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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
July 18, 2012.

I hereby appoint the Honorable JEAN SCHMIDT to act as Speaker pro tempore on this day.

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

MORNING-HOUR DEBATE

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

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

PUBLIC BROADCASTING

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

Mr. BLUMENAUER. There is a sad, unnecessary battle shaping up again over the future of public broadcasting. It's not an exaggeration to say that this battle is about the very future, the very existence of public broadcasting. You might have thought that we were past this when, 15 months ago, the Republican House leadership targeted NPR and tried to defund the Corporation for Public Broadcasting.

Luckily, last year, the 170 million people who don't just listen or watch public broadcasting but depend upon it, unleashed an unprecedented show of support. As a result, the Republican leadership walked back. They cut, but did not kill, the Federal support for public broadcasting despite the rhetoric. And there was actually a constructive sign in last year's appropriations bill that requested a study to examine alternatives to funding public broadcasting with Federal funding so that people would have hard facts to operate on this year.

Ironically, that study—requested by our Republican colleagues—now being circulated, clearly shows that there is no viable alternative to Federal funding for public broadcasting. Many of the proposals that have been suggested would actually end up with less overall revenues in the long term.

The House appropriations bill being marked up this morning would slash funding now, defund NPR Federal support, and end public broadcasting as we know it, within 2 years. At the same time, we have a Republican Presidential nominee who singled out public broadcasting as one of the five programs that he would eliminate.

This is because Governor Romney and the Republicans listen to a tiny fraction of the American public that is even a minority in their own party. A recent poll showed that two-thirds of the Republicans surveyed would either keep Federal funding as it is, or increase it. What resonates with Republican primary voters is not what America wants, needs, or believes.

The unprecedented threat comes at exactly the time America needs public broadcasting most. NPR News, the object of greatest Republican scorn, is the most trusted brand in the American news media. Listeners learn something, unlike Fox News viewers, who, surveys show, actually know less about the facts than people who listen to no news at all.

NPR News has again the highest rating for the ninth year in a row. PBS shows like ''Sesame Street'' have helped three generations of parents raise their children with effective, commercial-free educational programing.

Locally owned news is becoming only a memory for most of America as larger corporations buy up radio and television stations and local newspapers. There's no money to be made by commercial stations that cater to the special needs of rural and small-town America. But public broadcasting is there because their mission is to serve, not make money. Often, these locally owned and managed public broadcasting stations are the only source that is direct news, education, and entertainment locally managed for local needs.

We must stop the attack on this critical service for rural and small-town America. It's time for the 170 million Americans who depend on public broadcasting every month to speak out again and for Congress to finally listen.

The radical proposal to slash public broadcasting, defund NPR, and terminate public broadcasting as we know it, is the most powerful symbol of how out of step the Republican leadership is from the country they are supposed to represent.

There's no reason to make public broadcasting a partisan issue. The American public has broad support for it, Republicans, Independents and Democrats alike, especially when PBS and its member stations were named number one in public trust and an ''excellent'' use of taxpayer dollars for the ninth consecutive year.

Since I've been in Congress, we've beaten back this destructive effort, but our challenge now has never been more urgent. It's time for people who believe in public broadcasting to stand up to what can only be termed extremism and settle this question once and for

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all about the future of public broadcasting. For unless we fight it now, there may be nothing left to protect.

RUSSIA'S MEMBERSHIP IN THE WORLD TRADE ORGANIZATION

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

Mr. DREIER. Madam Speaker, the cover of this week's Economist magazine covers it very well. Rebuilding America's economy is its point. We all want to do everything we can to create good, American jobs. Well, unfortunately, we're on the verge of losing a potential market of 140 million consumers. And the reason I say that is that just last week and today, debate is taking place in the Duma, the Russian parliament. The Duma is the lower house, and the Federation Council is the upper house. The Duma has passed it, and the Federation Council today is debating. They may have already voted on it. They are going to be joining the World Trade Organization.

This Economist publication talks about the fact that the way we rebuild our market is through expanded exports. Well, we know that forcing Russia to live with a rules-based trading system is something that could inure to the benefit of U.S. workers. And that's what accession to the WTO is.

Guess what? Russia is going to be a member of the World Trade Organization within 30 days. The question is whether or not the United States of America will be able to have access to that market. We all know that Putin engages in crony capitalism. They have a massive bureaucracy and a corrupt court system. Forcing them to live with a rules-based trading system is the right thing for us to do.

Now, I'm happy to say that there has been an effort led by my colleagues, Mr. LONG and Mr. REED, within the freshman class that has brought 73 Republican Members to send a letter to the President of the United States urging support of permanent normal trade relations with Russia and urging this institution to support that. I'm happy it's a bipartisan effort. My friend, Mr. MEEKS, has joined in this effort, as well.

I would like to, at this point, yield to my good friend from Missouri (Mr. LONG) and thank him for the effort that he has made to tackle this important issue. I'm happy to yield to my friend.

Mr. LONG. I thank the gentleman for yielding.

Madam Speaker, we agree that we need to get our Nation's economy growing again in order to create jobs for American families. Increasing our Nation's exports is one area that would help grow the economy and create jobs without costing one thin dime. I support free trade because more exports equal more jobs.

I recently led an effort, as Mr. DREIER mentioned there, to rally my freshman class to support permanent normal trade relations with Russia. After nearly two decades of negotiations, Russia is poised to join the World Trade Organization this summer, and without repealing a Cold War-era trade restriction, American businesses will be at a severe disadvantage to international competitors. While the U.S. already trades with Russia, the repeal of the Jackson-Vanik provision would level the playing field for U.S. exports after Russia joins the WTO.

□ 1010

The media and some in this country like to portray my freshman class as a group that's not willing to work for the benefit of the American people or work in a bipartisan spirit. We can put those portrayals to rest. The President has shown an interest in increasing American exports, and the purpose of my letter was to show the President that 73 Members of the Republican freshman class are willing to work on this issue to help support American jobs.

I will continue to support efforts that will boost trade opportunities for American manufacturers and businesses. This is about doing what is right for our country and supporting efforts to create jobs for American families.

Mr. DREIER. Madam Speaker, let me thank my friend for his very thoughtful contribution and, in fact, disabusing people of this notion that somehow this group of 87 new Republicans who have come to Congress are not willing to tackle important issues. They led the effort to bring about passage of the Panama, Colombia, and Korea Free Trade Agreements. And once again, they're providing tremendous leadership on our goal of creating good American jobs by prying open that market and ensuring that the United States worker will have access to it.

If you think about not only creating jobs here, but dealing with the problems of crony capitalism, dealing with the problems of a massive bureaucracy, and dealing with a corrupt court system—which is what exists under Vladimir Putin today—this is the right thing for us to do. We should not lose access to the market.

I also want to note that my very good friend, Mr. HERGER, who has been a great leader on the issue of trade, is here. Mr. BERG is here as well, who's been very involved in this.

I would be happy to yield, if I might, to my friend from New York (Mr. REED), who has played such an important role on the trade issue.

Mr. REED. I thank the gentleman, and I rise today in strong support to join my friend from California. As he knows, we've been supportive of free trade from the moment we got here, and I was so pleased to see Colombia, Panama, and South Korea be passed.

WHAT WOULD RONALD REAGAN DO?

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

Mr. CONNOLLY of Virginia. Madam Speaker, this month, as American families and businesses anxiously await Congress' action on the expiration of any number of tax cuts, I thought it would be a good idea to ask ourselves again that question: What would Ronald Reagan do? Let's query the Gipper. After all, for the past 3 years all we've heard from Republicans is the claim that President Obama taxes too much.

When the Tea Party started its lobbying efforts in 2009, their name ''tea'' actually was an acronym standing for ''taxed enough already.'' So just like the Republican Party, the Tea Party expressed an apoplectic furor about what they thought was happening to taxes.

But while blind conjecture and pithy slogans are useful in getting attention, they ultimately fail unless they're backed by facts. Thankfully, the nonpartisan Congress Budget Office recently came out with its comparison of the average Federal tax rates paid by American families over the past 31 years. I'm sure Republicans and the Tea Party were all as surprised as many of us to learn that since 1979 Americans paid the lowest average Federal rate in 2009 under President Obama. That's right. Thanks in large part to the Recovery Act's $243 billion in middle class tax cuts—which my friends on the other side of the aisle opposed to a person—the average Federal tax rate fell to a 31-year low.

The average Federal rate since 1979 is 21 percent—meaning that, on average over the past 31 years, Americans paid 21 percent of their yearly income to the Federal Government each April. The previous low for the past 31 years was 18 percent. But in 2009, President Obama's first year in office, the average Federal tax rate actually fell to 17.4 percent, the lowest since 1979 when Jimmy Carter was in the White House. That means a lower percentage of taxes paid than under Bill Clinton, lower taxes than under both of the two George Bushes, and, yes, a lower average Federal tax rate than under the Gipper, Ronald Reagan.

Throughout President Reagan's 8 years in office, the average Federal tax rate was 20.9 percent, never dropping below 20.2. In contrast, in his first year, the average rate under President Obama was 17.4. In other words, after taking into account all the tax breaks and tax loopholes—especially the Recovery Act's Making Work Pay tax cut—Americans, in 2009, paid 2.8 percent less of their income to the Federal Government than they paid during Ronald Reagan's best year. Ronald Reagan, George Bush, Bill Clinton, the other George Bush, and President Obama. By far, President Obama has the lowest tax rates.

Perhaps if the average Federal tax rate under President Obama was as

high as those during President Clinton's second term, then maybe Republicans would have a better argument. Of course, President Clinton's second term also saw significant job growth and expanding economy, and the only Federal budget surpluses since 1969—four in a row. But to complain about Federal deficits and then immediately call for cutting taxes on the highest income brackets—even lower than the current 31-year low under President Obama—shows significant hypocrisy or a lack of basic addition and subtraction skills.

So as today's Republicans try to spin a tax fairy tale, where the lowest Federal tax rate in 31 years under President Obama is somehow too high, while ignoring the higher rates through the eighties and nineties, perhaps it's time once again to ask: What would Ronald Reagan have done?

Republicans, even those who profess to idolize President Reagan, of course, won't ask because they don't want to hear the answer. Following the significant initial tax cuts in 1981, President Reagan subsequently signed into law a host of taxes to try to bring the budget back into balance. Five times he raised taxes in his 8 years.

Madam Speaker, as Congress debates the extension of the current tax burden, comprehensive tax reform, and overall budget deficits, I again feel compelled to ask my colleagues: What would Ronald Reagan do?

GOVERNMENT IS THE PROBLEM, NOT THE SOLUTION

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

Mr. POE of Texas. Madam Speaker, recently I heard from Jacqueline, a small business owner in southeast Texas, and here's what she said:

> Business owners who want to succeed put their heart and soul into their business. They are the ones who get there at the crack of dawn and leave after everyone else is long settled in for the night. I've been a small business owner, and I know a great many others like me, and nobody did anything for us, we did it for ourselves, and the only thing that the government did for us was tax us.

Apparently, this President disagrees with Jacqueline's statement. According to the administration: ''If you've got a business, you didn't build that. Somebody else made that happen.'' So the President is inferring, I suspect, that government should get the credit for the success of entrepreneurs. He is wrong, Madam Speaker.

People are the reason for American success—not government. Americans have the vision, creativity, and audacity to pursue a dream—not the government. Americans risk their life savings, not knowing what profit they will get back in return for their labor. Government doesn't risk anything. Americans spend long days, sleepless nights, and working on weekends away from their family in order to keep their company afloat and pay their employees. Americans battle through discouragement and criticism in the hope for better days ahead. It is Americans who give up their home in order to pay for a store. And it's Americans who pay all those taxes and expensive government regulations that they're forced to pay.

Government isn't there when a decision is made to get a business started, to take a leap of faith, make a hire, sell first goods, or tally bills. People pursue their own American Dream without government holding their hand.

Those believers in Big Government say that Americans can only be successful if government controls their lives. Madam Speaker, government isn't the answer; government's the problem. America is not great because of government programs. It's great because of Americans, individuals with the spirit and desire to make their lives and this country better. Government doesn't assume the risk in business, individuals do.

Starting a business is not easy. Business is driven by American ingenuity, creativity and, yes, hard work. Those who have been successful didn't wait around for someone else to help them with a government handout. The reality is that government actually makes it harder to do business now, not easier.

When I ask Texas businesses what Washington can do for them, their answer is always the same: get out of the way. Businesses cannot afford to hire others and give them jobs because of the costly, unnecessary regulations imposed by government.

□ 1020

According to the World Bank's 2012 ''Doing Business in a More Transparent World'' report, the U.S. now ranks 13th in the world in places to start a business. We trail countries like Belarus, Macedonia, and Rwanda. Now, isn't that lovely?

America should not be a place where people wait for a government handout check. Instead, they should get a paycheck for working.

Individual achievement used to be celebrated in this country, but the administration seems to punish success. And what does the government do when individuals are successful? The government punishes them with taxes.

According to the collectivists, business wealth was created by government, and so it belongs to everybody. Sounds a lot like statism to me, Madam Speaker, the idea that citizens should be beholden to the government for everything and government is worshipped as the savior of us all. That is not the American philosophy, I know.

So the policy is, under the statists, tax people to death. Madam Speaker, you've heard that statement. If something moves, regulate it. If it keeps moving, tax it. And then if it stops moving, subsidize it. Government is doing all of the above to businesses in this country. And government is also overtaxing those small businesses, keeping 23 million Americans from finding jobs.

Madam Speaker, small businesses create most of the jobs in this country. You see, when a small business is successful it can expand by hiring people. Government doesn't create jobs; people and businesses do.

So what next? Are the good days of American exceptionalism behind us? No. Americans are as exceptional as ever before, and it's the government that is our problem.

Where I come from, we teach our kids that, in this country, no matter who you are or where you came from, hard work and personal responsibility will pay off. In the America I know, people earn their paycheck and don't sit around waiting for a free government check.

Small business owner Jacqueline is correct. Individuals, American ingenuity, and free enterprise create success, not Washington. That is the American Dream, Madam Speaker. And when you see the President, tell him he's wrong.

And that's just the way it is.

WE NEED PNTR NOW

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. MEEKS) for 5 minutes.

Mr. MEEKS. Russia, with some of the world's most sophisticated consumers and a rapidly growing market, will join the World Trade Organization by summer's end. After 18 years of negotiating with the United States and the World Trade Organization, after improving their trade laws and reducing tariffs, yes, very shortly Russia will be a member of the World Trade Organization.

For the United States, this could mean improved market access for our exports of goods and services. It could mean protections if Russia violates international rules. It could mean a trade boost, an additional 50,000 jobs or more right here in the United States of America, and all of this, if the United States and this Congress lifts the Cold War relic, the Jackson-Vanik amendment, and authorizes permanent normal trade relations. We've waived Jackson-Vanik for over 20 years. We now need PNTR, and we need to do it now.

Our competitors will have access to that market. We will then fall behind them.

We can compete with anybody in the world. This is the greatest country in the world. Let's not lock ourselves out of the market in Russia. Let's not put ourselves behind our competitors. Here's an opportunity for us to come together.

You heard earlier this morning my friend and colleague, DAVID DREIER, bringing folks together, talking about how we can do this together with the President of the United States, who has an export initiative, to create more jobs.

Here we can demonstrate to the American people that we're concerned about creating jobs, and that we're going to make sure that we take advantage of that opportunity by bringing PNTR for Russia immediately, getting involved, and trading with them to create jobs right here in the good old United States of America.

TAX CLIFF

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

Mrs. BLACK. Madam Speaker, it has been 41 months of unemployment above 8 percent, and the President is calling for higher taxes on small businesses. That is the devastating reality currently facing 13 million unemployed Americans.

America's in the midst of a jobs crisis unlike anything this country has seen since the Great Depression. And the President's most recent answer to this crisis? A tax hike on small businesses to feed Democrats' insatiable appetite for more wasteful, ever-expanding government spending.

This past week, the President followed up his recent call for higher taxes by scolding entrepreneurs. And I quote: ''If you've got a business, you didn't build it. Somebody else built that.''

His disdain for American enterprise truly underscores that he not only doesn't know what it takes to start and run a business, but he is clueless about how jobs are created.

If the President gets his way, instead of small businesses creating more paychecks for more workers, they will be paying more taxes to the Federal Government. I wonder if the President has considered the fact that small businesses create two out of every three new jobs in America? And that means, for the majority of the nearly 13 million unemployed Americans, their best hope of being able to provide for their family hinges on small businesses' ability to hire more people.

The administration's onslaught of new regulations and ObamaCare's costly taxes and mandates have already placed a huge burden on our Nation's small businesses. The President now wants to add insult to injury and siphon away 201 billion more dollars from the American job creators.

Now, a new study released yesterday from Ernst & Young confirms what many Americans already know: the President's latest tax hike plan would destroy 700,000 jobs and further weaken our struggling economy.

The House is scheduled to vote in a couple of weeks on legislation to extend all of the current Federal income tax rates while, at the same time, laying the groundwork for making our Tax Code simpler and fairer by lowering rates and closing loopholes. Progrowth tax reform is needed to help create the climate for job creation and to ensure more jobs stay right here in the United States.

The most recent unemployment report shows that the number of people leaving the job market to go into Social Security disability outnumbers the number of people who are going back to work. Let me repeat that. The most recent unemployment report shows that the number of people leaving the job market to go on Social Security disability outnumbers the number of people who are going back to work.

So, regardless of one's political ideology, it's truly unconscionable for the President or any Member of Congress to be calling for tax hikes on Americans when millions are out of work and the economy is still treading water.

But, to make matters worse, this week many Democrat leaders in the Senate have said that they are willing to allow these taxes to increase for all Americans if they aren't able to get their way and raise taxes on 1.2 million small businesses. Now, every day the President and the Senate Democrats continue with this political posturing and class warfare nonsense while the economy suffers and small businesses suffer, and ultimately, the American people suffer.

The question is, will the President and the Senate Democrats who run Washington work with the House Republicans to stop this huge, job-killing tax increase from hitting small businesses and every American who pays an income tax? Or will they continue to insist on higher taxes to pay for wasteful government spending and bailouts for political allies?

□ 1030

INTERNATIONAL AIDS CONFERENCE

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. RANGEL) for 5 minutes.

Mr. RANGEL. This Sunday, the International AIDS Conference is going to be held in our Nation's Capital. It was some 30 years ago that this serious disease became known in our great country and spread from other parts of the world. Since that time, we've lost over a half a million people, yet we have not found a cure for this deadly disease.

I have introduced legislation, H.R. 1462, with Senator GILLIBRAND, to see whether or not we can have more national attention focused on the fact that we can do a lot more than we are doing.

The major thrust, of course, of what we have to do is to educate people that, although it used to have great stigma, there are so many different ways to come in contact with the disease. Education is one way that we can help people. Prevention, of course, is another, but I would like to emphasize the need for testing. So many people are walking around with the virus and have no idea that they have it. Even though there have been efforts made by community organizations for free testing, this is one of the exciting things about the President's Affordable Care Act.

There is no question that after we get finished with the political circus that we are forced to go through because of the coming election that more and more Americans will understand the benefits they are receiving even now from this universal coverage, which so many people need, and the dramatic decrease in cost when people are able to get preventative care. Preventative care is one of the major parts of the President's Affordable Care Act. What it means is that people can now go to doctors for regular checkups and can find out things in time to prevent them from becoming more serious.

My mom had three kids. When I was a kid, someone told her that she was going to the doctor with us, and we were not sick. Well, that was something that we didn't think was a luxury we could afford. Now, in seeing how important it is to contain serious illnesses and to reduce the costs of health care, it is so important that preventative care be a part of our national health system, and the quicker we get on with the implementation of this great bill, the more lives and the more dollars we will be able to save.

So, remember, if you have any interest at all, take a look at what is going to be happening in September. The Congressional Black Caucus, during our legislative weekend that month, will have professionals come in to talk with us, to teach us, to tell us what we can do to extend this education process throughout our great country.

GRANT PERMANENT NORMAL TRADE RELATIONS WITH RUSSIA

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. REED) for 5 minutes.

Mr. REED. I rise this morning to express my support for the Russian accession to the WTO and for our need here in this Chamber and in Washington, D.C., to grant Russia PNTR status so that we can establish a strong, forward-looking trade relationship with Russia.

Madam Speaker, it's simple. American trade opportunity, as represented by the Russian market, equals American job opportunity here on our soil, and I am proud to support this need to get PNTR trade status for Russia.

I am also joined this morning by a good friend from North Dakota to whom I would like to yield, Mr. BERG.

Mr. BERG. Today, I rise to urge Congress to grant permanent normal trade relations, also known as PNTR, with Russia. Russia will soon join the World Trade Organization. This will increase trade with Russia, and it will create significant export opportunities. However, before we can take advantage of these trade benefits, we must grant permanent normal trade relations with Russia.

This is a great opportunity for our State of North Dakota to increase

trade with the ninth largest economy in the world. In 2011, last year, North Dakota had over $46 million worth of exports to Russia. This impacted 160 jobs in our State directly. That number will grow significantly if we grant PNTR to Russia. On the other hand, failing to grant them PNTR will significantly impact North Dakota businesses as well as all American businesses. It will put us at a competitive disadvantage.

This is why it is important for Congress to grant permanent normal trade relations with Russia and to do it as quickly as possible.

Mr. REED. I thank the gentleman for his comments.

I also thank the folks who came to the Chamber this morning, Madam Speaker, in a bipartisan fashion to recognize the need to grant PNTR status to Russia in order for us—American manufacturers, American job creators—to take advantage of that trade opportunity that is represented by the Russian accession to the WTO.

If we go forward and grant PNTR status to Russia, United States exports could double or, perhaps, even triple as a result of the trade opportunity that Russia represents to our American job creators; and in the great State of New York, that means tremendous numbers of jobs will be created.

As we all know, the number one issue facing us in this Chamber, in this city, is: How are we going to grow jobs across America? As I said in the beginning and as I will say again, American trade opportunity, such as represented by Russia, equals American job opportunity.

STOP SPENDING ON WEAPONS AND WARFARE; START INVESTING IN THE AMERICAN PEOPLE

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

Ms. WOOLSEY. Madam Speaker, this week, the House is debating the Defense appropriations bill, which provides an excellent opportunity to point out something quite ironic about my colleagues in the majority because, Madam Speaker, for all of their talk about getting spending under control, that same rhetoric is surprisingly absent when we are talking about the Pentagon budget, which we are talking about this week.

You see, they're eager to slash and burn when it comes to programs that invest and support middle class working families, but somehow, when it is time for sacrifice to be shared, the military industrial complex is nowhere to be found. While we have to fight for every penny of domestic spending, the Pentagon simply fills in its amount on a blank check, it appears. So I think we ought to have a dollar-for-dollar match in spending cuts.

I will be offering a series of amendments to the DOD appropriations bill that call for defense cuts in the exact amounts by which other important programs are being reduced.

For example, the proposed Labor-HHS-Education spending bill eliminates the title X program. Title X, the family planning program that historically has been passed with bipartisan support, has provided contraceptive and preventive health services to low-income women for more than 40 years. The Republicans want the title X $294 million investment gone. So let's cut the defense budget by an identical $294 million;

The Ag appropriations bill provides $119 million less than the President requested for WIC—the Women, Infants, and Children's program—which provides badly needed nutrition assistance for poor pregnant women, new mothers, and children up to the age of 5. So, if we are going to shortchange a pillar of our safety net by $119 million, then I believe the Department of Defense can do without that same $119 million.

□ 1040

Here's the big ticket item: the Republican budget. The budget that passed this body in March zeroed out all funding for the Social Services Block Grant, including $1.7 billion in cuts for next year. If my Republican friends believe that we can't afford $1.7 billion next year to provide daycare, housing, home health care, home meal delivery, and other social services, then I say we can also eliminate a corresponding $1.7 billion in defense spending.

The fact is, Madam Speaker, defense cuts are not only fiscally responsible and morally defensible; they're widely popular. USA Today reported yesterday on a new survey that shows that two-thirds of those living in Republican congressional districts believe that the defense budget is too large.

It is no secret that military spending is widely out of control. Let's remember that none of this takes into account the war in Afghanistan, which isn't funded through the appropriations process. On top of the bloated defense budget, American taxpayers are shelling out another $10 billion a month—not a year—for a decade-long war that is failing to advance our national security objective.

It's time to reverse this course. It's time to bring our troops home from Afghanistan. It's time for the Pentagon to assume its share of the shared sacrifice. It's time to do the right and the sensible thing: stop spending on weapons and warfare and start investing in the American people.

EXTENDING TAX RELIEF

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

Mr. HERGER. Madam Speaker, coming from a small business background, I originally ran for public office not because of what government was doing for me, but rather what it was doing to me.

Many small business owners in my northern California district feel the same way, but apparently the President isn't getting that message. The other day he said:

If you've got a business, you didn't build that. Somebody else made that happen.

Madam Speaker, perhaps that is why he's so determined to raise taxes on small businesses on January 1. Now Senate Democrats are saying that if they can't get their small business tax hike, they'll let taxes go up for everyone. That's just wrong. Let's stop the tax hike for all Americans.

RECESS

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

Accordingly (at 10 o'clock and 43 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Reverend Dr. Stan Ballard, Nettleton Baptist Church, Jonesboro, Arkansas, offered the following prayer:

Father in Heaven, thank You for this unique privilege You have given me today to pray and to ask Your blessings on the Congress of the United States. I pray for Your wisdom and guidance to be given to each Member of Congress. I pray for Your protection for them and their families.

Please reveal to each of them that they have a great responsibility to vote and conduct themselves according to Your divine will and purpose. Show them that they are accountable not only to the voters, but to You, Almighty God.

Thank You for the United States and the freedom and opportunities we enjoy as Americans. Thank You for allowing us to be blessed by Your omnipotent hand for over 236 years. Your purpose is for us to share Your blessings of love and grace to all people. We pray for a strong economy and for national unity. We are blessed because You are our God.

In Jesus' name, 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 gentlewoman from California (Ms. WOOLSEY) come forward and lead the House in the Pledge of Allegiance.

Ms. WOOLSEY 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.

WELCOMING REVEREND DR. STAN BALLARD

The SPEAKER. Without objection, the gentleman from Arkansas (Mr. CRAWFORD) is recognized for 1 minute.

There was no objection.

Mr. CRAWFORD. Mr. Speaker, it is an honor for me to introduce our guest pastor this morning, Dr. Stan Ballard.

For the past 30 years, Brother Stan has pastored numerous congregations, and today he serves as a pastor of my family's church, Nettleton Baptist in Jonesboro, Arkansas.

Brother Stan is a native Mississippian and earned his undergraduate degree from Mississippi State University. After graduating from Mississippi State, he earned a bachelor's degree from New Orleans Baptist Theological Seminary in New Orleans and a doctorate degree from Luther Rice Theological Seminary in Atlanta. During his career in ministry, Brother Stan has pastored churches in Louisiana, Mississippi, Ohio, and Arkansas.

The pride and joy of Brother Stan's life are his wife, Beth, and their children and grandchildren. During their 42 years of marriage, Stan and Beth have been blessed with three sons and, more recently, four grandchildren.

On a personal level, I can say that Brother Stan has been a constant source of support and guidance for the entire Nettleton Baptist congregation. Any time a member of our congregation is in need, we can rely on Brother Stan.

It's an honor to introduce Pastor Stan Ballard and welcome him to the U.S. House of Representatives.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Ms. FOXX). The Chair will entertain 15 requests for 1-minute speeches on each side of the aisle.

SEQUESTRATION

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

Mr. HECK. Madam Speaker, I come to the floor today to call on the administration to inform the American people how they intend to implement the sequester cuts mandated by the Budget Control Act. With the failure of the supercommittee, we now face defense cuts that everyone agrees are far too steep. Secretary of Defense Leon Panetta has said that cutting military spending by an additional $500 billion ''would do real damage to our security, our troops and their families, and our military's ability to protect the Nation.''

Cuts of this nature would result in us having the smallest ground force since World War II, the smallest Navy since World War I, and the smallest tactical Air Force since the Air Force was created in 1948.

Independent economists have testified before the House Armed Services Committee that these cuts will cause massive job losses, including as many as 4,000 in my State of Nevada, which already suffers from the highest unemployment rate in the Nation.

The House has passed a plan to replace these devastating cuts, maintain national security, and prevent job losses. Today, I urge the administration to outline its plan for addressing this situation.

INTERNATIONAL AIDS CONFERENCE

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

Mr. CICILLINE. Madam Speaker, I rise today to recognize the International AIDS Conference that will bring 25,000 men and women to Washington, D.C., next week.

As a country, we've made incredible strides in the three decades since the first cases of HIV/AIDS were identified in the United States.

In the 1980s, after Ryan White, a teenager living in Indiana, acquired the disease through a blood transfusion, his family had to fight their local school board that feared he might infect his classmates simply by showing up for school.

Today, men, women, and children with HIV are living longer, more fulfilling lives due to advances in treatment and a better understanding of the disease. And just this week, the FDA approved the first pill designed to help prevent healthy people from acquiring the virus.

But even today, HIV/AIDS is still an epidemic that primarily afflicts our poorest and most vulnerable citizens across the world and even here in the United States. We must continue to work with advocates like those attending next week's conference so that one day we can finally eradicate HIV/AIDS.

In Rhode Island, EpiVax, under the leadership of Dr. Annie DeGroot, is working to develop a globally accessible vaccine, and I wish them great success in their important work.

THE DAMAGING EFFECTS OF DEFENSE CUTS

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

Mr. PALAZZO. Madam Speaker, I come before you today not just as a Congressman from Mississippi's Fourth Congressional District, but also as a Marine veteran of the Persian Gulf War and the only Member of this body that is currently serving as a noncommissioned officer in the National Guard, simply to say that one of the biggest threats to our national security that we face as a nation is the crippling defense cuts that would put our men and women in uniform at physical risk and more than 1 million Americans out of work.

It will harm folks like the 857th that I had the privilege to send off this weekend as they are about to deploy to Afghanistan, or the more than 170,000 warfighters from all across the United States who have come through the gates of Camp Shelby Joint Forces Training Center as part of the global war on terrorism.

Today, once more, I join my colleagues in asking the President and the Senate Democrats to come to the table, consider the solutions we've already brought forth, or propose your own. The American people deserve answers on how these defense cuts will affect them, and American soldiers deserve leadership from their Commander in Chief.

AMERICAN COMPASSION FOR HIV/AIDS

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

Ms. WOOLSEY. Next week, more than 20,000 delegates from around the world will convene in Washington for the International AIDS Conference.

I find it ironic and a little bit sad that, as so many mobilize to fight this deadly epidemic, the majority in this body want to cut $150 million from USAID's global health initiative, which funds AIDS prevention efforts.

When will we learn? Fighting diseases in the developing world is more than a matter of humanitarian decency. It's also critical to our national security.

This week, as we debate how much money to appropriate to the Defense Department, I hope we will remember that defending America and our values isn't just about how many weapons we build, but how many lives we save around the world. This is the core truth behind my SMART Security proposal, that fighting terrorism and keeping our country safe depends less on American military force and more on American compassion.

□ 1210

TAX HIKES

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

Mr. SAM JOHNSON of Texas. Just when I thought the administration's economic policies couldn't get worse, the President is now calling for a tax increase that will hit 53 percent of small business income.

At a time when small businesses aren't able to hire because of the constant threat of higher taxes, that just doesn't make sense.

The President's tax plan does nothing to reduce the ever-increasing national debt. Instead of threatening job creators with more job-destroying taxes, we need to cut spending, get our fiscal house in order, and ensure that American families and businesses will not have to fork over more of their hard-earned money to Uncle Sam.

The President should recognize that job creators put their own blood, sweat, and tears into building their own businesses and that the government shouldn't be destroying small business owners with any tax hike.

JOBS AND TAXES

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

Mr. BACA. Madam Speaker, the American people need Congress to take bold action to create jobs. While our economy is slowly improving, unemployment remains at 11.9 percent in my hometown of San Bernardino County.

In the last 500 days since the Republicans took control of the House, they have refused to move forward a real plan to put more Americans back to work. Instead of working to create jobs, Republicans have passed a budget that gives away $3 trillion in tax breaks to big corporations and the ultra rich. It ends Medicare as we know it by turning the program into a private voucher system.

Just last week, the Republicans again voted to repeal the Affordable Care Act, which benefits millions of Americans.

It's time to stop the political games and get to work on finding real solutions to the problems we face. We must end the Bush tax cuts for the rich, protect Medicare, and work to create new jobs for all Americans—and assure that we don't outsource those jobs as well.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings is in violation of the rules of the House.

JOB CREATORS IN AMERICA

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

Mr. DUNCAN of South Carolina. Madam Speaker, you know, last week the President said to American job creators that if you've got a business, you didn't build that; somebody else made that happen.

Well, let me tell you, Mr. President, that prior to coming to Congress I ran my own business for 16 years. Where was the President or this phantom person that he claims that created my business? Where were they when I was driving 60,000 miles a year chasing business or putting in 16-hour days or signing the loan paperwork at the bank so that I could make payroll or keep the wheels turning on my vehicles? The only other person that was there when I started my business was my wife, Melody, who supported me in so many ways.

This asinine comment by the President of the United States clearly shows that neither he nor anyone in the administration know anything about creating jobs or running a business here in America.

May God bless the real job creators in America, and may God continue to bless this great Nation.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

INTERNATIONAL AIDS CONFERENCE

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

Mr. HONDA. Madam Speaker, next week marks the launch of the 19th International AIDS Conference. It brings together advocates and leaders from all over the world.

The conference's presence in the United States for the first time in 20 years is a testament to the hard work that members of the HIV/AIDS community, including many in my district and my colleagues in Congress, like my dear friend, BARBARA LEE, have done.

In the 20 intervening years, we have for the first time in a generation seen infection rates go down within the United States and stabilize abroad. Despite these steps, however, it is clear that we are still losing the war in key minority communities. Rising infection rates in the African American, Latino, Asian, and gay and lesbian communities are a stark reminder that our work is not done.

It is fitting that our Nation's Capital is hosting this critical event as it is in the epicenter of this rising problem. Washington, D.C., has a higher HIV/AIDS infection rate than most places in Africa, primarily in these minority communities.

From legislative action to grassroots efforts, now is the time for more commitment to HIV/AIDS, not less; more advocacy, not less; more investment, not less; more research, not less.

HONORING ARMY SPECIALIST SERGIO EDUARDO PEREZ AND ARMY SPECIALIST NICHOLAS ANDREW TAYLOR OF THE INDIANA NATIONAL GUARD

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

Mr. PENCE. Madam Speaker, I rise with a heavy heart to remember two Hoosier National Guardsmen who fell in Kandahar province, Afghanistan, on 16 July, this week. Army Specialist Sergio Eduardo Perez of Crown Point, Indiana, and Specialist Nicholas Andrew Taylor of Berne, Indiana, both lost their lives in the same attack while courageously supporting combat operations.

Specialist Perez and Specialist Taylor both served with the 713th Engineer Company of the Indiana National Guard based out of Valparaiso, Indiana.

Specialist Perez was born in Crown Point, Indiana. He enlisted after graduating from nearby Lake Central High School in 2010. By all accounts, he was a young man who could get along with everyone. He was the pride of his family and would do anything for anybody.

Army Specialist Nick Taylor was from a town in my district, Berne, Indiana. Despite receiving several offers to play college football after graduating from South Adams High School in 2010, Taylor signed up to serve his country in the Indiana National Guard. He was a hard worker, a man of integrity. He excelled in everything he tried and was active in the First Missionary Church.

Our hearts in Indiana are heavy as we remember those who lost their lives wearing the uniform of the United States on our behalf and those they left behind.

On behalf of all Hoosiers, I extend our deepest sympathies to their families, including Specialist Nick Taylor's father, Police Chef Timothy Taylor; his mother, Stephania Taylor; his brother, Drew; and sisters, Holly and Sophia; and Specialist Sergio Eduardo Perez's father, Sergio E. Perez, Sr., and mother, Veronica Orozko.

The Bible tells us the Lord is close to the broken-hearted, and that shall be our prayer.

CONTINENTAL FLIGHT 3407

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

Mr. HIGGINS. Mr. Speaker, in the wake of the tragic crash of Continental Flight 3407 in my western New York community, Congress successfully passed comprehensive airline safety reforms. While final rules have begun to be released for these reforms, there are still many regulations yet to be finalized and implemented.

Yesterday, Congresswoman JEAN SCHMIDT and I, along with 44 of our colleagues, sent a letter asking the Federal Aviation Administration to take

immediate action on finalizing long overdue rules on crew training. This rule would mandate additional training and evaluation of requirements, ensuring that those working aboard an aircraft are best equipped to handle potential emergency situations.

Mr. Speaker, the National Transportation Safety Board found that between 1988 and 2009 inadequate training was found to be a leading factor in 178 accidents. The crash of Flight 3407 was preventable. Each day that these rules go unfinished carries a potential risk to the flying public.

CONGRATULATING CALIFORNIA STATE UNIVERSITY, FULLERTON, PRESIDENT MILDRED GARCIA

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. Madam Speaker, I rise today to congratulate recently appointed President Mildred Garcia of the California State University system's Fullerton campus.

President Garcia currently serves on the Commission on Educational Excellence for Hispanics, and she was appointed to that by President Obama.

Previously serving as the 11th female president for California State University, Dominguez Hills, President Garcia became the first Latina president within the California State University system in 2007.

She began her career as an educator. She's still an educator, still teaching at Cal State, Fullerton, while having the presidency, also. She is a scholar. President Garcia focuses much of her research on fairness for higher education policy and practice, and she has authored many books on this subject.

I wish her great success in her new position and, again, congratulations, Millie.

□ 1220

CONTINUING COSTS OF OPERATION ENDURING FREEDOM IN AFGHANISTAN

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

Mr. SCHRADER. I rise today to support our planning for a safe and responsible withdrawal from Afghanistan in the very, very near term. No one has forgotten why we went into Afghanistan: to rout out and bring justice to those who attacked us on September 11, 2001. With extraordinary bravery, our troops have accomplished the mission they were set out to do over 10 years ago. Osama bin Laden has been brought to justice and al Qaeda has been largely crushed. Our troops have done their job. Many of them—over 2,000 of them, in fact—have given their lives not only to defend our freedoms but those of Afghans as well.

After 10 years of war and reconstruction, it's time for Afghans to stand up for Afghanistan, and it's time for us to do our job and bring our troops home. We can continue to defend ourselves from terrorists without tens of thousands of troops fighting a ground war in Afghanistan. The $88 billion we're talking about putting into Afghanistan in this Defense appropriations bill this week could build our own infrastructure and create jobs and economic opportunity right here at home. It is ludicrous to be spending such large sums rebuilding other countries when our own economic problems are so large and persistent. Our greatest leaders say our greatest threat is not a military one, but an economic one.

SEQUESTRATION TRANSPARENCY ACT

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

Mr. WELCH. Madam Speaker, this afternoon the House is going to take up the Sequestration Transparency Act. It's harmless enough, but it doesn't do anything. What is it? A year ago, Mr. BOEHNER and Mr. MCCONNELL took this country to the brink of debt default. They demanded that we cut spending by $1.2 trillion to offset the increase in the debt limit. Now, their plan was to have the supercommittee get the job done any way they wanted to balance the cuts and revenues. But if that failed, they had a backup. The backup was automatic cuts that would be half Pentagon and half discretionary.

Now the day arrives. January 1, 2013, those cuts go into effect, but they don't want the cuts to go into effect. So this legislation tells the Congressional Budget Office to look at the law we passed and tell us what did we do, why did we do it, what will happen if what we order to be done is allowed to be done. This is a ''Comedy Central'' joke. We have to have a balanced approach to a serious problem, but that means making decisions today about a balanced approach that includes revenues, includes the Pentagon, and includes domestic discretionary.

INTERNATIONAL AIDS CONFERENCE

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

Ms. PELOSI. I want to join my colleague, Congresswoman BARBARA LEE, in acknowledging that this weekend we will begin the International AIDS Conference, which will come to America with a fitting theme: ''Turning the Tide Together.''

It has a long history. In 1990, expert scientists and political officials from across the globe gathered in San Francisco, in my district, for the International AIDS Conference to turn our promise of leadership into progress. Since that time, however, the conference has never returned to an American venue for two decades. The organizers point to our longtime shameful travel ban on those with HIV/AIDS.

Next week, when the conference assembles right here in our Nation's Capital, the world will see how far we've come. Together, we will commit to turning the tide, as the theme indicates, toward the next stage in our fight: fewer infections and a cure and an end to HIV/AIDS.

Consider what this Congress has done: funding the Ryan White CARE Act, creating housing opportunities for people with HIV, and expanding access to Medicaid for people with HIV, but not full-blown AIDS. That's an early intervention. Also, increased investments in research, care, treatment, and intervention by more than half a billion dollars.

And in response to the global challenge and the leadership of Congresswoman BARBARA LEE, we have supported global solutions by increasing funds for bilateral AIDS efforts during the Clinton administration; making the first American contribution to the Global Fund to Fight AIDS, Tuberculosis, and Malaria in 2000; and working with Presidents Bush and Obama to establish PEPFAR. I know that it is a great source of pride to President George W. Bush for the leadership he provided, the support he gave, and the pride I think he takes in PEPFAR—and we salute him for that.

President Obama has continued that work, more than doubling the support for global health initiatives and doubling our investment in the Global Fund. These commitments and more have helped families in the United States and the villages of Africa and communities worldwide.

These actions have saved lives, but there's much more to do. With the International AIDS Conference coming to Washington, DC, we have an opportunity to recommit ourselves to the cause of a world without HIV/AIDS. That is the challenge. That is the goal. We can turn the tide together.

After 25 years in Congress, little surprises me anymore; but one thing that does is that after all this time we still do not have a cure. But we're hopeful. And when the AIDS conference opens its doors next week, we must stand united in our pledge to discover a cure and raise an AIDS-free generation. Science is making progress. We have a moral obligation to support that. It has been done in a bipartisan way under President Bush's leadership, under President Clinton, and under President Obama. Hopefully, we can continue to do that.

We can and we must work together to make HIV/AIDS a very, very sad memory and certainly not part of our future. I thank you, Congresswoman LEE, for your tremendous leadership locally and globally and in every way, and certainly in this Congress of the United States.

DISCLOSE ACT

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

Mr. DEUTCH. Madam Speaker, it's clear that my Republican colleagues cherish the many tax loopholes that funnel billions to oil companies, outsourcers, and operators bent on repealing Wall Street reform. That's why they've killed the DISCLOSE Act, which would close loopholes used by special interests to secretly spend unlimited sums of corporate cash in our elections.

As terrible as Citizens United was, it did not include a right to buy elections anonymously. No, it is the Republican Congress that protects the identities of those writing these multimillion-dollar checks. They want a battle of bank accounts, Madam Speaker, because they know that they can't win a battle of ideas. They can't run on deregulating Wall Street when America's financial security is still at risk. They can't run on cutting taxes for billionaires when they block every effort to create middle class jobs. And they can't run on cut, cap, and balance when the only thing that they cut is our seniors' health care.

If my Republican colleagues believe they are worthy of competing in the great battle of ideas that is our democracy, they should put their mouths where their money is and pass the DISCLOSE Act.

