fourth Broun of Georgia Amendment.

IN CELEBRATION OF THE 85TH BIRTHDAY OF MR. LAWRENCE WRIGHT JORDAN, SR.

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. BISHOP of Georgia. Mr. Speaker, it is my honor to extend my personal congratulations and happy birthday wishes to Mr. Lawrence Wright Jordan, Sr., who will turn 85 years of age on July 8, 2012. On this day, he will be honored by his family and friends at a celebration at Crawford County Board of Education Auditorium in Roberta, Georgia at 1:00 p.m.

Mr. Jordan, the second of nine children, was born on July 8, 1927, to Mattie Lee (Barnes) Jordan and Graham Jordan, Sr. in Roberta, Georgia. He started working at a young age and served as the "house boy" for the family whose land his own family lived on.

As he grew up, Mr. Jordan had a great desire to serve his country and wanted to enlist in the United States Army at age 18. However, he was required to wait as his older brother was in the Navy and his mother did not want two sons in the military at the same time. He was finally able to enter the Army at the age of 25.

In the 1950s, Mr. Jordan served two tours of duty in the Korean War before receiving honorable discharges from the Army. He is one of the very few Korean War Veterans still alive today.

On October 11, 1958, Mr. Jordan married Anola Preston, also of Roberta, Georgia. They would go on to have six beautiful and loving children: Barbara Ann (Jordan) Snowden, Lawrence Wright Jordan, Jr., Linda Joyce Jordan, Sam Edward Jordan, Tammy Renee (Jordan) Jones, and John Howard Jordan as well as Shirlene Tennyson, who, sadly, passed away. Additionally, Mr. Jordan has 18 grandchildren and 10 great-grandchildren.

George Washington Carver once said, "How far you go in life depends on your being tender with the young, compassionate with the aged, sympathetic with the striving and tolerant of the weak and strong because someday in your life you will have been all of these." Mr. Jordan has advanced so far in life because he kept these lessons with him throughout his childhood, his service in the Army, and his adult life.

The race of life isn't given to the swift or to the strong, but to those who endure until the end. Mr. Jordan has run the race of life with

grace and dignity and God has blessed him over his lifetime.

Mr. Speaker, I ask my colleagues to join me today in paying tribute to Mr. Jordan, a distinguished veteran and beloved husband, father, grandfather, and great-grandfather.

IN TRIBUTE TO THE RONALD REAGAN PRESIDENTIAL FOUNDATION, WALT DISNEY COMPANY, AND THE ''D23 PRESENTS TREASURES OF THE WALT DISNEY ARCHIVES''

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. GALLEGLY. Mr. Speaker, I rise in tribute to the Ronald Reagan Presidential Foundation and the Walt Disney Company's D23, the Official Disney Fan Club, as they present an historic exhibit at the Ronald Reagan Presidential Library and Museum in Simi Valley, California, titled, ''D23 Presents Treasures of the Walt Disney Archives.''

The exhibit, which opens on July 6, salutes Walt Disney, one of America's most revered men of imagination. D23, the Official Disney Fan Club will showcase the largest-ever exhibition of iconic props, costumes, artwork, and artifacts at the Presidential Library of our 40th president, who believed there are no limits to growth and human progress when men and women are free to follow their dreams.

Ronald Reagan and Walt Disney were American originals and eternal optimists who shared a belief in the essential goodness of the American way of life. Both grew up in the heartland of America during the early 1900s with hardworking, patriotic parents who believed that everything was part of God's plan. Next to his photograph in his high school yearbook, Reagan's outlook is captured in the expression: ''Life is just one grand song, so start the music.''

Both men moved to California in their 20s to pursue careers in entertainment. With deeply shared values and abundant talent, the friendship of the pioneering imagineer and actor/broadcaster began decades before Reagan went to Washington. In July 1955, Disney revolutionized family entertainment when he unveiled the Magic Kingdom, Disneyland, and asked Reagan to co-host ABC's television coverage of the historic event.

Disney joined the ''Friends of Ronald Reagan'' to encourage and promote Reagan's ideas about limited government and individual liberty during Reagan's first gubernatorial race in 1966. Reagan was hoping Disney would join his finance team in Sacramento but, sadly, Disney died just 16 days before Reagan's inauguration. In tribute, Governor Reagan successfully petitioned the U.S. Postal Service to create a stamp in Disney's honor.

During his presidency, Reagan visited Walt Disney World in Florida twice. In 1983, he promoted the President's International Youth Exchange Initiative in tandem with the World Showcase Fellowship Program, and encouraged students to ''soar on the wings of invention and the winds of change.''

In 1985, President and Mrs. Reagan celebrated a first at Walt Disney World by holding a ''make-up'' inaugural parade after the original parade was cancelled due to severely cold weather. During his speech at that event, President Reagan honored the immense force for good that is found in the imagination of those who live in freedom and reminded us that Walt Disney personified the spirit of America, leading us to invent, to build, to envision, and to learn.

After leaving the Oval Office, one of President Reagan's first public events was a return to Disneyland, where he officiated at the park's January 1990, 35th anniversary celebration, proclaiming it ''one of America's treasures.''

It is a tribute to both men that this exhibition of Disney treasures will be open at the Ronald Reagan Presidential Library in honor of the bond between President Reagan and Walt Disney.

Mr. Speaker, Bob Iger, the chairman of The Walt Disney Company, which partnered with the Ronald Reagan Presidential Foundation and Library, continues Walt Disney's legacy. As chairman of Capital Cities/ABC television, he was an architect of the merger with Disney—a combination that has shaped and transformed the global media landscape. He has dedicated himself to fostering the creative vitality of the Disney organization and under his guidance The Walt Disney Company has become the world's largest media company.

Ronald Reagan was the first president I served under as a Member of Congress and his Presidential Library is less than a half-mile from my home. On a plane ride back to California, I met actor Fess Parker, who was catapulted to fame by playing Disney's Davey Crockett and was returning home after spending time with his friend Ronald Reagan at the White House. Fess Parker became a lifelong friend as well. Personally and as an American, I have a strong connection to this exhibit and the men it honors.

''D23 Presents Treasures of the Walt Disney Archives'' celebrates the leadership, the accomplishments, the creative spirit and powerful legacies of two great American pioneers. Ronald Reagan ended the Cold War and reshaped the world. Walt Disney changed the face of family entertainment. And both men had a keen understanding of what you'd fmd at the ''shining city on a hill'': harmony, decency, wholesomeness, and homespun values that never have, and never will, go out of style.

IN TRIBUTE TO SERGEANT FIRST CLASS MATTHEW BRADFORD ''BRAD'' THOMAS

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. WILSON of South Carolina. Mr. Speaker, on Wednesday, June 20, 2012, Sergeant First Class Matthew Bradford ''Brad'' Thomas, of Easley, South Carolina, was killed in action while serving in the South Carolina Army National Guard in Afghanistan. SFC Thomas attended Greenville Technical College after graduating from Travelers Rest High School.

SFC Thomas paid the ultimate sacrifice and served our country in the most honorable way. Without the dedication of our brave men and women serving in our Armed Forces, we would not be able to enjoy the freedoms we hold so dear. SFC Thomas served to the highest standards of military service.

My thoughts and prayers are with wife, Jana, and their son Cayden, as well as his parents Charles ''Bud'' and Marsha Thomas. As a Guard veteran myself with four sons currently serving in the military, I particularly appreciate your extraordinary military family. Freedom is not free.

RECOGNIZING THE HEROIC EFFORTS OF THOSE FIGHTING THE WALDO CANYON FIRE

HON. DOUG LAMBORN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. LAMBORN. Mr. Speaker, I rise today to thank the heroic men and women who are battling the Waldo Canyon Fire. 1,200 firefighters from all over Colorado's 5th District and the nation have been fighting this fire around the clock since Saturday. They have been assisted by numerous law enforcement agencies who have managed an orderly and injury-free evacuation of 32,500 citizens.

The cooperation between all levels and branches of government has been seamless, coordinated, cooperative, and effective. One example is the use of military assets, such as C–130 MAFFS firefighting aircraft. These planes have dropped over 73,000 gallons of slurry on this fire in coordination with the highly skilled firefighting teams on the ground. Additionally, Fort Carson, Peterson Air Force Base, and Cheyenne Mountain Air Force Station have contributed firefighters, support personnel, and air and ground equipment to assist in fighting and containing the fire along Highway 24 and on the Air Force Academy grounds.

The community response has been equally impressive. Shelters, food banks, and other charitable organizations have been overwhelmed by the generous donations of food and manpower. The Care and Share Food Bank has received hundreds of thousands of pounds of food and the Red Cross is doing extraordinary work at the shelters they are running throughout the District. Many homes have been lost and much work remains, but I know that we have the people and the resources we need to win this fight.

THE TUAREG REVOLT AND THE MALI COUP

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. SMITH of New Jersey. Mr. Speaker, this morning, my subcommittee held a hearing to examine current U.S. policy and U.S. policy options in response to the recent military coup in Mali and the larger revolt of the Tuareg people in northern Mali.

The Tuaregs have been in conflict with the central government in Bamako, Mali, for many years, but following the service of some Tuaregs as mercenaries for the late Muammar Qaddafi in Libya, the acquisition of more sophisticated weapons from the Libyan conflict

and increasing ties to Al-Qaeda in the Islamic Maghreb, they now pose a danger not only to Mali, but also to Algeria, Niger, Mauritania, Burkina Faso and perhaps even Nigeria.