STOP RAISING TAXES ON SMALL BUSINESSES

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

Mr. SCALISE. This past Friday the 13th, President Obama was out on the campaign trail, as he seems to be all the time, and he actually had the nerve to say:

If you've got a business, you didn't build it. Somebody else made it happen.

That statement shows not only the contempt, but the arrogance, that this President has towards our small business owners and the people that are working hard out there in a tough economy and, in many cases, working hard in spite of the many rules and regulations coming out of this Obama administration that's making it even harder for them to create jobs and is one of the biggest reasons that we've seen so many jobs outsourced by this President, who could be called the Outsourcer in Chief for all of the millions of jobs that have left this country to go to other countries in the last 3½ years.

There was a report that just came out yesterday by the National Federation of Independent Businesses that showed the President's newest tax proposal to raise taxes on small business owners will cost 700,000 jobs. That's Friday the 13th for every small business owner out there trying to get the economy back on and trying to keep their businesses afloat. That's over 10,000 jobs lost just in Louisiana. This needs to stop. We need to stop raising taxes on business owners.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

□ 1230

THE BUYING OF AMERICA

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

Ms. HANABUSA. Madam Speaker, when the Supreme Court decided Citizens United, it opened the floodgates to special interests. This country is faced, for the first time, with a small number influencing our elections, something that we've never experienced before. Let us all remember that it is our elections and our right to vote which makes us the great nation that we are. It is what people have gone to war for and died for.

But now we're seeing the buying of America. We have been told that about 600 super PACs have raised over $240 million, and they've already spent over $113 million on our elections. We do know that the Republican donors are famous brothers, and they, with their friends, have spent about $400 million in the upcoming election. And we also know that there's a Republican donor casino owner who has already spent $71 million to affect our elections.

We can't prohibit the spending, but we can require transparency so that the public knows who is spending this money. This is the DISCLOSE Act. But, Madam Speaker, Republicans have stopped the vote on the DISCLOSE Act. The Democrats have signed the discharge petition to bring it up to vote. We must bring it up to vote, Madam Speaker. We must show the people that America is not for sale.

THE FARM BILL

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

Mr. COSTA. Madam Speaker, despite our economic challenges, agriculture is one of the bright spots in our economy. Last week, the House Agriculture Committee, in an overwhelming bipartisan fashion, sent a simple message: We need a farm bill now.

We have challenges in American agriculture to be sure, such as dairy price fluctuations, the current drought affecting crops nationwide, and creating a level playing field for farmers to compete in foreign markets. This bill isn't perfect, but there's a great deal of consensus in it. Our farmers need certainty, and only a farm bill can give them that.

There are 11 days left for the House to vote on a farm bill before the August recess. The American people are tired of Congress bickering just to keep the lights on. This legislation has bipartisan support in the committee and in the United States Senate.

Madam Speaker, if the leadership of this House is serious about providing certainty and promoting economic growth, they will bring this legislation to the floor for a vote now.

The farm bill has traditionally been a bipartisan effort. Let's keep it that way.

THE DISCLOSE ACT

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

Mr. YARMUTH. Madam Speaker, twice this week, Senate Republicans blocked a vote on the DISCLOSE Act, which would shine a much-needed light on the dark corners of secret, anonymous political spending. The bill stands on a simple idea: Voters have a right to know who is trying to influence their votes.

This year alone, more than 600 super PACs have spent $133 million on outside ads—most of which have been negative and, many, dishonest. It's much easier to lie about a candidate when you're anonymous—and when you can't be held accountable.

The American people see the damage being done. More than three-quarters of voters believe financial campaign reform is a key national issue, and the vast majority of Americans oppose the Citizens United decision, which opened the floodgates for outside spending and dishonesty in elections. But even in the Citizens United decision, the Supreme Court anticipated that Congress would require disclosure as a critical means of providing transparency in campaigns.

Madam Speaker, the voters have a right to judge the credibility of campaign ads, and they can't do that without disclosure of those who are paying for them.

AMERICA FOR SALE

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

Ms. SPEIER. Madam Speaker, I regret to say that America is for sale and the White House will go to the highest bidder. Seventeen people have given $1 million to the biggest conservative PACs in this country, and those contributions represent more than one-half what those PACs have received.

Who are these 17 people? Well, the median age is 66, the median wealth is

$1 billion, and they're interested in a couple of things. They want to eliminate inheritance tax, they want to extend the Bush tax cuts for the wealthy, and they want to slash the highest tax brackets.

Let's talk about one of them.

Mr. Adelson has contributed $25 million, $10 million to Mr. Romney's Restore Our Future. What is $10 million in his budget like? Well, his $10 million is a contribution in $24 billion of net worth. How does that compare? Well, that would be like a $40 contribution to someone whose net worth was about $100,000. So Mr. Adelson can give a lot more money with much less effort.

THE DISCLOSE ACT

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

Ms. KAPTUR. When six Wall Street megabanks control two-thirds of the wealth of our Nation, it's too much economic power in too few hands. And when undisclosed billionaires spend billions on political campaigns and they crush the voices of ordinary citizens, it's too much political power in too few hands.

America must put an end to the influence of secret money on our elections. The DISCLOSE Act of 2012 would shine the light on the secret money in political campaigns. But the Republican leadership won't bring it up, even though Americans, three-quarters of our voters, think that campaign finance reform is a key issue for the election, and 69 percent of the public believes that super PACs should be illegal. Yet House Republican leaders refuse to bring up the DISCLOSE Act.

It's long past due that we put power back in the hands of ordinary citizens. In fact, let's rechannel the billions being wasted on campaign overkill to help our seniors afford food and to balance the national budget.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO SIGNIFICANT TRANSNATIONAL CRIMINAL ORGANIZATIONS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 112–125)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within the 90-day period prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency declared in Executive Order 13581 of July 24, 2011, is to continue in effect beyond July 24, 2012.

The activities of significant transnational criminal organizations have reached such scope and gravity that they threaten the stability of international political and economic systems. Such organizations are becoming increasingly sophisticated and dangerous to the United States; they are increasingly entrenched in the operations of foreign governments and the international financial system, thereby weakening democratic institutions, degrading the rule of law, and undermining economic markets. These organizations facilitate and aggravate violent civil conflicts and increasingly facilitate the activities of other dangerous persons.

The activities of significant transnational criminal organizations continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. Therefore, I have determined that it is necessary to continue the national emergency declared in Executive Order 13581 with respect to significant transnational criminal organizations.

BARACK OBAMA.

THE WHITE HOUSE, *July 18, 2012.*

SEQUESTRATION TRANSPARENCY ACT OF 2012

Mr. RYAN of Wisconsin. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 5872) to require the President to provide a report detailing the sequester required by the Budget Control Act of 2011 on January 2, 2013, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5872

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 ''Sequestration Transparency Act of 2012''.

SEC. 2. SEQUESTER PREVIEW.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the President shall submit to Congress a detailed report on the sequestration required to be ordered by paragraphs (7)(A) and (8) of section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a) for fiscal year 2013 on January 2, 2013.

(b) CONTENTS OF REPORT.—The report required by subsection (a) shall include—

(1) for discretionary appropriations—

(A) an estimate for each category of the sequestration percentages and amounts necessary to achieve the required reduction; and

(B)(i) for accounts that are funded pursuant to an enacted regular appropriation bill for fiscal year 2013, an identification of each account to be sequestered and estimates of the level of sequestrable budgetary resources and resulting reductions at the program, project, and activity level based upon the enacted level of appropriations; and

(ii) for accounts that have not been funded pursuant to an enacted regular appropriation bill for fiscal year 2013, an identification of each account to be sequestered and estimates pursuant to a continuing resolution at a rate of operations as provided in the applicable appropriation Act for fiscal year 2012 of the level of sequestrable budgetary resources and resulting reductions at the program, project, and activity level;

(2) for direct spending—

(A) an estimate for the defense and nondefense functions based on current law of the sequestration percentages and amount necessary to achieve the required reduction; and

(B) an identification of the reductions required for each nonexempt direct spending account at the program, project, and activity level;

(3) an identification of all exempt discretionary accounts and of all exempt direct spending accounts; and

(4) any other data and explanations that enhance public understanding of the sequester and actions to be taken under it.

(c) AGENCY ASSISTANCE.—(1) Upon the request of the Director of the Office of Management and Budget (in assisting the President in the preparation of the report under subsection (a)), the head of each agency, after consultation with the chairs and ranking members of the Committees on Appropriations of the House of Representatives and the Senate, shall promptly provide to the Director information at the program, project, and activity level necessary for the Director to prepare the report under subsection (a).

(2) As used in this subsection, the term ''agency'' means any executive agency as defined in section 105 of title 5, United States Code.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. RYAN) and the gentleman from Maryland (Mr. VAN HOLLEN) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin.

□ 1240

GENERAL LEAVE

Mr. RYAN of Wisconsin. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 5872, currently under consideration.

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

There was no objection.

Mr. RYAN of Wisconsin. Madam Speaker, I yield myself 2 minutes.

Madam Speaker, here's basically why we are here today with the Sequester Transparency Act. As a background, under the current law, because the supercommittee was unable to agree on a deficit-reduction package, the Office of Management and Budget will implement a $110 billion across-the-board cut—which we have referred to as a sequester or a sequestration—on January 2, 2013. This comes half on defense, half on domestic discretionary—in other words, a $55 billion cut, which is a 10 percent cut to defense immediately, and then an 8 percent cut to domestic discretionary—but we do not know the actual reductions that will result from this sequester.

As we debate this bill today, we will probably not be able to avoid the contentious issues on the sequester, but let's not lose sight of the fact that the bill before us simply directs the Office of Management and Budget to tell us how they will implement the sequester. So we're just asking for more transparency and more details. Within 30 days, they should give us the plan on how they will do this.

This bill is essentially about transparency. It's not re-litigating the budget fight; it's about making sure that we have as much information as we can to make the right decisions. It's about carrying out a constitutional duty to ensure that laws are faithfully executed and that we fully understand the Budget Control Act sequester, how it's going to be implemented.

It has strong bipartisan support. The House Budget Committee voted 30–0 to report this bill here to the floor, and the Senate has passed similar legislation on a bipartisan basis.

With that, Madam Speaker, I reserve the balance of my time.

Mr. VAN HOLLEN. Madam Speaker, I yield myself 3 minutes.

Madam Speaker, I support this legislation. As the chairman of the Budget Committee said, it passed unanimously out of the Budget Committee.

I believe that more information is better than less. I also believe, and from the comments I've heard from colleagues on both sides of the aisle, we also agree that we have enough information to know right now today that an across-the-board, meat-ax approach to reducing the deficit—a sequester—is a reckless way to deal with our budget.

We've heard a lot about the impact of the cuts on defense. Secretary Panetta has talked about those. We've heard a lot less about the impact of the cuts on other important investments, such as those in biomedical research. A coalition recently reported that the cuts to the National Institutes of Health alone would cut 33,000 jobs. That means fewer people investigating cures and treatments to diseases that plague every American family. That's just one small example on the nondefense side.

But, Madam Speaker, I believe, given what we know, we should be focused today and every day on avoiding the sequester. In the Budget Committee proceedings, the Democrats offered an alternative approach. I've got it right here in my hand. It called for a balanced approach to replacing the sequester, the kind of balanced approach that every bipartisan commission that has looked at our deficit challenge has recommended. It included a combination of cuts, such as direct payments in excessive farm subsidies. It also included cuts to things like big oil companies, eliminating taxpayer subsidies. That plan would totally replace the sequester for 1 year; and it wouldn't have to have the deficit, the impact that we've heard about.

So great to get more information, may have a unanimous vote here today in the House; but let's take a balanced approach to reducing our deficits, and let's take a balanced approach to replacing the sequester.

I reserve the balance of my time.

Mr. RYAN of Wisconsin. Madam Speaker, at this time I'd like to yield 5 minutes to the author of this bill, the chairman of the House Republican Conference, the gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. I thank the gentleman for yielding.

Madam Speaker, we know our Nation faces very serious threats overseas, but we also have a very serious domestic threat as well, and that is our national debt, a debt that has increased more in the last 3 years on a nominal basis than in the previous 200. Thus, the Budget Control Act. The Budget Control Act, because, as the chairman of the House Budget Committee pointed out, the supercommittee—on which I served, as did the ranking member—did not prove so super, we are staring into the face of a sequester.

So I would like to not only compliment the chairman of the House Budget Committee for his leadership in bringing an alternative to this very, I believe, destructive sequester that still maintains the deficit reduction levels of the Budget Control Act, but I also want to compliment the Democrat ranking member for also offering an alternative plan. It is one I disagree with, one that, by my reckoning, includes 73 percent tax increases. But he should be applauded, and House Democrats should be applauded at least for recognizing the draconian defense cuts that could do real damage to our national security. As Secretary Panetta has said, the sequester ''will do real damage to our security, our troops and their families, and our military's ability to protect our Nation.''

But although I compliment the ranking member, I find it more challenging to compliment the Democrat Senate Majority Leader. Senator REID has said: I'm not going to back off sequestration. That's what he has said. Thus, we are looking at a 10 percent real cut in our national defense.

Madam Speaker, I also picked up Monday's edition of The Washington Post—not exactly known as a bastion of conservative thought—and I read the headline: ''Democrats Threaten to Go Over Fiscal Cliff if GOP Fails to Raise Taxes.''

So on the one hand, again, this is a very simple piece of legislation that I have coauthored with the chairman of the House Budget Committee. It simply says: Mr. President, since under sequestration you get to call a lot of the shots—according to the Congressional Budget Office ''the administration's OMB has sole authority to determine whether a sequestration is required, and if so the proportional allocations of any necessary cuts''—all this is saying: Mr. President, show us your hand, show us your plan. Let the American people know what the true impact is going to be on our national defense, on our economy, on a number of vital services, because you have the discretion. That's all this bill does. But I fear, to some extent, it may mask another agenda on what the debate is really about.

Madam Speaker, I need not tell you we continue to face the weakest, slowest recovery in the post-war era, and there are some who seem to have an ideological passion for raising taxes on the American people. An earlier speaker got up in an earlier debate and said that the largest small business group in America, the National Federation of Independent Business, has just released a new study saying that the President's tax plan will cost 710,000 jobs—jobs of working families—and those same working families will see their wages fall by 1.8 percent.

So why would we want to raise taxes on anybody in this economy? Well, someone pointed out, well, we need to reduce the deficit—and we do. But, Madam Speaker, if you do the math and give the President the top increasing tax rates in the top two tax brackets, not only does it destroy jobs; it's about 2 to 3 percent of his 10-year spending budget. So it harms jobs, and it doesn't solve the problem. I fear it is diversion from the failed policies that we have seen from this administration that has created the worst unemployment crisis since the Great Depression.

But I would hope that we would at least have a growing consensus that we shouldn't decimate national defense, and there should at least be transparency. I urge all of my colleagues to support the Sequestration Transparency Act.

□ 1250

Mr. VAN HOLLEN. Madam Speaker, I thank the gentleman from Texas for his comments about the supercommittee. I think we all wished it had succeeded. It did not, but it was a privilege to serve with my colleague from Texas.

Let me just make a quick correction on the math. I think everybody knows, under the Budget Control Act, which was enacted last September, we cut $1 trillion from the budget, 100 percent cuts.

The alternative that the Democrats have proposed to the sequester takes a balanced approach of additional cuts, but also revenue. In fact, the 1-year proposal that we put forward puts additional cuts in direct payments, excessive subsidies under the farm bill.

Yes, we also eliminate taxpayer subsidies to the big oil companies. Former President Bush testified that, when oil's over $50 a barrel, you don't need taxpayers shelling out dollars to encourage big oil companies to invest. So we think we should eliminate those subsidies to help remove the sequester, including the sequester on defense.

Let's make no mistake. The reason we're here is that our Republican colleagues deliberately chose, as part of

the sequester, to put defense spending on the chopping block along with other spending. That was the choice above an offer to deal with revenue as part of a sequester. And when the choice boiled down to cutting tax subsidies for oil companies and other special tax breaks or cutting defense, Republicans chose to put in the sequester cutting defense.

Now, I know we have a hearing today in the Armed Services Committee. I see the distinguished chairman on the floor today. I have to commend him because he has said before that if he were faced with that choice he would take that mixed, more balanced approach. And that ultimately is what we're going to have to do. That's the approach that's been taken by every bipartisan commission that's looked at this challenge.

With that, I yield 2 minutes to the gentlewoman from Pennsylvania (Ms. SCHWARTZ), a member of the Budget Committee.

Ms. SCHWARTZ. I appreciate the opportunity to speak for just a couple of minutes on the legislation before us.

I do support a transparent process that would better ensure that there's public information on the impact of sequestration which, of course, is the automatic spending cuts that are scheduled for next year.

Sequestration, which would trigger those automatic cuts, was put in place to force Congress to work to find a bipartisan, balanced approach to deficit reduction. Today's legislation does not move us any closer to achieving that goal.

Time and again, the Republicans in Congress have rejected a balanced approach that would include spending cuts and revenue and economic growth. They reject a balanced approach that would protect our Nation's short-term economic recovery and create the right environment for long-term growth.

They reject a balanced approach, as you heard before, that has been recommended by every bipartisan commission, that would move our country forward by making tough yet responsible choices on the deficit and would reflect America's priorities and build America's economic strength.

The American people deserve to know the impact of across-the-board cuts resulting from the failure of the Republican majority to find that common ground and avoid sequester. But they also deserve real solutions, something the Republican majority has yet to deliver.

Their so-called solution, their budget, the House Republican budget, takes a partisan, one-sided approach to deficit reduction. It relies solely on spending cuts and directs the $100 billion cuts next year from sequestration to come only from one part of the budget: non-defense discretionary. All of the $100 billion cuts next year would come from our domestic priorities: health care, education, scientific research, transportation, law enforcement, to name a few.

Their budget fails to require other even larger parts of the Federal budget to reduce costs and be more effective. Their budget fails to protect our fragile economic recovery. It fails on economic growth. They should work together with Democrats to make a real deficit reduction-economic growth package for the United States of America.

Mr. RYAN of Wisconsin. Madam Speaker, I yield myself 30 seconds simply to say that when we hear the words ''balanced approach,'' what that means to taxpayers in this country is, You give us your checkbook and we'll balance it the way we think it ought to be balanced here in government. Government first, taxpayers second. That's what the so-called ''balanced approach'' means. It means keep feeding higher spending with higher taxes.

The problem is, Madam Speaker, the arithmetic just doesn't add up. You literally cannot tax your way out of this mess. Spending is the cause. We need to address our spending. The sooner we do it, the sooner we can get back on to a path to prosperity.

With that, Madam Speaker, I yield 5 minutes to the gentleman from California (Mr. MCKEON), the distinguished chairman of the House Armed Services Committee, and ask unanimous consent that he be allowed to yield that 5 minutes as he chooses.

The SPEAKER pro tempore. Without objection, the gentleman from California will control the time and is recognized for 5 minutes.

There was no objection.

Mr. MCKEON. Madam Speaker, I thank the gentleman for yielding, and I thank him and Chairman RYAN for bringing this bill to the floor. It is greatly needed.

Barring a new agreement between Congress and the White House on deficit reduction, over $1 trillion in automatic cuts, known as sequestration, will take effect. Although the House has passed a measure that would achieve this necessary deficit reduction to avoid sequestration for a year and give us time to work on it outside of election-year pressure, the Senate has yet to consider any legislation.

Now, I hear a lot of good ideas from the other side and they talk about increased revenue. All I'm saying is put it down on paper.

We have a process by which we work. It's outlined in the Constitution of the United States. One body passes legislation, the other body passes legislation, a conference committee is formed, and the differences are resolved. It goes back to the bodies for final passing and then goes to the President for his signature.

We have taken action in the House. We're waiting for the other body to take some action.

The President weighed in on this. He submitted a budget. His budget sought $1.2 trillion in alternate deficit reduction. He followed the process. That budget was defeated in a bipartisan, bicameral manner. Now, we need another bill that we can work on.

This impasse and lack of a clear way forward has created a chaotic and uncertain budget environment for industry and defense planners. Compounding the issue is a lack of guidance from the administration on how to implement sequestration.

We just held a hearing in the Armed Services Committee where we had industry leaders come in to tell us the problems they're having on getting guidance.

You know, I come from a small business background, nothing like building planes or ships or boats or the other things that our warfighters need to carry out their mission.

And I might remind people that we are at war. We do have warfighters going outside the wire, as we speak, every day, putting their lives on the line, and they're watching this. They're watching what we're doing. They're wondering if they're going to have the things that they need to carry out this mission and to return home safely.

My business, as I said, was a small family business. We were in the western wear business. We sold boots and hats in a retail way. And we would go, my brothers and I, family business, would go to the market in January. We would buy for our needs for the next 6 months. We would buy shirts, hats, jeans, boots. And then our suppliers would go to their suppliers and buy the things they need to make those things, and then they would ship them to us in an orderly manner, and then we would be able to have the product on the shelves when our customers came in in February, March, April, May.

These industry leaders are asking for a little guidance. All they know is the law, as we have it now, kicks in January 2, says that there will be no thought, no planning, just we take out the budget and cut every line item by a margin, 8, 12, 20 percent, whatever it is, realizing we're already a quarter of the way into the year.

One of the leaders gave us this quote in this conference. This is Sean O'Keefe, president and CEO of EADS North America and chairman of the National Defense Industrial Association. And I quote:

> Most immediately, the administration must communicate today its sequestration implementation to the public, our Armed Forces, and to industry.
>
> The current uncertainty has effectively put sequestration and its consequences in motion. In the absence of any guidance, industry is already holding back investments, questioning the fairness of ongoing competitions, doubting the viability of existing contracts, and starting to trim capacity.
>
> In the absence of definitive guidance from the DOD, the OMB, and the Defense Contract Management Agency, we feel compelled to act in the spirit of this law and, in all likelihood, will issue WARN notices to those employees engaged in ongoing Federal contract activities.

□ 1300

We are going to put thousands of people in jeopardy of their jobs between

now and when sequestration should kick in. This is already in motion.

Madam Speaker, I ask that we come together on this issue, that we solve this issue. I ask the President to put forth some leadership. As Commander in Chief, he has the obligation to help us solve this problem. I ask our colleagues to please support this legislation and to bring transparency.

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

Mr. VAN HOLLEN. Madam Speaker, I listened carefully to what the chairman of the Armed Services Committee said, and I didn't find much that I disagreed with. We agree that we should replace the sequester, and we agree that it's a mistake to create the kind of uncertainty that's out there. Obviously, it has an impact, not just in the defense sector, but also in all of the other areas in which our Federal Government has activities.

I would just say—and I want to make sure the chairman is on the floor now and has a chance to respond—that he demonstrated some leadership on this issue last fall because he was asked this question. He was asked if he had to put together a plan that included some revenue. He said, Yes, I understand that we've got to make cuts, but I'd rather include some revenue than deep cuts to defense. In fact, what he said was:

> We're going to have to stop repeating ideological talking points and address our budget problems comprehensively through smarter spending and increased revenue.

When asked to choose between deeper cuts in defense and cutting some tax breaks, he said we should cut some tax breaks.

That was last fall. That's exactly the kind of balanced approach that the Democrats put forward in the Budget Committee. The chairman of the committee asked for a specific plan. We had a vote on it in the Budget Committee. We wish that our colleagues would have supported it. It would have prevented the sequester from taking place for another year, and it would have eliminated all of the uncertainty the chairman of the Armed Services Committee just talked about.

The reason that we haven't been able to move forward is that our Republican colleagues continue to insist on supporting these tax breaks for special interests and tax breaks for folks at the very top and that they refuse to eliminate those tax breaks for the purpose of reducing the deficit or for the purpose of eliminating the sequester on defense and non-defense. That's why we are in the situation we are in right now. The keys to the lock are in the hands of our Republican colleagues.

We had the same proposal ready to bring to a vote before the whole House of Representatives as part of the reconciliation process. The Rules Committee didn't even allow our proposal to be made in order so that Members of this body could vote on it up or down. So, yes, let's get on with the main issue. Let's focus on replacing the sequester. Let's do it in a balanced way.

I have to say, since the gentleman from Texas earlier referenced the comments of Senator REID's, the majority leader, I've looked at the Senator's comments. The Senator's point was the same one I'm making here, which is that, if we are going to remove the sequester, we need to take a balanced approach. We need to include cuts. Again, it's important to remember we did $1 trillion in cuts—100 percent cuts—as part of the Budget Control Act, but we also need to include some revenue by eliminating some of these special interest tax breaks and by asking folks at the very top of the income ladder to pay a little bit more for our national defense and for reducing our deficit. That is the underlying issue here.

I now yield 2 minutes to a member of the Budget Committee, the gentlelady from Oregon (Ms. BONAMICI).

Ms. BONAMICI. Thank you, Congressman VAN HOLLEN, for yielding.

I rise in support of the Sequestration Transparency Act.

We have all heard concerns back home about partisan gridlock in our Nation's Capitol. Our constituents continue to ask us: Is there any way to overcome this gridlock to solve the problems facing our country? They ask if it is getting better, if Congress can actually do something. Can we get things done?

With the end of the year approaching and with our country's inching ever closer to the so-called ''fiscal cliff,'' the questions from our constituents take on a new urgency. They want to know what is going to happen if the budget sequestration is allowed to go into effect, and they want to know if Congress can function well enough to avoid the doomsday scenarios that many economists are predicting if sequestration does occur. Up until now, we have not been able to offer them much in the way of positive news, and we've had to tell our constituents that we're not quite sure what sequestration will mean for our communities.

Now, this bill doesn't solve the problems our constituents will face if sequestration actually goes into effect—the lost jobs or the damage to our still struggling economy—but it does give us valuable information about what might happen. It will allow us, the body that brought us here in the first place with the passage of the Budget Control Act, to at least better understand the consequences of our actions. Importantly, it signals a bipartisan action on the part of Congress to ask: How bad will this be?

If there is a silver lining to be found, it is that we have come together on what could have been a contentious piece of legislation, and I thank the Budget Committee chairman and ranking member for their leadership.

Now, the fact that we have to pass a bill to get information on legislation that we have already passed does not speak highly of the process. The sequester was supposed to motivate us to work together and pass a budget that lowers costs while maintaining critical services. It's unfortunate that we have to pass yet another bill to move us closer to accomplishing what should have been done months ago.

But for the sake of better representing our constituents, let's focus on the positive: Let's support a bill that gives us the information we as legislators need in order to make an educated decision.

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

Mr. VAN HOLLEN. I yield the gentlelady an additional 30 seconds.

Ms. BONAMICI. I hope today's bipartisan action is an indicator of a renewed commitment to tackling the sequester, and I hope it sends a message to our constituents that we can work together to get something done. That's why I supported this bill in the Budget Committee, and that's why I am asking my colleagues to join me in voting ''yes'' on the Sequestration Transparency Act.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 2 minutes to a distinguished member of the House Budget and Armed Services Committees, the gentleman from Indiana (Mr. YOUNG).

Mr. YOUNG of Indiana. Mr. Speaker, there is broad bipartisan agreement in this House that the looming defense sequestration cuts are bad policy for the U.S. military and our national defense.

Our Defense Secretary has testified to me and to other members of the Armed Services Committee that such cuts would hollow out the military, and our constituents are rightly concerned about our ability to provide necessary equipment to troops in the field, troops who are often our sons, daughters, brothers, or sisters.

The original goal of this legislation that gave us the sequester was to find deficit reduction in the Federal budget in a careful, deliberative manner. Despite their best efforts, the small group that was charged with finding these cuts failed in the end. That's why we have passed legislation in the full House to replace the defense cuts with deficit reduction elsewhere, but the Senate has, once again, failed to act. As for the administration, it has failed to specify how these cuts will be distributed and what kind of impact they will inevitably have on our Nation's security.

Military spending decisions should not be made in a vacuum. We shouldn't merely try to manage down to some predetermined, arbitrary spending level. Ultimately, strategy should guide these sorts of decisions. Missions we are asking our men and women in uniform to perform to keep our country safe should be our measuring stick, and we should ensure that full funding exists to carry out each of these missions.

The bottom line is this: It is the responsibility of this administration to

inform Congress and the American public of its plans to implement the sequester and to provide clarification on its scope and severity.

With that, I strongly urge my colleagues to support this blessedly bipartisan legislation, the Sequestration Transparency Act of 2012.

Mr. VAN HOLLEN. I reserve the balance of my time.

Mr. RYAN of Wisconsin. I yield 2 minutes to a gentleman who serves on the Budget Committee and who also, I believe, serves on the Appropriations Committee, the gentleman from Oklahoma (Mr. COLE).

Mr. COLE. I thank the gentleman for including me on his committee.

H.R. 5872 is a bipartisan bill. As has been mentioned several times, it did pass out of the Budget Committee unanimously, and that's a very good thing. I think, honestly, we have a very strong bipartisan agreement that sequester is a very bad policy, something that really shouldn't be allowed to happen.

□ 1310

Obviously, I also sit on the Defense Appropriation Subcommittee. So I focused on that area. If we don't arrive at agreement before the end of the year, we'll have $110 billion worth of cuts across the entire budget, but about a 10 percent cut on top of a half a billion dollars we've already taken out of defense that will begin that will have tremendous consequences in my State, potentially 16,000 jobs, $620 million or $630 million to the State economy. We all hope this doesn't occur, but we all know that the administration does have a responsibility to plan for it and to inform us of those plans. So far it has failed to do that.

Mr. Speaker, it's worth noting for the record that we have dealt with sequestration in this House. We passed a measure to avoid it. It's the Senate that has failed to act. We may not have acted in a manner in which our friends on the other side would like, but the responsibility now is with the United States Senate to at least pass something and put us in a position to go to conference.

It would be irresponsible to allow sequester to occur, and it would be responsible for the Senate to actually act. I hope today, by giving the Senate additional information, by encouraging the administration to plan for something we hope doesn't happen, that we will actually bring ourselves a little bit closer to a solution, and we'll come to a bipartisan compromise by the end of this year.

Mr. Speaker, I urge the passage of this legislation.

Mr. RYAN of Wisconsin. Mr. Speaker, I believe they have the right to close, so let me inquire of the gentleman from Maryland whether or not they have another speaker.

Mr. VAN HOLLEN. There was one other gentleman who said he was on his way. He's not here yet. If he is not here by the time you finish, we will close.

Mr. RYAN of Wisconsin. With that understanding, I yield 2 minutes to the gentleman from Oklahoma (Mr. LANKFORD), a member of the Budget Committee.

Mr. LANKFORD. At home, people have just a simple request of Congress: do our job. Just do it. They're tired of worrying about what dumb thing the Federal Government will do to them and their business and their family that will cause them even more pain. They just want us to identify the problem, fix it, and quit messing with the private business world.

When a private business sees a threat on the horizon, they prepare for it. If it's good, they ramp up hiring, they add more inventory, they increase training, they increase sales staff. They get ready for something good. They take the entrepreneurial risk. If they see a threat on the horizon that looks bad, they pull back staff, they slow down internal purchases, they freeze inventory and hiring.

I have two quick observations. One is this: right now the national threat on the economic horizon is the Federal Government's lack of imperative to resolve this manufactured crisis. We need to fix it now. The second is this: we've got to look up and see there is a financial crisis coming and prepare for it. If we wait until the last minute to act, it creates incredible uncertainty in our economy and businesses and families can't prepare for it. When we wait until the last minute to do something, we have already created economic uncertainty there.

Here's what this bill does: it requires that we actually plan for an economic crisis that we know is coming January 2, 2013. It pushes us to do what's essential right now. Federal spending has dramatically increased. As we approach $16 trillion in national debt in our fourth straight year of trillion-dollar deficit spending, we should not guess or try to make up a financial plan at the last minute. Some have proposed that we debt our way into prosperity or that we take even more money from one family and give it to another to make life fair.

This bill simply asks the President to let us know the plan, let us know the consequences of sequestration. We know it's bad policy, but the administration has not given us the details of how they will implement the sequestration. Months ago, the House Budget Committee and then the full House worked with six committees to create a specific plan of how we were going to deal with this. We just want to know what OMB's plan is and how things are going to be done.

Get us the information now.

Mr. VAN HOLLEN. Mr. Speaker, may I inquire as to how much time we have left.

The SPEAKER pro tempore (Mr. MARCHANT). The gentleman from Maryland has 8 minutes remaining.

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

Let me start on the points of agreement.

We agree with this piece of legislation. As we said, it passed the Budget Committee unanimously. What it does is ask for some more detailed information on the impact of the across-the-board sequester scheduled to take place in January. The Senate also agrees with that. Let's make no mistake, there was an amendment on the Senate side, a bipartisan amendment by Senator PATTY MURRAY of Washington State and Senator MCCAIN, asking for additional information.

There was also agreement that we don't need more information to understand that the across-the-board sequester cuts would have a very negative impact on the economy and on defense and on important nondefense investments that are important to the American people.

The issue really is what are we going to do about it. We have proposed an alternative in this House. We proposed an alternative in the Budget Committee, and it didn't pass. We asked for this whole House to have a chance to vote on an alternative that had a balanced approach that included cuts, but also additional revenues from closing tax breaks and loopholes, and we were denied that opportunity for a vote over here.

Let's be very clear about what Senator REID has said and what the President has said on a number of these issues, both the tax issue, as well as the sequestration issue that we're debating today. The President of the United States has been very clear that he would like today for the Congress to pass legislation to extend tax relief to 98 percent of the American people, all the middle class tax cuts. He wants us to get it done today. In fact, what some people don't realize is that those tax cuts would also benefit folks at the very top. In fact, it provides tax relief to 100 percent of Americans compared to current law. Let's get that done. If we agree on it, let's act now.

The same is true with the sequester. The keys to this lock are in the hands of our Republican colleagues. We've agreed that part of the solution is cuts. We did a trillion dollars in cuts last year, 100 percent cuts. We've also said we can do additional cuts, but we should also deal with the revenue side of the equation if we're serious about the deficit.

The chairman talked about our use of the word ''balance.'' It's the same use that the Simpson-Bowles and Rivlin-Domenici bipartisan commissions have made. What they have said is any serious approach to reducing the debt, in this case replacing the sequester, requires cuts, yes, but also revenues.

The reality is, in this House of Representatives, 98 percent of our Republican colleagues have signed a pledge to this fellow by the name of Grover

Norquist. What that pledge says is you can't eliminate one penny of tax breaks, you can't eliminate one dollar of taxpayer subsidies for the oil companies, or ask folks who are making more than a million dollars a year to pay one more dollar for the purpose of deficit reduction. They won't do it. Nor does that pledge allow them to take a dollar tax subsidy away for the purpose of defense spending.

We hear a lot of talk about the importance of defense spending. We agree. Secretary Panetta has talked about it. We think we should pay for it. Rather than just talk about defense spending, why don't we also pay for it? We have put two wars on our national credit card: Iraq and Afghanistan. Many of us proposed that we help pay for those as we go so we wouldn't be leaving the bill to future generations, to the children of the troops that are fighting those wars. We should pay for them. But, no, those two wars went on the credit card.

Now we're talking about defense. The Armed Services Committee has a hearing today on the impact of defense. As we've said, we agree that we don't want to see that. But when faced with the simple choice of cutting more tax breaks for oil companies or asking folks at the very top to pay a little bit more for defense and to reduce the deficit, no, they won't touch that.

Let's understand the underlying issue here, both on the tax issues at the end of the year, which we can solve today if our Republican colleagues will stop holding 98 percent of the American taxpayers hostage until they get a continuation of the tax breaks for the folks at the very top, and we can deal with the sequester today if our colleagues are willing to take the balanced approach recommended by every bipartisan commission. That's what's at issue.

Mr. Speaker, let me close with this. We've heard a lot of talk about how asking the folks at the very top to pay a little more would hurt the economy. The reality is we've tried the trickle-down theory. It's in place right now. We tried it for 8 years under the previous administration. The last time we had a balanced budget was at the end of the Clinton administration in 2001. Then-President Bush came in with back-to-back tax cuts that disproportionately benefited the very wealthy. What happened at the end of the 8 years? We lost private sector jobs. So much for the theory that tax breaks for the folks at the very top trickle down and lift everybody up.

□ 1320

They lifted the yachts, but the boats ran aground, and that's the reality. That's what we are hearing from our Republican colleagues.

When it comes right down to it, we've been willing to make some tough cuts, and we're willing to make more. But because of this pledge or other reasons, our Republican colleagues refused to deal with the deficit in a balanced way. They refused to ask folks at the very top to chip in a little bit more to reduce our deficits and to help pay for defense. Let's take action today to prevent the cuts, not just to defense, but to non-defense.

It's interesting. I hear our Republican colleagues talk about the jobs created by defense, that's true. You know, building aircraft carriers creates jobs. Somehow building aircraft carriers creates jobs that building roads and bridges doesn't. The President has a jobs bill that's been sitting in this House of Representatives since September, a major boost in infrastructure.

We have 14 percent unemployment in the construction industry. We have roads, bridges, and transit systems in need of repair. The American Society of Civil Engineers has given our Nation a D, grade D.

It's a win/win. Let's spend more there, boost jobs and the economy, do a job that needs to be done. But no, you know, cutting defense spending and work on tanks, that will hurt jobs, but it's okay not to fund the President's infrastructure proposal to put people back to work building bridges and roads.

Let's have a rational conversation here, Mr. Speaker, about what works and what doesn't work, and how we can take this balanced approach to reducing our deficit and eliminating replacing the sequester so we can avoid the cuts to both defense and non-defense.

I look forward to getting the information called for by this piece of legislation. OMB is actually already crunching the numbers. There are lots of details, I hear, but our time here would be best spent putting in place a plan to replace the sequester rather than simply asking for more information.

More information is good. Solving the problem is better.

I yield back the balance of my time.

Mr. RYAN of Wisconsin. Mr. Speaker, may I inquire as to how much time I have remaining?

The SPEAKER pro tempore. The gentleman from Wisconsin has 2 minutes remaining.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, if all this borrowing, taxing, and spending was the secret to economic success and prosperity, we would be on the verge of entering a golden age, along with Greece.

The so-called balanced alternative plan by the other side is balanced in that it does have deficit reduction of $30 billion, according to the Congressional Budget Office, but only because after the $55 billion spending increase scored by CBO, it has an $85 billion tax increase. If we keep going down this road, Mr. Speaker we're going to get the same results.

What did we start with in this Congress? We passed a budget that cuts spending, that reformed government, that reformed the taxes and gets back to economic growth to puts us on a path to prosperity to pay off the debt.

The Senate hasn't passed a budget for 3 years. Then we engaged in negotiations on the debt limit to try to get a down payment on deficit reduction and the Budget Control Act resulted.

Therefore, the supercommittee failed, and the sequester is about to kick in. So again we took action in the House, and we passed the reconciliation package that replaces the sequester, which resulted in a net $242.8 billion in additional deficit reduction. We put specifics on the table, passed them through the House again. The crickets are chirping in the other body in the Senate. No leadership from the President, no leadership from the Senate, no leadership.

What this is is simple. Since there is an absence of leadership on these critical fiscal issues from the President of the United States, from the Senate of the United States, at the very least show us how this is going to work. If you're not willing to replace the sequester, tell us how it's going to be implemented.

That is simply a matter of transparency. We're not judging the debates or the merits or the each other's ideas and how to replace it; we're simply saying to OMB tell us how it's going to go down, because this seems to be your only plan.

With that, Mr. Speaker, I encourage all Members to follow the bipartisan example that has been set in the Budget Committee and let's have a nice bipartisan vote on behalf of transparency from the legislative branch.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. RYAN) that the House suspend the rules and pass the bill, H.R. 5872, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. RYAN of Wisconsin. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 414, nays 2, not voting 15, as follows:

[Roll No. 471]

YEAS—414

Ackerman	Becerra	Brady (TX)
Adams	Benishek	Braley (IA)
Aderholt	Berg	Brooks
Alexander	Berkley	Broun (GA)
Altmire	Berman	Brown (FL)
Amash	Biggert	Buchanan
Amodei	Bilbray	Bucshon
Andrews	Bilirakis	Buerkle
Austria	Bishop (GA)	Burgess
Baca	Bishop (NY)	Burton (IN)
Bachmann	Bishop (UT)	Butterfield
Bachus	Black	Calvert
Baldwin	Blackburn	Camp
Barber	Blumenauer	Campbell
Barletta	Bonamici	Canseco
Barrow	Bonner	Cantor
Bartlett	Bono Mack	Capito
Barton (TX)	Boswell	Capps
Bass (CA)	Boustany	Capuano
Bass (NH)	Brady (PA)	Cardoza

Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinojosa
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stark
Stearns
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—2

Engel
Hinchey

NOT VOTING—15

Akin
Boren
Filner
Gonzalez
Gosar
Hahn
Hirono
Jackson (IL)
Jackson Lee (TX)
Lewis (GA)
Polis
Reyes
Ruppersberger
Sewell
Stivers

□ 1354

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

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

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 471, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "yea."

Mr. AKIN. Mr. Speaker, on rollcall No. 471, I was delayed and unable to vote. Had I been present I would have voted "yea."

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2013

GENERAL LEAVE

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 5856, and that I may include tabular material on the same.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 717 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 5856.

The Chair appoints the gentleman from Texas (Mr. MARCHANT) to preside over the Committee of the Whole.

□ 1356

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 5856) making appropriations for the Department of Defense for the fiscal year ending September 30, 2013, and for other purposes, with Mr. MARCHANT in the chair.

The Clerk read the title of the bill.

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

The gentleman from Florida (Mr. YOUNG) and the gentleman from Washington (Mr. DICKS) each will control 30 minutes.

The Chair recognizes the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, I yield myself such time as I may consume.

This is the Defense appropriations bill for 2013. It has been done with the cooperation of the Republicans and the Democrats on the subcommittee, the Democrats led by NORM DICKS. I would say that NORM and I have worked together for so many years in making sure that these Defense appropriations bills were strictly nonpolitical—no politics in Defense appropriations. And there should not be.

Our investment in our national defense should be based on what is the real threat to the United States and what does it take to protect against that threat and what does it take to protect the men and women who provide for that national defense.

I want to compliment Mr. DICKS for having worked together with each other so well, regardless of who was in the majority, for 35 years, Mr. DICKS. And I just want to recognize that this will be the last Defense appropriations bill that Mr. DICKS will preside over on the floor because he is seeking retirement at the end of the term.

This committee will miss Mr. DICKS, the House will miss Mr. DICKS, the Congress will miss Mr. DICKS, and I will say the country will miss his service to the United States of America for so many years. So Mr. DICKS, I extend to you my very, very best and my appreciation and thanks for your friendship and your spirit of cooperation over the many years.

The subcommittee held many hearings and many briefings on so many subjects that it took most of the year leading up to this date in order to do that. I will compliment the members of the subcommittee because they were very attentive. The subcommittee hearings and meetings were all very, very well attended. The members were very loyal and faithful to their assignments and to their responsibilities.

During these hearings, we heard one word that bothered me a lot, that was the word ''risk.'' As we got into the issue of the budget requests, we were told that this might bring about a certain risk, or a prudent risk, or an acceptable risk. We pursued the issue of what is an acceptable risk when it comes to national defense or what is a prudent risk. Let me explain briefly some of the things that we heard.

One, we were told that the United States is going to show much more presence in the Pacific area. I certainly agree with that. That is a very, very

important part of the world, and we have got to be present.