Meanwhile, Mali, in recent years a model of African democracy, now finds itself struggling to resurrect democratic governance and put the military back in its proper role as part of government. The downfall of Mali's democracy could have a negative impact on the future of Mali, as well as the entire Sahel region of Africa.

Amadou Toumani Touré—popularly known as ATT—led a military coup in 1991 that created a transitional government and resulted in democratic elections in 1992. Mali's growing reputation for democratic rule was enhanced in 2002, when President Alpha Oumar Konaré, having served the two terms permitted under the constitution, stepped down, and ATT, running as an independent and leveraging his reputation as Mali's ''soldier of democracy,'' was elected president.

Unfortunately, two issues eroded ATT's initial popularity. The first was a political system in which there appears to have been incentives for corruption. Certainly there was a growing public perception that the system was corrupt. The second was popular anger toward the government's handling of the Tuareg rebellion in the North. Weeks of protests at the government response to the northern rebellion dropped ATT's popularity to a new low.

On March 21, mutinying Malian soldiers, displeased with the management of the Tuareg rebellion, attacked several locations in the capital, Bamako, including the presidential palace, state television, and military barracks. The soldiers said they had formed the National Committee for the Restoration of Democracy and State and declared the following day that they had overthrown the government. This forced ATT into hiding.

As a consequence of the instability following the coup, Mali's three largest northern cities—Kidal, Gao and Timbuktu—were overrun by the rebels on three consecutive days. On April 5, after the capture of the town of Douentza, the National Movement for the Liberation of Azawad (MNLA) said that it had accomplished its goals and called off its offensive. The following day, it proclaimed independence of their homeland Azawad from Mali. The Islamist group Ansar al-Dine was later a part of the rebellion, claiming control of vast swaths of territory, although this control was disputed by the MNLA. On May 26, the MNLA and Ansar al-Dine announced that they had signed a pact to join their respective territories and form an Islamic state.

Will this alliance last? Perhaps not. The MNLA is an offshoot of a previous nationalist political movement and is dedicated to a separate homeland for the Tuaregs and Moors who comprise its membership. Ansar al-Dine, whose name means ''Defenders of Faith,'' is an Islamist group believed to have links with Al-Qaeda in the Islamic Maghreb and other Islamist groups. Ansar al-Dine is dedicated to establishing sharia law—not only in Azawad, but also in the rest of Mali as well. Disputes between the two groups already have resulted in gunfire involving the supposed allies.

As we held this hearing today, the Economic Community of West African States, the African Union and the United Nations were discussing the viability of a peacekeeping mission in Mali. Such a mission would look to secure and protect civilian institutions and help restructure the Mali military. However, it also will focus on the situation in the North, which will be a tremendously sensitive matter, especially if the mission of the peacekeeping force is to retake territory from the MNLA and Ansar al-Dine.

To add further to the problematic nature of a response to the Mali coup and the Tuareg revolt, there is the matter of providing humanitarian aid to the 210,000 Malian refugees in Niger, Mauritania, Burkina Faso and Algeria. Another 167,000 Malians are internally displaced. Many of them are in remote areas and are difficult to reach with food and medical supplies. There is the question of how effective our aid efforts will be in such a challenging situation.

But no matter how difficult this matter is to address, there are too many people affected for the United States to fail to provide leadership in the effort to solve this political-social crisis.

THE ACCOMPLISHMENTS OF ARIZONA'S TGEN ON ITS 10TH ANNIVERSARY

HON. JEFF FLAKE

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. FLAKE. Mr. Speaker, I rise today to acknowledge the achievements in the field of biomedical research of the Translational Genomics Research Institute, known as TGen, over the last decade.

Located in Phoenix, TGen applies the science of genomics, or the study of the human genetics, to finding cures for neurological disorders and diseases such as cancer and diabetes.

When TGen was founded in 2002, Arizona's state and local leaders were excited by the promise of the many novel scientific discoveries that could be made through TGen.

But what was most exciting was that these discoveries made possible through further research into the human genome would translate into immediate and effective benefits for doctors and especially patients.

By partnering with entities at the forefront of medical discoveries like the Mayo Clinic and Scottsdale Healthcare, TGen for 10 years has focused on utilizing genomic analyses to improve patient treatments. Whether it's sequencing anthrax or the plague; finding new clues to Alzheimer's disease; or leading new research partnerships addressing pediatric and canine cancers, TGen's research has changed patients' lives.

In addition to making critical contributions to the scientific and medical fields, over the past 10 years, TGen has made many contributions to Arizona's economy in the forms of investment and private-sector job creation. Investment into TGen and the biosciences spurred growth across the state, and spurred the launch of the Critical Path Institute and Bio5 in southern Arizona; Arizona State University's Biodesign Institute and a northern Phoenix bio campus; TGen North; and expansion of W.L. Gore in northern Arizona.

On its 10th anniversary, I applaud TGen's president, Dr. Jeffrey Trent, and the scientists at TGen for their commitment to make a difference for medical patients and their contributions to creating innovative research for Arizona.

HONORING MARIE ROBINSON

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following proclamation:

Whereas, Ninety years ago a virtuous woman of God was born in Henry County, Georgia on July 21, 1922; and

Whereas, Mrs. Marie Robinson was born Marie Morris to Mr. Wil and Mrs. Mary Gay Morris, she was educated in the local school system in Georgia, married Mr. Moses E. Robinson and through their union was blessed with nine children, thirty-five grandchildren, sixty-six great-grandchildren and nine great-great grandchildren; and

Whereas, this Phenomenal Proverbs 31 woman has shared her time and talents as a Wife, Mother and Motivator, giving the citizens of Georgia a person of great worth, a fearless leader and a servant to all who wants to advance the lives of others; and

Whereas, Mrs. Robinson has been blessed with a long, happy life, devoted to God and credits it all to the Will of God; and

Whereas, Mrs. Robinson along with her family and friends are celebrating this day a remarkable milestone, her 90th Birthday, we pause to acknowledge a woman who is a cornerstone in our community in DeKalb County, Georgia; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Mrs. Robinson on her birthday and to wish her well and recognize her for an exemplary life which is an inspiration to all;

Now therefore, I, HENRY C. ''HANK'' JOHNSON, Jr. do hereby proclaim July 21st, 2012 as Mrs. Marie Robinson Day in the 4th Congressional District of Georgia.

Proclaimed, this 21st day of July, 2012.

Daily Digest

HIGHLIGHTS

Senate agreed to the conference report to accompany H.R. 4348, Moving Ahead for Progress in the 21st Century Act.

Senate agreed to S. Con. Res. 51, Adjournment Resolution.

House passed H.R. 5972, Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2013.

House agreed to the Conference Report to accompany H.R. 4348, Surface Transportation Extension Act of 2012, Part II.

House agreed to S. Con. Res. 51, Adjournment Resolution.

Senate

Chamber Action

Routine Proceedings, pages S4731–S4782

Measures Introduced: Two bills and four resolutions were introduced, as follows: S. 3362–3363, S. Res. 516–518, and S. Con. Res. 51. **Page S4773**

Measures Reported:

S. 2239, to direct the head of each agency to treat relevant military training as sufficient to satisfy training or certification requirements for Federal licenses, with an amendment in the nature of a substitute. **Page S4773**

Measures Passed:

Pilot's Bill of Rights: Committee on Commerce, Science, and Transportation was discharged from further consideration of S. 1335, to amend title 49, United States Code, to provide rights for pilots, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Pages S4733–35**

Reid (for Hutchison/Inhofe) Amendment No. 2489, in the nature of a substitute. **Pages S4733–35**

Adjournment Resolution: Senate agreed to S. Con. Res. 51, providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives. **Pages S4764–65**

Highway Trust Fund: Senate passed H.R. 6064, to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs. **Page S4779**

United States-Israel Enhanced Security Cooperation Act: Senate passed S. 2165, to enhance strategic cooperation between the United States and Israel, after agreeing to the committee amendment in the nature of a substitute. **Pages S4779–80**

David F. Winder Department of Veterans Affairs Community Based Outpatient Clinic: Committee on Veterans' Affairs was discharged from further consideration of S. 3238, to designate the Department of Veterans Affairs community based outpatient clinic in Mansfield, Ohio, as the David F. Winder Department of Veterans Affairs Community Based Outpatient Clinic, and the bill was then passed. **Page S4780**

225th Anniversary of the Signing of the Constitution of the United States: Committee on the Judiciary was discharged from further consideration of S. Res. 376, commemorating the 225th anniversary of the signing of the Constitution of the UnitedStates and recognizing the contributions of the National Society of the Sons of the American Revolution and the National Society Daughters of the American Revolution, and the resolution was then agreed to. **Pages S4780–81**

National Infantry Museum and Soldier Center Commemorative Coin Surcharges: Senate passed S. 3363, to provide for the use of National Infantry Museum and Soldier Center Commemorative Coin surcharges. **Page S4781**

Veteran Skills to Jobs Act: Senate passed S. 2239, to direct the head of each agency to treat relevant military training as sufficient to satisfy training or

certification requirements for Federal licenses, after agreeing to the committee amendment in the nature of a substitute. **Page S4781**

Measures Considered:

Small Business Jobs and Tax Relief Act—Cloture: Senate began consideration of the motion to proceed to consideration of S. 2237, to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year. **Pages S4731–33, S4735–64, S4765**