□ 1400

The other point was that, as we did our hearings, we were told that in the Mid East, in the Persian Gulf area, we need a buildup of naval forces in order to do the job that has to be done, especially as we watch what Iran is doing, what Iran is threatening to do, and the choke point of the Strait of Hormuz where much of the world's oil transports.

Well, these risks, we think, have been met. But on the Navy buildup, the budget request actually would reduce the naval capability, the number of assets that we have. So we differed with the budget request on that, and we added funding. And by the way, with the support of the Secretary of the Navy, we added funding for an additional DDG–51 destroyer.

In addition, the Secretary of the Navy was really determined to build a second *Virginia*-class submarine for 2014. And it was not in the budget, but he convinced us that it was important to do; and so besides the DDG–51, we provided the advance procurement to schedule that second *Virginia*-class submarine for 2014.

In addition, there are three cruisers that were about to be decommissioned; and for a lesser fee than decommissioning, we determined to keep those cruisers in business and keep them capable and keep them available for that naval buildup that our hearings told us the Navy felt that they really needed.

One other issue that I would like to raise is the Air Force—and we're not at war with the Air Force, by the way, but we have some differences. The Air Force determined to take away aviation assets from the Air National Guard in our States. And we heard from all of our Governors. We heard from all of our TAGS, the adjutant generals, that this would really be crippling to the mission of the Air National Guard and the National Guard if those assets were lost.

So we recommended to the Air Force, we provided $850 million to do what we call a ''pause,'' to let's get together and let's work with the States, let's work with the Governors, let's work with the adjutant generals to see what is the right thing to do here, and not deny the States the assets that they need, the aviation assets that they need.

There's so much more to this bill. The bill has been available online. The copies of the bill have been available. The lists of all of the issues have been isolated in press releases, so the actual contents of the bill have been available for weeks and so at this point I'm not going to go further into the bill.

I reserve the balance of my time.

Department of Defense Appropriations Act - FY 2013 (H.R. 5856)
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I					
MILITARY PERSONNEL					
Military Personnel, Army	43,298,409	40,777,844	40,730,014	-2,568,395	-47,830
Military Personnel, Navy	26,803,334	27,090,893	27,075,933	+272,599	-14,960
Military Personnel, Marine Corps	13,635,136	12,481,050	12,560,999	-1,074,137	+79,949
Military Personnel, Air Force	28,096,708	28,048,539	28,124,109	+27,401	+75,570
Reserve Personnel, Army	4,289,407	4,513,753	4,456,823	+167,416	-56,930
Reserve Personnel, Navy	1,935,544	1,898,668	1,871,688	-63,856	-26,980
Reserve Personnel, Marine Corps	644,722	664,641	651,861	+7,139	-12,780
Reserve Personnel, Air Force	1,712,705	1,741,365	1,743,875	+31,170	+2,510
National Guard Personnel, Army	7,585,645	8,103,207	8,089,477	+503,832	-13,730
National Guard Personnel, Air Force	3,088,929	3,110,065	3,158,015	+69,086	+47,950
Total, title I, Military Personnel	131,090,539	128,430,025	128,462,794	-2,627,745	+32,769
TITLE II					
OPERATION AND MAINTENANCE					
Operation and Maintenance, Army	31,072,902	36,608,592	36,422,738	+5,349,836	-185,854
Operation and Maintenance, Navy	38,120,821	41,606,943	41,463,773	+3,342,952	-143,170
Operation and Maintenance, Marine Corps	5,542,937	5,983,163	6,075,667	+532,730	+92,504
Operation and Maintenance, Air Force	34,985,486	35,435,360	35,408,795	+423,309	-26,565
Operation and Maintenance, Defense-Wide	30,152,008	31,993,013	31,780,813	+1,628,805	-212,200
Operation and Maintenance, Army Reserve	3,071,733	3,162,008	3,199,423	+127,690	+37,415
Operation and Maintenance, Navy Reserve	1,305,134	1,246,982	1,256,347	-48,787	+9,365
Operation and Maintenance, Marine Corps Reserve	271,443	272,285	277,377	+5,934	+5,092
Operation and Maintenance, Air Force Reserve	3,274,359	3,166,482	3,362,041	+87,682	+195,559
Operation and Maintenance, Army National Guard	6,924,932	7,108,612	7,187,731	+262,799	+79,119
Operation and Maintenance, Air National Guard	6,098,780	6,015,455	6,608,826	+510,046	+593,371
United States Court of Appeals for the Armed Forces	13,861	13,516	13,516	-345	---
Environmental Restoration, Army	346,031	335,921	335,921	-10,110	---
Environmental Restoration, Navy	308,668	310,594	310,594	+1,926	---
Environmental Restoration, Air Force	525,453	529,263	529,263	+3,810	---
Environmental Restoration, Defense-Wide	10,716	11,133	11,133	+417	---
Environmental Restoration, Formerly Used Defense Sites	326,495	237,543	237,543	-88,952	---
Overseas Humanitarian, Disaster, and Civic Aid	107,662	108,759	108,759	+1,097	---
Cooperative Threat Reduction Account	508,219	519,111	519,111	+10,892	---
Department of Defense Acquisition Workforce Development Fund	105,501	274,198	50,198	-55,303	-224,000
Total, title II, Operation and maintenance	163,073,141	174,938,933	175,159,569	+12,086,428	+220,636

Department of Defense Appropriations Act - FY 2013 (H.R. 5856)
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE III					
PROCUREMENT					
Aircraft Procurement, Army	5,360,334	5,853,729	6,115,226	+754,892	+261,497
Missile Procurement, Army	1,461,223	1,302,689	1,602,689	+141,466	+300,000
Procurement of Weapons and Tracked Combat Vehicles, Army	2,070,405	1,501,706	1,884,706	-185,699	+383,000
Procurement of Ammunition, Army	1,884,424	1,739,706	1,576,768	-307,656	-162,938
Other Procurement, Army	7,924,214	6,326,245	6,488,045	-1,436,169	+161,800
Aircraft Procurement, Navy	17,675,734	17,129,296	17,518,324	-157,410	+389,028
Weapons Procurement, Navy	3,224,432	3,117,578	3,072,112	-152,320	-45,466
Procurement of Ammunition, Navy and Marine Corps	626,848	759,539	677,243	+50,395	-82,296
Shipbuilding and Conversion, Navy	14,919,114	13,579,845	15,236,126	+317,012	+1,656,281
Other Procurement, Navy	6,013,385	6,169,378	6,364,191	+350,806	+194,813
Procurement, Marine Corps	1,422,570	1,622,955	1,482,081	+59,511	-140,874
Aircraft Procurement, Air Force	12,950,000	11,002,999	11,304,899	-1,645,101	+301,900
Coast Guard (by transfer)	(63,500)	---	---	(-63,500)	---
Missile Procurement, Air Force	6,080,877	5,491,846	5,449,146	-631,731	-42,700
Advanced Extremely High Frequency Communications Satellites, Advanced appropriation FY 2014	---	833,500	---	---	-833,500
Advanced appropriation FY 2015	---	763,900	---	---	-763,900
Advanced appropriation FY 2016	---	708,400	---	---	-708,400
Advanced appropriation FY 2017	---	1,107,200	---	---	-1,107,200
Advanced appropriation FY 2018	---	1,013,700	---	---	-1,013,700
Total, Advanced appropriations	---	4,426,700	---	---	-4,426,700
Procurement of Ammunition, Air Force	499,185	599,194	599,194	+100,009	---
Other Procurement, Air Force	17,403,564	16,720,848	16,632,575	-770,989	-88,273
Procurement, Defense-Wide	4,893,428	4,187,935	4,429,335	-464,093	+241,400
National Guard and Reserve Equipment	---	---	2,000,000	+2,000,000	+2,000,000
Defense Production Act Purchases	169,964	89,189	63,531	-106,433	-25,658
Total, title III, Procurement	104,579,701	101,621,377	102,496,191	-2,083,510	+874,814
FY 2013	(104,579,701)	(97,194,677)	(102,496,191)	(-2,083,510)	(+5,301,514)
TITLE IV					
RESEARCH, DEVELOPMENT, TEST AND EVALUATION					
Research, Development, Test and Evaluation, Army	8,745,492	8,929,415	8,593,055	-152,437	-336,360
Research, Development, Test and Evaluation, Navy	17,753,940	16,882,877	16,987,768	-766,172	+104,891
Research, Development, Test and Evaluation, Air Force	26,535,996	25,428,046	25,117,692	-1,418,304	-310,354
Research, Development, Test and Evaluation, Defense-Wide	19,193,955	17,982,161	19,100,362	-93,593	+1,118,201
Operational Test and Evaluation, Defense	191,292	185,268	185,268	-6,024	---
Total, title IV, Research, Development, Test and Evaluation	72,420,675	69,407,767	69,984,145	-2,436,530	+576,378

Department of Defense Appropriations Act - FY 2013 (H.R. 5856)
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE V					
REVOLVING AND MANAGEMENT FUNDS					
Defense Working Capital Funds	1,575,010	1,516,184	1,516,184	-58,826	---
National Defense Sealift Fund	1,100,519	608,136	564,636	-535,883	-43,500
Total, title V, Revolving and Management Funds	2,675,529	2,124,320	2,080,820	-594,709	-43,500
TITLE VI					
OTHER DEPARTMENT OF DEFENSE PROGRAMS					
Defense Health Program:					
Operation and maintenance	30,582,235	31,349,279	31,122,095	+539,860	-227,184
Procurement	632,518	506,462	521,762	-110,756	+15,300
Research, development, test and evaluation	1,267,306	672,977	1,218,377	-48,929	+545,400
Total, Defense Health Program 1/	32,482,059	32,528,718	32,862,234	+380,175	+333,516
Chemical Agents and Munitions Destruction, Defense:					
Operation and maintenance	1,147,691	635,843	635,843	-511,848	---
Procurement	---	18,592	18,592	+18,592	---
Research, development, test and evaluation	406,731	647,351	647,351	+240,620	---
Total, Chemical Agents 2/	1,554,422	1,301,786	1,301,786	-252,636	---
Drug Interdiction and Counter-Drug Activities, Defense	1,209,620	999,363	1,133,363	-76,257	+134,000
Joint Improvised Explosive Device Defeat Fund 2/	---	227,414	217,414	+217,414	-10,000
Joint Urgent Operational Needs Fund	---	99,477	---	---	-99,477
Office of the Inspector General 1/	346,919	273,821	350,321	+3,402	+76,500
Total, title VI, Other Department of Defense Programs	35,593,020	35,430,579	35,865,118	+272,098	+434,539
TITLE VII					
RELATED AGENCIES					
Central Intelligence Agency Retirement and Disability System Fund	513,700	514,000	514,000	+300	---
Intelligence Community Management Account (ICMA)	547,891	540,252	511,476	-36,415	-28,776
Total, title VII, Related agencies	1,061,591	1,054,252	1,025,476	-36,115	-28,776

Department of Defense Appropriations Act - FY 2013 (H.R. 5856)
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE VIII					
GENERAL PROVISIONS					
Additional transfer authority (Sec.8005)	(3,750,000)	(5,000,000)	(3,000,000)	(-750,000)	(-2,000,000)
Indian Financing Act incentives (Sec.8019)	15,000	---	15,000	---	+15,000
FFRDC (Sec.8023)	-150,245	---	---	+150,245	---
Overseas Military Facility Invest Recovery (Sec.8028)	1,000	---	---	-1,000	---
Rescissions (Sec.8040)	-2,575,217	---	-1,019,316	+1,555,901	-1,019,316
O&M, Defense-wide transfer authority (Sec.8051)	(30,000)	(30,000)	(30,000)	---	---
O&M, Army transfer authority (Sec.8066)	(124,493)	(133,381)	(133,381)	(+8,888)	---
Fisher House Foundation (Sec.8068)	4,000	---	4,000	---	+4,000
National grants (Sec.8076)	44,000	---	44,000	---	+44,000
Shipbuilding & conversion funds, Navy (Sec.8081)	8,000	8,000	8,000	---	---
Global Security Contingency Fund (O&M, Defense-wide transfer)	(200,000)	(200,000)	---	(-200,000)	(-200,000)
Working Capital Fund excess cash balances	-515,000	---	---	+515,000	---
Excess Army Working Capital Fund carryover (Sec.8087)	---	---	-2,460,900	-2,460,900	-2,460,900
Fisher House transfer authority (Sec.8093)	(11,000)	(11,000)	(11,000)	---	---
ICMA transfer authority	(20,000)	(20,000)	---	(-20,000)	(-20,000)
Defense Health O&M transfer authority (Sec.8098)	(135,631)	(139,204)	(139,204)	(+3,573)	---
Alternative Energy Resources for Deployed Forces	10,000	---	---	-10,000	---
Operation and Maintenance, Defense-Wide (Sec.8107)	250,000	---	270,000	+20,000	+270,000
(transfer authority)	---	(51,000)	---	---	(-51,000)
MIP Transfer Fund	310,758	---	---	-310,758	---
Eliminate civilian pay raise (Sec.8119)	---	---	-258,524	-258,524	-258,524
Total, Title VIII, General Provisions	-2,597,704	8,000	-3,397,740	-800,036	-3,405,740
TITLE IX					
OVERSEAS CONTINGENCY OPERATIONS (OCO) 3/					
Military Personnel					
Military Personnel, Army (OCO)	7,195,335	9,165,082	9,165,082	+1,969,747	---
Military Personnel, Navy (OCO)	1,259,234	874,625	870,425	-388,809	-4,200
Military Personnel, Marine Corps (OCO)	714,360	1,621,356	1,623,356	+908,996	+2,000
Military Personnel, Air Force (OCO)	1,492,381	1,286,783	1,286,783	-205,598	---
Reserve Personnel, Army (OCO)	207,162	156,893	156,893	-50,269	---
Reserve Personnel, Navy (OCO)	44,530	39,335	39,335	-5,195	---
Reserve Personnel, Marine Corps (OCO)	25,421	24,722	24,722	-699	---
Reserve Personnel, Air Force (OCO)	26,815	25,348	25,348	-1,467	---
National Guard Personnel, Army (OCO)	664,579	583,804	583,804	-80,775	---
National Guard Personnel, Air Force (OCO)	9,435	10,473	10,473	+1,038	---
Total, Military Personnel	11,639,252	13,788,421	13,786,221	+2,146,969	-2,200

Department of Defense Appropriations Act - FY 2013 (H.R. 5856)
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
Operation and Maintenance					
Operation & Maintenance, Army (OCO)	44,794,156	28,591,441	26,682,437	-18,111,719	-1,909,004
Operation & Maintenance, Navy (OCO)	7,674,026	5,880,395	5,880,395	-1,793,631	---
Coast Guard (by transfer) (OCO)	---	(254,461)	(254,461)	(+254,461)	---
Operation & Maintenance, Marine Corps (OCO)	3,935,210	4,066,340	4,566,340	+631,130	+500,000
Operation & Maintenance, Air Force (OCO)	10,879,347	9,241,613	9,136,236	-1,743,111	-105,377
Operation & Maintenance, Defense-Wide (OCO)	9,252,211	7,824,579	7,790,579	-1,461,632	-34,000
Coalition support funds (OCO)	(1,690,000)	(1,750,000)	(1,750,000)	(+60,000)	---
Operation & Maintenance, Army Reserve (OCO)	217,500	154,537	152,387	-65,113	-2,150
Operation & Maintenance, Navy Reserve (OCO)	74,148	55,924	55,924	-18,224	---
Operation & Maintenance, Marine Corps Reserve (OCO)	36,084	25,477	25,477	-10,607	---
Operation & Maintenance, Air Force Reserve (OCO)	142,050	120,618	120,618	-21,432	---
Operation & Maintenance, Army National Guard (OCO)	377,544	382,448	382,448	+4,904	---
Operation & Maintenance, Air National Guard (OCO)	34,050	19,975	34,500	+450	+14,525
Overseas Contingency Operations Transfer Fund (OCO)	---	---	3,250,000	+3,250,000	+3,250,000
Subtotal, Operation and Maintenance	77,416,326	56,363,347	58,077,341	-19,338,985	+1,713,994
Afghanistan Infrastructure Fund (OCO)	400,000	400,000	375,000	-25,000	-25,000
Afghanistan Security Forces Fund (OCO)	11,200,000	5,749,167	5,026,500	-6,173,500	-722,667
Pakistan Counterinsurgency Capability Fund (OCO)	---	---	---	---	---
Total, Operation and Maintenance	89,016,326	62,512,514	63,478,841	-25,537,485	+966,327
Procurement					
Aircraft Procurement, Army (OCO)	1,137,381	486,200	541,600	-595,781	+55,400
Missile Procurement, Army (OCO)	126,556	49,653	49,653	-76,903	---
Procurement of Weapons and Tracked Combat Vehicles, Army (OCO)	37,117	15,422	15,422	-21,695	---
Procurement of Ammunition, Army (OCO)	208,381	357,493	338,493	+130,112	-19,000
Other Procurement, Army (OCO)	1,334,345	2,015,907	2,005,907	+671,562	-10,000
Aircraft Procurement, Navy (OCO)	480,935	164,582	146,277	-334,658	-18,305
Weapons Procurement, Navy (OCO)	41,070	23,500	22,500	-18,570	-1,000
Procurement of Ammunition, Navy and Marine Corps (OCO)	317,100	285,747	284,450	-32,650	-1,297
Other Procurement, Navy (OCO)	236,125	98,882	98,882	-137,243	---
Procurement, Marine Corps (OCO)	1,233,996	943,683	943,683	-290,313	---
Aircraft Procurement, Air Force (OCO)	1,235,777	305,600	305,600	-930,177	---
Missile Procurement, Air Force (OCO)	41,220	34,350	34,350	-6,870	---
Procurement of Ammunition, Air Force (OCO)	109,010	116,203	116,203	+7,193	---
Other Procurement, Air Force (OCO)	3,088,510	2,818,270	2,785,170	-303,340	-33,100
Procurement, Defense-Wide (OCO)	405,768	196,349	217,849	-187,919	+21,500
National Guard and Reserve Equipment (OCO)	1,000,000	---	---	-1,000,000	---
Mine Resistant Ambush Protected Vehicle Fund (OCO)	2,600,170	---	---	-2,600,170	---
Total, Procurement	13,633,461	7,911,841	7,906,039	-5,727,422	-5,802

Department of Defense Appropriations Act - FY 2013 (H.R. 5856)
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
Research, Development, Test and Evaluation					
Research, Development, Test & Evaluation, Army (OCO)	18,513	19,860	14,860	-3,653	-5,000
Research, Development, Test & Evaluation, Navy (OCO)	53,884	60,119	60,119	+6,235	---
Research, Development, Test & Evaluation, Air Force (OCO)	259,600	53,150	53,150	-206,450	---
Research, Development, Test and Evaluation, Defense-Wide (OCO)	194,361	112,387	107,387	-86,974	-5,000
Total, Research, Development, Test and Evaluation	526,358	245,516	235,516	-290,842	-10,000
Revolving and Management Funds					
Defense Working Capital Funds (OCO)	435,013	503,364	293,600	-141,413	-209,764
Other Department of Defense Programs					
Defense Health Program:					
Operation and maintenance (OCO)	1,228,288	993,898	993,898	-234,390	---
Drug Interdiction and Counter-Drug Activities, Defense (OCO)	456,458	469,025	469,025	+12,567	---
Joint IED Defeat Fund (OCO)	2,441,984	1,675,400	1,614,900	-827,084	-60,500
Joint Urgent Operational Needs Fund (OCO)	---	100,000	---	---	-100,000
Office of the Inspector General (OCO)	11,055	10,766	10,766	-289	---
Total, Other Department of Defense Programs	4,137,785	3,249,089	3,088,589	-1,049,196	-160,500
TITLE IX General Provisions					
Additional transfer authority (OCO) (Sec.9002)	(4,000,000)	(4,000,000)	(3,000,000)	(-1,000,000)	(-1,000,000)
Troop reduction (OCO)	-4,042,500	---	---	+4,042,500	---
Rescissions (OCO) (Sec.9014)	-380,060	---	-579,900	-199,840	-579,900
Total, General Provisions	-4,422,560	---	-579,900	+3,842,660	-579,900
Total, Title IX	114,965,635	88,210,745	88,208,906	-26,756,729	-1,839
Total for the bill (net)	622,862,127	601,225,998	599,885,279	-22,976,848	-1,340,719
Less appropriations for subsequent years	---	-4,426,700	---	---	+4,426,700
Net grand total	622,862,127	596,799,298	599,885,279	-22,976,848	+3,085,981

Department of Defense Appropriations Act - FY 2013 (H.R. 5856)
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
CONGRESSIONAL BUDGET RECAP					
Scorekeeping adjustments:					
Lease of defense real property (permanent)	22,000	22,000	22,000	---	---
Disposal of defense real property (permanent)	9,000	9,000	9,000	---	---
DHP, O&M to DOD-VA Joint Incentive Fund:					
Defense function	---	-15,000	-15,000	-15,000	---
Non-defense function	---	15,000	15,000	+15,000	---
DHP, O&M to Joint DOD-VA Medical Facility Demonstration Fund:					
Defense function	---	-139,204	-139,204	-139,204	---
Non-defense function	---	139,204	139,204	+139,204	---
O&M, Defense-wide transfer to Department of State:					
Defense function	-200,000	-100,000	---	+200,000	+100,000
Non-defense function	200,000	100,000	---	-200,000	-100,000
Tricare accrual (permanent, indefinite auth.) 4/	10,733,000	8,026,000	8,026,000	-2,707,000	---
(OCO) 3/	117,000	271,000	271,000	+154,000	---
Total, scorekeeping adjustments	10,881,000	8,328,000	8,328,000	-2,553,000	---
Adjusted total (includ. scorekeeping adjustments)	633,743,127	605,127,298	608,213,279	-25,529,848	+3,085,981
Appropriations	(636,318,344)	(605,127,298)	(609,232,595)	(-27,085,749)	(+4,105,297)
Rescissions	(-2,575,217)	---	(-1,019,316)	(+1,555,901)	(-1,019,316)
Total mandatory and discretionary	633,743,127	605,127,298	608,213,279	-25,529,848	+3,085,981
Mandatory	(513,700)	(514,000)	(514,000)	(+300)	---
Discretionary	(633,229,427)	(604,613,298)	(607,699,279)	(-25,530,148)	(+3,085,981)
RECAPITULATION					
Title I - Military Personnel	131,090,539	128,430,025	128,462,794	-2,627,745	+32,769
Title II - Operation and Maintenance	163,073,141	174,938,933	175,159,569	+12,086,428	+220,636
Title III - Procurement	104,579,701	101,621,377	102,496,191	-2,083,510	+874,814
Title IV - Research, Development, Test and Evaluation	72,420,675	69,407,767	69,984,145	-2,436,530	+576,378
Title V - Revolving and Management Funds	2,675,529	2,124,320	2,080,820	-594,709	-43,500
Title VI - Other Department of Defense Programs	35,593,020	35,430,579	35,865,118	+272,098	+434,539
Title VII - Related Agencies	1,061,591	1,054,252	1,025,476	-36,115	-28,776
Title VIII - General Provisions (net)	-2,597,704	8,000	-3,397,740	-800,036	-3,405,740
Title IX - Overseas Contingency Operations (OCO)	114,965,635	88,210,745	88,208,906	-26,756,729	-1,839
Total, Department of Defense	622,862,127	601,225,998	599,885,279	-22,976,848	-1,340,719
Scorekeeping adjustments	10,881,000	8,328,000	8,328,000	-2,553,000	---
Less appropriations for subsequent years	---	-4,426,700	---	---	+4,426,700
Total mandatory and discretionary	633,743,127	605,127,298	608,213,279	-25,529,848	+3,085,981

FOOTNOTES:
1/ Included in Budget under Operation and Maintenance
2/ Included in Budget under Procurement
3/ Global War on Terrorism (GWOT)
4/ Contributions to Department of Defense Retiree Health Care Fund (Sec. 725, P.L. 108-375)(CBO est)

Mr. DICKS. I yield myself as much time as I may consume.

Mr. Chairman, I rise in support of the fiscal year 2013 Department of Defense bill.

I first want to thank Chairman YOUNG for his very generous comments about my service on the Defense Subcommittee. And he is absolutely right, we have always, no matter who was chairman or which party was in control, we've always, on a bipartisan basis, worked to take care of the needs of our troops to make sure that we were properly funded in equipment and to do it on the basis of what was right and what was necessary. I appreciate his leadership of this subcommittee, and I wish him well as we finish up this year.

This bill continues the Defense Subcommittee's long tradition, as I mentioned, of bipartisanship and finding common ground as members work together, under Mr. YOUNG's leadership, to provide for the Department of Defense. I'm pleased to report that the subcommittee has again crafted a bill that places national security and the needs of U.S. servicemembers above partisan politics.

I strongly support the priorities set in this bill. The bill supports our troops. It includes funding for the third consecutive year to replace inadequate schools owned by local educational authorities and the Department of Education that are located on military installations.

It includes $40 million above the request for Impact Aid.

It includes $125 million above the request for traumatic brain injury and psychological health, as well as an additional $20 million above the request for suicide prevention and outreach.

And the bill has a total of $1.2 billion in Defense Health Program research and development, $545 million above the request.

The bill continues the committee's longstanding support for peer-reviewed breast cancer research, peer-reviewed prostate cancer research, vision research, spinal cord research, and many other medical research initiatives.

The bill supports the Guard and Reserve. It includes funding to pause force structure reductions and aircraft retirements proposed by the Air Force that would affect Air Guard and Reserve units across the country.

And the bill contains $2 billion for the National Guard and Reserve Equipment Account.

The bill supports today's equipment needs and develops tomorrow's technology. It supports Secretary Panetta's strategic focus on the Asia-Pacific region by including robust funding for shipbuilding and the Patriot missile defense system.

The bill supports DOD's intelligence, surveillance and reconnaissance needs by providing the resources for Global Hawk UAVs.

The bill addresses the Navy's strike fighter shortfall by funding F–18 Hornets and providing advance procurement for F–18G electronic attack aircraft.

The bill provides for ground equipment such as the Abrams tank, Bradley Fighting Vehicle, and HMMWV modernization. This funding provides for Army equipment needs, including the Guard and Reserve, and helps maintain a stable industrial base.

The bill includes $250 million for the Rapid Innovation Fund that will continue the committee's efforts, started in 2011, to promote innovative research and defense technologies among small businesses; and the bill includes funding above the request for joint U.S.-Israeli missile defense activities, including $680 million for Iron Dome.

The bill funds operations in Afghanistan consistent with the President's plan to wind down our presence as agreed to in the Lisbon Accord of 2010 and this year's NATO summit in Chicago.

The bill also includes important restrictions on DOD activities. The bill prohibits permanent U.S. bases in Iraq or Afghanistan and prohibits U.S. control over Iraqi oil resources. The bill prohibits the torture of detainees. The bill prohibits training foreign military forces if these forces are known to commit gross violations of human rights. And the bill limits reimbursements to Pakistan until the Secretary of Defense, in consultation with the Secretary of State, certifies that Pakistan is working cooperatively with the U.S. against terrorist activity.

While I support the funding level and priorities included in this bill, I must also express my objection, not to Mr. YOUNG, but to the majority decision to renege on the bipartisan agreement reached less than a year ago in the Budget Control Act. I believe the reduced discretionary allocation in the Ryan budget threatens to stall economic growth and job creation; and in the near term, it introduces uncertainty in our appropriations process that imperils our ability to produce these bills in a timely manner.

Accordingly, it is my belief that we could save a considerable amount of time in the appropriations process if we simply returned to the agreement reached last year in August, the $1.047 trillion allocation level for this year, a level which even the Republican other body leadership concedes is where we will eventually end up.

Despite this reservation, I want to congratulate Chairman YOUNG for producing a bill that meets the most pressing needs of the Department of Defense, and for doing so in the best tradition of the Appropriations Committee.

And I must say that I feel we have one of the best staffs on the whole Hill. And I know Paul and Tom have worked together when Paul was the clerk and Tom was representing Mr. YOUNG as the ranking member. And the cooperation of all the staff members has been extraordinary, and they've worked very hard to prepare this bill for the floor, and I want to congratulate them on their good efforts.

□ 1410

Also, I want to thank Mr. ROGERS for his efforts to restore regular order. I think it's outstanding that we have had this bill in a subcommittee markup, a full committee markup, now brought to the floor under an open rule. This is the way this committee should operate, and I appreciate his efforts to provide that leadership.

With that, I reserve the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I yield 5 minutes to the distinguished chairman of the Appropriations Committee, the gentleman from Kentucky (Mr. ROGERS).

Mr. ROGERS of Kentucky. I rise in support of this essential bill.

It provides more than $519 billion in critical resources for a strong national defense, supporting our warfighters and protecting the American people. This is an increase of $1.1 billion over last year and more than $3 billion more than what the President asked of us. It is also more than $8 billion over what the Senate Democrats would like to provide.

This Nation, with all the opportunities it provides and the rights it grants, would not be the bastion of freedom without the greatest defense system in the world. Freedom is not free. As we continue to face threats to our safety and way of life, we must deal with the costs of war, keep our military at the ready, and stay constantly vigilant.

This bill supports and takes care of our troops at the highest level possible, providing a 1.7 percent pay raise. We have also increased the critical health and benefits program that our troops deserve, providing $35.1 billion for health and family programs, including funding for traumatic brain injury research and suicide prevention outreach programs.

This legislation keeps America at the forefront of defense technologies by continuing research and development efforts. We boost key training and readiness programs to prepare our troops for combat and peacetime missions with an increase of $12.1 billion for operations and maintenance. We also enhance our military arsenal with $102.5 billion for equipment and upgrades, and we continue fighting the global war on terror by including $88.5 billion for overseas contingency operations.

But, in this environment of fiscal austerity, the committee recognized that even the Pentagon should not have carte blanche when it comes to discretionary spending. We increased oversight and took a balanced approach to budgeting. Commonsense decisions were made to save tax dollars wherever possible, including rescinding unused, prior-year funds and terminating unnecessary programs like the

Medium Extended Air Defense System; but we can guarantee that none of these cuts will affect the safety or success of our troops and missions.

The bill also prohibits funding for the transfers of Guantanamo detainees to the U.S. or its territories, prohibits funding to modify any facility in the U.S. to house detainees, and places strict conditions on the release of detainees—all provisions that were authorized under the National Defense Authorization Act.

I want to take a moment, Mr. Chairman, to recognize the Appropriations Committee's ranking member, Mr. DICKS, who also serves as ranking member of the Defense Subcommittee. He has been a formidable servant of the American people and a dedicated usher of appropriations dollars for some 36 years, and we appreciate his service. As he moves to another phase of his life, we wish him well and Godspeed. He has been a great member of this committee and subcommittee and of this Congress.

Also, I want to say a word of thanks to JERRY LEWIS of California, who has been a member and chairman of the Defense Subcommittee and the full committee, for his many years of service to the appropriations process and to this Congress.

We will be sorry to lose the expertise, the leadership, talent, and friendship of these two gentlemen when they retire at the end of this year, but we wish them well in their next pursuits in life. The Appropriations Committee has been made stronger, more responsive, responsible, and respectful thanks to these two outstanding and upstanding legislators and appropriators.

I also want to say a word of congratulations and thanks to our chairman, BILL YOUNG, and to this great staff that NORM DICKS has referred to as the greatest on the Hill, and I can't dispute that. They worked long and hard on a very, very tough bill, under austere circumstances, in order to put together a bill that is necessary for our Nation's defense. These many hours and capable hands that have had a touch on this bill, I think, have crafted a successful bipartisan bill that all of us can be proud to support.

So congratulations, Chairman YOUNG, for another great job. You bring such expertise and experience to this chore, which is so much appreciated by this body.

Mr. Chairman, this is a must-pass piece of legislation that is vital to the security of our homeland and to the safety and health of our troops and veterans. I urge my colleagues to support this great Nation and to approve this necessary bill.

Mr. DICKS. I yield 3 minutes to a very senior member of the Appropriations Committee and a member of the Defense Subcommittee, the gentlewoman from Ohio, Congresswoman KAPTUR.

Ms. KAPTUR. Mr. Chairman, I want to thank the gentleman from Washington for yielding me this time.

I want to acknowledge the work of our full committee under the chairmanship of Mr. ROGERS, and obviously the wonderful work of our chairman, BILL YOUNG, and of our subcommittee ranking member, Mr. DICKS. Their collegial work has made this bill possible, and it will benefit our entire Nation, our men and women in uniform, our Armed Forces, and all of those who are touched by this legislation.

I would like to add my voice to those who wish to recognize the magnificent work that Congressman DICKS has done during his years of service to our country back from the time when he first worked for Senator Warren Magnuson. We would like to wish him, his wife, Suzie, and their beautiful family many healthy and productive years ahead. We thank him for his distinguished and honorable and intrepid service—always dutiful, always enlightened. When he walks from these Halls officially, he takes great knowledge and should take great satisfaction with him for a job well done, indeed.

I want to extend to Congressman JERRY LEWIS, as well, deep appreciation from the people of our States and country for your incredible service.

I would venture to say, when both of you gentlemen leave these Chambers, nearly a century of knowledge will walk with you. You have left America with her strongest defense globally, and you have been a part of crafting every single line of these bills. America thanks you and the free world thanks you.

This bill has been written in a bipartisan way by our subcommittee, and I thank the members for working collaboratively together. It is a model for our committee and Congress on how to do the work necessary to meet the needs of the American people.

The bill includes $125 million above the President's request for funding health research for traumatic brain injuries and posttraumatic stress, which are the signature wounds of the wars in Iraq and Afghanistan. Our bill includes an additional $246 million for cancer research, including breast cancer, prostate cancer, ovarian cancer, and lung cancer.

The bill also includes necessary funding for the Iron Dome. During the last decade of war, our National Guard and Reserve units have proven themselves as the strategic reserve force for our Nation. The Air Force, in submitting its FY13 budget, did not appear to appropriately appreciate the importance of the Guard and Reserve because they targeted those units for mission reductions and cancellations. Our subcommittee has fixed this oversight by providing the necessary funding to allow the Guard and Reserve to continue their missions, which they do extremely well and at considerably less cost than the Air Force does.

Our bill fixes a continuing issue from the executive branch and maintains our Nation's industrial base by making sure we do not end the domestic production capability for tanks for the first time since World War II. The bill averts a plan to shut down the production line for 2 years. Shutting the lines would have cost the American taxpayers more money than producing tanks over the same time and would dismantle the critical, fragile supplier network.

The legislation also continues the military's commitment to lead our Nation towards energy independence. The Pentagon, as the largest petroleum user in the world, must lead our Nation toward energy independence. No challenge could be more vital to our national security and economic security interests. High fuel costs are an enormous burden on America's families. It is also a severe and wasteful burden on our service branches, and it diverts funds from important readiness and modernization needs.

Thank you, Mr. DICKS, for this time. Godspeed to you and to your family in the years ahead.

Thank you, Congressman LEWIS. To you and to your wife, Arlene, may you enjoy many wonderful years ahead.

Thank you, Chairman YOUNG, for being a chairman who brings this Congress together at the subcommittee level, and Chairman ROGERS, at the full committee level. Thank you for working with all of our Members to meet the needs of our Nation and our Nation's defense.

□ 1420

Mr. YOUNG of Florida. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from New Jersey (Mr. FRELINGHUYSEN), who is an extremely important member of this subcommittee and also represents this subcommittee with the Intelligence Committee.

Mr. FRELINGHUYSEN. I thank the gentleman from Florida for yielding, and for his leadership, and that of Mr. DICKS, as well.

In preparation for this debate, the subcommittee held a lengthy series of hearings examining such varied issues as our operations in Afghanistan, the so-called pivot to the Asia-Pacific region, Army modernization, Navy shipbuilding, Marine end strength, and the Air Force restructuring proposals.

Most of these issues relate, as the chairman has said, to mitigating risk in the Defense budget in what is called the ''new strategic guidance'' from the Department of Defense. It's what I would characterize as protecting our gains in the Middle East and elsewhere, as well as preparing for future and current threats, such as China's growing military capacity, instability in the Korean peninsula, civil war in Syria, Iran's pledge to close the Strait of Hormuz, and others.

As you'll hear during this debate, the committee weighed in with its own options. As the chairman said, we pause the Air Force restructuring decisions. In light of the tyranny of distance that characterizes the Asia-Pacific region,

we bolster the Navy's shipbuilding accounts and add back in a Virginia-class submarine and a Burke-class destroyer.

Our goal here, and throughout the bill, was to provide the resources to support our warfighters now and in the future whenever the next crisis arises. We clearly recognized the Nation's debt and deficit, and found areas in programs where reductions were possible without adversely impacting our Armed Forces and modernization readiness efforts.

Exercising our mandate to adhere to sound budgeting, we reclaimed funding for programs terminated or restructured since the budget was released. We've achieved savings for favorable contract price adjustments, such as multiyear procurements of complicated weapons systems. We cut unjustified cost increases or funding requested ahead of need. We also took recisions from surplus from prior year funds. Frankly, it is important that we find savings without harming readiness or increasing the risks incurred by our warfighters.

Mr. Chairman, the legislation before us includes funding for critical national security needs and provides the necessary resources to continue the Nation's vital military efforts abroad. In addition, the bill provides essential funding for health and quality-of-life programs for our men and women in uniform—all volunteers—and their families.

I want to thank Chairman YOUNG, Ranking Member DICKS, Chairman ROGERS, and all the Members of the subcommittee for their work, and the excellent staff we have, and our past leadership and our continued leadership from Congressman JERRY LEWIS of California. We were all able to work together in a bipartisan manner to ensure that our men and women in uniform—all volunteers—and their families have the support they need. The years ahead will be challenging, but our defense bill will meet those needs.

Mr. DICKS. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Massachusetts (Mr. MARKEY). He and I were in the same class together and enjoyed many spirited debates on national security issues. I consider him to be a good friend and someone who cares a great deal about these issues.

Mr. MARKEY. I thank the gentleman.

Mr. DICKS and I started 36 years ago at the height of the Cold War, with each country building more and more nuclear weapons, more and more defense systems in an ever escalating war of nerves that kept both countries and the whole world on edge.

In this Republican fantasy land, gold-plated nuclear weapons systems budget, there are going to be programs that have long outlived their usefulness that are lavished with canyons filled with cash. In this fantasy land, the Cold War never ended. The Soviet menace lives on, making it necessary to maintain vast stockpiles of nuclear weapons and build new bombers to penetrate the Iron Curtain. In this fantasy land, there are mountains of money for intercontinental ballistic missiles towering over the landscape and providing shade and comfort to the legions of defense contractors making nuclear weapons we no longer need and we can no longer afford. In this fantasy land, the Republicans want to retroactively re-fight the Cold War that we won. This makes no sense.

Mr. Chairman, it is time to get real. Sequestration is coming. The Republicans, in their budget, are ignoring the doomsday clock that has nearly reached midnight for millions of hard-working Americans. We must prepare for this reality. The bill the Republicans have brought to the floor today provides the Pentagon with a billion more dollars than this year's spending level, and $3 billion more than the Obama administration requested. Despite sequestration, despite budget pressures, despite the fragility of the economy, the Republicans still want to increase defense spending. Why? To pay for more radioactive relics of the past that no longer are needed in order to protect our country.

But I have good news for my friends on the other side of the aisle: the Cold War ended more than 20 years ago. The Soviet Union crumbled. It's okay to stop funding nuclear weapons to perpetuate a Cold War rivalry that has disappeared into the mists of history. We don't have to buy into this insanity. That is why I plan to offer several sane amendments to reduce Pentagon spending on unnecessary, outdated nuclear weapons programs.

Here is the bottom line: beginning January 1 of next year, 5 months from now, $55 billion has to be cut out of the defense budget and $55 billion has to be cut out of civilian social programs. That is $55 billion and $55 billion apiece. The Republicans are increasing defense spending heading into that. Moreover, they're saying, Don't cut defense at all, cut the social programs.

What does that mean? That means cutting the NIH, cutting CDC, cutting the National Cancer Institute. They're already going to be cut under sequestration. What the Republicans are proposing is to really create a true doomsday machine, and that doomsday machine is the lack of a cure for Alzheimer's, for Parkinson's, for all of the other diseases which actually do pose a terrorist threat to families across the country when they get the call that once more that disease has come through their family because we—that is, the Republicans—have decided that they're going to continue to cut the research for the cure for disease and instead build more nuclear weapons to be aimed at targets that no longer exist.

This is an important debate to have. It's a sequestration anticipation debate where we begin to be forced to get real. We have to have a debate about what the priorities in the 21st century are going to be, and not some Dr. Strangelove smiling from his grave, being so happy that we're still debating additional nuclear weapons.

Mr. YOUNG of Florida. Mr. Chairman, I yield myself 1 minute.

I want to say to the House that we understand the importance of sequestration, and we've got to stop sequestration. It's just not good, especially for our national defense. This Congress, this committee has not ignored the issue.

□ 1430

Last year, last year alone, this committee recommended a bill that reduced fiscal year '12, fiscal year '13, a total of $39 billion, but we did it carefully. We did it by not just going across the board, cutting muscle out of our national defense. We took money that wasn't going to be spent anyway. We understand the importance of meeting deadlines on funding reductions.

We don't want sequestration. It is not good for the military, it is not good for the country, and it is not good for the economy.

I yield 3 minutes to the gentleman from Florida (Mr. CRENSHAW), who is one of our subcommittee chairmen on Appropriations.

Mr. CRENSHAW. I thank the gentleman for yielding, and I rise in strong support of this legislation.

Let me first say thank you to the chairman, Chairman YOUNG, and Congressman DICKS, the ranking member. Thank you not only for your leadership in bringing this bill to the floor, but thank you for your spirit of cooperation, your spirit of bipartisanship, which has pervaded our subcommittee. As we bring this before the full House, I think there is great agreement among those that serve on the subcommittee.

When you stop and think about the fact that national security is probably the number one responsibility of the Federal Government, the only way to keep America safe is to keep America strong, and I think this bill does that. Now, you'll hear people say, you just heard people say, why do we need to spend so much money on defense, the Cold War is over, we're pulling out of Afghanistan, we're no longer going to be in Iraq; why don't we just kind of pay a peace dividend?

Well, as Chairman YOUNG just pointed out, we are in the midst of a program where we are reducing spending on national defense. We looked at every agency. The Federal Government said you've got to do more with less, you've got to tighten your belt, and the Defense Department is no different.

We're in the middle of actually reducing spending $487 billion over the next 10 years. Then, of course, we face this draconian cut of sequestration. I think that we have got to keep in mind that it is the number one responsibility. We ask our troops, ask our military to do things. We certainly have the best trained and the best equipped military in the history of this world.

But you look at our Navy, for instance. We have half as many ships as we had 30 years ago, half as many, and yet we're asking them to do so many things. Sure, the ships are more technologically advanced. Sure, we've got better trained people. But stop and think about it. When you ask the Navy to go out and interdict drug runners in the Caribbean, and you say chase the pirates off the coast of Somalia and send a carrier into the Mediterranean, guard the Strait of Hormuz when Iran rattles its saber, conduct humanitarian missions down in Haiti, and, by the way, keep an eye on the Pacific Rim, because that's where China is flexing its muscle, remember, numbers matter. The world is no smaller.