A motion was entered to close further debate on the motion to proceed to consideration of the bill, and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Friday, June 29, 2012, a vote on cloture will occur at approximately 2:25 p.m., on Tuesday, July 10, 2012. **Page S4765**

A unanimous-consent agreement was reached providing that at 2:15 p.m., on Tuesday, July 10, 2012, there be 10 minutes equally divided between the two Leaders, or their designees, prior to a vote on the motion to invoke cloture on the motion to proceed to consideration of the bill. **Page S4765**

Conference Reports:

Moving Ahead for Progress in the 21st Century Act—Conference Report: By 74 yeas to 19 nays, 1 responding present (Vote No. 172), Senate agreed to the conference report to accompany H.R. 4348, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, by the order of the Senate of Friday, June 29, 2012, 60 Senators having voted in the affirmative, after agreeing to the title amendment. **Pages S4751–64**

During consideration of this measure today, Senate also took the following action:

By 72 yeas to 22 nays (Vote No. 169), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to waive paragraph 9, rule XXVIII of the Standing Rules of the Senate. Subsequently, the point of order that the conference report has not been publicly available for 48 hours and violates paragraph 9, rule XXVIII of the Standing Rules of the Senate fell. **Page S4751**

By 66 yeas to 28 nays (Vote No. 170), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to waive paragraph 3, rule XXVIII of the Standing Rules of the Senate. Subsequently, the point of order that section 1538 of the conference report is a matter not committed by either House and violates rule XXVIII of the Standing Rules of the Senate fell. **Page S4752**

By 63 yeas to 30 nays, 1 responding present (Vote No. 171), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to waive pursuant to section 904 of the Congressional Budget Act of 1974, the waiver provisions of applicable budget resolution, and section 4(g)(3) of the Statutory Pay-As-You-Go Act of 2010, all applicable sections of those Acts and applicable budget resolutions with respect to the conference report. Subsequently, the point of order that the bill was in violation of section 311(a)(2) of the Congressional Budget Act of 1974 fell. **Pages S4754–55**

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that from Friday, June 29, 2012 through Monday, July 9, 2012, the Majority Leader and Senator Cardin be authorized to sign duly enrolled bills or joint resolutions. **Page S4781**

Authorizing Leadership to Make Appointments—Agreement: A unanimous-consent agreement was reached providing that, notwithstanding the upcoming recess or adjournment of the Senate, the President of the Senate, the President Pro Tempore, and the Majority and Minority Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate. **Page S4781**

Pro Forma Sessions—Agreement: A unanimous-consent agreement was reached providing that when the Senate completes its business on Friday, June 29, 2012, it adjourn and convene for pro forma sessions only, with no business conducted, on the following dates and times, and that following each pro forma session, the Senate adjourn until the next pro forma session: Tuesday, July 2, 2012, at 12 p.m.; Friday, July 6, 2012, at 12 p.m., and that the Senate adjourn on Friday, July 6, 2012, until 2 p.m., on Monday, July 9, 2012, unless the Senate has received a message from the House that it has adopted S. Con. Res. 51, which is the adjournment resolution, and if the Senate has received such a message, the Senate adjourn until Monday, July 9, 2012 at 2 p.m., under the provisions of S. Con. Res. 51. **Page S4782**

Messages from the President: Senate received the following messages from the President of the United States:

Transmitting, pursuant to law, the notification of the President's intent to terminate the designations of Gibraltar and the Turks and Caicos Islands as

beneficiary developing countries under the Generalized System of Preferences (GSP) program; which was referred to the Committee on Finance. (PM–53) **Page S4770**

Transmitting, pursuant to law, the notification of the President's intent to add the Republic of Senegal to the list of least-developed beneficiary developing countries under the Generalized System of Preferences (GSP) program; which was referred to the Committee on Finance. (PM–54) **Page S4770**

Fowlkes Nomination—Agreement: A unanimous-consent-time agreement was reached providing that at 11:30 a.m., on Tuesday, July 10, 2012, Senate begin consideration of the nomination of John Thomas Fowlkes, Jr., of Tennessee, to be United States District Judge for the Western District of Tennessee; that there be 30 minutes for debate equally divided in the usual form; that upon the use or yielding back of time, Senate vote, without intervening action or debate, on confirmation of the nomination; and that no further motions be in order. **Page S4765**

Nominations Confirmed: Senate confirmed the following nominations:

Kamilah Oni Martin-Proctor, of the District of Columbia, to be a Member of the National Council on Disability for a term expiring September 17, 2014.

Grande Lum, of California, to be Director, Community Relations Service, for a term of four years.

Larry V. Hedges, of Illinois, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2015.

Deborah J. Jeffrey, of the District of Columbia, to be Inspector General, Corporation for National and Community Service. (Prior to this action, Committee on Homeland Security and Governmental Affairs was discharged from further consideration.)

Sara A. Gelser, of Oregon, to be a Member of the National Council on Disability for a term expiring September 17, 2014.

Jamie A. Hainsworth, of Rhode Island, to be United States Marshal for the District of Rhode Island for the term of four years.

Edward M. Alford, of Virginia, to be Ambassador to the Republic of The Gambia.

Peter William Bodde, of Maryland, to be Ambassador to the Federal Democratic Republic of Nepal.

Piper Anne Wind Campbell, of the District of Columbia, to be Ambassador to Mongolia.

Dorothea-Maria Rosen, of California, to be Ambassador to the Federated States of Micronesia.

Mark L. Asquino, of the District of Columbia, to be Ambassador to the Republic of Equatorial Guinea.

Susanna Loeb, of California, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring March 15, 2016.

John S. Leonardo, of Arizona, to be United States Attorney for the District of Arizona for the term of four years.

Michele Jeanne Sison, of Maryland, to be Ambassador to the Democratic Socialist Republic of Sri Lanka, and to serve concurrently and without additional compensation as Ambassador to the Republic of Maldives.

Patrick A. Miles, Jr., of Michigan, to be United States Attorney for the Western District of Michigan for the term of four years.

Douglas M. Griffiths, of Texas, to be Ambassador to the Republic of Mozambique.

Jay Nicholas Anania, of Maryland, to be Ambassador to the Republic of Suriname.

Susan Marsh Elliott, of Florida, to be Ambassador to the Republic of Tajikistan.

Richard L. Morningstar, of Massachusetts, to be Ambassador to the Republic of Azerbaijan.

Kristine L. Svinicki, of Virginia, to be a Member of the Nuclear Regulatory Commission for the term of five years expiring June 30, 2017.

Derek J. Mitchell, of Connecticut, to be Ambassador to the Union of Burma. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Allison M. Macfarlane, of Maryland, to be a Member of the Nuclear Regulatory Commission for the remainder of the term expiring June 30, 2013.

1 Air Force nomination in the rank of general.

8 Coast Guard nominations in the rank of admiral. (Prior to this action, Committee on Commerce, Science, and Transportation was discharged from further consideration.)

Routine lists in the Coast Guard, and National Oceanic and Atmospheric Administration. (Prior to this action, Committee on Commerce, Science, and Transportation was discharged from further consideration.) **Pages S4765–66, S4782**

Messages from the House: **Page S4771**

Measures Referred: **Page S4771**

Measures Placed on the Calendar: **Page S4771**

Measures Read the First Time: **Pages S4771, S4781**

Executive Communications: **Pages S4771–73**

Executive Reports of Committees: **Page S4773**

Additional Cosponsors: **Pages S4773–74**

Statements on Introduced Bills/Resolutions: Pages S4775–77

Additional Statements: Pages S4769–70

Amendments Submitted: Pages S4777–78

Notices of Hearings/Meetings: Page S4779

Authorities for Committees to Meet: Page S4779

Record Votes: Four record votes were taken today. (Total—172) Pages S4751–52, S4754–55, S4759

Adjournment: Senate convened at 10 a.m. and adjourned, pursuant to the provisions of S. Con. Res. 51, at 4:04 p.m., until 2 p.m. on Monday, July 9, 2012. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S4782.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported the nominations of Mark J. Mazur, of New Jersey, and Matthew S. Rutherford, of Illinois, both to be an Assistant Secretary of the Treasury, and Meredith M. Broadbent, of Virginia, to be a Member of the United States International Trade Commission.

BUSINESS MEETING

Committee on Homeland Security and Governmental Affairs: Committee ordered favorably reported the following business items:

S. 2178, to require the Federal Government to expedite the sale of underutilized Federal real property, with an amendment in the nature of a substitute;

S. 2170, to amend the provisions of title 5, United States Code, which are commonly referred to as the ''Hatch Act'' to eliminate the provision preventing certain State and local employees from seeking elective office, clarify the application of certain provisions to the District of Columbia, and modify the penalties which may be imposed for certain violations under subchapter III of chapter 73 of that title, with an amendment in the nature of a substitute;

S. 2234, to prevent human trafficking in government contracting, with an amendment;

S. 2239, to direct the head of each agency to treat relevant military training as sufficient to satisfy training or certification requirements for Federal licenses, with an amendment in the nature of a substitute;

H.R. 915, to establish a Border Enforcement Security Task Force program to enhance border security by fostering coordinated efforts among Federal, State, and local border and law enforcement officials to protect United States border cities and communities from trans-national crime, including violence associated with drug trafficking, arms smuggling, illegal alien trafficking and smuggling, violence, and kidnapping along and across the international borders of the United States, with an amendment in the nature of a substitute; and

S. 3315, to repeal or modify certain mandates of the Government Accountability Office, with an amendment.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 20 public bills, H.R. 6059–6078; and 8 resolutions, H.J. Res. 114; H. Con. Res. 130; and H. Res. 718–723 were introduced. **Pages H4654–55**