We still haven't solved the problem of how do you have one ship in two places at the same time. So it's important that we continue to provide the resources that we need to have a strong national defense.

I think this bill does that. I think we should all support this.

Mr. DICKS. We have no further speakers, and I reserve the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Oklahoma (Mr. COLE), a very important member of this subcommittee.

Mr. COLE. I thank the gentleman for yielding, as I am the most junior member of this subcommittee.

But I would be remiss not to echo the praise of my colleagues, both for the chairman and the ranking member. They have worked together extraordinarily well in a way that makes us all proud. Frankly, Mr. DICKS, I am going to miss you greatly from this committee. You have been a mentor and a friend. Thank goodness Mr. YOUNG will be here, and I will have somebody's knee to learn at.

This is a good bill. It does, as has been mentioned earlier, add roughly a billion dollars from roughly $519 billion in the base defense bill. What hasn't been mentioned, though, is that our overseas contingency fund, 8, $8.5 billion, is actually down $27 billion, so we are actually spending less overall on defense this year.

We reduced the number of personnel by over 21,000. We ought to recognize, for those of our friends who think we're spending too much, we are actually at the beginning of a long drawdown. If you look over the next 5 years, sadly, we're going to reduce defense spending by $500 billion. That means less capability. That means 70,000 fewer soldiers, 20,000 fewer marines. That means 25 fewer combat vessels—288 instead of 313. Seven fewer aircraft fighter wings. Real reduction in capability.

A lot of our friends think we spend too much on defense. The reality is we spend less and less as a percentage of our Federal budget and our overall wealth every year. In the 1970s we were spending 40 percent plus of the Federal budget. This year, it's less than 20. We were spending 9 percent of GDP at the height of the Cold War, this year barely 4.

For those of us that think that this investment hasn't made a difference, I would just recommend in closing, please read Robert Kagen's splendid book, ''The World America Made,'' and think how much freedom and security we have enjoyed for a relatively small price and think about the risk we have run as we go forward if we reduce too far too fast.

I want to thank again the chairman, the ranking member, for making sure that didn't happen. I look forward to working with him to make sure sequestration does not occur. As he rightly points out, it would be devastating.

We should pass this bill, and we then should get about the longer term challenge of making sure sequestration does not occur.

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Nebraska (Mr. FORTENBERRY).

Mr. FORTENBERRY. I thank the gentleman from Florida for the time and for your leadership on this critically important bill.

Mr. Chairman, in the push and pull and give and take of the congressional appropriations process we have had many important debates on the proper role of the Federal Government in society. But despite our differences and competing priorities, it is clear that Americans believe in a Federal Government that provides a strong common defense as a priority.

American military leadership is important for our own security but also for global stability and global human rights. It is also important for my home State of Nebraska. Over the past 10 years, Mr. Chairman, 15,000 Nebraskans in uniform have served overseas. Today, 17,000 men and women stationed in Nebraska work tirelessly to strengthen our national security. American troops are steadfast, selfless, and undeterred in their service and deserve our unwavering support.

This bill, I believe, reflects responsibly the challenges of our times. Further amendments may actually strengthen the bill creatively in balance with our fiscal responsibility obligations, but moving forward with our primary obligation to govern in defense of our Nation should be our guiding principle here.

Let me add, Mr. Chairman, that I learned in this debate that this is Mr. DICKS' retiring session, and I also want to add my thanks for your many years of good service.

Mr. YOUNG of Florida. Mr. Chairman, I would like to inquire of the gentleman if he has further speakers on the general debate.

Mr. DICKS. I have no further speakers. Is the chairman going to close?

Mr. YOUNG of Florida. Yes.

Mr. DICKS. I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I yield myself the balance of my time.

I want to take a minute to thank the staff who have worked tirelessly on this bill, Mr. DICKS mentioned them earlier on. We have the responsibility to appropriate for the authorization of the Intelligence Committee and for the authorization legislation of the Armed Services Committee. You can imagine that that is quite a responsibility. The staffing is extremely important because our staff is limited in size to the combined numbers of staff on those two committees that we do appropriate for.

But I want to call special attention to, for example, the minority staff who worked directly with Mr. DICKS, Paul Juola and Becky Leggieri. Paul Juola actually worked in that capacity for the majority staff when we were the majority. In fact, when I was chairman of the Appropriations Committee, I hired Paul. So you can see, this is a very nonpolitical subcommittee.

I would also like to recognize Brooke Boyer on the majority staff; Walter Hearne; Tom McLemore, who is the chief clerk of the majority staff; Jennifer Miller; Tim Prince; Adrienne Ramsay; Ann Reese; Megan Rosenbusch; Paul Terry; BG Wright; and Sherry Young. They are quite a team.

□ 1440

They are able to analyze the budget requests, the budget justifications, and keep the membership advised. So I want to thank them very much for the good work that they do.

Mr. Chairman, I yield back the balance of my time.

The CHAIR. All time for general debate has expired.

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

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment who has caused it to be printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 5856

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2013, for military functions administered by the Department of Defense and for other purposes, namely:

TITLE I

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty, (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training

Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $40,730,014,000.

AMENDMENT NO. 4 OFFERED BY MS. MCCOLLUM

Ms. MCCOLLUM. I have an amendment at the desk printed in the CONGRESSIONAL RECORD.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 2, line 22, insert after the dollar amount the following: ''(reduced by $96,950,000)''.

Page 3, line 9, insert after the dollar amount the following: ''(reduced by $25,550,000)''.

Page 3, line 20, insert after the dollar amount the following: ''(reduced by $23,710,000)''.

Page 4, line 8, insert after the dollar amount the following: ''(reduced by $23,900,000)''.

Page 8, line 2, insert after the dollar amount the following: ''(reduced by $10,100,000)''.

Page 8, line 11, insert after the dollar amount the following: ''(reduced by $1,360,000)''.

Page 8, line 15, insert after the dollar amount the following: ''(reduced by $2,230,000)''.

Page 8, line 24, insert after the dollar amount the following: ''(reduced by $3,970,000)''.

Page 153, line 15, insert after the dollar amount the following: ''(increased by $187,770,000)''.

The CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Before I do my prepared remarks, I would very much also like to thank both Chairman ROGERS and Chairman YOUNG for the courtesies and all the help that they and their staffs have given me since being on the Appropriations Committee in the positions they are in.

Mr. DICKS, I would especially like to thank you for being a mentor and a guide star through this, not only on the Defense Appropriations bill, but on the Interior bill and, just in general, working on health care. Thank you so very much.

Over the past 4 years, the Department of Defense has spent a stunning $1.55 billion on military bands, musical performances, and concert tours around the world. That's right, $1.55 billion in taxpayer funds for 4 years for military bands. This amendment reduces the Pentagon spending for military bands and musical performances from the $388 million in this bill to $200 million for fiscal year 2013. The $188 million reduction is a transfer to the deficit reduction account. In the National Defense Authorization Act, H.R. 4310, the House included language to limit the authorization for military musical units not to exceed $200 million. This amendment conforms with the defense authorization while cutting spending by $188 million.

Our Nation is in a fiscal crisis. The Pentagon is on pace to spend $4 billion over the next decade on military bands. Is the United States really going to borrow money from China and other foreign countries so the Defense Department can spend billions of dollars for its 140 bands and more than 5,000 full-time professional musicians? How does this enhance our national security?

Congress has a duty to provide the necessary resources for our Armed Forces and to ensure our national defense. We also have an obligation to ensure that every dollar in this bill is strengthening our national security. Spending $388 million of taxpayers' money on military music does not make our Nation more secure. It is a luxury the Pentagon and the taxpayers can just no longer afford.

Before he retired last year, former Defense Secretary Robert Gates said:

> We must come to the realization that not every defense program is necessary, not every defense dollar is sacred and well spent, and that more of everything is simply not sustainable.

Mr. Chairman, the defense dollars I want to cut from military musical units is not necessary; it is not sacred and not well spent with so many other pressing needs. In this fiscal environment it is simply not sustainable.

I don't think anyone here today will tell the American people that there is no waste or excess in the Pentagon's budget. This Congress should not be protecting waste and excess in the Pentagon. It should cut it.

There's a lot of talk, mostly from my Republican colleagues, about protecting defense from the sequester and protecting millionaires and billionaires from expiring tax cuts. Protecting every single defense dollar means shifting the burden and the pain for billions of additional budget cuts onto local communities, middle class families, seniors, the poor, and vulnerable children.

Is this Congress going to really kick more kids off the school lunch program or make deeper cuts to our first responders in order to justify paying for more military music? Well, that will not be my choice. That does not reflect my values, and it is not the legacy I want to leave behind as a policymaker.

This amendment cuts a program that has grown out of control. It reduces the deficit, and it does nothing to impact military readiness, mission strength, or our troops' ability to defend our Nation. I urge my colleagues to support the McCollum amendment and cut unnecessary funding for military bands.

I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. I'm reluctant to do that because I have the privilege of working with Ms. MCCOLLUM on other subcommittee and on the full committee, and she's always very sincere and very generous in the way she treats the issues that she's working with, but I just don't think that we want to eliminate military bands.

First, I must tell you that those who play in the band are trained as basic combat troops and they are called upon in a time of emergency. They are called upon to provide security for military headquarters, wherever it may be located. So I don't think that we want to do away with that capability.

Now, 91 percent of the money that goes to these military bands is to pay the members and their allowances—their uniform, their food—and I just don't think that we want to do that. Our military bands play for the President, play for military functions; but many communities in our country are constantly inviting military bands to come play patriotic programs in our hometowns, and this is good for our community. This lets us be part of our military. This doesn't put our military in a barracks someplace and keep them isolated from the general population, and I think the military should be part of our general population.

I just believe that this is not a good idea.

Ninety-one percent of this money will come out of the military personnel account, which pays for very important things like salaries, military expenses of feeding and caring for our military personnel. Why should we have our military isolated in the community? They should be part of our communities. It's an all-volunteer force, and this country needs a good shot of patriotism because we've had too much negativism coming at us from all different directions.

This is a positive country. This is a patriotic country. We ought to allow our military to show off their talents not only on the battlefield where they risk their lives, lose their lives, or are terribly injured.

So I rise in opposition to this amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from Minnesota (Ms. MCCOLLUM).

The question was taken; and the Chair announced that the noes appeared to have it.

Ms. MCCOLLUM. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Minnesota will be postponed.

□ 1450

Mr. CALVERT. Mr. Chair, I move to strike the last word.

The CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chairman, I rise in strong support of the 2013 Defense appropriations bill.

First, I want to thank my chairman and friend, Chairman YOUNG, and my friend, Ranking Member DICKS, for their hard work, and their staffs, both the majority and the minority, for an

extremely thoughtful and balanced bill.

In crafting this bill, the Defense Appropriations Subcommittee held countless hearings and ensured that strong congressional oversight was alive and well. It's been an honor to serve on the Defense Appropriations Subcommittee, and I can attest to the hard work that's gone into this bill.

Our Nation's first priority is the protection of our citizens and our national interests around the world. This bill fulfills that duty. The FY13 Defense appropriations bill also fulfills a promise to our U.S. servicemembers that they will continue to receive the best training, equipment, and health care. Likewise, the bill fulfills needed requirements to ensure that our commanders have the tools they need to accomplish U.S. missions around the world and support America's defense industrial base.

I understand that many Members may have objections to the overall funding level of the defense bill, and there's no doubt that every aspect of government, including defense, must come under close fiscal scrutiny. However, the short-term benefits of decimating defense will only leave us in a more economically precarious position in the future. This bill properly balances the need to make responsible cuts while ensuring that America maintains its military superiority.

On a personal basis, I want to thank some friends that are leaving the committee, JERRY LEWIS and NORM DICKS, for their many years of service. Not only are they colleagues, but they're good friends, and we're going to miss their service here in this institution. So I thank you for all your hard work.

Lastly, I urge my colleagues to vote in favor of this bill, and I yield back the balance of my time.

Mr. MCGOVERN. Mr. Chairman, I move to strike the last word.

The CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. MCGOVERN. Mr. Chairman, this year marks the 12th consecutive appropriations season that the United States has been funding and fighting the war in Afghanistan. Sometimes it's easy to forget that we are still deep in war in Afghanistan. The threat of nuclear weapons in Iran, drone strikes in Pakistan, and the nightmare of mass murder in Syria garner the attention of the news media, but we currently have more than 90,000 troops on the ground in Afghanistan and about 110,000 contractors.

Some of these troops are slated to come home over this summer, but many more, approximately 88,000, will remain. And the exact number of troops that will remain in Afghanistan as the U.S. and allies transition to local security forces through 2013 and 2014 is still unclear. Neither the Pentagon nor the administration has publicly laid out post-2014 plans, but they are clearly leaving open the possibility of a significant military presence. This is the reality we face as we open debate on this bill.

Mr. Chairman, I am not convinced that there is any light at the end of the tunnel. I am not convinced that this war is coming to an end, and I do not believe we should continue sacrificing the dedication and blood of our servicemen and -women for a deeply flawed and corrupt government that is simply not ''fixable.'' Oh, we can change the names, the programs, and the projects, but it's simply more of the same problems over and over and over again.

It is regrettable that this war is not more of a priority in public debate, and it is unconscionable that debating this war is not a top priority for this Congress. The majority wouldn't even let us have a full debate and vote on an amendment during the Defense authorizations bill to make sure that the commitments made by the administration to draw down our troops over the next 2 years are kept.

Congress is deeply complicit in maintaining and continuing this war. We've allocated $634 billion for military operations in Afghanistan since 2001, including the $85.6 billion in this bill. We're not just spending those billions, Mr. Chairman, we're borrowing them. Every single penny for the war in Afghanistan has been borrowed, put on the national credit card, exploded our deficit and our debt—every single penny.

Each week of the war in 2012 costs about $2 billion. If the Pentagon's ''enduring presence'' means thousands of troops remaining in Afghanistan after 2014 for who knows how long, then we are looking at a trillion dollar war.

Meanwhile, we're cutting funds for our schools, preparing to slash billions of dollars from the safety net that's supposed to keep our people out of poverty. We're watching our roads and our bridges crumble, water systems and infrastructure decay, and we're told there's no money to invest in health care and scientific research.

And for what, Mr. Chairman, for what? Show me where our military might has put a permanent end to instability, violence, or corruption. Even though the media isn't focused on it, the violence in Afghanistan goes on.

The U.S. death toll for Operation Enduring Freedom is over 2,000—1,919 of those deaths happened in Afghanistan. Members of the Afghan military and security forces continue to turn their guns on our troops and murder them. According to the Pentagon, 154 Active Duty soldiers committed suicide in the first 159 days of this year—that's almost one per day. And as for our veterans, the VA estimates that a veteran dies by suicide every 80 minutes.

How long will we ask our troops and their families to pay this price? Because they're the only ones paying for this war, Mr. Chairman, the only ones.

I don't believe we should abandon the people of Afghanistan, but I do believe we must end this war sooner rather than later. And I'm not convinced we're anywhere close to an end.

And it's the fault of Congress. We approve the money, and we remain silent year after year after year. We need to stop. We aren't supporting our troops; we're committing them to suffer lifelong trauma from too many deployments for too long a time over too many years for a war without end, for a war that always needs just a little more time and just a few billion dollars more.

Enough is enough. I urge my colleagues to support amendments over the next 3 days to reduce the funding for this war, bring it to an end, and honor the sacrifice of our troops by bringing them and our tax dollars back home.

I yield back the balance of my time.

Mr. JONES. Mr. Chairman, I move to strike the last word.

The CHAIR. The gentleman from North Carolina is recognized for 5 minutes.

Mr. JONES. Mr. Chairman, I join my friend from Massachusetts and anyone else, Republican or Democrat, who says it's time to bring our troops home from Afghanistan.

I want to thank Chairman YOUNG and Ranking Member DICKS for an excellent bill. I agree with probably 80 percent of it, but I cannot continue to support legislation that sends billions and billions and billions of dollars to Afghanistan.

Mr. Chairman, I have a book here in my hand called ''Funding the Enemy: How U.S. Taxpayers Bankroll the Taliban.'' And one of the critiques I would like to read on the back of this book is from the State Department Foreign Service Officer named Peter Van Buren:

> Sober, sad, and important, ''Funding the Enemy'' peels back the layers of American engagement in Afghanistan to reveal its rotten core: that the United States dollars meant for that country's future instead fund the insurgency and support the Taliban. Paying for both sides of the war ensures America's ultimate defeat.

Mr. Chairman, the reason I'm here today is because I have Camp Lejeune Marine Base in my district. I have signed over 10,474 letters to families who have lost loved ones since we were lied to in order to go into Iraq.

And while we were continuing to support Karzai, I saw where Vice President Cheney was on the Hill yesterday. I have seen my colleagues today talking about sequestration. I didn't see Mr. Karzai here. No. Why should he be here? He's got his money in this bill. He doesn't have to worry about sequestration. All he's got to do is take care of his corrupt government in Afghanistan.

It is time, Mr. Chairman, it is time that the Congress listen to 72 percent of the American people who say: Bring our troops home now, not later. And I join my friend from Massachusetts, my concern about cutting programs for children who need milk in the morning

and senior citizens who need sandwiches in the afternoon. We're going to cut their money, but we're going to still continue to support the Taliban who are killing American kids in Afghanistan because we have no accountability where this $88 billion is going.

It is time for this Congress to come together and say, Yes, we will support our military, but we will not support a corrupt government who is not going to survive anyway. The enemy, the Taliban, will take over Afghanistan when it's all said and done.

Please, America, bring pressure on the Congress to bring our troops home from Afghanistan. God help our men and women in uniform.

I yield back the balance of my time.

Ms. WOOLSEY. Mr. Chairman, I move to strike the last word.

The CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Chairman, we'll be spending the next several days debating the Department of Defense budget, a whopping $519.2 billion. By anyone's accounting, that's a lot of money.

What we won't be debating is the future of our presence in Afghanistan. You'd think a Congress obsessed with the deficit and cutbacks would take a look at the costliest item on our books: the war in Afghanistan.

Nope. No debate on that. Instead, a few of us are coming here to the well to take a handful of 5-minute slots. This is for a war that has cost our Nation in blood and treasure, in ways we may never be able to add up.

And what are those costs?

□ 1500

What are those costs? As of today, we've spent $548 billion on the war. That's $10 billion a month. Actually, it's more than this year's DOD budget.

This year, we face the 2,000th death in Operation Enduring Freedom. More than 15,000 of our brave men and women in uniform have returned home wounded. Every day we lose one more servicemember to suicide. And the Afghan people, how many of them have died and been wounded?

So the other side of the aisle wants to talk about cost. Well, let's do that. What has this misguided war cost us in international standing? Is the U.S. more popular in the Middle East and Central Asia? No. Are we any safer? Probably not. As a new generation of Afghan children grow up in an occupied country, aren't they learning to hate the West? Yes.

What's the cost here at home? How many cops could we have put on the beat? How many homes could have been saved from foreclosure? How many farmers could get drought relief? How many small business jobs could have been created? How many more patients could we have cared for at our veterans hospitals? We'll never know. Because instead of having an honest and open debate about our spending priorities, we have to grab 5 minutes here and 5 minutes there. That's not what the American people want. They want transparency. They want more debate. Further than that, they want this war to be over. They want our troops to come home.

So, yes, by all means, let's talk about cost; but let's not squeeze it in among $500 billion worth of weapons, planes, and the rest of the military industrial complex.

I urge the House leadership to have a real debate on the war in Afghanistan, and let's shine some light on how much it costs.

I yield back the balance of my time.

Mr. PAUL. Mr. Chairman, I move to strike the last word.

The CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. PAUL. Mr. Chairman, I rise to talk a little bit about the appropriations that are going on, in particular, the appropriations for the very, very long war in Afghanistan. Nobody knows when it's going to end.

There's always a pretense. There's always a thought that tomorrow's going to be a better day. I was in the military in the sixties, and there was always this promise that we're just around the turn, and we're going to have peace and prosperity and have perfect results. Well, so far we have not had any perfect results in Afghanistan—there is a lot of unknown—and here we are appropriating even more money to continue this war.

When you talk about war power and the resolution on how we go to war, it becomes very complex today. It was originally intended to be very simple: you went to war when there was a declaration; and the people, through their Congressman, voted up or down on whether you should have a war. Today, we slip and slide and we fall into these traps. We go to war under the U.N. banner and NATO. We never know why we go to war and what the goals are and when the war is over. And they persist.

But there is one analysis made which bothers me a bit and, that is, even if there isn't a declaration of war, if some of the Members come along, as we have been for quite a few years, and say, you know, the Congress never really declared war, the argument they make is, well, as long as you fund a war, you give it credibility, and therefore you indirectly support the war.

Of course, the argument is not so much on how we go to war, but if we get into war, the whole thing is you can't vote against any money. Well, then you don't care about the troops. Oh, you're un-American. Don't do that. That carries the weight of the argument, and people shy away and say, no, I don't like the war, we shouldn't have done it, but I can't go against the troops.

Well, I've had a little experience in the last several years traveling the country and talking about issues like this and looking for support for a position which is quite a bit different than what we have followed here recently. Let me tell you, guess what, the troops give me strong support. They gave me a lot of support. It was huge. For anybody to argue that you don't want to send troops carelessly into no-win, endless wars, to think you're against the troops, it's nonsense.

When I was in the military—I was still in in '65, and that's when the escalation came in Vietnam—the last thing I was wanting to say is, oh, I want somebody in there that wants to expand the war. Why don't we go into Cambodia and Laos. No, I didn't want that. Troops don't want to go to war. I was in a Guard unit as well as Active Duty. People join the Guard and Reserves because they want to defend the country. They don't want to take six trips to the Middle East and endlessly see what's happening.

I get stories all the time about their buddies being killed, the loss of limbs. Then they say, well, we're fighting for freedom. Think about it seriously. How in the world does going over there and fighting in either Iraq or Afghanistan have anything to do with our freedom? Oh, we're fighting to defend our Constitution. Well, we never had a constitutional declaration of war. So that's all a facade. That's all to make people feel guilty that if you don't keep the war going—in Vietnam, it was we have to win, we have to win. So we lose 60,000 troops and we didn't win. So what does that mean?

After McNamara wrote his memoirs and was a bit apologetic about it, he was asked: Does this mean you're apologizing for the kind of war you're in in Vietnam? He said: No. What good is an apology if you don't change policy? That is the thing. If this is not doing well and not doing right, just to say either you're sorry, you're continuing it, we have to have victory and pretend there is a victory around the corner, I think we're fooling ourselves.

We shouldn't deceive ourselves. We should wake up. If we lived within the Constitution and lived within our means, believe me, we would not be in Afghanistan.

I yield back the balance of my time.

Ms. SCHAKOWSKY. Madam Chairman, I move to strike the last word.

The Acting CHAIR (Mrs. MILLER of Michigan). The gentlewoman from Illinois is recognized for 5 minutes.

Ms. SCHAKOWSKY. Madam Chairman, I rise today to join my colleagues in calling for an end to the war in Afghanistan and the removal of U.S. troops and security contractors.

We face real and ongoing challenges from terrorist groups around the world; but after 10 years of fighting, it is clear that an ongoing military presence in Afghanistan is simply not the answer. The over-$630 billion we've spent on this war over the past 10 years has not brought us security, and we cannot bring stability to Afghanistan through an ongoing troop presence.

I support the President's efforts to begin the withdrawal of U.S. troops, and I applaud him for starting that important process. Yet we need, in my

opinion, to act faster to end the war. We need an accelerated timetable for troop withdrawal and a plan to ensure that all U.S. forces are redeployed.

Madam Chairman, over 2,000 Americans have given their lives in Afghanistan in service of their country. That includes almost 1,500 since January 2009 and an estimated 400 since the death of Osama bin Laden. Another 12,000 have been wounded. Perhaps most staggering, more soldiers have committed suicide than have died in combat in Afghanistan. Our troops bear devastating physical and psychological wounds of war.

The war in Afghanistan has placed a devastating strain on our military, our troops, and their families. We've asked more and more from them, with many soldiers serving multiple dangerous deployments, taking them away from their homes and their families for long periods of time.

□ 1510

The suicide rate, again, is a stark reminder that we're not meeting our obligations to these men and women.

Madam Chairman, keeping our troops in Afghanistan comes at great cost to us. Not only does it cost some $8 billion a month, but it continues to cost American lives. It is time for us to end this war. Instead of more boots on the ground, we need to redirect funding toward diplomatic and economic engagement with the Afghan people.

We need to invest in Afghan women, ensuring that they have basic human rights protections, as well as educational and economic opportunities, because Afghanistan will never be stable and prosperous if half of its population is oppressed.

The bottom line is this: hundreds of billions of dollars, and over 2,000 American lives, have not brought us security. Keeping our troops in Afghanistan will not end the threat of terrorism, nor will it bring stability to the Afghan people. We need a new strategy, shifting from military force to true engagement.

Madam Chairman, we are fighting a war that has no military solution. In fact, far from making us safer, our ongoing troop presence actually fuels the insurgency and breeds anti-American sentiment. Instead of pouring another $88 billion into continuing this war for another year, I strongly believe we need to end funding for military engagement in Afghanistan and finally bring our troops home.

I yield back the balance of my time.

AMENDMENT OFFERED BY MR. MULVANEY

Mr. MULVANEY. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 22, after the dollar amount, insert ''(increased by $4,359,624,000)''.

Page 3, line 20, after the dollar amount, insert ''(increased by $1,197,682,000)''.

Page 121, line 12, after the dollar amount, insert ''(reduced by $4,359,624,000)''.

Page 122, line 3, after the dollar amount, insert ''(reduced by $1,197,682,000)''.

Mr. YOUNG of Florida. Madam Chairman, the amendment is subject to a point of order, but I am going to reserve the point of order to allow the gentleman to have his 5 minutes to explain what it is he wants to do.

The Acting CHAIR. The gentleman reserves a point of order.

Mr. MULVANEY. Madam Chair, I thank the chairman and also the ranking member for the opportunity to present this amendment.

Madam Chair, the amendment is something different for me. It is not an amendment to reduce spending, and it's also not an amendment to increase spending. In fact, this amendment is outlay neutral.

Similarly, consistent with what the chairman and the ranking member discussed when introducing the bill, this amendment is not a partisan amendment. I do not seek to lay blame on either party or on the President or on the Congress for the circumstance in which we find ourselves.

This amendment regards simply a policy, a policy that traditionally has had bipartisan support in this House, and that policy is that we keep separate spending on the base defense budget, and spending on the Overseas Contingency Operations, or the war budget.

It has come to our attention, and both the CBO and the GAO have confirmed, that there is $5.6 billion in the Overseas Contingency Operation budget, in the war budget, that should be in the base budget. We have taken things such as the base salaries for men and women in uniform who are not deployed and are charging that spending this year to the war budget.

Madam Chair, since 9/11 we have had a policy in this House of keeping those two items separate so that we know the real cost of the war against terror. We have taken the base defense spending and accounted for it in one fashion, and accounted for the war budget in an entirely separate system. This year, for the first time, Madam Chair, we are blending those numbers. We take $5.6 billion of what should be in the base budget and move it to the OCO budget.

Madam Chair, the committee itself recognizes that it is not good policy. If you look at the bill, you will see that the committee itself says let's make sure not to do this next year and the year after that and the year after that. And indeed, we have not done it since 9/11. But we do it this year, this year only in this particular bill, and I think it's important that we continue to abide by the policy that accounts correctly for the cost of the war overseas.

So, Madam Chair, what I say to you is, this amendment is not about spending more money. It's not about spending less money. It is about accounting accurately for the spending that we do so that we can tell folks back home exactly what we spend on the base defense of this Nation and what we spend in the wars overseas. And for that reason, Madam Chair, I would ask for a ''yea'' vote on this particular amendment.

I yield back the balance of my time.

POINT OF ORDER

Mr. YOUNG of Florida. Madam Chairman, I make a point of order against the amendment because it is in violation of section 302(f) of the Congressional Budget Act of 1974. The Committee on Appropriations filed a suballocation of budget totals for fiscal year 2013 on May 22, 2012, House Report 112–489.

The adoption of this amendment would cause the subcommittee general purpose suballocation for budget authority made under section 302(b) to be exceeded, and is not permitted under section 302(f) of the act, and I ask for a ruling from the Chair.

The Acting CHAIR. Does any Member wish to be heard on the point of order?

Mr. MULVANEY. I ask to be heard on the point of order.

The Acting CHAIR. The gentleman from South Carolina is recognized.

Mr. MULVANEY. Madam Chair, it is true that a new point of order was created under the Budget Control Act preventing any legislation from being considered in the House that would cause discretionary spending to exceed the caps established in the Budget Control Act. Under that part of the act, Madam Chair, the entire bill is technically out of order because the entire bill exceeds the BCA caps by $7.5 billion.

Ironically then, if this point of order is sustained, then we will effectively keep within the shadows a nonpartisan policy, something that everyone has supported in the past, a good governance issue, while allowing the entire bill, which also violates the same point of order, to proceed.

My amendment is outlay neutral. It does not increase spending, it does not decrease spending. It simply moves spending from the war budget to the base budget, and vice versa. If the amendment were agreed to, the budget authority in the bill will be exactly the same as it is if the amendment fails, $608,213,000,000.

Accordingly, the amendment does not violate section 302(f)(1) of the Congressional Budget Act, and overruling the point of order gives us the chance to abide by the precedent established long ago and embraced by both parties.

I respectfully ask that the Chair overrule the point of order.

The Acting CHAIR. Does any other Member wish to be heard on the point of order? If not, the Chair is prepared to rule.

Under House Concurrent Resolution 112, as made applicable by House Resolutions 614 and 643, the Subcommittee on Defense has both a General Purposes allocation and an Overseas Contingency Operations allocation. The accounts in the bill on pages 2 and 3 are under the General Purposes Allocation. The accounts on pages 121 and 122 are under the Overseas Contingency

Operations allocation. The amendment transfers funds from the latter to the former.

The Chair is authoritatively guided under section 312 of the Budget Act and clause 4 of Rule XXIX by an estimate of the chair of the Committee on the Budget that an amendment providing any net increase in new discretionary budget authority in either allocation would cause a breach of that allocation.

The amendment offered by the gentleman from South Carolina would increase the level of new discretionary budget authority in the bill under the General Purposes allocation. As such, the amendment violates section 302(f) of the Budget Act.

The point of order is sustained, and the amendment is not in order.

Mr. WELCH. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Vermont is recognized for 5 minutes.

Mr. WELCH. Madam Chair, the war in Afghanistan had a legitimate purpose when it began. That was the grounds from which Osama Bin Laden engineered the attack on the World Trade Center. Congress supported going into Afghanistan to take out Osama Bin Laden and to deny a safe haven to terrorists. At a certain point, the policy transformed from an effort to protect us against a base of operations into a nation-building mission.

□ 1520

That was a grave mistake. Adopting nation-building will be seen through the lens of history as being about as effective as trench warfare in World War I.

Our military will do whatever is asked of them. Our job is to make requests of them that are reasonable for them to do. It is not the job of the men and women who serve in the U.S. military to build nation-states in Afghanistan. That policy failed militarily. That policy is unsustainable economically. That policy does not make us more secure. Why?

One, it is not the job of the military to build nation-states. It is the job of the military—and it is one they do very well—to protect America from attack.

Two, if you are attempting a nation-building strategy, you need an ally that is going to be a partner with you. The Karzai government is corrupt. It is infected with corruption. It has exceeded our wildest and most pessimistic expectations of what corruption can be. We do not have a reliable partner.

So the question becomes: At what point do we step back when we have the responsibility to set a policy that protects this Nation, to set a policy that respects our taxpayer, to set a policy that acknowledges the willingness of men and women to serve but that accepts our burden of giving them a policy that is worthy of their unrelenting ability and willingness to sacrifice?

As we know, the American people believe it is time to come home from Afghanistan. They understand it. The President of the United States has said that we will bring our troops home by the end of 2014. So the policies have been changed. The war in Afghanistan, in fact, is over. The question for Congress is: Will we end it?

We are giving it ever more money for a policy we know doesn't work. We know the Karzai government is incapable and unwilling to be an honest partner. We know that nation-building is a strategy that cannot succeed. We know that the threat of terrorism, as persistent as it is, is not a nation-state-centered threat. It is dispersed, and our military response to that has likewise become dispersed.

So why are we pursuing this policy when we have renounced it, acknowledged that it has failed?

The American people don't support it. It's inertia. It is the unwillingness of Congress to take a definitive action where our policy should match our deeds. We are bringing our troops home. We should have as a policy that we bring those troops home as quickly—as quickly—as we responsibly can.

Madam Chair, I yield back the balance of my time.

Mr. BLUMENAUER. I move to strike the last word.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. BLUMENAUER. Madam Chair, I deeply appreciate the difficult job that Chairman YOUNG and Ranking Member DICKS have. This is important legislation, difficult balancing. It is a time of strain in terms of the budget, and it is a time of strain for the military. But I do think that my colleagues who come to the floor and who are questioning whether we need to continue the same policy, the same funding, the same direction with Afghanistan are right on point. This Congress should be spending more time actually engaging in a debate on our policy, our practices, our future in Afghanistan.

We initially went to war to deal with the protection of the United States. It was in Afghanistan that Osama bin Laden hatched the plot that led to the 9/11 attacks. He was protected by his Taliban enablers, and it was entirely appropriate for the Bush administration and this Congress to go after him to end that threat and obtain justice.

Sadly, before the job was done in Afghanistan, before Osama bin Laden was actually captured, we veered into a tragically misguided, flawed, and expensive mission in Iraq. As were many of the colleagues who are joining us today on the floor, I was strongly against it. It was a mistake in terms of strategy; it was a horrible price paid by our troops; and it was dramatically unsettling. It has limped along to an unsatisfactory resolution, but it wasn't until 9 years later that we finally finished the job with the death of Osama bin Laden.

I commend the President for being in charge of that operation. But it's done. It's over. We killed Osama bin Laden. It is time for us to stop the longest war in American history, whether it is formally declared or not, and I strongly identify with many of the comments from my friend RON PAUL on the floor here a moment ago.

It is time for the United States to stop spending more in a month in Afghanistan than it would cost to hire every man and woman in Afghanistan of working age. That's what we're spending. You could rent the country for a year for what we are spending for a month, and the resolution is going to be exactly the same. Whether it's 2013, 2014, 2015, whether it's another 100, another 1,000 American lives, whether it's $10 billion or $100 billion, it is time for us to give the military a break, to listen to the American public, to reposition and deal with the challenges at hand.

Madam Chair, I am haunted by the notion that we have lost more men and women to suicide than we have to hostile action. There are terrible consequences for this operation that need go on no longer.

I suggest it's time to end—to save lives, to save money, to save the strain on our military—and for this Congress to get to work on things that will make a difference for international peace and security, for restarting the American economy and for making our communities safer, healthier, and more economically secure. If we do our job in Afghanistan, in scaling it down and in getting the troops out as quickly as we responsibly can, we will take an important step in that direction.

I yield back the balance of my time.

Mr. ROHRABACHER. I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. ROHRABACHER. Madam Chairman, first of all, let me note that our goal after the vicious terrorist attack on the United States on 9/11 was to eliminate Osama bin Laden and to clear Afghanistan, which had been the staging area of the 9/11 attacks, of Osama bin Laden's allies, who happened to have been the Taliban.

My fellow colleagues, Osama bin Laden is dead. The Taliban were cleared from Afghanistan years ago. So it is time for us to declare victory and to bring our troops home. It is not time for us to declare that there is going to be an extension of the deployment of our troops and to leave them there to expend their lives for a cause that has already been decided. They have done their duty. We have accomplished the mission. Let's have a victory parade, not an extension of deployment.

Why are we in this predicament? Why are we even discussing $88 billion and perhaps hundreds, if not thousands, of more American lives being sacrificed halfway around the world, in some canyon somewhere, where some young

American loses his life or loses his legs? Why are we even discussing the expenditure of the billions of dollars that we really need so much here at home if, for nothing else, than to help bring down this level of deficit spending?

□ 1530

Why are we in this position now? Why are we not recognizing this? First of all, let's just note that we are now in a situation where year after year it is taking place after we've actually accomplished our goals in Afghanistan, and our troops are still there losing their lives. It's almost like a ''Twilight Zone'' episode. It is worse than some of the situations that we saw in Vietnam that degenerated year after year after year of America's deployment of forces there. We don't need to spend this money. We don't need to lose their lives. We just need to say we've done our job and come home. Who are we watching out for?

The State Department ended up basically stealing victory out of the jaws of defeat. We won this years ago. Years ago the Taliban were cleared out of Afghanistan. Now we find the situation getting worse. I've been in Afghanistan. I fought with the mujahadeen against the Soviets there personally. Over the years, I was deeply involved with Afghan policy, and people know that. The longer we stay there, the more enemies we're going to make for the United States.

It's going to be harder for us to get out next year than it is for us right now, and we will have made more enemies out of those people when they see foreign troops. Who cares if there is someone in a canyon far away screaming that he hates America? So what. Our guys are going out there right now and investigating situations like that and putting their lives on the line because someone was heard to say good things about the Taliban in some desolate canyon somewhere. What a waste of American lives. What a waste of our resources. On top of it, our State Department has created a system of government—we created a system of government—for the Afghan people, and we're shoving it down their throats now, the most highly centralized and corrupt system of any government in this world. Mr. Karzai is creating a kleptocracy in Afghanistan. No matter how much we're trying to help, that money is disappearing. We're not able to accomplish it, even though the money is going out.

We should recognize that we cannot make history for the Afghan people. They will have to make it for themselves. We have cleared Afghanistan of the Taliban. We have eliminated Osama bin Laden. The Afghan people will now have to shape their own destinies. It is not up to us to expend more of the lives of our young people in order to get the goal that we want, especially when we know now that our government is allied with such a corrupt regime that it will never succeed.

It is time for us to cut the spending, get the troops home as soon as we can, and not waste the lives of more of our people.

I yield back the balance of my time.

Ms. LEE of California. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. LEE of California. Madam Chair, first of all, let me just say thank you to my colleagues, Representative JONES and Representative MCGOVERN, and to all of the Members today in calling for a real debate on the war in Afghanistan, which really should have occurred when it was authorized in 2001, which, of course, I could not support then knowing it was a blank check. It was an overly broad resolution for war without end. I have to thank my colleagues today for their leadership in calling for a safe and swift end to this war in Afghanistan. We all know the simple truth: there is no military solution in Afghanistan. Earlier this summer, we passed the sad milestone of 2,000 American lives lost in Afghanistan. Tens of thousands suffer more from wounds both visible and invisible.

As we remember and honor our dead and our wounded and pray for their families and their loved ones, we also have the duty and responsibility and opportunity to act today to ensure that further losses are avoided and that we accelerate the transition to Afghans ruling Afghanistan.

Later on today, I'm going to introduce an amendment to this Defense appropriations bill to limit funding in Afghanistan to the responsible and safe withdrawal of troops. We have the power of the purse strings in this House. For those who believe enough is enough, we should vote for this amendment.

I encourage all of my colleagues to support the Lee amendment, which will save at least $21 billion and, most importantly, the lives of countless Americans and Afghans. Quite frankly, as has been said earlier, it is time to use these tax dollars to create jobs here at home. It is time to rebuild America and also to provide for the economic security of our brave troops. They have done a tremendous job. They have done everything we have asked them to do. They have carried a tremendous load over the past decade of wars in Iraq and Afghanistan. Asking them to stay in Afghanistan 2 more years when there is no indication that circumstances on the ground will change is really unconscionable.

Before we send our men and women in uniform into Afghanistan or ask them to stay for another 2 years, we have an obligation to answer simple questions like: What national security interest does the United States currently have in Afghanistan? To what extent does the United States presence in Afghanistan destabilize the country by antagonizing local Afghans? How critical is the overall effort in Afghanistan compared to other priorities in our own country?

Earlier this year, along with my colleagues Congressman WALTER JONES and Congresswoman WOOLSEY and Congressman MCGOVERN, we held a hearing on Afghanistan with Lieutenant Colonel Daniel Davis. This was an ad hoc hearing, mind you, because we should have had the authority to hold that hearing in the House Armed Services Committee or the House Committee on Foreign Affairs, but quite frankly the leadership would not let us have a formal hearing. So we had our own.

We had an ad hoc hearing with Colonel Daniel Davis, a brave, outspoken whistleblower, who risked his career to tell the truth about what he saw on the ground in Afghanistan. It was a hearing that every Member of Congress should have heard before voting to spend tens of billions of dollars and risking the lives and limbs of tens of thousands of Americans in uniform.

Those of you who attended the hearing or read the witnesses' testimony understand that the current strategy of propping up a corrupt regime in Afghanistan will almost certainly fail. Instead of having a full debate on the current strategy in Afghanistan, instead of having a real debate about what we hope to gain with more years in Afghanistan, we are limited to these brief opportunities on the floor to remind Congress that the American people overwhelmingly want to bring the war in Afghanistan to an end. People are war-weary, and they want this over.

This Congress has the opportunity once again to stand with seven out of 10 Americans who want to bring the war in Afghanistan to an end by voting ''yes'' on several of the amendments that we're going to be considering. My amendment I will introduce later in this debate will limit the funding to the responsible and safe and orderly withdrawal of United States troops and contractors from Afghanistan.

Madam Chair, let me thank once again our colleagues, Congressman MCGOVERN and Congressman JONES, for gathering us here this afternoon. We have very limited opportunities to reflect the majority of the American people's sentiment in terms of their weariness of this war. It's time to end it.

I yield back the balance of my time.

Ms. DELAURO. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Connecticut is recognized for 5 minutes.

Ms. DELAURO. Madam Chairman, we have now had combat troops in Afghanistan for over 10 years. It has become the longest war in the history of our Republic. Over 2,000 brave American men and women have perished in this conflict.

Because of their sacrifice and the hard work, dedication, and sacrifices of thousands more brave young men and women, al Qaeda has been decimated and Osama bin Laden, the perpetrator of the September 11 attacks against Americans, has been brought to justice.

□ 1540

Now, almost 11 years after we first arrived, it is time to bring our military involvement in Afghanistan to an end. Afghanistan is its own sovereign country, and its citizens need to take responsibility for their destiny. As for us, we need to bring our troops home and to start reinvesting in America again.

At the recent NATO summit in Chicago, President Obama and NATO leaders announced an end to combat operations in Afghanistan in 2013 and a transition of lead responsibility for security to the Afghan Government by the end of 2014. These are important steps, but the President also recently signed an agreement in Kabul that could keep American troops in the region until 2024. We need to bring our troops home now, not 16 years from now.

This war is costing American taxpayers $130 billion a year. Especially at a time when we are trying to cut the deficit, reduce unnecessary spending, and reinvest in our own economic growth, this is far too much. The entire GDP of Afghanistan is $30 billion, less than a quarter of what we are spending year in and year out.

The nation and Government of Afghanistan face many tough challenges ahead, including working to foster economic development in the foundations of civil society, such as literacy, education, agricultural development, and the empowerment of women. But these are not challenges that are primarily military in nature. As such, it is time to let local Afghans do local jobs and build their economy rather than rely on government contractors.

I have visited in Afghanistan twice over the course of this conflict and saw firsthand how our renewed attention to the region since 2009 and the counterinsurgency strategy developed by General Petraeus has brought marked improvements in securing areas, in training security and police, in establishing the rule of law, and in developing local economies.

Perhaps, most importantly, on a trip last March, I felt a sense of optimism in Afghanistan that was not there before, as well as an understanding among our military that the Afghans must soon take over and govern their own nation.

The time is now. For over a decade, our troops have accomplished the mission that they were given. They have performed heroically. They, including thousands of brave servicemembers from Connecticut, have been operating in one of the most inhospitable environments one can imagine, making sacrifices for their country by serving, as well as losing this time with their families.

It is time to bring our troops home and for the people of Afghanistan to forge their own destiny.

I yield back the balance of my time.

Mr. GRIJALVA. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. GRIJALVA. Madam Chair, after 11 years, over 2,000 Americans killed, 16,000 Americans wounded, nearly $400 billion spent, and more than 12,000 Afghan civilians dead since 2007, we have to question the U.S. presence in Afghanistan.

Should we continue America's longest war? At what cost and for how long?

The American people have questioned and continue to question time and time again—or should we be there, and the answer has always been a resounding no. It's not new news that the American public, Democrat, Republican and everyone else has soured on the war. The national security rationale has lost its resonance, and the economic and human cost in Afghanistan are crippling our ability to recover from our own deep recession.

According to The New York Times/CBS report, more than two-thirds of those polled, 69 percent, thought the United States should not be at war in Afghanistan. The U.S. war in Afghanistan is costing the U.S. taxpayers nearly $2 billion per week, over $100 billion per year. Meanwhile, in the wake of the worst economic crisis since the Great Depression, too many of our neighbors and friends are out of work, struggle to pay their bills, and look to us for job creation and support.

Americans who feel the sting of doing more with less are connecting the dots between our Federal priorities and spending and the pain they're feeling at home. Americans struggling to put their kids through college without Pell Grants or running out of employment benefits with no new job on the horizon cannot ignore the cost of the war.

Arizona families in my district have paid nearly $777 million for the Afghan war since 2001. For that same amount of money, the State of Arizona could have had 336,000 children receiving low-income health care for 1 year; 15,000 elementary school teachers employed in our schools for 1 year; 93,000 Head Start slots for children for 1 year; over 100,000 military veterans receiving VA medical care for 1 year; over 10,000 police officers and law enforcement officers securing our communities and neighborhoods for 1 year; 113,000 scholarships for university students for 1 year; 139,000 students receiving Pell Grants of $5,550. These are just some of the bad trade-offs we are making with our national resources, our treasure and our blood on a war instead of fixing the problems here at home.

I would like to take a brief second to thank, to honor, and to commemorate those warriors from my district, District 7, for your ultimate sacrifice to our country: Sergeant First Class Todd Harris, Sergeant Martin Lugo, Sergeant Justin Gallegos, Master Sergeant Joseph Gonzales, Sergeant Charles Browning, First Lieutenant Alejo Thompson, Sergeant First Class Jonathan McCain, Staff Sergeant Donald Stacy, Private First Class Adam Hardt.

Our servicemen and -women have performed with incredible courage and commitment in Afghanistan. They have done everything that has been asked of them; but the truth is, they have been put in an impossible position, a war with no foreseeable end and a war that is costing not just them and their families, but our country, the ability to prosper and to move forward.

It's time to say enough is enough. It's time to take the responsibility to end this war in Afghanistan, be responsible, but end it. The cost to America, the cost to our future is too enormous to continue on the path that we're on, a path that has no end.

I yield back the balance of my time.

Mr. HIGGINS. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. HIGGINS. Madam Chair, the appropriations process and the budget is not only a spending plan about future priorities, it's also a statement about our values.

The United States in 2001 went into Afghanistan and took out the Taliban government. We have also taken out Osama bin Laden.

The United States is proposing to spend $88.5 billion again this year in Afghanistan. We're going into our 11th year of U.S. involvement in Afghanistan. Eleven years ago, Afghanistan was among the poorest and most corrupt countries on the face of the Earth. Today, it is still among the most corrupt and poorest countries on the face of the Earth.

We've lost 2,000 American soldiers, 16,000 wounded. Last week the U.S. Government decided to spend $105 billion rebuilding the infrastructure of this country, less than $53 billion in each of the next 2 years for a Nation of over 300 million.

You've just spent $78 billion rebuilding the roads and bridges of Afghanistan, a nation of 30 million people. It's time that we do nation-building right here at home.

Of the 34 provinces in Afghanistan, the spiritual and financial home of the Taliban are Kandahar and Helmand provinces, because that is disproportionately where the poppy fields are that finance the Taliban. The literacy rate for women in Kandahar province is 1 percent. The literacy rate for men is about 15 percent.

How do you build up an Afghan police force and Afghan national army with people who are illiterate? We have to build schools and we have to build roads to get them to those schools and electricity to power those schools.

That, Madam Chairman, is nation-building in Afghanistan.

□ 1550

We need to do nation-building right here at home. This $88.5 billion should be directed immediately to rebuild the

roads and bridges of this Nation, in America.

According to Transportation for America, we have 69,000 structurally deficient bridges. In New York State alone, we have over 2,000 structurally deficient bridges. In my home community of western New York, we have 99 structurally deficient bridges, and no plan to address that. Every second of every day, seven cars drive on a bridge that is structurally deficient.

We need to get our priorities in order. We need to reaffirm our values. We need to have a vision for rebuilding America. And the best way to do that is start with this appropriation and reprogramming it right back here at home for nation-building here in America.

I yield back the balance of my time.

Mr. BURTON of Indiana. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BURTON of Indiana. I support the military 100 percent and I think we ought to give them all the equipment and spend the funds that are necessary to make sure they're prepared to fight a war anyplace. And I think we need to defeat the Taliban and al Qaeda and make sure that the threats to America are eliminated, at least as much as is humanly possibly.

The reason I took 5 minutes to speak today is not because I don't support the military or the appropriation for the military, but because I was shaving the other day before I came into work and I heard the newsman talking about a young family and a young man that was in the military. I came out while I was shaving and I looked at the television. It was a beautiful family—young man and a woman and their child. And they announced that he had just been hit with an IED and lost both arms and both legs, and I was thinking what a tragedy for this young man and for his family and the horrible things they're going to have to endure throughout the rest of their lives.

And then I started thinking about all the technology we have. We have satellites that can pinpoint a pack of cigarettes on the ground, and we have drones that can fly over enemy territory and pick out a target and hit somebody with a Hellfire missile and blow them to smithereens. And somebody from a thousand miles away sitting at a computer with a television screen can direct that drone and that Hellfire missile. And I started wondering to myself: Why in the world don't we use more of those instead of sending young American men and women into harm's way day in and day out like we do? We have the technology to knock out anybody anyplace in the world that we want to.

So I would just like to ask this question of my colleagues: We have to have special forces. We have to go into certain spots and knock out bad guys. We've got to do that. But when we don't have to, when we know that the enemy is in a certain area, instead of sending our young men and women in there, why don't we send a drone over to a site that we've discovered from a satellite and blow the hell out of those people? Don't send our young men and women into that kind of a situation where they're going to lose their arms and their legs when we've spent all the money on this technology to stop the enemy. And that's my biggest concern. Why in the world don't we use that technology instead of young men and women going into harm's way when it's not necessary?

I understand war is important. I know we have to defeat the Taliban and those who would take away our freedoms. It's extremely important. And we should support the military every way we can, give them all the tools that are necessary. But let's use the tools that we have to stop the enemy as much as possible without putting young men and women in that situation. I don't want to turn on the television next week or next month and see more young men and women who have suffered this way. I've been out to Bethesda and Walter Reed and I've seen the damage that war does. And so if we're going to go to war—and we have to go to war, only when we have to. But if we do, let's use the technology we have and defeat the enemy and minimize the loss of life that our young men and women are experiencing.

I yield back the balance of my time.

Mr. NADLER. I move to strike the last word.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. NADLER. Madam Chair, I regret what I am about to say could have been and was said a year ago. Not much has changed, but more lives have been destroyed and more billions of dollars have been wasted, all to no intelligent purpose.

The whole premise of the Afghanistan war is wrong. The rationale for the war is to fight al Qaeda, but most of the day-to-day fighting is against an entrenched Taliban insurgency that will outlast any foreign fighters. Fighting in Afghanistan does not enhance the security of the United States in any way.

In 2001, we were attacked on 9/11 by al Qaeda. Al Qaeda had bases in Afghanistan, and at that time it made sense to go in and destroy those bases—and we did. But that took about 3 weeks. We should have withdrawn after those 3 weeks.

The CIA told us a couple of years ago that there are fewer than 100 al Qaeda personnel in all of Afghanistan. So why do we still have 70,000 troops there, troops who will continue to risk their lives every day in a war that has already claimed far too many lives? And why should we continue pouring billions of dollars into an intractable mess when we should be devoting those funds to our own economy, our own jobs, our own schools, our own bridges and roads and highways, our own housing, social programs, and education?

Afghanistan is in the middle of what is, so far, a 35-year civil war. We do not have either the need or the ability to determine the winner in that war, which is what we're trying to do. If we continue on this course, in 2 years there will be hundreds more dead American soldiers, several hundred billion more dollars wasted, and two or three more provinces labeled ''pacified.'' But as soon as we leave, now or in 2014 or 2016 or 2024 or whenever, those provinces will become ''unpacified,'' the Taliban and the warlords will step up the fighting again, and the Afghan civil war will continue its normal, natural course.

Our troops are fighting valiantly, but we are there on the wrong mission. We should recognize that rebuilding Afghanistan in our own image, that setting up a stable government that will last is both beyond our ability and beyond our mandate to prevent terrorists from attacking the United States.

We fulfilled the mission in protecting America from terrorists based in Afghanistan over 10 years ago. We should have withdrawn our troops 10 years ago. We should withdraw them now. We shouldn't wait until 2014. We shouldn't have several thousands advisers or troops helping the Afghanis for another 10 years. They have their own civil war they have been fighting for 35 years.

I wish we could have waved a magic wand and ended it, but we can't. We should not participate in an Afghan civil war. We do not need to pick the winner in that civil war. We do not have the ability to pick that winner in that civil war. All we are doing is wasting lives, wasting limbs, wasting people, and wasting dollars. We ought to end our involvement in Afghanistan as rapidly as we can physically remove our troops.

I yield back the balance of my time.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $27,075,933,000.

MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); and for payments pursuant to

section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $12,560,999,000.

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $28,124,109,000.

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 10211, 10302, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $4,456,823,000.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $1,871,688,000.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $651,861,000.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 10211, 10305, and 8038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $1,743,875,000.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under section 10211, 10302, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $8,089,477,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under section 10211, 10305, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $3,158,015,000.

TITLE II

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law; and not to exceed $12,478,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes, $36,422,738,000.

AMENDMENT NO. 2 OFFERED BY MR. KINGSTON

Mr. KINGSTON. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 8, line 2, after the dollar amount, insert ''(reduced by $4,100,000)''.

Page 8, line 11, after the dollar amount, insert ''(reduced by $4,200,000)''.

Page 8, line 15, after the dollar amount, insert ''(reduced by $2,300,000)''.

Page 8, line 24, after the dollar amount, insert ''(reduced by $1,900,000)''.

Page 10, line 23, after the dollar amount, insert ''(reduced by $4,000,000)''.

Page 11, line 25, after the dollar amount, insert ''(reduced by $700,000)''.

Page 12, line 17, after the dollar amount, insert ''(reduced by $53,900,000)''.

Page 13, line 9, after the dollar amount, insert ''(reduced by $1,200,000)''.

Page 153, line 15, after the dollar amount, insert ''(increased by $72,300,000)''.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. Madam Chair, I offer this amendment with Ms. MCCOLLUM from Minnesota today. In fact, it was her amendment from last year that got me involved in this. Basically, what this does is stops the Defense Department from using major sports sponsorships, such as NASCAR motor sports and bass fishing, for a recruitment tool, which is no longer necessary.

□ 1600

There are a number of reasons for this:

Number one, it's not effective. On May 18, 2012, Major Brian Creech said in the USA Today that the National Guard's spending $26.5 million dollars to sponsor NASCAR got 24,800 inquiries. Of those, they got 20 potential recruits. Of those, what did they get for the $26 million? Not one single recruit. I want to say again, $26 million, 24,000 inquiries, zero—zero—recruits. It's not effective.

Now, the National Guard support group has been going around with this document saying, Oh, yes, but look at all the images that we get. Well, again, out of this, according to their own document, they got 40 recruits. So for the money, if you do the math, that's $72,000 per recruit.

And why is that? Well, perhaps because the demographic of NASCAR is that 69 percent of the people are over 35. So when they go and they're pushing their brand or advertising at NASCAR, nearly 70 percent of the people aren't eligible. That's not their target group.

The RAND Corporation, in its 2007 study of recruitment, said that if you want to increase recruitment, then you have to increase the number of recruiters, period. That was the number one thing. That's why on July 10, the Army dropped out of it, and they said:

> Although it is a beneficial endeavor for us, it's also rather expensive, and we decided we could repurpose that investment into other programs.

So when Ms. MCCOLLUM actually originally offered this, it was an $80 million reduction into the savings account, but since the Army dropped it, now we're offering $72 million.

Secondly, very, very important for us to remember is that the military is reducing its size now, not because of sequestration, before sequestration. They're dropping the number of troops in the Army and the Marines by 103,000, alone. The Defense Department's recruiter has said that the recruitment is high right now because of the economy.

Now, number 3, this program has no accountability. In February, our office, as a member of the Defense Appropriations Subcommittee, we asked the Pentagon: What are your hard numbers? If you're spending $72 million sponsoring major sports programs, what are you getting out of it? And they couldn't come up with it. Now, that disturbs me as a fiscal conservative, because I want to believe that if the Pentagon is spending that much money on something, they're able to defend it.

The Miller Beer Company actually put it this way. They said it this way. They said, on exposure:

> I don't care how much exposure we get, what that is supposed to be worth, or what our awareness is versus the competition. I need to be able to tell our CEO and our shareholders how many additional cases of beer that I sold.

In short, the Army can't tell us how many recruiters they really do get from this.

And, number four, we've got sequestration facing us, on top of a $487 billion defense cut over the next 10 years,

plus a troop reduction of over 100,000 already. We may have additional cuts. And Secretary Panetta has said that we need to work together to find better ways to spend the money and stretch our dollars.

I'm as pro military as they get. I'm proud to say I believe the First District of Georgia has as much military as any district in the country. I have four major military installations and two guard facilities. We have every branch of the military, and we have a bombing range in there. The only thing that has a bigger population than my military are my NASCAR fans. And yet they're saying to me, We're pro NASCAR, but we realize the situation in America today is that for every dollar we spend, 40 cents is borrowed. We can spend this money a lot better than we are today.

Again, look what we're spending per recruit. According to the National Guard document which they provided our office—at least they did provide us with a document which we did not get from the Pentagon—it is still costing us over $700,000 per recruit, from their own documentation.

We can do better than this, and that's why Ms. MCCOLLUM and I have worked together and reached across the aisle to say we can spend this money elsewhere more effectively.

I yield back the balance of my time.

Mr. MCHENRY. Madam Chair, I rise in opposition.

The Acting CHAIR. The gentleman from North Carolina is recognized for 5 minutes.

Mr. MCHENRY. Madam Chair, I certainly appreciate my colleagues, Ms. MCCOLLUM and Mr. KINGSTON, and what they're trying to achieve, and I certainly support paring down the budget where it is appropriate and where it actually saves money.

My colleague references some numbers that come from the Army. The Army is getting out of this type of sponsorship. The numbers that I want to give you are from the National Guard that intends to stay in this form of advertising for recruiting purposes and also for building goodwill among the American people.

This sponsorship program that the National Guard has, in one form, one very specific form of sponsorship that they have, as well as a number of others, but this one form of sponsorship for NASCAR, the National Guard saw a nearly 300 percent return on their investment. Now, that comes from $68 million in media exposure. It comes from 5.5 million pieces of merchandise and apparel that has ''National Guard'' on it, which has a value of roughly $70 million. This is a huge return for the buck. This is why Fortune 500 companies actually advertise through NASCAR—not because it feels good, but because it delivers results.

And the fact is that no matter the size of the military, you're going to still need recruits. And the fact remains, if we look at the example of 2005 where the Army didn't meet their recruiting goals, what we had to do is increase the budget for retention. So the fact of cutting one area of recruiting means that in a couple of years we'll have to actually pay more for retention in order to keep the same folks in the National Guard that we currently need.

Furthermore, back to this one particular form of advertising, I think it's highly inappropriate for this Congress to get into the business of specifying how best the National Guard, or whatever branch, should spend their dollars on recruiting.

The Appropriations Committee has done a yeoman's task of making sure that we scrub the Department of Defense budget from top to bottom. I think this is a very strong and good appropriations bill. It does have bipartisan support. But let's face it, when we start micromanaging advertising programs to try to recruit National Guard members, we've sort of slipped into the absurd.

The National Guard, from the experience that they've had in NASCAR advertising in particular, they generated 54,000 leads. I wish my colleague had referenced that other than these other numbers that you referenced before, which I think are a good reason why the Army is not continuing with that program. They didn't design it appropriately, apparently. But the National Guard has got a huge bang for the buck and has actually gotten recruits because of this form of advertising.

I would encourage my colleagues, if they voted ''no'' on the McCollum amendments last year—there were two different amendments that deal with this very same issue. If they voted ''no'' on those two amendments, they need to vote ''no'' again.

Madam Chairman, I would say this again. If you voted ''no'' on those two amendments that are structurally the same, vote ''no'' again. I would encourage my colleagues to do that, and I yield back the balance of my time.

Ms. MCCOLLUM. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Well, we just heard from the last speaker that part of what all this money is being spent on is branding and goodwill and that the Congress, and we today, should not be making any changes and micromanaging what the National Guard is doing.

□ 1610

I would call to our colleagues' attention legislation, Public Law 106–398, in the 106th Congress. The Legislative Information System, which is available to all of us, directs us as to what really took place in the 106th Congress.

We directed the Secretary of the Army, during a period beginning on October 1, 2000, and ending December 1, 2005, to carry out a pilot program to test various recruiting approaches. One of them was to be an outreach that the Army was going to do with motor sports. It doesn't work, and that's why the Army has dropped it.

The National Guard, through what Mr. KINGSTON had, didn't come to us directly. We were provided some sponsorship information through NASCAR of all the contacts and all the hits. Everybody who walked through the gate was counted as being part of branding. Folks, this was not supposed to be about branding; it was supposed to be about recruiting. That's why the Army spokesman on CNN said, when they announced that they were ending their 10-year, multidollar, taxpayer-funded relationship with NASCAR, ''It was not a great investment.

The Navy pulled out. The Marine Corps pulled out of NASCAR years ago. But yet the Pentagon has paid one racing team—Mr. Earnhardt's team—$136 million in taxpayer funds for the National Guard logo on his car in the name of recruitment. This year, they're paying Mr. Earnhardt again $26.5 million, to which the National Guard has reported—this is what the Guard told me—20 qualified candidates expressing interest, zero actual recruits.

For the past 2 years, the National Guard has spent more than $20 million in taxpayer funds on professional bass fishing tournaments. Folks, we're in a fiscal crisis here. Bass fishing is not a national security priority. This Congress is cutting services to communities and needy families because we're in a fiscal crisis, yet the Pentagon is spending in excess of $80 million on NASCAR racing sponsorships, professional bass fishing, ultimate cage fighting, and other sports sponsorships. The program is a waste of taxpayer money; it doesn't work.

Over the past few days, the professional sports lobby has come out in full force to protect their taxpayer-funded subsidy. For the purposes of the 2013 Defense appropriation bill, those pro teams are military contractors who have failed to deliver on their contract in the past for the taxpayers for recruits.

I want to thank Representative KINGSTON for his leadership on this and joining me to cut a Pentagon program that's just not effective.

This committee, in which we're having this bill discussed right now, has been bipartisan in the way the bill has been put together and bipartisan in the way this amendment has been offered. If the private sector wants to pool their money to sponsor military race car teams to demonstrate their patriotism, I say fantastic and go for it. But it is my job to be a steward of taxpayer funds.

I want to be clear about something else this amendment does not do. This amendment in no way, shape, or form prohibits or limits military recruiters from recruiting at NASCAR races or any other sports event. I just want the military recruiters to attend those

races and community events where there are potential recruits.

We need, as Mr. KINGSTON pointed out, more recruiters doing their job in the right way. They have ideas, folks, on how they can do this better. We need to listen to the recruiters.

So, I think it will be just irresponsible and outrageous that Congress would go ahead and continue to borrow money from China to pay one race car driver's team $26 million for delivering zero recruits. Our Nation is facing a fiscal crisis. Communities and families and seniors and vulnerable children are bearing the brunt of deep and painful budget cuts. Congress needs to get its priorities in order and stop protecting military spending that doesn't work.

I urge my colleagues to support Mr. KINGSTON's amendment. It's an honor to be a partner to it. We need to cut the wasteful spending in programs and reduce this deficit.

Madam Chair, I yield back the balance of my time.

Hon. BETTY MCCOLLUM.

CRS RESPONSE: DOD SPENDING ON NASCAR SPONSORSHIP

In response to your request for U.S. Department of Defense spending on NASCAR sponsorships, we are providing the following information.

Budget:

Each of the Military Services use a variety of marketing and advertising strategies to meet their annual recruiting targets. For example, the U.S. Army has sponsored NHRA and NASCAR vehicles and events, as well as the Golden Knights Parachute Team and other activities. The different advertising strategies and approaches are designed for maximum impact upon the target population and derived from annual youth surveys.

U.S. Military recruiting advertising for each of the branches is budgeted under ''Operations and Maintenance.'' At this level, we only have visibility of the Service's overall budget for advertising, not the specific sub programs.

Authority:

Each of the U.S. Military branches receive authority to conduct ''marketing/advertising'' under the auspices of recruiting requirements. Please see the attached document 10 USCS §3013 for the Department of the Army.

An article published on the U.S. Army web site states ''The U.S. Army Motorsports Program began in September 2000 when Congress directed the secretary of the Army to conduct a five-year motorsports outreach test. In 2003, building upon the success of the NHRA program, NASCAR was added.'' For the full article, please: http://www.army.mil/article/30553/armv-to-continue-nhra-nascar-sponsorships/

Legislation Public Law No: 106–398 [106th]

The Legislative Information System (LIS) summary states the following: ''Subtitle F: Matters Relating to Recruiting—Directs the Secretary of the Army, during the period beginning on October 1, 2000, and ending on December 31, 2005, to carry out pilot programs to test various recruiting approaches. Requires one program to be a program: (1) of public outreach that associates the Army with motor sports competition; (2) under which Army recruiters are assigned at post-secondary vocational institutions and community colleges to recruit such students and graduates; and (3) that expands the scope of the Army's current recruiting initiatives. Authorizes such Secretary to expand or extend a pilot program after notification of the defense committees. Requires a report on the above programs.''

For more information see House Report 106–945, Subtitle F—Matters Relating to Recruiting. This report is available at: http://www.gpo.gov/fdsys/pkg/CRPT-106hrpt945/pdf/CRPT-106hrpt945.pdf

We hope that you find this information helpful.

NESE F. DEBRUYNE,
Information Research Specialist; Foreign Affairs, Defense and Trade Section; Knowledge Services Group; Congressional Research Service.

Mrs. MYRICK. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentlewoman from North Carolina is recognized for 5 minutes.

Mrs. MYRICK. Like my colleague, Mr. MCHENRY, I also am rising because I do oppose this amendment, saying that the Department of Defense has to limit what they do and decide how they can recruit. And mainly, it's micromanaging.

The biggest issue here is this approach is not going to save a dime in the long run because when recruitment goals aren't met—and that is a challenge—the military pays out nearly $1 billion a year in extra recruitment bonuses to maintain needed recruitment numbers. We're talking, of course, about the National Guard, who did have a 4–1 return on investment in motor sports.

But we've got to be aware that we've got to recruit men and women where they are. We need the best men and women that we can in our military service. Of course, we owe all of those who are currently serving a great debt of gratitude, but I don't believe that we need to tell them how to best do their recruiting.

I'm also a conservative, and I believe strongly in rooting out government waste, but that's not what this amendment does because in the long run we end up spending more money on recruitment.

As my colleague said before, the House has twice voted down this amendment—it's the same vote—and I urge them to do so again.

I yield back the balance of my time.

Mr. PALAZZO. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Mississippi is recognized for 5 minutes.

Mr. PALAZZO. Madam Chair, I rise in opposition to this amendment.

Just this past weekend, I had the great honor and privilege to send over 150 young men and women off to Fort Bliss to prepare for their final training to go overseas. This is the 857th Engineering Company. Their mission is horizontal construction, which is pretty much they're going to be clearing roads. As we know, that's one of the most dangerous missions in Afghanistan.

Now, I was too busy shaking hands and talking to families and others to notice what I would probably have seen in the parking lot, and that would have been a lot of bumper stickers. On those bumper stickers, there wouldn't be faces or political advertisements—of course, I wish there would be some—but it was more numbers: number 3, number 11, number 24, number 14. Most likely, there would have been a few number 88s out there, which is the car Dale Earnhardt drives for NASCAR. So with that, right now there is absolutely no reason this Congress should be telling the Department of Defense how and where to spend money on recruitment.

Sport sponsorships have continually been a major source of recruitment and provided a great deal of return on investment. The only other option is to spend more on recruitment and retention bonuses. As my colleague just mentioned, when they fall below a certain number, they spend billions of dollars, and we're not talking about billions of dollars. So this actually saves taxpayers' money so we can continue to find the young men and women to serve in our Nation's military.

As it currently stands, the National Guard cannot advertise on television, which significantly limits their opportunities to reach the audience that they want to reach. This is an effective program that remains a key tool for our National Guard and other branches of our military services.

This bill is already taking serious cuts from advertising and marketing budgets for the Marine Corps, Navy, Air Force, and National Guard accounts. They have all been cut significantly already before this amendment. There is no reason why we should continue to tie their hands by cutting more funds from the budget.

These sponsorships provide the ability to market and create branding opportunities and familiarity with the service branches in areas where market research shows that the target audience spends its time. For example, data shows that NASCAR fans are very large, up to 70 million—I think that's a low number—very patriotic, very pro-military fan base, and are extremely loyal to sponsors of teams and drivers. This is exactly who we want joining our U.S. military.

Madam Chair, we are currently dealing with very serious cut to our military because of sequestration. This is not the time or the place to be cutting the tools that our military is using to recruit the very best, patriotic young people who want to serve our Nation in the military.

The military is maximizing their resources to fulfill their mission at home and abroad. If this wasn't successful, they wouldn't be doing it. I ask that my colleagues oppose the amendment, and I yield back the balance of my time.

Mr. BISHOP of Georgia. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Georgia. Madam Chair, I'd like to voice my opposition to the amendment sponsored by Mr. KINGSTON and Ms. MCCOLLUM, aimed at banning pro-sports sponsorship by the Department of Defense.

Truly, we are in an era where the people's government should take proactive efforts to trim excesses from the budget wherever possible. This measure, Madam Chair, does not attack an excess of government. If accepted, the U.S. Government would be cutting out a proven successful investment in our Nation's military personnel.

The Army, the National Guard, and the National Guard Association strongly oppose this amendment. Last year, over 280 Members, in a bipartisan vote, opposed this amendment.

□ 1620

Appropriations Committee Chairman ROGERS and Defense Subcommittee Chairman YOUNG have both been opposed to this measure in committee votes and floor votes. Chairman YOUNG has repeatedly said in 2012 that he opposes it.

Our military deserves access to the most qualified potential recruits available. A vote in favor of this amendment would handicap our military's recruiting efforts.

Starting in 1999, marketing the military through sports opened the door for the DOD's efforts to brand and to showcase their services to a specific target audience. The National Guard cannot advertise on broadcast television, so professional sports sponsorships become an efficient, effective means of reaching target markets for recruiting and retention of citizen soldiers and airmen.

Our soldiers, sailors, airmen and marines are athletes. It only makes sense to advertise and market to professional sports venues. Athletes share common values with the military such as honor, integrity, individual responsibility, teamwork, and self-sacrifice.

Additionally, athletes are a key demographic in the men and women we want to serve. With the DOD's strict requirements for a recruit to qualify, only one in every four young people is even eligible to join. The DOD's success rate in recruiting stems from their direct access to potential recruits and influencers of men and women, like-minded about their interest in joining the military, often found at sporting events.

Pro sports sponsorships increase the DOD's visibility, generate recruitment opportunities at events, and provide a national platform to promote each branch's image.

In addition to recruitment and a recognizable national profile, military sponsorships in motorsports spotlight a good return on investment, dollar for dollar. In 2011 alone, the Army National Guard spent $44 million on motorsports sponsorships. But based on market value, the total media exposure the Guard received totaled over $150 million, a 336 percent return on investment.

If less is spent on advertising, history proves that DOD will have to increase dollars for bonuses to retain current military personnel and increase dollars for recruiting bonuses.

DOD motorsports partnerships have resulted in key transfers of technology. For example, the first Humvee sent to Iraq had canvas doors. Additional armor added created challenges to the Humvee's suspension systems. The marines turned to NASCAR engineers to help solve the problem.

An additional project developed by the marines is the mine roller. Pushed in front of trucks, the roller can detonate explosive devices, while protecting the marines in the vehicle. One of the first rollers in Iraq took a blast and saved the three marines inside. The mine roller uses new suspension technology developed by the Joe Gibbs NASCAR racing team. Base commanders say that cooperation between base workers and businesses across the country is saving troops' lives.

Beyond the direct investment, DOD pro sponsorships positively influence communities surrounding our Nation's personnel. For example, the National Guard works together with their partners in Panther racing and IndyCar to address unemployment affecting servicemembers and their families by sponsoring hiring fairs, outreach efforts, and employer education.

This amendment would likely limit the military from participating in the Olympics, flyovers over games, sponsoring marathons such as the Marine Corps Marathon, as well as the Blue Angels, the Thunderbirds, and the Golden Knights.

Cutting all funding towards DOD pro sports sponsorships hinders military recruitment of qualified candidates, impairs employment resources for our Nation's military families, and severely damages a positive financial investment for our military.

To directly quote the DOD:

> To ensure the Nation fields a military fully capable of performing any assigned mission, we must recruit highly qualified men and women from across America. This amendment will directly impact the recruiting quality and overall mission requirements, increasing costs, and forcing reductions in the standards for accessions.

A vote for this amendment is a vote against the effectiveness of our military. Please join me in opposing this amendment.

I yield back the balance of my time.

Mr. KISSELL. Madam Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from North Carolina is recognized for 5 minutes.

Mr. KISSELL. I rise in opposition to this amendment, and I'm not going to repeat what my colleague from Georgia just said. He covered the facts well.

I think it's important here that we recognize that relationships matter; and the relationship that we have seen with the military and especially NASCAR seems to be getting the brunt of the attention here, a long-time relationship, an important relationship.

NASCAR grew up in North Carolina. Its home is in my district in central North Carolina. While NASCAR has spread out throughout the Nation, which we're excited about, still the roots are here at home and in kind of rural America.

I don't think it's any coincidence that when we look at our military forces, about 41 percent of our military is from what we describe as rural America, which is only 17 percent of our population. And that relationship between the military and rural America is very important. The relationship between NASCAR and rural America—and all America—is very important. We don't need to interfere with that relationship.

I don't think it's any surprise that the most popular driver in NASCAR drives the National Guard car, No. 88, Dale Earnhardt, Jr. This brings kind of the relationship and the viewing that cannot be done in many other ways, and so we don't need to strike that relationship. We need to build upon that.

And when you start looking at the ramifications, as my colleague talked about earlier, other ways that this money can be used to help build this relationship, we look at NASCAR, the Special Forces working with NASCAR to develop equipment for our military.

I'm cochair of Invisible Wounds, the idea of how we can absorb the energy to help our soldiers that are in combat situations. NASCAR works on this.

The tickets that are given to our military families, to the military themselves, this is all part of that relationship. It works. We need for it to work.

I oppose this amendment and ask my colleagues to also oppose it.

I yield back the balance of my time.

Mr. POSEY. I move to strike the last word.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. POSEY. We were at home watching NASCAR on television a couple of years ago, and my wife said, What are the armed services doing sponsoring NASCAR cars? Don't they have a better use to spend their money than to spend those big bucks on NASCAR?

And I said, Well, Katie, I can understand why you would think that. But, you know, we have a volunteer military, and they have to advertise for recruits somewhere. Where would you think the money would be better spent?

Do you think they should advertise at the philharmonic? Or maybe you think they should advertise at the ballet. We could surely get some burly,

mean paratroopers if we advertised at the ballet. I think that NASCAR is a very appropriate place to advertise for recruits, just like boxing rings might be, cage fights might be.

So I made some inquiries about it to our armed services, and they said, you're exactly right on point. As our good friend, Mr. MCHENRY, from North Carolina shared with you a little while ago, the statistics are overwhelmingly in favor of expenditures where you get the greatest return. And the NASCAR sponsorship seems to have the greatest return, which results in the greatest savings for our taxpayers back home.

Now, I wish we were spending this time right now, rather than trying to micromanage how our military most efficiently advertises for recruits, discussing the $14 billion our government overpaid to people who were not entitled to unemployment compensation, but got it anyway.

I wish right now we were discussing the $4 billion in refunds in the form of tax credits our government has given to bogus dependents of people who are here illegally.

I wish we were talking about the millions of dollars we've wasted in the GAO.

I wish we were talking about the millions of dollars we've wasted in crony capitalism investment in Solyndra and the like, and so-called green energy enterprises.

□ 1630

But no, we're not. We are sitting here today. Some people are trying to micromanage how our military gets recruits for its all-volunteer Army, and they are telling the people who are best at managing our military how to do their jobs. It's an old adage. It's an old cliche. It seems like everybody knows how to make a baby stop crying except the person holding it. I think, in this case, that applies, and I think we should yield to the best judgment of our armed services in how they feel they need to recruit.

I have seen Democratic Presidential candidates advertise on NASCAR. I saw a Democratic gubernatorial candidate advertise on race cars. As far as Okeechobee Speedway, I was at Okeechobee Speedway once, and I ran into somebody from the other side of the aisle whom I never expected to see at a racetrack.

I said, What are you doing here?

She said, Well, when person ''blank,'' who was running for Governor, decided we needed to focus on middle America, she decided she wanted to sponsor a race car at Okeechobee Speedway.

Before that, I didn't even know there was an Okeechobee Speedway.

She said, Do you know what? It was the best investment of campaign money we've ever spent.

These are from the other side of the aisle. I'm sure I could talk a lot about my friends on this side of the aisle and about how they've made good and wise investments, too.

Again, in this case, I'd like for you to rely upon and reflect upon the comments made by Mr. MCHENRY, who talked about the very pure and simple results and accountability that has been achieved by letting the military—the people we trust the most with protecting our country and our freedoms—do the job that they are entitled to do.

Madam Chairman, I yield back the balance of my time.

Mr. YOUNG of Florida. Madam Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. Much of the debate that I would have on this amendment would be very similar to the one I'd had earlier when the issue was of the military bans, so I won't repeat those again.

I would mention the fact that this amendment was defeated by this same House several times last year on the Defense appropriations bill. We have an interesting situation here, though, today. This amendment is very similar to language later on in the bill that is subject to a point of order. It has been skillfully rewritten so that this one is not subject to a point of order, but it is basically the same issue.

Now, understand the United States of America does not have the largest military in the world. We do have, by far, the best—but not the largest—and our military is all volunteer. Members of the military serve because they want to. Yet, as the all-volunteer force rotates and changes, members are leaving—they retire; their time is up; they get out; they have to constantly be replaced. There has to be a constant flow of recruits coming in as the older members leave. The military has been running recruiting programs for years and years and years and very, very successfully. They know a little bit about what it takes to encourage recruiting.

The amendment, itself, does more than just strike out the sports—NASCAR—and all of these issues. It actually cuts $30 million more than is spent on these issues. I don't know why they won't take that extra $30 million. Anyway, we should not pass this amendment. It is, like I said, very similar to one that is already in the bill that is subject to a point of order.

I say let the military run the recruiting as they have done successfully for all of these years in order to maintain an all-volunteer force—a powerful message to the young Americans or the older Americans who want to serve. Men and women want to serve their country in the military, and these recruiting programs get their attention and direct them where they need to be directed. So I think this just isn't a good idea to pass this amendment.

I yield back the balance of my time.

Mr. PENCE. Madam Chair, I rise in opposition to the amendment offered by my colleagues, Rep. MCCOLLUM and Rep. KINGSTON. And let me say that while I wholeheartedly agree to the notion that this body must take the lead in putting our nation back on the path towards fiscal responsibility, the move to prohibit our military services from advancing recruitment and retention goals through various athletic sponsorships is unwise.

At a time when the men and women of our Armed Forces are undertaking operations around the world, we must not move to end the successful platforms used by the Department of Defense to recruit able men and women into their ranks.

Contrary to popular belief, these sponsorships also go far beyond driver appearances, commercials and decals on race cars. In fact, the National Guard's sponsorship of the Panther Racing IndyCar team has not only been successful in raising the Guard's profile and getting it in front of potential recruits, but also technology transfers between these entities will allow for our service members to be better protected when downrange.

J.R. Hildebrand, who drives the National Guard IndyCar, wears ear sensors that measure the G-forces he experiences during a crash on the racetrack. Those sensors, known as an Integrated Blast Effects Sensor System, are now worn by troops in harm's way. The information gathered can be very useful to neurosurgeons who treat soldiers suffering from Traumatic Brain Injury, often the result of roadside bomb attacks.

Understanding the nature and effects of Traumatic Brain Injury advances the ways in which we protect and treat our fighting men and women, and those same sensors worn by J.R. Hildebrand have a direct benefit to our troops in Afghanistan. Furthermore, helmet technologies developed in IndyCar and the National Football League have been adapted for military use. And these represent just a few of the results from the military's sponsorships, or partnerships with professional sports.

As our service members return to civilian life, they are often faced with a continuing unemployment crisis. In partnership with the National Guard, Panther Racing continues to work with the Employer Support of the National Guard (ESGR) program, an agency within the Department of Defense designed to connect citizen soldiers with employers. Panther Racing continues to work with the Chamber of Commerce to support the Hiring our Heroes program. At race events across the country, the National Guard partnership with Panther Racing brings military members and their spouses together with CEO's of local businesses and ultimately helping get our nation's veterans back to work.

Madam Chair, utilizing military partnerships with professional sports can be a vital tool in improving the lives and care of our service men and women. The results of these programs speak for themselves. Amendments similar to the one currently before this body have been rejected by wide margins and I urge my colleagues, on both sides of the aisle, to stand with those who wear the uniform and oppose the Kingston/McCollum amendment.

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

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. MCCOLLUM. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by

the gentleman from Georgia will be postponed.

Mr. GARAMENDI. I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. GARAMENDI. Madam Chair, after more than a decade of war, it is time to accelerate our drawdown of troops in Afghanistan and bring this war to a close.

We've sent our brave servicemen and -women to Afghanistan to eliminate the international terrorists who would do us harm. They have successfully executed this mission with phenomenal dedication and capacity: they have driven al Qaeda from Afghanistan, destroyed their training facilities, killed or captured most of their top leaders. Under President Obama's decisive leadership and thanks to the courage and competency of our special forces, the 9/11 mastermind—Osama bin Laden—has met his just end.

The President has outlined a plan for winding down this war, and I support drawing down our military presence in Afghanistan even more quickly than the President has suggested. We should welcome our troops back as heroes and ensure they receive the support and care that is due when they return.

Our military servicemembers and their families have borne and continue to bear far more than their share of the burden of this war. I am a member of the House Armed Services Committee, and I represent the 10th District of California, which is home to Travis Air Force Base—the largest Air Mobility Command unit in the Air Force. Nearby in Marysville, California, is Beale Air Force Base, which is the leader in intelligence, surveillance, and reconnaissance. Together, 16,000 servicemembers across the active duty National Guard and Reserves, as well as over 75,000 veterans, live in my district and in the surrounding area. These are the people who are disproportionately bearing the cost of this war.

As their Representative, I owe it to them to make sure that we do not ask of them any more than is absolutely necessary in order to ensure America's national security. But the majority here in this House is determined to prevent even a serious debate about ending the war in Afghanistan. They have inserted language into the National Defense Authorization Act that would actually slow down the withdrawal of U.S. forces and keep nearly 70,000 troops in Afghanistan until at least 2015.

When the ranking member of the House Armed Services Committee tried to offer an amendment to replace this provision, the majority said it was out of order. When a bipartisan group of Members of Congress joined together on an amendment replacing this provision, the majority blocked that amendment. This is the longest war in America's history, claiming thousands of lives and costing hundreds of billions of dollars, and the majority simply doesn't want to talk about it.

We must talk about this war. We must take time to think deeply about the sacrifices of those who are serving and who have served. To date, 1,875 of our military servicemembers have been killed in Afghanistan, leaving thousands more to endure the unimaginable grief of the loss of a loved one. 15,322 of our troops have been wounded seriously, suffering life-altering injuries. Not included in that number are those with psychological wounds—invisible but no less devastating. We have spent a half a trillion taxpayer dollars on the war in Afghanistan, and this legislation would allocate $88 billion more to be spent in this year alone.

There are some who would continue this war indefinitely. They oppose the fixed timeline for ending combat operations and for bringing our troops home. They oppose any concrete plans for transitioning full responsibility for Afghanistan's security as quickly as possible. Even worse, they would have American troops continuing to fight against a domestic insurgency in Afghanistan, and they think it's America's job to defeat those armed factions that threaten the Karzai Government, which is, perhaps, the most corrupt government in this world. In fact, they have inserted language into this bill that says the U.S. objective in Afghanistan is to defend the Karzai Government against the Taliban. They also have an interest in American troops defeating the Haqqani Network and any other faction that is taking on the Karzai Government, involving us in a multisided civil war.

□ 1640

It was never the American mission in Afghanistan, nor should it be. As President Obama clearly said last week, ''Our goal is to destroy Al Qaeda.'' We began a military operation in Afghanistan with a very clear reason. It's time for us to end this war and bring our troops home.

I yield back the balance of my time.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

OPERATION AND MAINTENANCE, NAVY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law; and not to exceed $14,804,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes, $41,463,773,000.

Mr. FARR. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. Madam Chair, I want to have a colloquy between myself, the chairman, and the gentleman from Washington on an issue regarding costs associated with the security clearance process.

Mr. DICKS. Will the gentleman yield?

Mr. FARR. I yield to the gentleman from Washington.

Mr. DICKS. I would be happy to discuss the costs of the security clearance process.

Mr. FARR. As the gentleman knows, security clearances are necessary to protect our national security and are required for thousands of jobs. This process is also expensive.

DOD pays billions of dollars to the Office of Personnel Management, OPM, to manage the DOD security clearance program. OPM has made some improvements in their investigation process so the program is no longer on GAO's high-risk list, but the problem remains that OPM relies on manual labor to process DOD security clearances.

The research scientists at Personnel Security Research Center, PERSEREC, under the Office of the Secretary of Defense for Personnel and Readiness, have developed a suite of automated tools. Those tools could save millions of dollars without sacrificing quality if these tools were incorporated into the security reinvestigation process. I greatly appreciate that the chairman and ranking member of the Defense Subcommittee have included report language encouraging DOD to investigate more in automated tools for the security clearance process.