Additional Cosponsors: **Pages H4656–57**

Reports Filed: Reports were filed today as follows:

Third Semiannual Report on the Activity of the Committee on Financial Services for the 112th Congress (H. Rept. 112–559);

Semi-Annual Report of the Activity of the House Permanent Select Committee on Intelligence for the 112th Congress (H. Rept. 112–560);

Activity Report of the Committee on Energy and Commerce (H. Rept. 112–561);

Third Semi-annual Activity Report of the Committee on the Judiciary of the United States House of Representatives for the Period January 5, 2011 through May 31, 2012 (H. Rept. 112–562);

H.R. 5892, to improve hydropower, and for other purposes (H. Rept. 112–563);

H. Con. Res. 127, expressing the sense of Congress regarding actions to preserve and advance the multistakeholder governance model under which the Internet has thrived (H. Rept. 112–564);

H.R. 1588, to amend the Consumer Credit Protection Act to assure meaningful disclosures of the terms of rental-purchase agreements, including disclosures of all costs to consumers under such agreements, to provide certain substantive rights to consumers under such agreements, and for other purposes, with an amendment (H. Rept. 112–565);

H.R. 3128, to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to adjust the date on which consolidated assets are determined for purposes of exempting certain instruments of smaller institutions from capital deductions (H. Rept. 112–566);

Survey of Activities for the House Committee on Rules For The Third Quarter of the 112th Congress (H. Rept. 112–567);

Third Semiannual Activities of the Committee on Oversight and Government Reform for the 112th Congress (H. Rept. 112–568);

Report on the Activities of the Committee on Education and the Workforce (H. Rept. 112–569);

Committee on Appropriations House of Representatives Semiannual Report of Committee Activities 112th Congress (H. Rept. 112–570);

Third Semiannual Report on the Activities of the Committee on House Administration During the 112th Congress (H. Rept. 112–571);

Report on Legislative and Oversight Activities of the Committee on Natural Resources During the 112th Congress (H. Rept. 112–572);

Summary on the Activities of the Committee on Transportation and Infrastructure for the 112th Congress (H. Rept. 112–573);

Third Semiannual Report on Activities During the 112th Congress (H. Rept. 112–574);

Third Semiannual Report on the Activities of the Committee on Armed Services for the 112th Congress (H. Rept. 112–575); and

H.R. 4367, to amend the Electronic Fund Transfer Act to limit the fee disclosure requirement for an automatic teller machine to the screen of that machine (H. Rept. 112–576). **Pages H4653–54**

Privileged Resolution: Representative Jackson Lee (TX) rose to a question of the privileges of the House and submitted a privileged resolution. Upon examination of the resolution, the Chair determined that the resolution qualified. Subsequently, the House agreed to the Webster motion to table H. Res. 718, raising a question of the privileges of the House, by a yea-and-nay vote of 259 yeas to 161 nays, Roll No. 443. **Pages H4614–15**

Surface Transportation Extension Act of 2012, Part II—Conference Report: The House agreed to the conference report to accompany H.R. 4348, to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, by a yea-and-nay vote of 373 yeas to 52 nays, Roll No. 451.

Pages H4609–14, H4615–16, H4616–30, H4636

H. Res. 717, the rule providing for consideration of the conference report, was agreed to by a yea-and-nay vote of 244 yeas to 176 nays, Roll No. 444, after the previous question was ordered without objection. **Pages H4609–14, H4615–16**

Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2013: The House passed H.R. 5972, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2013, by a yea-and-nay vote of 261 yeas to 163 nays, Roll No. 450. Consideration of the measure began on Tuesday, June 26th. **Pages H4630–35**

Rejected the Barber motion to recommit the bill to the Committee on Appropriations with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 188 ayes to 233 noes, Roll No. 449. **Pages H4633–35**

Agreed to:

Landry amendment that was debated on June 27th that prohibits funds from being used to promulgate or implement any regulations that would mandate global positioning system tracking, electronic on-board recording devices, or event data recorders in passenger or commercial motor vehicles (agreed by unanimous consent that the earlier request for a recorded vote be vacated to the end that the Chair put the question de novo); **Page H4630**

McClintock amendment (No. 13 printed in the Congressional Record of June 26, 2012) that was debated on June 27th that prohibits funds from being used for the Third Street Light Rail Phase 2 Central Subway project in San Francisco, California (by a recorded vote of 235 ayes to 186 noes, Roll No. 446); **Page H4631**

Lankford amendment that was debated on June 27th that prohibits funds from being used to pay the salary of any officer or employee of the Federal Highway Administration to implement, administer, or enforce the Migratory Bird Treaty Act with respect to the cliff swallow or barn swallow (by a recorded vote of 234 ayes to 191 noes, Roll No. 447); and **Pages H4632–33**