Would my colleagues agree that DOD needs to leverage the resources of PERSEREC to integrate their research, called ACES, into the DOD security reinvestigation process?

Mr. DICKS. Will the gentleman yield?

Mr. FARR. I yield to the gentleman from Washington.

Mr. DICKS. To my good friend from California, I appreciate the attention that you bring to this issue. It seems that this is a commonsense thing that the Department can do to save millions of dollars with no negative impact to the security clearance process. Requiring DOD security reinvestigators to use the Automated Continuing Evaluation System, ACES, tool will preserve national security despite the tight budget constraints that the DOD is facing.

Mr. FARR. Mr. Chairman, I thank the distinguished gentleman for his response.

I had hoped to attach to the bill language directing DOD to conduct a review, but in the interest of the House rules and jurisdictional matters, I chose not to.

Mr. YOUNG of Florida. Will the gentleman from California yield?

Mr. FARR. I yield to the distinguished chairman, the gentleman from Florida.

Mr. YOUNG of Florida. I am aware of the gentleman's deep interest and appreciate his flexibility in finding ways to address this issue. Like my good friend from Washington (Mr. DICKS), I agree that we should work with our good friend, Mr. FARR, to ensure that

DOD is leveraging the security clearance research of the PERSEREC to improve the DOD security reinvestigation process.

Mr. FARR. I thank both of you for your friendship, leadership, and cooperation.

I yield back the balance of my time.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law, $6,075,667,000.

OPERATION AND MAINTENANCE, AIR FORCE

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law; and not to exceed $7,699,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes, $35,408,795,000.

AMENDMENT OFFERED BY MR. GALLEGLY

Mr. GALLEGLY. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 8, line 24, after the dollar amount, insert ''(reduced by $24,000,000)''.

Page 13, line 9, after the dollar amount, insert ''(increased by $8,000,000)''.

Page 27, line 7, after the dollar amount, insert ''(increased by $16,000,000)''.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. GALLEGLY. Madam Chairwoman, my amendment will provide funding to the Air National Guard so it can obtain much-needed firefighting equipment so they can more effectively combat the devastating wildfires that destroy millions of acres of land and homes every year in the western United States.

The likelihood of calling upon MAFFS-equipped Air National Guard and Air Force Reserve C–130s has increased significantly. MAFFS are modular air firefighting systems that drop retardant to create firebreaks.

In 2003, the U.S. Forest Service had 44 fixed-wing aerial firefighting aircraft. By 2004, the number had dwindled to 19. And as of June 3 of this year, that number stands at only eight. An additional aircraft, on interim contract with the Forest Service, and air tankers borrowed from Canada and Alaska are being utilized to try to fill the shortfall.

While the Forest Service firefighting fleet has gotten significantly smaller, the number of wildfires have been increasing. In fact, in 2011, 74,000 fires burned 8.7 million acres. The most recent 10-year average indicates that the fires burned an average of 7.4 million acres a year.

As the fleet diminishes, stress on remaining aircraft increases. Further, the distance between fires and available aircraft have been increasing. The result is more fires burning out of control. Additionally, an increase of flight time and cycles contributes to an earlier demise of the remaining aircraft.

Only eight C–130s equipped with MAFFS units are equipped to supplement the Forest Service fleet. Even when all eight are called upon, the number of heavy air tanker aircraft is less than half that existed in 2003. We clearly need more aircraft, and the Forest Service is not likely to produce aircraft capable of meeting the need for the next 2 or 3 years, or probably longer.

My amendment will provide an interim solution to this problem by providing $8 million to the Air National Guard so they can make two existing Guard wings capable of operating and flying two legacy MAFFS, one unit each. That will give us four additional tanker aircraft to fight wildfires that have been ravaging the western United States.

My amendment will also appropriate $16 million for the Air Force to procure two new aerial dispersal units for use by the Air National Guard. Activating the legacy MAFFS units will help get more planes fighting fires this next year while these new aerial dispersal units are being produced and hopefully available for use within 2 years.

Our Nation desperately needs our aircraft to fight wildfires, and the Air Guard is ready to go to work. The U.S. needs more aircraft available to fight the wildfires that have ravaged Colorado, New Mexico, Arizona, Nevada, and Utah this season alone. I urge the support of my colleagues.

With that, Madam Chairwoman, I yield back the balance of my time.

Mr. DICKS. Madam Chair, I rise in support of the gentleman's amendment.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. This amendment seeks to add more funding to purchase equipment vital to the disaster mission of the Air National Guard.

Recently, forest fires have been devastating Colorado, and the Air National Guard has been fighting alongside the Forest Service. The Modular Airborne Fire Fighting System, or MAFFS, provides emergency capability to supplement existing commercial tanker support on wildland fires. This system aids the Forest Service. When all other air tankers are activated but further assistance is needed, the Forest Service can request help from the Air Force's MAFFS unit, who can be ready in a few hours notice with this modular system.

When the Air National Guard adds the Modular Airborne Fire Fighting System to their C–130 aircraft, they are adding another capability to their aircraft. Creating a dual-mission aircraft without major modifications to an existing piece of equipment is efficient and cost effective.

Quite frankly, we need to get new C–130Js for the Guard. I hope that we can do that. That's been a problem we've had with OMB over the scoring on this, whether you can lease them or buy them. This is an interim step, which is a good one, and I think we should accept the gentleman's amendment.

With that, I yield back the balance of my time.

□ 1650

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

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law, $31,780,813,000: *Provided*, That not more than $30,000,000 may be used for the Combatant Commander Initiative Fund authorized under section 166a of title 10, United States Code: *Provided further*, That not to exceed $36,000,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes: *Provided further*, That of the funds provided under this heading, not less than $35,897,000 shall be made available for the Procurement Technical Assistance Cooperative Agreement Program, of which not less than $3,600,000 shall be available for centers defined in 10 U.S.C. 2411(1)(D): *Provided further*, That none of the funds appropriated or otherwise made available by this Act may be used to plan or implement the consolidation of a budget or appropriations liaison office of the Office of the Secretary of Defense, the office of the Secretary of a military department, or the service headquarters of one of the Armed Forces into a legislative affairs or legislative liaison office: *Provided further*, That $8,563,000, to remain available until expended, is available only for expenses relating to certain classified activities, and may be transferred as necessary by the Secretary of Defense to operation and maintenance appropriations or research, development, test and evaluation appropriations, to be merged with and to be available for the same time period as the appropriations to which transferred: *Provided further*, That any ceiling on the investment item unit cost of items that may be purchased with operation and maintenance funds shall not apply to the funds described in the preceding proviso: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

AMENDMENT NO. 8 OFFERED BY MR. BLUMENAUER

Mr. BLUMENAUER. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 9, line 6, after the dollar amount, insert ''(reduced by $88,952,000)''.

Page 16, line 24, after the dollar amount, insert ''(increased by $88,952,000)''.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. BLUMENAUER. Madam Chair, we take great pride in the American military, trained fighting force. We work hard to make sure they are properly equipped, but decades of military training has left dangerous explosives and harmful chemicals on millions of acres of United States land.

This contaminated real estate now serves as housing, schools, parks and playgrounds in every congressional district in the country. In fact, you may have read in the morning paper down at what is called The Yards near Nationals stadium, the development that is being done there, they discovered a thousand-pound bomb less than 1 kilometer from where we're debating today.

To help the Department of Defense become a better partner for our communities and our constituents, I strongly urge that my colleagues support an amendment that would preserve the Department of Defense efforts to employ skilled labor and high-tech companies to clean up these dangerous liabilities and create economic development opportunities on these dangerous properties.

Congress established the Defense Environmental Restoration Program-Formerly Used Defense Site Program, DERP-FUDS, in 1986 to remove hazardous material from former Department of Defense properties and allow for safe reuse. Over two decades later, 2,600 properties nationwide require cleanup at an estimated cost of over $18 billion; and I will tell you, my colleagues, after having worked in this area for over a dozen years, that probably understates it.

The current funding for the program is less than $300 million, one-half of 1 percent of base defense spending. At this rate, the Department estimates, at this low-ball figure of $18 billion, we will not finish cleaning up the sites we know about for the next 250 years. My amendment would simply restore funding to the current level to ensure that we continue work removing these dangerous burdens from our communities within our lifetime, to say nothing of our great, great grandchildren's.

At a time when total military spending amounts to more in 1 day than what we spend in an entire year, I strongly urge my colleagues to reprioritize our investments. These sites are decades—in some cases they are hundreds of years old.

Now, the Defense Department has an obligation to clean up after itself, and they have made great progress. They have made critical technological breakthroughs in removing unexploded ordnance, making it less expensive, and some of the investments that we have made have actually saved lives overseas, because the same technology that will help us figure out whether it's a hubcap or a 105 millimeter shell can make a difference in IEDs overseas in Afghanistan or Iran.

I strongly urge my colleagues to support this amendment. It has operational impacts today for our military. It has economic development impact, which will help us return millions of acres to productive use; and it's the right thing to do.

I don't want a situation where we shortchange what the Department of Defense does. Remember, in prior debates—Mr. DICKS, Mr. YOUNG may remember—I brought to the floor Larry the Lizard coloring books that we were distributing to school children to warn them of the hazards because we hadn't invested enough to clean up, or the children that were killed in a former defense operation in San Diego because they found a bomb when they were playing.

I strongly urge that you approve this amendment and simply return the funding to the level that we have today. It will make a difference for the military now and for generations to come.

I appreciate your consideration and yield back the balance of my time.

Mr. YOUNG of Florida. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. I am not opposed to the gentleman's amendment, what he wants to do. But a lot of these sites, there is no disposition. We don't know what's going to happen to them.

Will they stay as owned by the Federal Government, will they go to communities? We don't know the answer to that. We don't know the disposition. But they do need cleaning up, and there is no doubt about that.

Here's my problem with this amendment. He takes the funds from the defense-wide readiness fund, the operations and maintenance fund, which provides for our readiness, which provides for training. It provides for our Special Forces; it provides for the support, safety and quality-of-life programs for our troops and their families, including programs to assist spouses of servicemembers with employment and job training, which is a key initiative of the First Lady.

As much as I agree that this needs to be done, we do not want to take it out of the defense operations and maintenance, which is our defense-wide operations and maintenance funding.

I oppose the amendment. While I would like to help him in some other way to accomplish this, not from this fund that is so important. Readiness is readiness is readiness; and our troops have to be trained, they have to be equipped, they have to be ready, and I oppose the amendment.

Mr. BLUMENAUER. Will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman.

Mr. BLUMENAUER. I appreciate your understanding of the importance and your concern about prioritization. If we don't prolong it in debate and recorded vote and all of this sort of thing, would it be possible to work with you and the ranking member as we move forward to see if there is an opportunity for us to plus-up this fund a little further in other areas?

Mr. YOUNG of Florida. I thank the gentleman for the question, and I say absolutely yes. I would very much like to do this, because I believe we need to do what it is you want to do.

But I just can't support taking it from an account that provides for readiness of our troops.

Mr. DICKS. Will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman.

Mr. DICKS. I would also support the gentleman in efforts to find another less objectionable source for the funding.

Mr. YOUNG of Florida. I yield back the balance of my time.

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

The amendment was rejected.

AMENDMENT OFFERED BY MR. KUCINICH

Mr. KUCINICH. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 9, line 6, after the dollar amount, insert ''(reduced by $10,000,000)''.

Page 35, line 15, after the dollar amount, insert ''(increased by $10,000,000)''.

Page 35, line 23, after the dollar amount, insert ''(increased by $10,000,000)''.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. KUCINICH. Madam Chair, today I, along with my colleague BOB FILNER, am offering an amendment to restore an overall loss of $10 million in research funding dedicated to finding a cure for gulf war illness, an illness that directly affects over one-fourth of veterans from the first gulf war.

This amendment has the support of the Veterans of Foreign Wars. It has the support of the Vietnam Veterans of America, and the support of the National Vietnam and Gulf War Veterans Coalition.

□ 1700

According to the Congressional Budget Office, it will reduce total outlays by $7 million.

Veterans of the first Gulf War suffer from persistent symptoms, including chronic headache, widespread pain, cognitive difficulties, debilitating fatigue, gastrointestinal problems, respiratory symptoms, and other abnormalities that are not explained by traditional medicines or psychiatric diagnosis. Research shows that as these brave veterans age, they're at double the risk for ALS, or Lou Gehrig's disease, as their non-deployed peers. There may also be connections to multiple sclerosis and Parkinson's disease. Sadly, there are no known treatments for the lifelong pain these veterans endure.

Gulf War Illness research was slated to receive a total of $25 million in fiscal year '12: $15 million at the VA and

$10 million at the DOD's Gulf War Illness Research Program. We've learned that the VA cut $10 million from its FY '13 program, which more or less supports allegations that VA officials, whose views on Gulf War illness have been discredited by the Institute of Medicine and the scientific community, are obstructing the research. The veterans of the first Gulf War who remain without a cure should not have to pay the price for this controversy. That's why this amendment would restore $10 million into a research program that has proven itself: The Defense Department's Gulf War Illness Research Program.

Last year, researchers funded by this program completed the first successful pilot study of a medication to treat one of the major symptoms of Gulf War Illness. The critical increase in funding from this amendment was built on progress that's already been made, including a followup clinical trial, as well as other promising studies which have been waiting for funding. The offset for this amendment comes from the $32 billion Operations and Maintenance Defense-Wide Account in title II.

Congress has a responsibility to ensure that these Gulf War veterans who put it all on the line and who are paying with a lifetime of pain and a potentially shortened life—it's our responsibility to make sure they're not left behind. I urge my colleagues to support this amendment to fully fund research into Gulf War Veterans Illness.

I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

The Acting CHAIR (Mr. BASS of New Hampshire). The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. I'm happy that I'm finally given an opportunity to be supportive of an amendment offered by my friend, Mr. KUCINICH, because so often I have to oppose his amendments.

This bill already includes $10 million for the program. He's concerned that the Veterans Affairs and Military Construction Subcommittee did not include an additional $5 million. And I understand that. And that's okay. But medical research on Gulf War Illness, or whatever it is, is important. What we learned from this program could help us in other programs on diseases coming from Iraq and Afghanistan. We're seeing, if you get a chance to visit at Walter Reed Bethesda Hospital, some very strange bacteria and viruses and mold and funguses that are coming from places that we never expected to see. But we're seeing them now.

So this research program could help another research program to deal with these deadly diseases that are affecting our troops in large numbers. And so while we've already done $10 million in this bill, I'm going to agree with Mr. KUCINICH and agree to his amendment to add the additional money.

Mr. DICKS. Will the chairman yield?

Mr. YOUNG of Florida. I will yield to the gentleman.

Mr. DICKS. I agree with the chairman. This Gulf War Illness has been something that bothered me a great deal. This was a very difficult diagnosis, what was causing this. But I think an additional investment here is worthy, and I think we should accept the amendment. I'm glad the chairman accepts it.

Mr. YOUNG of Florida. I thank the gentleman for those comments, and I thank Mr. KUCINICH for offering the amendment.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. KUCINICH

Mr. KUCINICH. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 9, line 6, after the dollar amount, insert ''(reduced by $7,800,000)''.

Page 35, line 15, after the dollar amount, insert ''(increased by $6,000,000)''.

Page 35, line 16, after the dollar amount, insert ''(increased by $6,000,000)''.

The CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. KUCINICH. I want to thank the chairman. I also want to let the chairman of the full committee and the ranking member know that I appreciate their support for the Gulf War veterans in the previous amendment. I also submit that this particular amendment addresses another area that is receiving attention in the media but needs some money behind it to make sure that it receives attention from the Department.

This amendment to the Defense appropriations bill will increase funding for suicide prevention among our soldiers by $6 million. Now I happen to know there are members on this committee who are very concerned about the increased level of suicide among those who serve. And it's a bipartisan concern. We know the heartbreak that's out there when someone who serves this country finds that the conditions that they're in either during service or just afterwards are so horrendous that they take their own life.

Far too many troops coming home from war have sustained numerous mental insults, including post-traumatic stress order and traumatic brain injury. The mental anguish for them is so unbearable that they're stripped of hope and they just feel that they have to take their own lives. And sometimes they take not only their lives but the lives of loved ones as well.

There was a New York Times article in June of 2012, which said:

> The suicide rate among the Nation's active duty military personnel has spiked this year, eclipsing the number of troops dying in battle and on pace to set a record annual high since the start of the wars in Iraq and Afghanistan more than a decade ago.

There's almost one troop suicide per day. Women face additional difficulties and have a higher rate of attempted suicide. Being a victim of sexual assault, for example, is a known risk factor for suicide. The disincentives to simply reporting such an assault are many and strong, which means getting help is even harder.

The epidemic of veteran or active duty military suicides is not only a reason to increase funding for prevention of suicides, it's a reason to end the wars. It's one of the hundreds of reasons that are independently sufficient to end the wars. But until we end these wars, the very least we can do is to summon a good faith effort to do everything we can to prevent soldier suicides.

The amendment's offsets come from the Pentagon Channel.

Mr. DICKS. Will the gentleman yield?

Mr. KUCINICH. I yield to the gentleman.

Mr. DICKS. With all due respect, we have accepted the gentleman's previous amendment. On this one we have already added $20 million to the budget for this purpose, and we will, if necessary, go higher in conference because of the gentleman's concern, the chairman's concern, and my concern. But to totally eliminate funding for the Pentagon Channel, I think, is a mistake. There's very valuable information that is received by the military, by the Congress, by everybody who watches this thing.

It's the source of the amendment. So I would ask the gentleman if he would withdraw the amendment and then work with us and we will do the best we can to get to a higher level in conference.

Mr. KUCINICH. The short answer is yes.

Mr. DICKS. This has become the issue of this war, when more people are dying of suicide than are in combat. We don't want to lose any lives. It means that there is a serious problem. And we want to work with you to address that.

Mr. KUCINICH. Can I ask the chairman of the full committee if he would enter into a colloquy for this?

First of all, I want to acknowledge my friend from Washington for his commitment. This isn't the first time you and I have talked about this long commitment to address this suicide prevention.

I would ask the chairman of the full committee, would you be willing to support such an endeavor to plus-up the funds for suicide prevention in the conference?

□ 1710

Mr. YOUNG of Florida. Will the gentleman yield?

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

Mr. YOUNG of Florida. This issue is extremely important to all of us. At every one—well, almost every one—of our hearings, we insisted on getting good answers from the military as to what they could do, what would they

do, what did they plan to do to prevent the suicides. We have supported so many programs and added the additional money that Mr. DICKS has talked about.

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

Mr. DICKS. I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. I yield to the chairman.

Mr. YOUNG of Florida. We have also funded money for the Yellow Ribbon Foundation, which is actually to help servicemen and -women return to society to avoid their desire to commit suicide.

Just putting money here is not going to solve the problem. It's going to take a lot of work on the part the military, on the part of the social workers who deal with these soldiers, sailors, airmen, and marines coming out of the services. Just money is not going to solve this problem. It is a bigger issue than money. But we have provided a lot of money, and we continue to keep pressure on the military organizations to do everything they can.

Mr. DICKS. Reclaiming my time just for the moment, the point is we have also added money for traumatic brain injury, for posttraumatic stress disorder. Our subcommittee has been at the forefront of providing additional resources beyond the administration's request for a number of years, since this has become a major issue. But I would just ask the gentleman to try to work with us on this one because of the source issue, and we'll work together and do the best we can.

Mr. KUCINICH. Will the gentleman yield?

Mr. DICKS. I yield to the gentleman from Ohio.

Mr. KUCINICH. I have confidence in the good faith of the chairman and the ranking member. I know that you're both concerned about this, you've said so now, but I also know that you've demonstrated this at other times. So what I would ask is that we could work together to look at the amount that is in there programatically right now, find a way to plus it up so that we can make sure that the people on Active Duty and those that just left Active Duty know about programs, have access to programs, and have access to the kind of treatment that would be necessary to cut down the number of suicides.

In view of this colloquy, I will withdraw the amendment. Again, I thank both gentlemen.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT OFFERED BY MR. HANNA

Mr. HANNA. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 9, line 6, after the dollar amount, insert ''(reduced by $30,000,000)''.

Page 32, line 6, after the dollar amount, insert ''(increased by $30,000,000)''.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes in support of his amendment.

Mr. HANNA. Mr. Chair, I would first like to thank the chairman and the ranking member for their good work on this bill. I'm inclined to support the underlying bill but believe it can be, and should be, strengthened through this amendment.

The Department of Defense faces more than 10 million cyberattacks every day. The damage and frequency of these attacks have been rapidly increasing over recent years. Attacks against our networks cost our businesses more than $1 trillion per year in lost intellectual property and other damages, resulting in theft of innovation and real damage to our economy and American jobs.

For example, a cyberattack in March of 2011 against the military contractor resulted in the loss of 24,000 Department of Defense files. Secretary of Defense Leon Panetta has stated that 60,000 new software programs are identified every day which threaten our security, our economy, our citizens, and our military.

High-tech threats require high-tech defenses to combat the attacks that face our armed services on the front lines and our businesses here at home. Proper funding for our cybersecurity defenses and advanced research projects is critical to our national security in today's high-threat environment.

The Air Force has always taken the lead in cyberspace defenses, yet over $1 billion is proposed to be cut from their research, development, test and evaluation programs under this bill. These cuts are not justified based on the frequency and magnitude of the threats.

These cuts would further expose our networks and adversely affect our service departments and agencies such as Strategic Command, the Defense Intelligence Agency, and the National Security Agency.

Secretary Panetta has stated:

The next Pearl Harbor we confront could very well be a cyberattack that cripples our systems.

We simply need to protect our networks by providing the funding levels necessary to do just that.

My amendment would restore $30 million to the Air Force's Research, Development, Test and Evaluation programs and reduce Operations and Maintenance by the same amount to support research and development of cyberdefense, advanced communication and information technology programs.

Recognizing the need for fiscal restraint, if adopted, my amendment would still fund the Research, Development, Test and Evaluation account by $1.6 billion, or 6 percent, below this year's level; and overall, Operations and Maintenance would still receive $12.1 billion above the enacted levels.

Now is simply not the time to cut back on high-tech research and development without justification. I urge my colleagues to support this amendment to restore funding for these programs which are vital to our 21st century defenses.

I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. I reluctantly have to oppose this amendment for much of the same arguments I used earlier by taking the money out of O&M defense-wide accounts, which is where we provide for our readiness. And we just cannot continue to take money out of this fund and use it as a slush fund. Readiness, we have got to maintain. We can't take a chance on not being ready in the event a situation develops.

Now, on the issue of cyber, there's no doubt that this is a growing threat. It's even a larger threat than most people realize today. And members of this committee understand that threat because we have spent a lot of time dealing with cyber. But there are other places in this bill where the gentleman could offer his amendment that would, I think, apply better.

If we're dealing with a nonmilitary cyber program, it should be done through the Homeland Security bill, and they do have money in that bill. If it has to do with the FBI's law enforcement work on cyber, it should be in the Commerce-State-Justice bill where there is money there for that.

I'm afraid this gets a little close to being an earmark that is not an earmark. For example, there are those in the media suggesting that Members are increasing program amounts just so that that program would favor something in their own district. This gets very close because of a particular laboratory in Mr. HANNA's district. I'm not opposed to his supporting his laboratory, but I think it does get to the point that maybe this is a program increase that could be directed to a specific district or a specific project.

We've already funded a lot in cyber, and we will continue to fund cyber. Every year it grows, we grow with it. But we can't do this at the expense of our defense-wide Operation and Maintenance accounts that provide for our readiness.

□ 1720

I'm not going to produce a bill or support a bill that cuts into the readiness of our Nation, the ability to defend our Nation. We're not going to do it. The cyber accounts have their own place in the legislation, and they are being taken care of properly.

So I'm opposed to this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. HANNA).

The amendment was rejected.

AMENDMENT NO. 6 OFFERED BY MR. LANGEVIN

Mr. LANGEVIN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 9, line 6, after the dollar amount, insert ''(reduced by $15,000,000)''.

Page 35, line 15, after the dollar amount, insert ''(increased by $15,000,000)''.

Page 35, line 23, after the dollar amount, insert ''(increased by $15,000,000)''.

The Acting CHAIR. The gentleman from Rhode Island is recognized for 5 minutes.

Mr. LANGEVIN. Mr. Chairman, my amendment proposes to add $15 million to the RDT&E in the Defense Health Program for the purpose of augmenting the Spinal Cord Injury Research Program within the Congressionally Directed Medical Research Program.

Spinal cord injuries are a serious combat-related condition affecting many of our servicemen and -women. In response, Congress established the Spinal Cord Injury Research Program in 2009 to support research into regenerating and repairing damaged spinal cords and improving rehabilitative therapies.

More than 30 years ago, when I was first injured with a spinal cord injury, I was told that I'd never walk again and that you just can't repair the spinal cord. Well, now, some 30 years later, we know that that is not accurate. In fact, it is no longer a question of if we can repair spinal cords, but when. This offers great hope to our men and women in uniform who have been the victims of a spinal cord injury in combat. In fact, recent research promises to make the repair of spinal cord injuries a reachable goal in the very near future.

In one study released earlier this year, in fact, rats with severe spinal injuries were able, following a groundbreaking new treatment, to walk, run, and even climb stairs. Scientists in charge of the trial said a similar approach could be used on human patients with spinal injuries, with a clinical trial possible within 1 or 2 years.

This and other research provides real hope to our military servicemembers and veterans who have suffered severe nervous system damage while defending our freedom, as well as the 1.275 million Americans estimated to be paralyzed as a result of a spinal cord injury. But without sufficient funding, these therapies will not be able to undergo further development or clinical trials.

The research is real and shows incredible promise. There is a genuine and exciting possibility that we can soon repair these debilitating injuries that affect so many. I believe that we must make sure that momentum is not lost and that the benefit of decades of research into spinal cord injuries is realized.

With that, Mr. Chairman, I just want to thank my good friends, Chairman YOUNG and Ranking Member DICKS, and the committee staff for working very closely with me on crafting this amendment.

I yield back the balance of my time.

Mr. DICKS. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. Mr. Chairman, I rise in strong support of this amendment. I commend my friend from Rhode Island for his efforts in this regard, and I just hope that this research will be successful. I know with his leadership, it will be.

I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. The gentleman, the sponsor of the amendment, has discussed this with us at length for quite some time. This is an immediate problem and a growing problem and one that we have to face up to.

We do not oppose this amendment. We agree with the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Rhode Island (Mr. LANGEVIN).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SESSIONS

Mr. SESSIONS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 9, line 6, after the dollar amount, insert ''(reduced by $10,000,000)''.

Page 35, line 15, after the dollar amount, insert ''(increased by $10,000,000)''.

Page 35, line 23, after the dollar amount, insert ''(increased by $10,000,000)''.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. SESSIONS. Mr. Chairman, first, I'd like to recognize both of the gentlemen that are here on behalf of the committee today, the gentleman, Mr. DICKS, and the gentleman, Mr. YOUNG, for their outstanding service not only to our country, but to this Congress, on behalf of making sure that we have freedom and that the men and women who protect this country are properly taken care of. I express my gratitude to both of them.

Also, I want to thank HAL ROGERS, and certainly the gentleman from New Jersey who is sitting in for the committee today. I want to thank him also.

Mr. Chairman, today, I stand up in support of the dedication and hard work this Congress has done for work on something on known as TBI, traumatic brain injury, and posttraumatic stress disorder, PTSD. This Congress, as you may know, Mr. Chairman, has continued increasing funding for TBI and PTSD overall, and by this bill by $125 million.

On May 18, 2012, during the National Defense Authorization Act debate, the House unanimously adopted my amendment to create a pilot program administered by the Department of Defense that would strengthen treatment for our troops coming home with TBI and PTSD. Today, Congress has the opportunity to appropriate funds for this program.

My amendment, offered with my dear friend from California, the gentleman, MIKE THOMPSON, specifically moves $10 million from more than $31 billion in the Operation and Maintenance Defense-Wide budget to increase the Defense Health Program by $10 million. This money will directly assist these soldiers who have TBI-related injuries by allowing them to be reimbursed for attending private sector facilities that perform cutting-edge treatments.

One in four recent combat veterans treated by the Veterans Health Administration from 2004 to 2009 had a diagnosis of PTSD, and about 7 percent have been diagnosed with TBI. According to the U.S. Army, the number of soldiers leaving Active Duty service has increased by 64 percent from 2005 to 2009 due to brain health, whether it was TBI, PTSD, or a mental illness. These soldiers leave at a rapid rate.

A 2009 RAND study estimates that costs related to depression, PTSD, and TBI in our soldiers ranges from $4 billion to $6.2 billion over a 2-year period of time.

Today, health care providers all over the country are working to provide treatment to brain injury patients with new and innovative treatments, with remarkable results. One such treatment utilizes hyperbaric oxygen to reduce or eliminate chronic symptoms of TBI, such as headaches, memory loss, and mood swings.

While the Department of Defense has made many, many strides in research under the direction of Colonel Scott Miller, many innovative treatments, unfortunately, are not available within the military facilities. So, this amendment that I offer today would allow these men and women who seek treatment to be able to do so at our leading-edge facilities that are private around the United States of America. My amendment will provide for treatment and recovery that is desperately needed.

I urge my amendment to be approved, and I yield back the balance of my time.

Mr. THOMPSON of California. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. THOMPSON of California. Mr. Chairman, I'd like to thank the chair and the ranking member for the good work they're doing on this bill.

I rise in strong support of this amendment.

The Department of Defense estimates that more than 230,000 servicemembers have sustained a traumatic brain injury between 2000 and 2011. During that time, as the gentleman from Texas, my good friend, Mr. SESSIONS, pointed out,

Congress has dedicated an unprecedented level of funding for TBI treatment and research, which has allowed DOD to make great strides in identifying and treating brain injuries. But despite the increased funding, servicemembers and veterans suffering from posttraumatic stress and TBI are still limited as to where and when they can be treated. Sometimes the very best treatment for their injuries can be found outside of the traditional DOD/VA networks. There are some outstanding programs providing first-class, effective treatment to our returning soldiers, yet those programs are not eligible for payment.

□ 1730

I had a chance to visit one of these facilities, the Pathway Home program, run out of the California Veterans Home. It's just an outstanding program providing great service to some very deserving heroes, and they should be reimbursed.

Our troops and veterans have earned—they've earned the very best treatment and care that we can provide. But sometimes, as I said, the best treatments aren't available at military and veteran medical facilities.

The Sessions-Thompson amendment will make sure that our heroes who return from combat with TBI or PTS have access to the highest quality care our Nation has to offer. We have a responsibility to help those who have sacrificed so much in defense of our great Nation.

I urge my colleagues to support this amendment.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, we're pleased to accept the gentlemen from Texas and California's amendment. We know what happens to those who suffer from traumatic brain injury and post-traumatic stress syndrome.

Mr. DICKS. Will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the ranking member.

Mr. DICKS. I just want to concur. I think this is a deserving amendment. We cannot do enough on these issues because this is going to have a lifetime effect on these people; and the more we do, as they come home, and even before they go to find out who is susceptible, this is critically important and will save us a lot of money.

We will accept the amendment on our side.

Mr. FRELINGHUYSEN. I yield back the balance of my time.

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

The amendment was agreed to.

Mr. ANDREWS. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. ANDREWS. Mr. Chairman, I rise to engage the ranking member of the Defense Subcommittee for the purpose of a colloquy.

Mr. Ranking Member, I recently wrote a letter to the Secretary of Defense to ask for his assistance in documenting the annual cost to the military of treating servicemembers and veterans who are living with hydrocephalus.

Hydrocephalus is a medical condition characterized by the abnormal accumulation of fluid within the brain. Experts suspect that two-thirds of the 41,000 servicemembers diagnosed with moderate to severe traumatic brain injuries over the past decade also suffer from hydrocephalus.

The primary treatment for hydrocephalus, a shunt implanted in the brain, was developed decades ago and has the highest failure rate of any implanted medical device. Veterans living with this condition will face a lifetime of medical uncertainties and incur costly brain surgeries, unless a better treatment is found.

Would the ranking member, the gentleman, be willing to work with us to help gain a better understanding of the incidence and cost of hydrocephalus among our injured servicemembers and veterans so we can focus the appropriate amount of DOD research dollars on finding a better treatment?

I yield to the ranking member.

Mr. DICKS. The committee recognizes the serious trouble of traumatic brain injury, as you just noted, and related conditions; and I'm happy to work with the gentleman from New Jersey to improve understanding of this important issue as we confer with the other body and work with our majority Members here who are deeply concerned, as we are, about this amendment.

Mr. ANDREWS. I yield back the balance of my time.

AMENDMENT OFFERED BY MR. WALZ OF MINNESOTA

Mr. WALZ of Minnesota. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 9, line 6, after the dollar amount insert the following: ''(reduced by $5,000,000)''.

Page 35, line 15, after the dollar amount insert the following: ''(increased by $5,00,000)''.

Page 35, line 23, after the dollar amount insert the following: ''(increased by $5,000,000)''.

Mr. WALZ of Minnesota (during the reading). Mr. Chairman, I ask to dispense with the reading of the amendment.

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

There was no objection.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. WALZ of Minnesota. I would like to thank the chairman and the ranking member for the great work they're doing on this. I'd also like to thank them for their commitment, not just to the defense of this Nation, but to the care of those warriors who so dearly pay for that defense.

What this amendment does is it increases the appropriation in the Sensory Injury Defense Research programmatic request from $5 million to $10 million for core vision and eye research. This important research will be paid for by redirecting funds from Operations and Management Budget.

You've heard it on the last several speakers talking about traumatic brain injury, the issues that come from that. One of the core indicators and one of the first indicators of traumatic brain injury or mild traumatic brain injury is eye injury.

The brave warriors that sustain these, whether they're puncture injuries or whether they're from concussive blast injuries, start to manifest themselves in loss of vision and eye injuries. Of all of the TBIs that happen in the war zone, 70 percent suffer some type of vision loss. The research to deal with this has long-term benefits.

It is, as I said, one of the first indicators of brain injury. We could start to get early treatment on that, and all the research seems to show that cognitive ability is affected positively the sooner we get on top of that.

There is $600 million and I know tough decisions are made in this bill towards research and battlefield injuries; 15 percent of all those injuries are eye injuries. The $10 million number that we're requesting gives us basic adequate numbers, a floor number, if you will, to start getting that research done.

So I am very appreciative of the tough decisions that get made in this. I would encourage my colleagues to support this amendment to beef up the eye injury research, and I would argue it's morally the right thing to do. We've been trying to work on this with a combination of VA and DOD to get that going.

I yield back the remainder of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. We're pleased to accept the gentleman from Minnesota's amendment, and we salute him for his advocacy.

I could tell you from a personal visit from a soldier who lost his sight, Tim Fallon from Long Valley, New Jersey, who came into my office to advocate, that these are dollars well spent. We need to spend more on these types of investments because too many soldiers are coming home with, I think, things that could be potentially benefited from this type of investment in terms of having the potential.

Mr. DICKS. Will the gentleman yield?

Mr. FRELINGHUYSEN. I am happy to yield to the gentleman.

Mr. DICKS. I concur with the chairman and want to say to the gentleman from Minnesota, we appreciate his service to the country. You know a lot more about this than some of us who were not in the service, and we appreciate your leadership on this issue.

Mr. FRELINGHUYSEN. I yield back the balance of the time.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HIGGINS

Mr. HIGGINS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 9, line 6, after the dollar amount insert the following: ''(reduced by $10,000,000)''.

Page 32, line 18, after the dollar amount insert the following: ''(increased by $10,000,000)''.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. HIGGINS. Mr. Chairman, the Department of Defense oversees important research into the varied threats that face our Nation. This research is essential to safeguarding our communities and empowering research institutions and universities to come up with the creative solutions to detect, confront, and neutralize weapons of mass destruction.

My amendment is very straightforward. It would increase funding by $10 million for the defense-wide research, development, test and evaluation account. It is offset by reducing funding for the operation and maintenance defense-wide account.

The intent of this amendment is to support the ongoing work that is being performed through basic research programs at the Defense Threat Reduction Agency, which is the Department of Defense's official Combat Support Agency for countering weapons of mass destruction.

The grants provided by this funding support 160 research projects across the Nation. Twenty-one universities participate in competitive research projects that help to define, detect, and mitigate the proliferation and use of weapons of mass destruction. This important work is providing us with a better understanding of the threats we face and creating new innovative solutions to the security risks posed by a chemical, biological, or nuclear attack on the United States homeland.

I ask my colleagues to support this amendment and the important lifesaving research being performed at important institutions across the country.

I yield back the balance of my time.

□ 1740

Mr. FRELINGHUYSEN. I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, I strongly object to the arbitrary reductions to the Operations and Maintenance, Defense-Wide appropriations account.

The Operations and Maintenance appropriations account funding, as Mr. YOUNG stated a few minutes ago, is critical to the readiness, safety, and quality of life for our brave men and women who volunteer to serve each and every day. Cutting this account would hurt our readiness, and that is something we cannot do at this point in time.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. HIGGINS).

The amendment was rejected.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

OPERATION AND MAINTENANCE, ARMY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $3,199,423,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,256,347,000.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $277,377,000.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $3,362,041,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft), $7,187,731,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For expenses of training, organizing, and administering the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; transportation of things, hire of passenger motor vehicles; supplying and equipping the Air National Guard, as authorized by law; expenses for repair, modification, maintenance, and issue of supplies and equipment, including those furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, for Air National Guard commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau, $6,608,826,000.

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES

For salaries and expenses necessary for the United States Court of Appeals for the Armed Forces, $13,516,000, of which not to exceed $5,000 may be used for official representation purposes.

ENVIRONMENTAL RESTORATION, ARMY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $335,921,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Army, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, NAVY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Navy, $310,594,000, to remain available until transferred: *Provided*, That the Secretary of the Navy shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Navy, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Navy, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, AIR FORCE

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Air Force, $529,263,000, to remain available until transferred: *Provided*, That the Secretary of the Air Force shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Air Force, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Air Force, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For the Department of Defense, $11,133,000, to remain available until transferred: *Provided*, That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of Defense, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $237,543,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris at sites formerly used by the Department of Defense, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

For expenses relating to the Overseas Humanitarian, Disaster, and Civic Aid programs of the Department of Defense (consisting of the programs provided under sections 401, 402, 404, 407, 2557, and 2561 of title 10, United States Code), $108,759,000, to remain available until September 30, 2014.

COOPERATIVE THREAT REDUCTION ACCOUNT

For assistance to the republics of the former Soviet Union and, with appropriate authorization by the Department of Defense and Department of State, to countries outside of the former Soviet Union, including assistance provided by contract or by grants, for facilitating the elimination and the safe and secure transportation and storage of nuclear, chemical and other weapons; for establishing programs to prevent the proliferation of weapons, weapons components, and weapon-related technology and expertise; for programs relating to the training and support of defense and military personnel for demilitarization and protection of weapons, weapons components and weapons technology and expertise, and for defense and military contacts, $519,111,000, to remain available until September 30, 2015.

DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND

For the Department of Defense Acquisition Workforce Development Fund, $50,198,000.

TITLE III

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $6,115,226,000, to remain available for obligation until September 30, 2015.

MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,602,689,000, to remain available for obligation until September 30, 2015.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For construction, procurement, production, and modification of weapons and tracked combat vehicles, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,884,706,000, to remain available for obligation until September 30, 2015.

PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,576,768,000, to remain available for obligation until September 30, 2015.

OTHER PROCUREMENT, ARMY

For construction, procurement, production, and modification of vehicles, including tactical, support, and non-tracked combat vehicles; the purchase of passenger motor vehicles for replacement only; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $6,488,045,000, to remain available for obligation until September 30, 2015.

AMENDMENT OFFERED BY MS. BONAMICI

Ms. BONAMICI. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 22, line 1, after the dollar amount, insert ''(reduced by $1) (increased by $1)''.

The Acting CHAIR. The gentlewoman from Oregon is recognized for 5 minutes.

Ms. BONAMICI. Mr. Chairman, I rise today in support of the commonsense amendment I am offering for Ms. BUERKLE and me to help State National Guard units across the country better perform their missions. This amendment requires the National Guard to complete a capability assessment of the medical equipment its domestic Humvee ambulances should be required to carry in Federal and State missions.

Right now, these ambulances have no requirement to carry cardiac monitoring and resuscitation equipment, limiting their capability to adequately treat a wide range of injuries in emergency situations. MRAP ambulances, used by the Army and National Guard in overseas contingency operations, do, however, carry cardiac monitoring and resuscitation equipment. This capability assessment would determine whether or not Guard Humvee ambulances used domestically should carry cardiac monitoring and resuscitation equipment comparable to MRAP ambulances currently fielded in overseas contingency operations.

The National Guard's missions include responding to terrorist attacks, homeland security emergencies, natural disasters, and providing defense

support to civil authorities. How can the Guard carry out its required missions if it does not have the proper equipment necessary to deal with severe injuries?

As these Humvee ambulances are currently equipped, medical personnel are extremely limited in the available treatment they can provide to an injured person. Essentially, an ambulance in this configuration can only provide very basic care and the simple transportation of a patient from one place to another. For example, I understand that medical personnel would be unable to treat a patient experiencing cardiac arrest. This is a serious problem.

State National Guard units across the country want this equipment and have indicated that it could make the difference between life and death in emergency situations. The Adjutants General in eight different States, including Washington, Montana, North Dakota, Hawaii, New York, Arizona, and my home State of Oregon, have submitted resolutions for the emergency procurement of cardiac monitoring equipment to be used by their individual State Guard units, but because the National Guard Bureau does not view this equipment as ''required,'' it has backed out of a plan to purchase it despite the support of multiple States.

This amendment will require the National Guard Bureau to reexamine whether or not cardiac monitoring and resuscitation equipment is required and necessary for the Guard to fulfill its homeland security, terrorist attack, national disaster response, and defense support to civil authorities responsibilities. Should the capability assessment find that the equipment is necessary, under this amendment, the Army may use funds from this section to retrofit and install the equipment in domestic Humvee ambulances currently in use by the National Guard.

This is a commonsense issue. The Guardsmen and -women who operate ambulances should be provided the best capability available to save lives across this country in the event of an emergency.

I urge my colleagues' support of this bipartisan amendment, and I yield back the balance of my time.

Mr. FRELINGHUYSEN. I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I want to thank the gentlewoman for bringing this issue to our attention. I have no objection to it. I accept it. I think its assessment would be valuable to be made.

Mr. DICKS. Will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from Washington.

Mr. DICKS. I want to commend the gentlewoman for her amendment. I think it's well-thought-out, and I hope it has the desired effect. I congratulate her on offering it.

Mr. FRELINGHUYSEN. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Oregon (Ms. BONAMICI).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $17,518,324,000, to remain available for obligation until September 30, 2015.

WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts, and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $3,072,112,000, to remain available for obligation until September 30, 2015.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $677,243,000, to remain available for obligation until September 30, 2015.

SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; procurement of critical, long lead time components and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title,

Carrier Replacement Program, $578,295,000;

Virginia Class Submarine, $3,217,601,000;

Virginia Class Submarine (AP), $1,597,878,000;

CVN Refuelings,$1,613,392,000;

CVN Refuelings (AP), $70,010,000;

DDG–1000 Program, $669,222,000;

DDG–51 Destroyer, $4,036,628,000;

DDG–51 Destroyer (AP), $466,283,000;

Littoral Combat Ship, $1,784,959,000;

Joint High Speed Vessel, $189,196,000;

Moored Training Ship, $307,300,000;

LCAC Service Life Extension Program, $47,930,000; and

For outfitting, post delivery, conversions, and first destination transportation, $284,859,000.

AMENDMENT OFFERED BY MR. QUIGLEY

Mr. QUIGLEY. I have an amendment at the desk, Mr. Chairman.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 24, line 14, after the dollar amount, insert ''(reduced by $988,000,000)''.

Page 25, line 1, after the dollar amount, insert ''(reduced by $988,000,000)''.

Page 153, line 15, after the dollar amount, insert ''(increased by $988,000,000)''.

The Acting CHAIR. The gentleman from Illinois is recognized for 5 minutes.

□ 1750

Mr. QUIGLEY. Mr. Chairman, I join my colleague from Illinois to offer a bipartisan commonsense amendment to the Department of Defense appropriations bill.

Our amendment cuts $988 million from the bill, which the committee added but the Navy did not request, for a 10th DDG–51 destroyer. It also puts the savings toward deficit reduction.

Let's back up for a minute and explain how we got here. As part of the Department of Defense's new strategy, they are realigning force structure by reducing ground forces and making new investments in more agile sea and air forces. Toward this end, the Navy has entered into a multiyear procurement—or MYP—arrangement to purchase nine DDG–51 destroyers over the next 5 years. In order to fulfill one year of this MYP arrangement, the Navy requested just over $3 billion in the FY13 budget, yet the committee took it upon itself to give the Navy an extra billion dollars it didn't request and likely doesn't need for a 10th destroyer.

To be fair, there was talk of purchasing a 10th destroyer, but on March 29, 2012, Sean Stackley, the Navy's acquisition executive, testified before a House Armed Services Subcommittee that he thought through competition he could get 10 ships for the price of 9. He notes in his testimony that the Navy has ''competition on this program—two builders building the 51s, and the competition has been healthy.'' He goes on to explain how he hopes to get a 10th ship out of the multiyear arrangement, saying ''our top line allowed for nine ships to be budgeted, but when we go out with this procurement, we're going to go out with a procurement that enables the procurement of 10 ships if we're going to achieve the savings that we're targeting across this multiyear arrangement.''

Mr. Stackley ends by explaining that the Navy can use leverage and competition to get 10 ships for the price of

nine, and he thinks they have a pretty good shot. But rather than letting the Navy do its job, and letting the competition acquisition process work by putting the billion dollars on the table up front, the committee cut the legs out from underneath the competitive process. The addition of the extra billion dollars for another ship by the committee ends competition and negotiation, and puts a billion dollars on the table that we don't have to spend.

Why not let the acquisition process take its course, and see what happens? I don't think we need the 10th ship, and I'm not completely convinced we need the other nine either. But even for those who do support a 10th destroyer, cutting this funding now does not preclude them from adding it later if it's needed.

Unfortunately, this is one of the many examples of Congress supplanting its own parochial interests for that of the military and what's best for the country as a whole. This defense bill and all those before it are riddled with funding for weapons, bases, and projects we don't need to keep America safe. Rather, these bills include projects that support special Member interests back home. We can no longer afford to allow the desire to stimulate local economies to drive our defense and foreign policy. As we emerge from a deep recession and face a deficit topping $1 trillion for the fourth straight year, we must right-size our budget.

Mr. Chairman, in terms of the ability to let Mr. DOLD speak, I yield 1 minute to the gentleman from Illinois.

The Acting CHAIR. The gentleman from Illinois may not yield blocks of time. He may yield to the gentleman from Illinois.

Mr. DOLD. Will the gentleman yield?

Mr. QUIGLEY. I yield to the gentleman from Illinois.

Mr. DOLD. I thank the gentleman for yielding.

Mr. Chairman, we're focused on finding savings in every area of government spending. Without a doubt, the Defense Department has made significant and painful contributions to our efforts to reduce the debt, and I want to make sure that we recognize that.

The Defense budget actually accounts for roughly 17 percent of all Federal spending, yet it has contributed over 50 percent of the deficit reduction. I do want to recognize that we're already cutting a significant amount of money, Mr. Chairman, out of the Department of Defense. We need to be looking at commonsense ways for us to be able to save money.

This amendment is about promoting efficiency in the Department of Defense and achieving valued savings wherever possible. The amount of funds provided in this bill for these ships is $1 billion above the Navy's own budget request. In the spirit of seeking to achieve cost savings throughout this government, I believe it's appropriate for us to act consistent with the Navy's view of allowing the competitive bidding process to play out, which, as the Navy acquisition executive has testified, may very well allow the Navy to acquire its 10th ship at lesser amounts included in the Navy's budget request. If these bids come back and a 10th ship cannot be realized this year, I'm certainly supportive of providing additional resources next year for the 10th ship. But I do believe we should allow the Navy to operate and try to maintain at lower costs while achieving our Nation's security.

Mr. QUIGLEY. Mr. Chairman, I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I rise in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. Mr. Chairman, all throughout this last year, we have heard from the administration and we have heard from the Navy that it is important to be able to have a large presence in the Pacific area. This is something that we're going to do that is new. We're going to have an increased presence in the Pacific. That is the administration's statement.

During our many hearings, all of those hearings that we did on the Central Command area in the Mideast, the Persian Gulf, the Strait of Hormuz, the threats from Iran, we were told by the military leadership who fight those wars there that they needed a larger naval presence in order to counter any threat from Iran and similar threats, and to keep open the Persian Gulf, and especially the Strait of Hormuz.

Today, we don't really have as much naval capability as they suggest that we need. So the committee added this DDG–51 for this year. The Navy actually asked for advanced procurement for the DDG–51 so they can build it next year. We were able to find the funds to actually build it this year so that we can begin to prepare for the presence that the Navy and the President have all said that we have to maintain. That's the DDG–51.

In addition, in order to try to accomplish the coverage that the Navy said they need, we have taken three cruisers that would have been taken out of service, and we reconfigured those cruisers. We provided funding to reconfigure the cruisers to add to this effort, to add to the effort to have more naval presence in the Mideast, and to cover the Pacific. As everyone in the military and in the White House has said, we've got to have that presence.

We have to oppose this amendment. We need this DDG–51 in order to meet our obligations.

It is interesting that we understand that some of these programs are costing more than was anticipated. The CBO just issued a report saying that in order to do the President's budget request, it will cost $123 billion more than they estimated that it would cost. We do have a problem with numbers, and with dollars.

Covering the Pacific region, covering the Mideast region, the Persian Gulf, the Strait of Hormuz, that is important to our national security interests, and that's important to our allies, and to our troops overseas in that region.

Mr. Chairman, I oppose this amendment. It is not a good amendment. It is not good for our national defense.

With that, I yield back the balance of my time.

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

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. QUIGLEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Illinois will be postponed.

The Clerk will read.

The Clerk read as follows:

Completion of Prior Year Shipbuilding Programs, $372,573,000.

In all: $15,236,126,000, to remain available for obligation until September 30, 2017: *Provided*, That additional obligations may be incurred after September 30, 2017, for engineering services, tests, evaluations, and other such budgeted work that must be performed in the final stage of ship construction: *Provided further*, That none of the funds provided under this heading for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components of such vessel: *Provided further*, That none of the funds provided under this heading shall be used for the construction of any naval vessel in foreign shipyards.

OTHER PROCUREMENT, NAVY

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $6,364,191,000, to remain available for obligation until September 30, 2015.

□ 1800

AMENDMENT OFFERED BY MR. COHEN

Mr. COHEN. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 26, line 2, after the dollar amount, insert ''(reduced by $506,660,000)''.

Page 35, line 15, after the dollar amount, insert ''(increased by $235,000,000)''.

Page 35, line 23, after the dollar amount, insert ''(increased by $235,000,000)''.

The Acting CHAIR. The gentleman from Tennessee is recognized for 5 minutes.

Mr. COHEN. Mr. Chairman, this is an amendment we should be able to come together on. The administration requested $101 million for the operation

and upgrading cruiser ships used by the United States Navy. That's what the Pentagon and the administration requested, $101 million.

However, what's been recommended is $607 million. That $607 million is an increase of over $500 million from what the Pentagon asked for, five times what the Pentagon asked for. At a time when so many of my colleagues are calling for a decrease in the spending on the Federal Government side, it seems that they should heed the requests of their constituents, the budget, and the advice of Congress and will refrain from throwing $500 million at this program that the Department of Defense is trying to phase out.

Now, my amendment would allocate $235 million of that 506 excess to defense health programs. The rest would be toward deficit reduction.

Americans would be better served if that $235 million didn't go to a program of buying cruiser ships that the Department of Defense doesn't want, and rather have this money go to health care research, which the Department of Defense does in the area of cancer research, breast cancer research, prostate cancer research, and other cancer research.

The Department of Defense has a strong cancer research program and can always use more money to save lives. I have been a strong supporter all my life of putting money into research in the National Institutes of Health and joining with Senator Specter in getting an additional $10 billion in the American Recovery and Reinvestment Act for the National Institutes of Health.

One day, through research dollars, we will have a cure for cancer, a headline we want to see, a headline that cancer scientists find the cure for cancer. It may come because of an appropriation like this and not Congress passes five times the amount of money the Department of Defense wants for cruiser ships.

My goal in offering this amendment is to see that the cancer research programs are benefited, that they are doubled; and this investment in health care research is an investment in our Nation's future and an investment in every human being here as a potential victim of cancer. There are other diseases which the National Institutes of Health look at. Whether it's Alzheimer's, diabetes, heart disease and others, cures need to be found and government should be investing monies in those places.

This is one place where the Department of Defense emphasizes cancer research. Even with the doubling of investment of cancer research, this amendment does reduce the overall cost of the appropriations bill. At a time when we have seen cuts to other research programs like the National Institutes of Health, it's important to identify every single dollar that can be used to further research efforts.

A vote for this amendment is a vote in favor of furthering our country's cancer research and protecting all citizens out there who are potential victims of this awful disease and reduce the overall cost of this legislation as well.

I urge you to vote ''yes'' on this amendment, and I yield back the balance of my time.

Mr. KINGSTON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. Mr. Chairman, I want to point out that cancer research is already funded in this bill at a $246 million level.

I also want to say that Mr. YOUNG, Mr. Murtha, Mr. DICKS, and Mr. LEWIS have had a long tradition of leadership on cancer research in the Defense Appropriations Committee. We have always been very supportive of it and will continue so. The bill is already at $246 million.

Secondly, why did we put the money into the cruiser program? We did so because at a time when we are pivoting much of our Navy fleet into the Pacific area, we believe we needed to have as many of these ships capable of missile defense, or the Aegis system, as possible because the world is so unstable.

Many of these ships will probably go to the Pacific. There are six of them that we are re-outfitting for this system, and then some of them may go to the Middle East.

Now, I just got back from spending a night on a carrier that was part of the Fifth Fleet in the Persian Gulf, and our trip also included Afghanistan, Pakistan, Yemen and Djibouti. I wish that some of the Members of Congress could get some of the briefings that we got in terms of the missile threat in the Middle East alone, because it is an unstable part of the globe right now, and we have to have our best technology out there and our best sailors and our best airmen ready at all times in case there is a missile attack, and that's what the Defense Committee on a bipartisan basis recognized with this $506 million.

I urge my colleagues to vote ''no'' on the amendment.

I yield back the balance of my time.

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

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. COHEN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Tennessee will be postponed.

The Clerk will read.

The Clerk read as follows:

PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, $1,482,081,000, to remain available for obligation until September 30, 2015.

AIRCRAFT PROCUREMENT, AIR FORCE

For construction, procurement, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $11,304,899,000, to remain available for obligation until September 30, 2015.

MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, spacecraft, rockets, and related equipment, including spare parts and accessories therefor, ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $5,449,146,000, to remain available for obligation until September 30, 2015.

PROCUREMENT OF AMMUNITION, AIR FORCE

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $599,194,000, to remain available for obligation until September 30, 2015.

OTHER PROCUREMENT, AIR FORCE

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; lease of passenger motor vehicles; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon, prior to approval of

title; reserve plant and Government and contractor-owned equipment layaway, $16,632,575,000, to remain available for obligation until September 30, 2015.

PROCUREMENT, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments) necessary for procurement, production, and modification of equipment, supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, $4,429,335,000, to remain available for obligation until September 30, 2015.

NATIONAL GUARD AND RESERVE EQUIPMENT

For procurement of aircraft, missiles, tracked combat vehicles, ammunition, other weapons and other procurement for the reserve components of the Armed Forces, $2,000,000,000, to remain available for obligation until September 30, 2015: *Provided*, That the Chiefs of National Guard and Reserve components shall, not later than 30 days after the enactment of this Act, individually submit to the congressional defense committees the modernization priority assessment for their respective National Guard or Reserve component: *Provided further*, That during fiscal year 2013, the Chief of the National Guard Bureau and each Reserve Component Chief, may each use not more than 3 percent of the funds made available to the National Guard or such reserve component, as the case may be, under this heading to carry out research, development, test, and evaluation activities related to adding technological capability to platforms or to modernize existing systems.

DEFENSE PRODUCTION ACT PURCHASES

For activities by the Department of Defense pursuant to sections 108, 301, 302, and 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and 2093), $63,531,000, to remain available until expended.

TITLE IV

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $8,593,055,000 to remain available for obligation until September 30, 2014.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $16,987,768,000, to remain available for obligation until September 30, 2014: *Provided*, That funds appropriated in this paragraph which are available for the V–22 may be used to meet unique operational requirements of the Special Operations Forces: *Provided further*, That funds appropriated in this paragraph shall be available for the Cobra Judy program.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $25,117,692,000, to remain available for obligation until September 30, 2014.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment, $19,100,362,000, to remain available for obligation until September 30, 2014: *Provided*, That of the funds made available in this paragraph, $250,000,000 for the Defense Rapid Innovation Program shall only be available for expenses, not otherwise provided for, to include program management and oversight, to conduct research, development, test and evaluation to include proof of concept demonstration; engineering, testing, and validation; and transition to full-scale production: *Provided further*, That the Secretary of Defense may transfer funds provided herein for the Defense Rapid Innovation Program to appropriations for research, development, test and evaluation to accomplish the purpose provided herein: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of Defense shall, not fewer than 30 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer.

AMENDMENT OFFERED BY MR. POMPEO

Mr. POMPEO. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 32, line 18, after the dollar amount, insert ''(reduced by $250,000,000)''.

Page 32, line 20, after the dollar amount, insert ''(reduced by $250,000,000)''.

Page 153, line 15, after the dollar amount, insert ''(increased by $250,000,000)''.

The Acting CHAIR. The gentleman from Kansas is recognized for 5 minutes.

Mr. POMPEO. Mr. Chairman, I rise to strike the Rapid Innovation Fund and save the taxpayers over $250 million. As a veteran, I know how important it is that we use every single dollar that goes to our Department of Defense in an intelligent way.

This fund, this Rapid Innovation Fund, has never been requested by the Pentagon. This is money that the Pentagon doesn't say that it wants. It was created in the FY 2011 Defense bill in response, frankly, to the loss of earmarks here in the House of Representatives. So far the Appropriations Committee has put over $700 million in 2 years into this fund, and yet to date the Department of Defense has spent only $32.5 million of the $700 million already appropriate and provided.

But instead of waiting to see if the fund is working and if it could be successful and of any value to the warfighter, this year the committee is pushing for another $250 million of taxpayer money to go into the so-called Rapid Innovation Fund.

□ 1810

I urge my colleagues to reject this effort. First of all, the Pentagon, as I said, never asked for this money. Four DOD agencies declined an invitation to even participate in the fund. There is clearly no one in the military clamoring for what is essentially a slush fund. With sequestration looming, now is the time to make tough choices, not to add $250 million of wasteful spending. We must focus our very scarce resources on validated military requirements.

Second, this Rapid Innovation Fund is neither rapid, nor innovative. The fund allows the Department of Federal Acquisition Regulations Procedures to move forward—just as they do for any other procurement process. The first contracts took over a year to be signed. I don't find anything rapid about that. In addition, this fund simply doles out money to projects that are similar to those previously supported by the now-discredited earmark system. There's nothing innovative about that either.

Let me be clear: this fund was created by Congress because Congress ended earmarks, and some have wanted a way to have earmark-type projects continue to receive government money.

This fund is, third, wasteful and unnecessary. The DOD base budget is well over $500 billion—built through a time-honored and trusted process to ensure the needs of our warfighters. This fund, however, is completely outside of this process and therefore advances projects that have not been validated and are not proven in this same manner.

Finally, the fund itself is unproven. Only $30 million and change has been spent on this fund and there is no data demonstrating that this fund holds any value to our military or to our taxpayers. But even if it does, there's still $670 million sitting in the fund today. Why not just wait? At the current spending rate, there's over 10 years' worth of funds still available. Why put $250 million more of taxpayer money at risk?

As a Congress, we have to be willing to make tough choices—certainly in our DOD budget. But this one isn't even tough. We can't just throw good money in the hole and hope it helps our Nation's defense.

I urge my colleagues to support this amendment, and I yield back the balance of my time.

Mr. DICKS. I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. I rise in strong opposition to this amendment. The Rapid Innovation Fund was authorized and appropriated by Congress in 2011 to allow innovative small businesses to compete for funding within the Department of

Defense. It is a competitive, merit-based program designed to accelerate the fielding of innovative technologies into military systems.

Last fall, each service and the OSBP issued broad agency announcements to solicit proposals for the first round of funding worth $500 million. Of the 3,554 white papers received, 514 received high priority or strong evaluations, valued at about $700 million.

This bill provides an additional $250 million for this successful program for small businesses that are interested in working with the Department of Defense. Also, this money can be used for joint urgent operational needs. This is when the commanders in the field say that they need something in an urgent way, and this money is available for that kind of requirement.

So, again, the gentleman raises a lot of insinuations that this was done because of doing away with the earmarks. It was done because we feel that small businesses in this country have a lot to offer the Defense Department. Not all of the innovations come from Lockheed and Boeing and General Dynamics. A lot of the innovation comes from smaller businesses who are, in essence, going to be cut out. We already have an existing program, the SBIR program, which we wanted to enhance so that small businesses would have a place to go so they could compete, where we would be doing this on a merits basis, that we would be doing it on the services saying these are areas where we need additional work.

So I'm somewhat surprised that the gentleman would oppose something like this, knowing, I'm certain, he's an advocate for small businesses in our country. I think this is a good program and one that should be supported on a bipartisan basis.

I yield back the balance of my time.

Mr. KINGSTON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. I want to say this. While we all acknowledge there was a numerical explosion and a substantive explosion or a questionable, in substance, on earmarks and that's why earmarks are banned, one of the advantages of earmarks is that it did let the small mom-and-pop innovative small businesses have a crack at the bat at the Pentagon budget. And most of us who are familiar with the Pentagon budget would say it's broken or at least it needs lots of improvement. What the earmarking did do is let small companies have a bite at the apple. So in the interest of banning earmarks, we set up this program to allow small businesses.

I want to give you a graphic example. I had a man come to me one time and said, I used to work with a large defense contractor. He named the contractor and I don't want to name them. But he said, This is a circuit panel. In fact, it's a memory panel. It's about the size of this notebook in my hand. And he said, This is for a nuclear submarine, and it costs about $10 million. I know because I invented it when I was with the large defense contractor. And all nuclear submarines now buy this kind of memory board. But your cell phone—pulling out the BlackBerry—now has more memory in it than that big, awkward panel. But the only way I'm going to get a crack at the business with the U.S. Navy would be through the earmarking process.

Now, I can replace this $10 million circuit memory board for probably hundreds of thousands of dollars, but I can't do that now. You've thrown away that tool for both of us.

So we set up this board to try to let those small businesses have a crack at the bat. And I agree with you there's money in the account that maybe it should be spent down. We need to be looking at it before plussing-up. I think you have raised some good points, but I believe the reason why the program is out there is very important in order to keep the large defense contractors honest, if you will, and provide a path for the small innovators.

Mr. DICKS. Will the gentleman yield?

Mr. KINGSTON. I yield to the gentleman.

Mr. DICKS. I really appreciate what the gentleman just said. Another thing here, the gentleman is saying they should just rush out and spend this money. I don't mind a thorough, professional way of going about this, and to take some time to make sure they've got this right is what we want them to do.

Mr. POMPEO. Will the gentleman yield?

Mr. KINGSTON. I yield to the gentleman.

Mr. POMPEO. I just say to the chairman, I'm not urging anyone to rush out and spend this money. I'm urging this money to stay in the pockets of the taxpayers because the Department of Defense has not asked for it. All of the things that have been spoken to, these good ideas, I was a small business owner. I made airplane parts for 10 years. I don't want anybody to rush out and spend the money. I want to leave it in the taxpayers' pockets, where the Department of Defense believes it should be.

Mr. KINGSTON. Reclaiming my time, as an airplane parts manufacturer, I can promise you that you know how difficult it was to sell your products to the United States Air Force. And this program would allow a small innovator to do that and therefore reduce the cost to the taxpayers of parts for airplanes.

With that, I yield back the balance of my time.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. The Chair will remind Members to refrain from trafficking the well while another Member is under recognition.

The question is on the amendment offered by the gentleman from Kansas (Mr. POMPEO).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. POMPEO. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Kansas will be postponed.

AMENDMENT OFFERED BY MR. MARKEY

Mr. MARKEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 32, line 18, after the dollar amount, insert ''(reduced by $75,000,000)''.

Page 153, line 15, after the dollar amount, insert ''(increased by $75,000,000)''.

□ 1820

The Acting CHAIR. The gentleman from Massachusetts is recognized for 5 minutes in support of his amendment.

Mr. MARKEY. Mr. Chairman, in this bill, not only do the Republicans claim there is nothing, absolutely nothing, to cut in the defense budget, they are actually increasing spending beyond what the Pentagon is asking for. The Republicans have put an additional $75 million for missile defense in this bill—75 million additional dollars that the generals have not asked for.

So my amendment today is simple: It would reduce funding for the Ground-Based Midcourse Defense program by $75 million to bring the 2013 funding level back to the administration's request.

Ground-Based Midcourse Defense is Star Wars, and it's a system that hopes to one day shoot down an incoming nuclear warhead by launching our own missiles from Alaska and California.

But here we have a situation where basically the Republicans are saying that they want to give the Pentagon $75 million more than what the military says it needs right now. And if we can't decide just to take what the Pentagon is asking and rubber stamp it and give it to them, and even that is not enough in a period of fiscal austerity, then how in the world are we going to be successful next year when $55 billion has to be cut?

So, let's start here. St. Augustine's prayer, I think, is applicable here, where he said, O Lord, make me chaste, but not just yet. The Republicans are saying, O Lord, let us reduce the deficit, but not just yet. When it comes to defense spending, we want to give the Pentagon even more than they are asking for. Let's get all of our sinning done before next January. Let's really clear the deck on all the gold-plated planning that—I don't know if it's defense firms because it's not the Pentagon. The Pentagon is saying that the money that's in the bill as the President proposed it is sufficient in order to provide for the development of this missile defense technology.

The bill already funds this program to the tune of $900 million, and the Pentagon is saying ''enough.'' So I know you're talking about canceling sequestration when it comes to defense spending, but this isn't a good sign. This isn't a good sign that we're ever going to be able to reconcile the tension that exists between the need not to cut NIH funding, the need not to cut National Cancer Institute funding, the need not to cut programs that deal with Grandma on Medicaid and nursing homes and all the way down the line. This just goes beyond anything that's even remotely reasonable.

I urge an ''aye'' vote on the Markey amendment, and I hope that it is adopted by the full House.

I yield back the balance of his time.

Mr. KINGSTON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. I want to say, most importantly, this was authorized in the National Defense Authorization this year which was passed on an overwhelming basis, on a bipartisan vote, and their authorization actually was a lot more than our $75 billion. And the reason why this money is in there and it affects Fort Greely, Alaska, and Vandenberg Air Force Base in California is that there are some changes that are going on in the missile silos, so rather than close down the shop and hope that the bad guys give us a pass until we're ready to defend ourselves, we're having to move these missiles and keep them current, keep them active, and keep them capable while this construction is going on, and then we finish the construction and put them back, and that's why the authorizing committee, on a bipartisan basis, authorized it, and that's why our subcommittee has also supported it, although at a lower number.

With that, I recommend a ''no'' vote and yield back the balance of my time.

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

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. MARKEY. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Massachusetts will be postponed.

Mr. PALAZZO. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Mississippi is recognized for 5 minutes.

Mr. PALAZZO. Mr. Chairman, I rise to oppose the earlier amendment of the gentleman from Illinois (Mr. QUIGLEY). The gentleman from Illinois had an amendment to cut $988 million from the Navy's DDG–51 program. The members of the House Armed Services Committee have carefully considered this shipbuilding program. We have met for months in the Seapower Subcommittee and discussed it thoroughly with Navy leadership.

The DDG–51 is the Navy's preeminent surface combatant. It can conduct multiple missions, including ballistic missile defense, and it has proven itself in almost every theater in which it has operated.

This ship has been authorized with a multiyear procurement strategy for DDG–51s, which is an important, cost-saving measure that the Navy has used in multiple situations to save money for the taxpayer.

This is one of the most successful shipbuilding programs ever in the United States Navy because it is one of the best built and best values for the taxpayer and requires a fair and open competition for contracting.

Right now, our Navy has the lowest shipbuilding totals in generations, and many predictions are that the number is only going to shrink further. As we pivot to the Pacific, we cannot afford to be cutting additional ships from our budget.

It is extremely important not only to our economic security, but also our national security. I urge my colleagues to oppose this amendment, and I yield back the balance of my time.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

OPERATIONAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, necessary for the independent activities of the Director, Operational Test and Evaluation, in the direction and supervision of operational test and evaluation, including initial operational test and evaluation which is conducted prior to, and in support of, production decisions; joint operational testing and evaluation; and administrative expenses in connection therewith, $185,268,000, to remain available for obligation until September 30, 2014.

TITLE V

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Funds, $1,516,184,000.

NATIONAL DEFENSE SEALIFT FUND

For National Defense Sealift Fund programs, projects, and activities, and for expenses of the National Defense Reserve Fleet, as established by section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744), and for the necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, $564,636,000, to remain available until expended: *Provided*, That none of the funds provided in this paragraph shall be used to award a new contract that provides for the acquisition of any of the following major components unless such components are manufactured in the United States: auxiliary equipment, including pumps, for all shipboard services; propulsion system components (engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes: *Provided further*, That the exercise of an option in a contract awarded through the obligation of previously appropriated funds shall not be considered to be the award of a new contract: *Provided further*, That the Secretary of the military department responsible for such procurement may waive the restrictions in the first proviso on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes.

TITLE VI

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense as authorized by law, $32,862,234,000; of which $31,122,095,000 shall be for operation and maintenance, of which not to exceed one percent shall remain available until September 30, 2014, and of which up to $16,105,245,000 may be available for contracts entered into under the TRICARE program; of which $521,762,000, to remain available for obligation until September 30, 2015, shall be for procurement; and of which $1,218,377,000, to remain available for obligation until September 30, 2014 , shall be for research, development, test and evaluation: *Provided*, That, notwithstanding any other provision of law, of the amount made available under this heading for research, development, test and evaluation, not less than $8,000,000 shall be available for HIV prevention educational activities undertaken in connection with United States military training, exercises, and humanitarian assistance activities conducted primarily in African nations: *Provided further*, That of the funds provided to develop an integrated Department of Defense –Department of Veterans Affairs (DOD–VA) integrated health record, not more than twenty-five percent shall be available for obligation until the DOD–VA Interagency Program Office submits to the Committees on Appropriations of both Houses of Congress a completed fiscal year 2013 execution and spending plan and a long-term roadmap for the life of the project that includes, but is not limited to, the following: a) annual and total spending for each Department; b) a quarterly schedule of milestones for each Department over the life of the project; c) detailed cost-sharing business rules; and d) data standardization schedules between the Departments.

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE

For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, $1,301,786,000, of which $635,843,000 shall be for operation and maintenance, of which no less than $53,948,000 shall be for the Chemical Stockpile Emergency Preparedness Program, consisting of $22,214,000 for activities on military installations and $31,734,000, to remain available until September 30, 2014, to assist State and local governments; $18,592,000 shall be for procurement, to remain available until September 30, 2015, of which $1,823,000 shall be for the Chemical Stockpile Emergency Preparedness Program to assist State and local governments; and $647,351,000, to remain available until September 30, 2014, shall be for research, development, test and evaluation, of which $627,705,000 shall only be for the Assembled Chemical Weapons Alternatives (ACWA) program.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for operation and maintenance; for procurement; and for research, development, test and evaluation, $1,133,363,000: *Provided*, That the funds appropriated under this heading shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority contained elsewhere in this Act.

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

(INCLUDING TRANSFER OF FUNDS)

For the ''Joint Improvised Explosive Device Defeat Fund,'' $217,414,000, to remain available until September 30, 2015, for Staff and Infrastructure: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Director of the Joint Improvised Explosive Device Defeat Organization to investigate, develop and provide equipment, supplies, services, training, facilities, personnel and funds to assist United States forces in the defeat of improvised explosive devices: *Provided further*, That, within 60 days of the enactment of this Act, a plan for the intended management and use of the amounts provided under this heading shall be submitted to the congressional defense committees: *Provided further*, That the Secretary of Defense shall submit a report not later than 60 days after the end of each fiscal quarter to the congressional defense committees providing assessments of the evolving threats, individual service requirements to counter the threats, the current strategy for predeployment training of members of the Armed Forces on improvised explosive devices, and details on the execution of the Fund: *Provided further*, That the Secretary of Defense may transfer funds provided herein to appropriations for operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: *Provided further*, That amounts transferred shall be merged with and available for the same purposes and time period as the appropriations to which transferred: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer.

OFFICE OF THE INSPECTOR GENERAL

For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $350,321,000, of which $347,621,000 shall be for operation and maintenance, of which not to exceed $700,000 is available for emergencies and extraordinary expenses to be expended on the approval or authority of the Inspector General, and payments may be made on the Inspector General's certificate of necessity for confidential military purposes; and of which $2,700,000, to remain available until September 30, 2015, shall be for procurement.

TITLE VII

RELATED AGENCIES

CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain the proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System, $514,000,000.

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

For necessary expenses of the Intelligence Community Management Account, $511,476,000.

TITLE VIII

GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: *Provided*, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: *Provided further*, That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: *Provided further*, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.

SEC. 8003. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year, unless expressly so provided herein.

SEC. 8004. No more than 20 percent of the appropriations in this Act which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year: *Provided*, That this section shall not apply to obligations for support of active duty training of reserve components or summer camp training of the Reserve Officers' Training Corps.

(TRANSFER OF FUNDS)

SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed $3,000,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: *Provided further*, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act: *Provided further*, That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress: *Provided further*, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2013: *Provided further*, That transfers among military personnel appropriations shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under this section.

SEC. 8006. (a) With regard to the list of specific programs, projects, and activities (and the dollar amounts and adjustments to budget activities corresponding to such programs, projects, and activities) contained in the tables titled ''Explanation of Project Level Adjustments'' in the explanatory statement regarding this Act, the obligation and expenditure of amounts appropriated or otherwise made available in this Act for those programs, projects, and activities for which the amounts appropriated exceed the amounts requested are hereby required by law to be carried out in the manner provided by such tables to the same extent as if the tables were included in the text of this Act.

(b) Amounts specified in the referenced tables described in subsection (a) shall not be treated as subdivisions of appropriations for purposes of section 8005 of this Act: *Provided*, That section 8005 shall apply when transfers of the amounts described in subsection (a) occur between appropriation accounts.

SEC. 8007. (a) Not later than 60 days after enactment of this Act, the Department of Defense shall submit a report to the congressional defense committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2013: *Provided*, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation both by budget activity and program, project, and activity as detailed in the Budget Appendix; and

(3) an identification of items of special congressional interest.

(b) Notwithstanding section 8005 of this Act, none of the funds provided in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional defense committees, unless the Secretary of Defense certifies in writing to the congressional defense committees that such reprogramming or transfer is necessary as an emergency requirement.

(TRANSFER OF FUNDS)

SEC. 8008. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: *Provided*, That transfers may be made between such funds: *Provided further*, That transfers may be made between working capital funds and the ''Foreign Currency Fluctuations, Defense'' appropriation and the

''Operation and Maintenance'' appropriation accounts in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that such transfers may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer. Except in amounts equal to the amounts appropriated to working capital funds in this Act, no obligations may be made against a working capital fund to procure or increase the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress prior to any such obligation.

SEC. 8009. Funds appropriated by this Act may not be used to initiate a special access program without prior notification 30 calendar days in advance to the congressional defense committees.

SEC. 8010. None of the funds provided in this Act shall be available to initiate: (1) a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year of the contract or that includes an unfunded contingent liability in excess of $20,000,000; or (2) a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year, unless the congressional defense committees have been notified at least 30 days in advance of the proposed contract award: *Provided*, That no part of any appropriation contained in this Act shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government's liability: *Provided further*, That no part of any appropriation contained in this Act shall be available to initiate multiyear procurement contracts for any systems or component thereof if the value of the multiyear contract would exceed $500,000,000 unless specifically provided in this Act: *Provided further*, That no multiyear procurement contract can be terminated without 10-day prior notification to the congressional defense committees: *Provided further*, That none of the funds appropriated by this Act shall be available for a contract that incrementally funds an end item purchased under multi-year procurement authority: *Provided further*, That the preceding limitation shall not apply to advance procurement funding and economic order quantity funding associated with a multi-year procurement: *Provided further*, That the execution of multiyear authority shall require the use of a present value analysis to determine lowest cost compared to an annual procurement: *Provided further*, That none of the funds provided in this Act may be used for a multiyear contract executed after the date of the enactment of this Act unless in the case of any such contract—

(1) the Secretary of Defense has submitted to Congress a budget request for full funding of units to be procured through the contract and, in the case of a contract for procurement of aircraft, that includes, for any aircraft unit to be procured through the contract for which procurement funds are requested in that budget request for production beyond advance procurement activities in the fiscal year covered by the budget, full funding of procurement of such unit in that fiscal year;

(2) cancellation provisions in the contract do not include consideration of recurring manufacturing costs of the contractor associated with the production of unfunded units to be delivered under the contract;

(3) the contract provides that payments to the contractor under the contract shall not be made in advance of incurred costs on funded units; and

(4) the contract does not provide for a price adjustment based on a failure to award a follow-on contract.

Funds appropriated in title III of this Act may be used for a multiyear procurement contract as follows:

F/A–18E, F/A–18F, and EA–18G aircraft; DDG–51 Arleigh Burke class destroyer and associated systems; SSN–774 Virginia class submarine and government-furnished equipment; CH–47 Chinook helicopter; and V–22 Osprey aircraft variants.

SEC. 8011. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be reported as required by section 401(d) of title 10, United States Code: *Provided*, That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99–239: *Provided further*, That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.

SEC. 8012. (a) During fiscal year 2013, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.

(b) The fiscal year 2014 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2014 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 2014.

(c) Nothing in this section shall be construed to apply to military (civilian) technicians.

SEC. 8013. None of the funds made available by this Act shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress.

SEC. 8014. None of the funds appropriated by this Act shall be available for the basic pay and allowances of any member of the Army participating as a full-time student and receiving benefits paid by the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund when time spent as a full-time student is credited toward completion of a service commitment: *Provided*, That this section shall not apply to those members who have reenlisted with this option prior to October 1, 1987: *Provided further*, That this section applies only to active components of the Army.

(TRANSFER OF FUNDS)

SEC. 8015. Funds appropriated in title III of this Act for the Department of Defense Pilot Mentor-Protege Program may be transferred to any other appropriation contained in this Act solely for the purpose of implementing a Mentor-Protege Program developmental assistance agreement pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2302 note), as amended, under the authority of this provision or any other transfer authority contained in this Act.

SEC. 8016. None of the funds in this Act may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States from components which are substantially manufactured in the United States: *Provided*, That for the purpose of this section, the term ''manufactured'' shall include cutting, heat treating, quality control, testing of chain and welding (including the forging and shot blasting process): *Provided further*, That for the purpose of this section substantially all of the components of anchor and mooring chain shall be considered to be produced or manufactured in the United States if the aggregate cost of the components produced or manufactured in the United States exceeds the aggregate cost of the components produced or manufactured outside the United States: *Provided further*, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8017. None of the funds available to the Department of Defense, herein and hereafter, may be used to demilitarize or dispose of M–1 Carbines, M–1 Garand rifles, M–14 rifles, .22 caliber rifles, .30 caliber rifles, or M–1911 pistols, or to demilitarize or destroy small arms ammunition or ammunition components that are not otherwise prohibited from commercial sale under Federal law, unless the small arms ammunition or ammunition components are certified by the Secretary of the Army or designee as unserviceable or unsafe for further use.

SEC. 8018. No more than $500,000 of the funds appropriated or made available in this Act shall be used during a single fiscal year for any single relocation of an organization, unit, activity or function of the Department of Defense into or within the National Capital Region: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the congressional defense committees that such a relocation is required in the best interest of the Government.

SEC. 8019. In addition to the funds provided elsewhere in this Act, $15,000,000 is appropriated only for incentive payments authorized by section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544): *Provided*, That a prime contractor or a subcontractor at any tier that makes a subcontract award to any subcontractor or supplier as defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code, shall be considered a contractor for the purposes of being allowed additional compensation under section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544) whenever the prime contract or subcontract amount is over $500,000 and involves the expenditure of funds appropriated by an Act making Appropriations for the Department of Defense with respect to any fiscal year: *Provided further*, That notwithstanding section 1906 of title 41,

United States Code, this section shall be applicable to any Department of Defense acquisition of supplies or services, including any contract and any subcontract at any tier for acquisition of commercial items produced or manufactured, in whole or in part, by any subcontractor or supplier defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code.

SEC. 8020. Funds appropriated by this Act for the Defense Media Activity shall not be used for any national or international political or psychological activities.

SEC. 8021. During the current fiscal year, the Department of Defense is authorized to incur obligations of not to exceed $350,000,000 for purposes specified in section 2350j(c) of title 10, United States Code, in anticipation of receipt of contributions, only from the Government of Kuwait, under that section: *Provided*, That upon receipt, such contributions from the Government of Kuwait shall be credited to the appropriations or fund which incurred such obligations.

SEC. 8022. (a) Of the funds made available in this Act, not less than $38,619,000 shall be available for the Civil Air Patrol Corporation, of which—

(1) $28,404,000 shall be available from ''Operation and Maintenance, Air Force'' to support Civil Air Patrol Corporation operation and maintenance, readiness, counterdrug activities, and drug demand reduction activities involving youth programs;

(2) $9,298,000 shall be available from ''Aircraft Procurement, Air Force''; and

(3) $917,000 shall be available from ''Other Procurement, Air Force'' for vehicle procurement.

(b) The Secretary of the Air Force should waive reimbursement for any funds used by the Civil Air Patrol for counter-drug activities in support of Federal, State, and local government agencies.

SEC. 8023. (a) None of the funds appropriated in this Act are available to establish a new Department of Defense (department) federally funded research and development center (FFRDC), either as a new entity, or as a separate entity administrated by an organization managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other nonprofit entities.

(b) No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Visiting Committee, or any similar entity of a defense FFRDC, and no paid consultant to any defense FFRDC, except when acting in a technical advisory capacity, may be compensated for his or her services as a member of such entity, or as a paid consultant by more than one FFRDC in a fiscal year: *Provided*, That a member of any such entity referred to previously in this subsection shall be allowed travel expenses and per diem as authorized under the Federal Joint Travel Regulations, when engaged in the performance of membership duties.

(c) Notwithstanding any other provision of law, none of the funds available to the department from any source during fiscal year 2013 may be used by a defense FFRDC, through a fee or other payment mechanism, for construction of new buildings, for payment of cost sharing for projects funded by Government grants, for absorption of contract overruns, or for certain charitable contributions, not to include employee participation in community service and/or development.

(d) Notwithstanding any other provision of law, of the funds available to the department during fiscal year 2013, not more than 5,750 staff years of technical effort (staff years) may be funded for defense FFRDCs: *Provided*, That of the specific amount referred to previously in this subsection, not more than 1,125 staff years may be funded for the defense studies and analysis FFRDCs: *Provided further*, That this subsection shall not apply to staff years funded in the National Intelligence Program (NIP) and the Military Intelligence Program (MIP).

(e) The Secretary of Defense shall, with the submission of the department's fiscal year 2014 budget request, submit a report presenting the specific amounts of staff years of technical effort to be allocated for each defense FFRDC during that fiscal year and the associated budget estimates.

SEC. 8024. None of the funds appropriated or made available in this Act shall be used to procure carbon, alloy or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted and rolled in the United States or Canada: *Provided*, That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: *Provided further*, That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That these restrictions shall not apply to contracts which are in being as of the date of the enactment of this Act.

SEC. 8025. For the purposes of this Act, the term ''congressional defense committees'' means the Armed Services Committee of the House of Representatives, the Armed Services Committee of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

SEC. 8026. During the current fiscal year, the Department of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related articles, through competition between Department of Defense depot maintenance activities and private firms: *Provided*, That the Senior Acquisition Executive of the military department or Defense Agency concerned, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: *Provided further*, That Office of Management and Budget Circular A–76 shall not apply to competitions conducted under this section.

SEC. 8027. (a)(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement, the Secretary of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement memorandum of understanding, between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

(b) The Secretary of Defense shall submit to the Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 2013. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) For purposes of this section, the term ''Buy American Act'' means chapter 83 of title 41, United States Code.

SEC. 8028. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment Recovery Account established by section 2921(c)(1) of the National Defense Authorization Act of 1991 (Public Law 101–510; 10 U.S.C. 2687 note) shall be available until expended for the payments specified by section 2921(c)(2) of that Act.

SEC. 8029. (a) Notwithstanding any other provision of law, the Secretary of the Air Force may convey at no cost to the Air Force, without consideration, to Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington relocatable military housing units located at Grand Forks Air Force Base, Malmstrom Air Force Base, Mountain Home Air Force Base, Ellsworth Air Force Base, and Minot Air Force Base that are excess to the needs of the Air Force.

(b) The Secretary of the Air Force shall convey, at no cost to the Air Force, military housing units under subsection (a) in accordance with the request for such units that are submitted to the Secretary by the Operation Walking Shield Program on behalf of Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington. Any such conveyance shall be subject to the condition that the housing units shall be removed within a reasonable period of time, as determined by the Secretary.

(c) The Operation Walking Shield Program shall resolve any conflicts among requests of Indian tribes for housing units under subsection (a) before submitting requests to the Secretary of the Air Force under subsection (b).

(d) In this section, the term ''Indian tribe'' means any recognized Indian tribe included on the current list published by the Secretary of the Interior under section 104 of the Federally Recognized Indian Tribe Act of 1994 (Public Law 103–454; 108 Stat. 4792; 25 U.S.C. 479a-1).

SEC. 8030. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment item unit cost of not more than $250,000.