Denham amendment (No. 9 printed in the Congressional Record of June 26, 2012) that was debated on June 27th that prohibits funds from being used for high-speed rail in the State of California or for the California High-Speed Rail Authority (by a recorded vote of 239 ayes to 185 noes, Roll No. 448). **Page H4633**

Rejected:

Blackburn amendment that was debated on June 27th that sought to reduce each amount made available by this Act by 1% (by a recorded vote of 166 ayes to 254 noes, Roll No. 445). **Pages H4630–31**

H. Res. 697, the rule providing for consideration of the bill, was agreed to on June 26th.

Temporary Surface Transportation Extension Act of 2012: The House agreed by unanimous consent to discharge the committees of referral and pass H.R. 6064, to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs. **Pages H4637–41**

Announcement from the Chair: The Chair announced to the House that, pursuant to H. Res. 711, the Speaker has certified to the United States Attorney for the District of Columbia the refusal of Eric H. Holder, Jr., to produce certain papers before the Committee on Oversight and Government Reform. **Page H4652**

Recess: The House recessed at 3:34 p.m. and reconvened at 4:05 p.m. **Page H4652**

Adjournment Resolution: The House agreed to S. Con. Res. 51, providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives. **Page H4652**

Presidential Messages: Read a message from the President wherein he notified the Congress of his intent to add the Republic of Senegal to the list of least-developed beneficiary developing countries under the Generalized System of Preferences program—referred to the Committee on Ways and Means and ordered to be printed (H. Doc. 112–120). **Page H4652**

Read a message from the President wherein he notified the Congress of his intent to terminate the designations of Gibraltar and the Turks and Caicos Islands as beneficiary developing countries under the Generalized System of Preferences program—referred to the Committee on Ways and Means and ordered to be printed (H. Doc. 112–121). **Pages H4652–53**

Senate Messages: Messages received from the Senate today appear on page H4652 .

Senate Referral: S. 1335 was referred to the Committee on Transportation and Infrastructure. **Page H4653**

Quorum Calls—Votes: Four yea-and-nay votes and five recorded votes developed during the proceedings of today and appear on pages H4615, H4615–16, H4630–31, H4631, H4632, H4633, H4634–35, H4635 and H4636. There were no quorum calls.

Adjournment: The House met at 9 a.m. and at 4:12 p.m., pursuant to S. Con. Res. 51, the House stands adjourned until 2 p.m. on Monday, July 9, 2012.

Committee Meetings

NATIONAL SECURITY FORCES: RESOURCES, STRATEGY, AND TIMETABLE FOR SECURITY LEAD TRANSITION EXPERT ASSESSMENTS

Committee on Armed Services: Subcommittee on Oversight and Investigation held a hearing on National Security Forces: Resources, Strategy, and Timetable for Security Lead Transition Expert Assessments. Testimony was heard from public witnesses.

AMERICAN ENERGY INITIATIVE: A FOCUS ON EPA'S GREENHOUSE GAS REGULATIONS

Committee on Energy and Commerce: Subcommittee on Energy and Power held a hearing entitled ''The American Energy Initiative: A Focus on EPA's Greenhouse Gas Regulations''. Testimony was heard from Gina McCarthy, Assistant Administrator for Air and Radiation, Environmental Protection Agency.

THE FUTURE OF MONEY: WHERE DO MOBILE PAYMENTS FIT IN THE CURRENT REGULATORY STRUCTURE

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing entitled ''The Future of Money: Where Do Mobile Payments Fit in the Current Regulatory Structure?''. Testimony was heard from Stephanie Martin, Associate General Counsel, Board of Governors, Federal Reserve System; and a public witness.

TUAREG REVOLT AND THE MALI COUP

Committee of Foreign Affairs: Subcommittee on Africa, Global Health, and Human Rights held a hearing entitled ''The Tuareg Revolt and the Mali Coup''. Testimony was heard from Johnnie Carson, Assistant Secretary of State, Bureau of African Affairs, Department of State; Earl Gast, Assistant Administrator, Bureau for Africa, U.S. Agency for International Development; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Veterans' Affairs: Subcommittee on Health held a markup of H.R. 3337, the ''Open Burn Pit Registry Act of 2011''; and H.R. 4079, the ''Safe Housing for Homeless Veterans Act''. H.R. 3337 and H.R. 4079 were forwarded, as amended.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR MONDAY, JULY 9, 2012

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No hearings are scheduled.

Next Meeting of the SENATE

2 p.m., Monday, July 9

Senate Chamber

Program for Monday: The Majority Leader will be recognized.

Next meeting of the HOUSE OF REPRESENTATIVES

2 p.m., Monday, July 9

House Chamber

Program for Monday: To be announced.

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