SEC. 8031. (a) During the current fiscal year, none of the appropriations or funds available to the Department of Defense Working Capital Funds shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Department of Defense Working Capital Funds if such an item would not have been chargeable to the Department of Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for procurement.

(b) The fiscal year 2014 budget request for the Department of Defense as well as all justification material and other documentation

supporting the fiscal year 2014 Department of Defense budget shall be prepared and submitted to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation contained in this Act shall be budgeted for in a proposed fiscal year 2014 procurement appropriation and not in the supply management business area or any other area or category of the Department of Defense Working Capital Funds.

SEC. 8032. None of the funds appropriated by this Act for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 2014: *Provided*, That funds appropriated, transferred, or otherwise credited to the Central Intelligence Agency Central Services Working Capital Fund during this or any prior or subsequent fiscal year shall remain available until expended: *Provided further*, That any funds appropriated or transferred to the Central Intelligence Agency for advanced research and development acquisition, for agent operations, and for covert action programs authorized by the President under section 503 of the National Security Act of 1947, as amended, shall remain available until September 30, 2014.

SEC. 8033. Notwithstanding any other provision of law, funds made available in this Act for the Defense Intelligence Agency may be used for the design, development, and deployment of General Defense Intelligence Program intelligence communications and intelligence information systems for the Services, the Unified and Specified Commands, and the component commands.

SEC. 8034. Of the funds appropriated to the Department of Defense under the heading ''Operation and Maintenance, Defense-Wide'', not less than $12,000,000 shall be made available only for the mitigation of environmental impacts, including training and technical assistance to tribes, related administrative support, the gathering of information, documenting of environmental damage, and developing a system for prioritization of mitigation and cost to complete estimates for mitigation, on Indian lands resulting from Department of Defense activities.

SEC. 8035. (a) None of the funds appropriated in this Act may be expended by an entity of the Department of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term ''Buy American Act'' means chapter 83 of title 41, United States Code.

(b) If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a ''Made in America'' inscription to any product sold in or shipped to the United States that is not made in America, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.

(c) In the case of any equipment or products purchased with appropriations provided under this Act, it is the sense of the Congress that any entity of the Department of Defense, in expending the appropriation, purchase only American-made equipment and products, provided that American-made equipment and products are cost-competitive, quality competitive, and available in a timely fashion.

SEC. 8036. None of the funds appropriated by this Act shall be available for a contract for studies, analysis, or consulting services entered into without competition on the basis of an unsolicited proposal unless the head of the activity responsible for the procurement determines—

(1) as a result of thorough technical evaluation, only one source is found fully qualified to perform the proposed work;

(2) the purpose of the contract is to explore an unsolicited proposal which offers significant scientific or technological promise, represents the product of original thinking, and was submitted in confidence by one source; or

(3) the purpose of the contract is to take advantage of unique and significant industrial accomplishment by a specific concern, or to insure that a new product or idea of a specific concern is given financial support: *Provided*, That this limitation shall not apply to contracts in an amount of less than $25,000, contracts related to improvements of equipment that is in development or production, or contracts as to which a civilian official of the Department of Defense, who has been confirmed by the Senate, determines that the award of such contract is in the interest of the national defense.

Mr. KINGSTON (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 66, line 17, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SEC. 8037. (a) Except as provided in subsections (b) and (c), none of the funds made available by this Act may be used—

(1) to establish a field operating agency; or

(2) to pay the basic pay of a member of the Armed Forces or civilian employee of the department who is transferred or reassigned from a headquarters activity if the member or employee's place of duty remains at the location of that headquarters.

(b) The Secretary of Defense or Secretary of a military department may waive the limitations in subsection (a), on a case-by-case basis, if the Secretary determines, and certifies to the Committees on Appropriations of the House of Representatives and Senate that the granting of the waiver will reduce the personnel requirements or the financial requirements of the department.

(c) This section does not apply to—

(1) field operating agencies funded within the National Intelligence Program;

(2) an Army field operating agency established to eliminate, mitigate, or counter the effects of improvised explosive devices, and, as determined by the Secretary of the Army, other similar threats; or

(3) an Army field operating agency established to improve the effectiveness and efficiencies of biometric activities and to integrate common biometric technologies throughout the Department of Defense.

SEC. 8038. The Secretary of Defense, notwithstanding any other provision of law, acting through the Office of Economic Adjustment of the Department of Defense, may use funds made available in this Act under the heading ''Operation and Maintenance, Defense-Wide'' to make grants and supplement other Federal funds in accordance with the guidance provided in the explanatory statement regarding this Act.

SEC. 8039. (a) None of the funds appropriated by this Act shall be available to convert to contractor performance an activity or function of the Department of Defense that, on or after the date of the enactment of this Act, is performed by Department of Defense civilian employees unless—

(1) the conversion is based on the result of a public-private competition that includes a most efficient and cost effective organization plan developed by such activity or function;

(2) the Competitive Sourcing Official determines that, over all performance periods stated in the solicitation of offers for performance of the activity or function, the cost of performance of the activity or function by a contractor would be less costly to the Department of Defense by an amount that equals or exceeds the lesser of—

(A) 10 percent of the most efficient organization's personnel-related costs for performance of that activity or function by Federal employees; or

(B) $10,000,000; and

(3) the contractor does not receive an advantage for a proposal that would reduce costs for the Department of Defense by—

(A) not making an employer-sponsored health insurance plan available to the workers who are to be employed in the performance of that activity or function under the contract; or

(B) offering to such workers an employer-sponsored health benefits plan that requires the employer to contribute less towards the premium or subscription share than the amount that is paid by the Department of Defense for health benefits for civilian employees under chapter 89 of title 5, United States Code.

(b)(1) The Department of Defense, without regard to subsection (a) of this section or subsection (a), (b), or (c) of section 2461 of title 10, United States Code, and notwithstanding any administrative regulation, requirement, or policy to the contrary shall have full authority to enter into a contract for the performance of any commercial or industrial type function of the Department of Defense that—

(A) is included on the procurement list established pursuant to section 2 of the Javits-Wagner-O'Day Act (section 8503 of title 41, United States Code);

(B) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or

(C) is planned to be converted to performance by a qualified firm under at least 51 percent ownership by an Indian tribe, as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)), or a Native Hawaiian Organization, as defined in section 8(a)(15) of the Small Business Act (15 U.S.C. 637(a)(15)).

(2) This section shall not apply to depot contracts or contracts for depot maintenance as provided in sections 2469 and 2474 of title 10, United States Code.

(c) The conversion of any activity or function of the Department of Defense under the authority provided by this section shall be credited toward any competitive or outsourcing goal, target, or measurement that may be established by statute, regulation, or policy and is deemed to be awarded under the authority of, and in compliance with, subsection (h) of section 2304 of title 10, United States Code, for the competition or outsourcing of commercial activities.

AMENDMENT OFFERED BY MR. AMASH

Mr. AMASH. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Strike section 8039.

The Acting CHAIR. The gentleman from Michigan is recognized for 5 minutes in support of his amendment.

Mr. AMASH. Mr. Chairman, the House has voted repeatedly to strike

problematic and anticompetitive A–76 language from the bill we have considered. The same change and reversal of bad policy should be adopted in this legislation by striking section 8039.

My amendment does just that. As drafted, section 8039 prohibits the Department of Defense from contracting out any function unless it will save a minimum of $10 million or 10 percent of the Department's performance costs—even if the contractor is less costly overall and can perform the work more efficiently.

Independent studies have found that public-private competitions lower costs by between 10 and 40 percent, regardless of whether the competition is won by a private contractor or the government. Rather than stand in the way of public-private competitions, Congress should cut the red tape and make the use of this cost-saving process easier, not harder.

The requirements in section 8039 are largely codified in existing statute. Retaining section 8039 will obstruct, and potentially nullify, any current efforts to reform the system in ways that improve public-private competitions and bring much-needed transparency, consistency, and reliability to the process.

Instead of complicating the use of competitions that improve service and lower costs, we should be encouraging agencies to find the most efficient way to deliver services. This amendment will send that message by reducing restrictions on the Department of Defense and making it easier to achieve reforms that will increase the availability of cost-saving competitions throughout the Department.

I urge my colleagues to support this commonsense, taxpayer-first amendment to H.R. 5856.

Mr. Chairman, I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. The amendment tends to remove language from the appropriations bill, which we're going to agree with, by the way. It has been carried in appropriations bills for a number of years. However, when the laws were codified, it became part of the permanent law. It doesn't even need to be in the appropriations bills any longer.

So we have no objection to the gentleman's amendment, and I yield back the balance of my time.

□ 1830

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BACA

Mr. BACA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 9, line 6, after the dollar amount insert the following: ''(reduced by $10,000,000)''.

Page 32, line 18, after the dollar amount insert the following: ''(increased by $10,000,000)''.

The Acting CHAIR. Is there objection to considering the amendment at this point in the reading?

Mr. YOUNG of Florida. Mr. Chairman, reserving the right to object—and I won't object—I will say this is a little unusual for us to agree to do this. But in this one case, we will agree to it and let the gentleman present his amendment.

I believe in as much openness as we possibly can provide for all of our Members, but we just can't make a habit of going back once the bill has been read, once the regular order has been followed. But in this case, we will yield.

I withdraw my reservation, Mr. Chairman.

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

There was no objection.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. BACA. I'd like to thank the chairman and Member DICKS for allowing me this effort on this legislation. I also want to thank my colleague, GARY MILLER, for supporting this amendment.

This is a Baca-Miller amendment. It is bipartisan. It directs $10 million to be moved from the Operations and Management portion of the Department of Defense budget to the Research and Development portion of the budget. Moving these funds will allow the DOD to develop cost-effective solutions to environmental problems.

These funds will allow the Strategic Environmental Research and Development Program and the Environmental Security Technology Certification Program to support, and I state, grants. This is a grant, it's not an earmark, that provides clear water.

My communities in California, including GARY MILLER's district, in the Inland Empire must deal with perchlorate contaminated water. Perchlorate is a rocket fuel additive that can be harmful to women, children, and the elderly, that affects both GARY MILLER's and my district. This contamination has resulted in millions of dollars in cost to the region for cleanup litigation.

Congress should actively support the DOD effort to develop solutions to problems like perchlorate contamination. I ask my colleagues to support the Baca-Miller amendment, a bipartisan amendment.

Again, I thank the chair and the ranking member, and I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. Mr. Chairman, while I did not object to taking up this amendment, I am going to object to the amendment. This one actually was an earmark in the FY10, funded as an earmark at $1.6 million. It also takes the money from that source that I have objected to before, the Defense-Wide Operation and Maintenance accounts. I just really cannot support anything that is going to affect our readiness to defend our country.

So I strongly object to this amendment, although I did agree to allowing us to go back to consider the amendment, and I yield back the balance of my time.

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

The amendment was rejected.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SEC. 8040. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

''Procurement of Ammunition, Army, 2011/2013'', $14,862,000;

''Aircraft Procurement, Navy, 2011/2013'', $30,100,000;

''Weapons Procurement, Navy, 2011/2013'', $22,000,000;

''Other Procurement, Navy, 2011/2013'', $12,432,000;

''Aircraft Procurement, Air Force, 2011/2013'', $65,000,000;

''Other Procurement, Air Force, 2011/2013'', $9,500,000;

''Other Procurement, Army, 2012/2014'', $80,000,000;

''Aircraft Procurement, Navy, 2012/2014'', $14,400,000;

''Weapons Procurement, Navy, 2012/2014'', $31,572,000;

''Aircraft Procurement, Air Force, 2012/2014'', $277,050,000;

''Missile Procurement, Air Force, 2012/2014'', $44,000,000;

''Other Procurement, Air Force, 2012/2014'', $55,800,000;

''Research, Development, Test and Evaluation, Army, 2012/2013'', $63,000,000;

''Research, Development, Test and Evaluation, Navy, 2012/2013'', $120,000,000; and

''Research, Development, Test and Evaluation, Air Force, 2012/2013'', $179,600,000.

SEC. 8041. None of the funds available in this Act may be used to reduce the authorized positions for military technicians (dual status) of the Army National Guard, Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military technicians (dual status), unless such reductions are a direct result of a reduction in military force structure.

SEC. 8042. None of the funds appropriated or otherwise made available in this Act may be obligated or expended for assistance to the Democratic People's Republic of Korea unless specifically appropriated for that purpose.

SEC. 8043. Funds appropriated in this Act for operation and maintenance of the Military Departments, Combatant Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence or counterintelligence support to Combatant Commands, Defense Agencies and Joint Intelligence Activities, including the

activities and programs included within the National Intelligence Program and the Military Intelligence Program: *Provided*, That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

SEC. 8044. During the current fiscal year, none of the funds appropriated in this Act may be used to reduce the civilian medical and medical support personnel assigned to military treatment facilities below the September 30, 2003, level: *Provided*, That the Service Surgeons General may waive this section by certifying to the congressional defense committees that the beneficiary population is declining in some catchment areas and civilian strength reductions may be consistent with responsible resource stewardship and capitation-based budgeting.

SEC. 8045. (a) None of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(b) None of the funds available to the Central Intelligence Agency for any fiscal year for drug interdiction and counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

SEC. 8046. None of the funds appropriated by this Act may be used for the procurement of ball and roller bearings other than those produced by a domestic source and of domestic origin: *Provided*, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That this restriction shall not apply to the purchase of ''commercial items'', as defined by section 4(12) of the Office of Federal Procurement Policy Act, except that the restriction shall apply to ball or roller bearings purchased as end items.

SEC. 8047. None of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 8048. None of the funds made available in this or any other Act may be used to pay the salary of any officer or employee of the Department of Defense who approves or implements the transfer of administrative responsibilities or budgetary resources of any program, project, or activity financed by this Act to the jurisdiction of another Federal agency not financed by this Act without the express authorization of Congress: *Provided*, That this limitation shall not apply to transfers of funds expressly provided for in Defense Appropriations Acts, or provisions of Acts providing supplemental appropriations for the Department of Defense.

SEC. 8049. (a) Notwithstanding any other provision of law, none of the funds available to the Department of Defense for the current fiscal year may be obligated or expended to transfer to another nation or an international organization any defense articles or services (other than intelligence services) for use in the activities described in subsection (b) unless the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate are notified 15 days in advance of such transfer.

(b) This section applies to—

(1) any international peacekeeping or peace-enforcement operation under the authority of chapter VI or chapter VII of the United Nations Charter under the authority of a United Nations Security Council resolution; and

(2) any other international peacekeeping, peace-enforcement, or humanitarian assistance operation.

(c) A notice under subsection (a) shall include the following:

(1) A description of the equipment, supplies, or services to be transferred.

(2) A statement of the value of the equipment, supplies, or services to be transferred.

(3) In the case of a proposed transfer of equipment or supplies—

(A) a statement of whether the inventory requirements of all elements of the Armed Forces (including the reserve components) for the type of equipment or supplies to be transferred have been met; and

(B) a statement of whether the items proposed to be transferred will have to be replaced and, if so, how the President proposes to provide funds for such replacement.

SEC. 8050. None of the funds available to the Department of Defense under this Act shall be obligated or expended to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor to an employee when—

(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor to the employee; and

(2) such bonus is part of restructuring costs associated with a business combination.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8051. During the current fiscal year, no more than $30,000,000 of appropriations made in this Act under the heading ''Operation and Maintenance, Defense-Wide'' may be transferred to appropriations available for the pay of military personnel, to be merged with, and to be available for the same time period as the appropriations to which transferred, to be used in support of such personnel in connection with support and services for eligible organizations and activities outside the Department of Defense pursuant to section 2012 of title 10, United States Code.

SEC. 8052. During the current fiscal year, in the case of an appropriation account of the Department of Defense for which the period of availability for obligation has expired or which has closed under the provisions of section 1552 of title 31, United States Code, and which has a negative unliquidated or unexpended balance, an obligation or an adjustment of an obligation may be charged to any current appropriation account for the same purpose as the expired or closed account if—

(1) the obligation would have been properly chargeable (except as to amount) to the expired or closed account before the end of the period of availability or closing of that account;

(2) the obligation is not otherwise properly chargeable to any current appropriation account of the Department of Defense; and

(3) in the case of an expired account, the obligation is not chargeable to a current appropriation of the Department of Defense under the provisions of section 1405(b)(8) of the National Defense Authorization Act for Fiscal Year 1991, Public Law 101–510, as amended (31 U.S.C. 1551 note): *Provided*, That in the case of an expired account, if subsequent review or investigation discloses that there was not in fact a negative unliquidated or unexpended balance in the account, any charge to a current account under the authority of this section shall be reversed and recorded against the expired account: *Provided further*, That the total amount charged to a current appropriation under this section may not exceed an amount equal to 1 percent of the total appropriation for that account.

SEC. 8053. (a) Notwithstanding any other provision of law, the Chief of the National Guard Bureau may permit the use of equipment of the National Guard Distance Learning Project by any person or entity on a space-available, reimbursable basis. The Chief of the National Guard Bureau shall establish the amount of reimbursement for such use on a case-by-case basis.

(b) Amounts collected under subsection (a) shall be credited to funds available for the National Guard Distance Learning Project and be available to defray the costs associated with the use of equipment of the project under that subsection. Such funds shall be available for such purposes without fiscal year limitation.

SEC. 8054. Using funds made available by this Act or any other Act, the Secretary of the Air Force, pursuant to a determination under section 2690 of title 10, United States Code, may implement cost-effective agreements for required heating facility modernization in the Kaiserslautern Military Community in the Federal Republic of Germany: *Provided*, That in the City of Kaiserslautern and at the Rhine Ordnance Barracks area, such agreements will include the use of United States anthracite as the base load energy for municipal district heat to the United States Defense installations: *Provided further*, That at Landstuhl Army Regional Medical Center and Ramstein Air Base, furnished heat may be obtained from private, regional or municipal services, if provisions are included for the consideration of United States coal as an energy source.

SEC. 8055. None of the funds appropriated in title IV of this Act may be used to procure end-items for delivery to military forces for operational training, operational use or inventory requirements: *Provided*, That this restriction does not apply to end-items used in development, prototyping, and test activities preceding and leading to acceptance for operational use: *Provided further*, That this restriction does not apply to programs funded within the National Intelligence Program: *Provided further*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8056. (a) The Secretary of Defense may, on a case-by-case basis, waive with respect to a foreign country each limitation on the procurement of defense items from foreign sources provided in law if the Secretary determines that the application of the limitation with respect to that country would invalidate cooperative programs entered into between the Department of Defense and the foreign country, or would invalidate reciprocal trade agreements for the procurement of defense items entered into under section 2531 of title 10, United States Code, and the country does not discriminate against the same or similar defense items produced in the United States for that country.

(b) Subsection (a) applies with respect to—

(1) contracts and subcontracts entered into on or after the date of the enactment of this Act; and

(2) options for the procurement of items that are exercised after such date under contracts that are entered into before such date if the option prices are adjusted for any reason other than the application of a waiver granted under subsection (a).

(c) Subsection (a) does not apply to a limitation regarding construction of public vessels, ball and roller bearings, food, and clothing or textile materials as defined by section 11 (chapters 50–65) of the Harmonized Tariff Schedule and products classified under headings 4010, 4202, 4203, 6401 through 6406, 6505, 7019, 7218 through 7229, 7304.41 through 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

SEC. 8057. (a) None of the funds made available by this Act may be used to support any training program involving a unit of the security forces or police of a foreign country if the Secretary of Defense has received credible information from the Department of State that the unit has committed a gross violation of human rights, unless all necessary corrective steps have been taken.

(b) The Secretary of Defense, in consultation with the Secretary of State, shall ensure that prior to a decision to conduct any training program referred to in subsection (a), full consideration is given to all credible information available to the Department of State relating to human rights violations by foreign security forces.

(c) The Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a) if he determines that such waiver is required by extraordinary circumstances.

(d) Not more than 15 days after the exercise of any waiver under subsection (c), the Secretary of Defense shall submit a report to the congressional defense committees describing the extraordinary circumstances, the purpose and duration of the training program, the United States forces and the foreign security forces involved in the training program, and the information relating to human rights violations that necessitates the waiver.

SEC. 8058. None of the funds appropriated or otherwise made available by this or other Department of Defense Appropriations Acts may be obligated or expended for the purpose of performing repairs or maintenance to military family housing units of the Department of Defense, including areas in such military family housing units that may be used for the purpose of conducting official Department of Defense business.

SEC. 8059. Notwithstanding any other provision of law, funds appropriated in this Act under the heading ''Research, Development, Test and Evaluation, Defense-Wide'' for any new start advanced concept technology demonstration project or joint capability demonstration project may only be obligated 45 days after a report, including a description of the project, the planned acquisition and transition strategy and its estimated annual and total cost, has been provided in writing to the congressional defense committees: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying to the congressional defense committees that it is in the national interest to do so.

SEC. 8060. The Secretary of Defense shall provide a classified quarterly report beginning 30 days after enactment of this Act, to the House and Senate Appropriations Committees, Subcommittees on Defense on certain matters as directed in the classified annex accompanying this Act.

SEC. 8061. During the current fiscal year, none of the funds available to the Department of Defense may be used to provide support to another department or agency of the United States if such department or agency is more than 90 days in arrears in making payment to the Department of Defense for goods or services previously provided to such department or agency on a reimbursable basis: *Provided*, That this restriction shall not apply if the department is authorized by law to provide support to such department or agency on a nonreimbursable basis, and is providing the requested support pursuant to such authority: *Provided further*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8062. Notwithstanding section 12310(b) of title 10, United States Code, a Reserve who is a member of the National Guard serving on full-time National Guard duty under section 502(f) of title 32, United States Code, may perform duties in support of the ground-based elements of the National Ballistic Missile Defense System.

SEC. 8063. None of the funds provided in this Act may be used to transfer to any nongovernmental entity ammunition held by the Department of Defense that has a center-fire cartridge and a United States military nomenclature designation of ''armor penetrator'', ''armor piercing (AP)'', ''armor piercing incendiary (API)'', or ''armor-piercing incendiary tracer (API–T)'', except to an entity performing demilitarization services for the Department of Defense under a contract that requires the entity to demonstrate to the satisfaction of the Department of Defense that armor piercing projectiles are either: (1) rendered incapable of reuse by the demilitarization process; or (2) used to manufacture ammunition pursuant to a contract with the Department of Defense or the manufacture of ammunition for export pursuant to a License for Permanent Export of Unclassified Military Articles issued by the Department of State.

SEC. 8064. Notwithstanding any other provision of law, the Chief of the National Guard Bureau, or his designee, may waive payment of all or part of the consideration that otherwise would be required under section 2667 of title 10, United States Code, in the case of a lease of personal property for a period not in excess of 1 year to any organization specified in section 508(d) of title 32, United States Code, or any other youth, social, or fraternal nonprofit organization as may be approved by the Chief of the National Guard Bureau, or his designee, on a case-by-case basis.

SEC. 8065. None of the funds appropriated by this Act shall be used for the support of any nonappropriated funds activity of the Department of Defense that procures malt beverages and wine with nonappropriated funds for resale (including such alcoholic beverages sold by the drink) on a military installation located in the United States unless such malt beverages and wine are procured within that State, or in the case of the District of Columbia, within the District of Columbia, in which the military installation is located: *Provided*, That in a case in which the military installation is located in more than one State, purchases may be made in any State in which the installation is located: *Provided further*, That such local procurement requirements for malt beverages and wine shall apply to all alcoholic beverages only for military installations in States which are not contiguous with another State: *Provided further*, That alcoholic beverages other than wine and malt beverages, in contiguous States and the District of Columbia shall be procured from the most competitive source, price and other factors considered.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8066. Of the amounts appropriated in this Act under the heading ''Operation and Maintenance, Army'', $133,381,000 shall remain available until expended: *Provided*, That notwithstanding any other provision of law, the Secretary of Defense is authorized to transfer such funds to other activities of the Federal Government: *Provided further*, That the Secretary of Defense is authorized to enter into and carry out contracts for the acquisition of real property, construction, personal services, and operations related to projects carrying out the purposes of this section: *Provided further*, That contracts entered into under the authority of this section may provide for such indemnification as the Secretary determines to be necessary: *Provided further*, That projects authorized by this section shall comply with applicable Federal, State, and local law to the maximum extent consistent with the national security, as determined by the Secretary of Defense.

SEC. 8067. Section 8106 of the Department of Defense Appropriations Act, 1997 (titles I through VIII of the matter under subsection 101(b) of Public Law 104–208; 110 Stat. 3009–111; 10 U.S.C. 113 note) shall continue in effect to apply to disbursements that are made by the Department of Defense in fiscal year 2013.

SEC. 8068. In addition to amounts provided elsewhere in this Act, $4,000,000 is hereby appropriated to the Department of Defense, to remain available for obligation until expended: *Provided*, That notwithstanding any other provision of law, that upon the determination of the Secretary of Defense that it shall serve the national interest, these funds shall be available only for a grant to the Fisher House Foundation, Inc., only for the construction and furnishing of additional Fisher Houses to meet the needs of military family members when confronted with the illness or hospitalization of an eligible military beneficiary.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8069. Of the amounts appropriated in this Act under the heading ''Research, Development, Test and Evaluation, Defense-Wide'', $948,736,000 shall be for the Israeli Cooperative Programs: *Provided*, That of this amount, $149,679,000 shall be for the Short Range Ballistic Missile Defense (SRBMD) program, including cruise missile defense research and development under the SRBMD program, of which $15,000,000 shall be for production activities of SRBMD missiles in the United States and in Israel to meet Israel's defense requirements consistent with each nation's laws, regulations, and procedures, $74,692,000 shall be available for an upper-tier component to the Israeli Missile Defense Architecture, and $44,365,000 shall be for the Arrow System Improvement Program including development of a long range, ground and airborne, detection suite, and $680,000,000 shall be for the Iron Dome program: *Provided further*, That funds made available under this provision for production of missiles and missile components may be transferred to appropriations available for the procurement of weapons and equipment, to be merged with and to be available for the same time period and the same purposes as the appropriation to which transferred: *Provided further*, That the transfer authority provided under this provision is in addition to any other transfer authority contained in this Act.

SEC. 8070. None of the funds available to the Department of Defense may be obligated to modify command and control relationships to give Fleet Forces Command operational and administrative control of U.S. Navy forces assigned to the Pacific fleet: *Provided*, That the command and control relationships which existed on October 1, 1994, shall remain in force unless changes are specifically authorized in a subsequent Act.

SEC. 8071. Of the amounts appropriated in this Act under the heading ''Shipbuilding and Conversion, Navy'', $372,573,000 shall be

available until September 30, 2013, to fund prior year shipbuilding cost increases: *Provided*, That upon enactment of this Act, the Secretary of the Navy shall transfer funds to the following appropriations in the amounts specified: *Provided further*, That the amounts transferred shall be merged with and be available for the same purposes as the appropriations to which transferred to:

(1) Under the heading ''Shipbuilding and Conversion, Navy, 2007/2013'': LHA Replacement Program $156,685,000;

(2) Under the heading ''Shipbuilding and Conversion, Navy, 2008/2013'': LPD–17 Amphibious Transport Dock Program $80,888,000; and

(3) Under the heading ''Shipbuilding and Conversion, Navy, 2009/2013'': CVN Refueling Overhauls $135,000,000.

SEC. 8072. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2013 until the enactment of the Intelligence Authorization Act for Fiscal Year 2013.

SEC. 8073. None of the funds provided in this Act shall be available for obligation or expenditure through a reprogramming of funds that creates or initiates a new program, project, or activity unless such program, project, or activity must be undertaken immediately in the interest of national security and only after written prior notification to the congressional defense committee.

SEC. 8074. The budget of the President for fiscal year 2014 submitted to the Congress pursuant to section 1105 of title 31, United States Code, shall include separate budget justification documents for costs of United States Armed Forces' participation in contingency operations for the Military Personnel accounts, the Operation and Maintenance accounts, and the Procurement accounts: *Provided*, That these documents shall include a description of the funding requested for each contingency operation, for each military service, to include all Active and Reserve components, and for each appropriations account: *Provided further*, That these documents shall include estimated costs for each element of expense or object class, a reconciliation of increases and decreases for each contingency operation, and programmatic data including, but not limited to, troop strength for each Active and Reserve component, and estimates of the major weapons systems deployed in support of each contingency: *Provided further*, That these documents shall include budget exhibits OP–5 and OP–32 (as defined in the Department of Defense Financial Management Regulation) for all contingency operations for the budget year and the two preceding fiscal years.

SEC. 8075. None of the funds in this Act may be used for research, development, test, evaluation, procurement or deployment of nuclear armed interceptors of a missile defense system.

SEC. 8076. In addition to the amounts appropriated or otherwise made available elsewhere in this Act, $44,000,000 is hereby appropriated to the Department of Defense: *Provided*, That upon the determination of the Secretary of Defense that it shall serve the national interest, he shall make grants in the amounts specified as follows: $20,000,000 to the United Service Organizations and $24,000,000 to the Red Cross.

SEC. 8077. None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC–130 Weather Reconnaissance mission below the levels funded in this Act: *Provided*, That the Air Force shall allow the 53rd Weather Reconnaissance Squadron to perform other missions in support of national defense requirements during the non-hurricane season.

SEC. 8078. None of the funds provided in this Act shall be available for integration of foreign intelligence information unless the information has been lawfully collected and processed during the conduct of authorized foreign intelligence activities: *Provided*, That information pertaining to United States persons shall only be handled in accordance with protections provided in the Fourth Amendment of the United States Constitution as implemented through Executive Order No. 12333.

SEC. 8079. (a) At the time members of reserve components of the Armed Forces are called or ordered to active duty under section 12302(a) of title 10, United States Code, each member shall be notified in writing of the expected period during which the member will be mobilized.

(b) The Secretary of Defense may waive the requirements of subsection (a) in any case in which the Secretary determines that it is necessary to do so to respond to a national security emergency or to meet dire operational requirements of the Armed Forces.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8080. The Secretary of Defense may transfer funds from any available Department of the Navy appropriation to any available Navy ship construction appropriation for the purpose of liquidating necessary changes resulting from inflation, market fluctuations, or rate adjustments for any ship construction program appropriated in law: *Provided*, That the Secretary may transfer not to exceed $100,000,000 under the authority provided by this section: *Provided further*, That the Secretary may not transfer any funds until 30 days after the proposed transfer has been reported to the Committees on Appropriations of the House of Representatives and the Senate, unless a response from the Committees is received sooner: *Provided further*, That any funds transferred pursuant to this section shall retain the same period of availability as when originally appropriated: *Provided further*, That the transfer authority provided by this section is in addition to any other transfer authority contained elsewhere in this Act.

SEC. 8081. For purposes of section 7108 of title 41, United States Code, any subdivision of appropriations made under the heading ''Shipbuilding and Conversion, Navy'' that is not closed at the time reimbursement is made shall be available to reimburse the Judgment Fund and shall be considered for the same purposes as any subdivision under the heading ''Shipbuilding and Conversion, Navy'' appropriations in the current fiscal year or any prior fiscal year.

SEC. 8082. (a) None of the funds appropriated by this Act may be used to transfer research and development, acquisition, or other program authority relating to current tactical unmanned aerial vehicles (TUAVs) from the Army.

(b) The Army shall retain responsibility for and operational control of the MQ–1C Sky Warrior Unmanned Aerial Vehicle (UAV) in order to support the Secretary of Defense in matters relating to the employment of unmanned aerial vehicles.

SEC. 8083. Up to $15,000,000 of the funds appropriated under the heading ''Operation and Maintenance, Navy'' may be made available for the Asia Pacific Regional Initiative Program for the purpose of enabling the Pacific Command to execute Theater Security Cooperation activities such as humanitarian assistance, and payment of incremental and personnel costs of training and exercising with foreign security forces: *Provided*, That funds made available for this purpose may be used, notwithstanding any other funding authorities for humanitarian assistance, security assistance or combined exercise expenses: *Provided further*, That funds may not be obligated to provide assistance to any foreign country that is otherwise prohibited from receiving such type of assistance under any other provision of law.

SEC. 8084. None of the funds appropriated by this Act for programs of the Office of the Director of National Intelligence shall remain available for obligation beyond the current fiscal year, except for funds appropriated for research and technology, which shall remain available until September 30, 2014.

SEC. 8085. For purposes of section 1553(b) of title 31, United States Code, any subdivision of appropriations made in this Act under the heading ''Shipbuilding and Conversion, Navy'' shall be considered to be for the same purpose as any subdivision under the heading ''Shipbuilding and Conversion, Navy'' appropriations in any prior fiscal year, and the 1 percent limitation shall apply to the total amount of the appropriation.

SEC. 8086. The Director of National Intelligence shall include the budget exhibits identified in paragraphs (1) and (2) as described in the Department of Defense Financial Management Regulation with the congressional budget justification books:

(1) For procurement programs requesting more than $10,000,000 in any fiscal year, the P–1, Procurement Program; P–5, Cost Analysis; P–5a, Procurement History and Planning; P–21, Production Schedule; and P–40, Budget Item Justification.

(2) For research, development, test and evaluation projects requesting more than $5,000,000 in any fiscal year, the R–1, Research, Development, Test and Evaluation Program; R–2, Research, Development, Test and Evaluation Budget Item Justification; R–3, Research, Development, Test and Evaluation Project Cost Analysis; and R–4, Research, Development, Test and Evaluation Program Schedule Profile.

SEC. 8087. Notwithstanding any other provision of this Act, due to an excessive level of funded carryover at Army depots, the total amount appropriated to ''Operation and Maintenance, Army'', in title II of this Act is hereby reduced by $1,207,400,000, and the total amount appropriated to ''Other Procurement, Army'', in title III of this Act is hereby reduced by $1,253,500,000.

SEC. 8088. (a) Not later than 60 days after the date of enactment of this Act, the Director of National Intelligence shall submit a report to the congressional intelligence committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2013: *Provided*, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation by Expenditure Center and project; and

(3) an identification of items of special congressional interest.

(b) None of the funds provided for the National Intelligence Program in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional intelligence committees, unless the Director of National Intelligence certifies in writing to the congressional intelligence committees that such

reprogramming or transfer is necessary as an emergency requirement.

SEC. 8089. (a) None of the funds provided for the National Intelligence Program in this or any prior appropriations Act shall be available for obligation or expenditure through a reprogramming or transfer of funds in accordance with section 102A(d) of the National Security Act of 1947 (50 U.S.C. 403–1(d)) that—

(1) creates a new start effort;

(2) terminates a program with appropriated funding of $10,000,000 or more;

(3) transfers funding into or out of the National Intelligence Program; or

(4) transfers funding between appropriations,

unless the congressional intelligence committees are notified 30 days in advance of such reprogramming of funds; this notification period may be reduced for urgent national security requirements.

(b) None of the funds provided for the National Intelligence Program in this or any prior appropriations Act shall be available for obligation or expenditure through a reprogramming or transfer of funds in accordance with section 102A(d) of the National Security Act of 1947 (50 U.S.C. 403–1(d)) that results in a cumulative increase or decrease of the levels specified in the classified annex accompanying the Act unless the congressional intelligence committees are notified 30 days in advance of such reprogramming of funds; this notification period may be reduced for urgent national security requirements.

SEC. 8090. The Director of National Intelligence shall submit to Congress each year, at or about the time that the President's budget is submitted to Congress that year under section 1105(a) of title 31, United States Code, a future-years intelligence program (including associated annexes) reflecting the estimated expenditures and proposed appropriations included in that budget. Any such future-years intelligence program shall cover the fiscal year with respect to which the budget is submitted and at least the four succeeding fiscal years.

SEC. 8091. For the purposes of this Act, the term ''congressional intelligence committees'' means the Permanent Select Committee on Intelligence of the House of Representatives, the Select Committee on Intelligence of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives, and the Subcommittee on Defense of the Committee on Appropriations of the Senate.

SEC. 8092. The Department of Defense shall continue to report incremental contingency operations costs for Operation New Dawn and Operation Enduring Freedom, or any other named operations in the U.S. Central Command area of operation on a monthly basis in the Cost of War Execution Report as prescribed in the Department of Defense Financial Management Regulation Department of Defense Instruction 7000.14, Volume 12, Chapter 23 ''Contingency Operations'', Annex 1, dated September 2005.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8093. During the current fiscal year, not to exceed $11,000,000 from each of the appropriations made in title II of this Act for ''Operation and Maintenance, Army'', ''Operation and Maintenance, Navy'', and ''Operation and Maintenance, Air Force'' may be transferred by the military department concerned to its central fund established for Fisher Houses and Suites pursuant to section 2493(d) of title 10, United States Code.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8094. Funds appropriated by this Act for operation and maintenance may be available for the purpose of making remittances to the Defense Acquisition Workforce Development Fund in accordance with the requirements of section 1705 of title 10, United States Code.

SEC. 8095. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 8096. (a) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract for an amount in excess of $1,000,000, unless the contractor agrees not to—

(1) enter into any agreement with any of its employees or independent contractors that requires, as a condition of employment, that the employee or independent contractor agree to resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention; or

(2) take any action to enforce any provision of an existing agreement with an employee or independent contractor that mandates that the employee or independent contractor resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention.

(b) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract unless the contractor certifies that it requires each covered subcontractor to agree not to enter into, and not to take any action to enforce any provision of, any agreement as described in paragraphs (1) and (2) of subsection (a), with respect to any employee or independent contractor performing work related to such subcontract. For purposes of this subsection, a ''covered subcontractor'' is an entity that has a subcontract in excess of $1,000,000 on a contract subject to subsection (a).

(c) The prohibitions in this section do not apply with respect to a contractor's or subcontractor's agreements with employees or independent contractors that may not be enforced in a court of the United States.

(d) The Secretary of Defense may waive the application of subsection (a) or (b) to a particular contractor or subcontractor for the purposes of a particular contract or subcontract if the Secretary or the Deputy Secretary personally determines that the waiver is necessary to avoid harm to national security interests of the United States, and that the term of the contract or subcontract is not longer than necessary to avoid such harm. The determination shall set forth with specificity the grounds for the waiver and for the contract or subcontract term selected, and shall state any alternatives considered in lieu of a waiver and the reasons each such alternative would not avoid harm to national security interests of the United States. The Secretary of Defense shall transmit to Congress, and simultaneously make public, any determination under this subsection not less than 15 business days before the contract or subcontract addressed in the determination may be awarded.

SEC. 8097. None of the funds made available under this Act may be distributed to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8098. From within the funds appropriated for operation and maintenance for the Defense Health Program in this Act, up to $139,204,000, shall be available for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund in accordance with the provisions of section 1704 of the National Defense Authorization Act for Fiscal Year 2010, Public Law 111–84: *Provided*, That for purposes of section 1704(b), the facility operations funded are operations of the integrated Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility as described by section 706 of Public Law 110–417: *Provided further*, That additional funds may be transferred from funds appropriated for operation and maintenance for the Defense Health Program to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Defense to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 8099. The Office of the Director of National Intelligence shall not employ more Senior Executive employees than are specified in the classified annex.

SEC. 8100. None of the funds appropriated or otherwise made available by this Act may be obligated or expended to pay a retired general or flag officer to serve as a senior mentor advising the Department of Defense unless such retired officer files a Standard Form 278 (or successor form concerning public financial disclosure under part 2634 of title 5, Code of Federal Regulations) to the Office of Government Ethics.

SEC. 8101. Appropriations available to the Department of Defense may be used for the purchase of heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of $250,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

SEC. 8102. Of the amounts appropriated for ''Operation and Maintenance, Defense-Wide'', the following amounts shall be available to the Secretary of Defense, for the following authorized purposes, notwithstanding any other provision of law, acting through the Office of Economic Adjustment of the Department of Defense, to make grants, conclude cooperative agreements, and supplement other Federal funds, to remain available until expended, to assist the civilian population of Guam in response to the military buildup of Guam: (1) $33,000,000 for addressing the need for construction of a mental health and substance abuse facility and construction of a regional public health laboratory; and (2) $106,400,000 for addressing the need for civilian water and wastewater improvements: *Provided*, That the Secretary of Defense shall, not fewer than 15 days prior to obligating funds for either of the foregoing purposes, notify the congressional defense committees in writing of the details of any such obligation.

SEC. 8103. None of the funds made available by this Act may be used by the Secretary of

Defense to take beneficial occupancy of more than 2,000 parking spaces (other than handicap-reserved spaces) to be provided by the BRAC 133 project: *Provided*, That this limitation may be waived in part if: (1) the Secretary of Defense certifies to Congress that levels of service at existing intersections in the vicinity of the project have not experienced failing levels of service as defined by the Transportation Research Board Highway Capacity Manual over a consecutive 90-day period; (2) the Department of Defense and the Virginia Department of Transportation agree on the number of additional parking spaces that may be made available to employees of the facility subject to continued 90-day traffic monitoring; and (3) the Secretary of Defense notifies the congressional defense committees in writing at least 14 days prior to exercising this waiver of the number of additional parking spaces to be made available: *Provided further*, That the Secretary of Defense shall implement the Department of Defense Inspector General recommendations outlined in report number DODIG–2012–024, and certify to Congress not later than 180 days after enactment of this Act that the recommendations have been implemented.

SEC. 8104. Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall resume monthly reporting of the numbers of civilian personnel end strength by appropriation account for each and every appropriation account used to finance Federal civilian personnel salaries to the congressional defense committees within 15 days after the end of each fiscal quarter.

SEC. 8105. None of the funds appropriated in this or any other Act may be used to plan, prepare for, or otherwise take any action to undertake or implement the separation of the National Intelligence Program budget from the Department of Defense budget.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8106. Upon a determination by the Director of National Intelligence that such action is necessary and in the national interest, the Director may, with the approval of the Office of Management and Budget, transfer not to exceed $2,000,000,000 of the funds made available in this Act for the National Intelligence Program: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen intelligence requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: *Provided further*, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2013.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8107. In addition to amounts provided elsewhere in the Act, there is appropriated $270,000,000 for an additional amount for ''Operation and Maintenance, Defense-Wide'', to be available until expended: *Provided*, That such funds shall only be available to the Secretary of Defense, acting through the Office of Economic Adjustment of the Department of Defense, or for transfer to the Secretary of Education, notwithstanding any other provision of law, to make grants, conclude cooperative agreements, or supplement other Federal funds to construct, renovate, repair, or expand elementary and secondary public schools on military installations in order to address capacity or facility condition deficiencies at such schools: *Provided further*, That in making such funds available, the Office of Economic Adjustment or the Secretary of Education shall give priority consideration to those military installations with schools having the most serious capacity or facility condition deficiencies as determined by the Secretary of Defense: *Provided further*, That funds may not be made available for a school unless its enrollment of Department of Defense-connected children is greater than 50 percent.

SEC. 8108. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 8109. (a)(1) Except as provided in paragraph (2) and subsection (d), none of the funds appropriated or otherwise made available in this or any other Act may be used to transfer any individual detained at Guantanamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity unless the Secretary of Defense submits to Congress the certification described in subsection (b) not later than 30 days before the transfer of the individual.

(2) Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantanamo to effectuate—

(A) an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance); or

(B) a pre-trial agreement entered in a military commission case prior to the date of the enactment of this Act.

(b) A certification described in this subsection is a written certification made by the Secretary of Defense, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, that—

(1) the government of the foreign country or the recognized leadership of the foreign entity to which the individual detained at Guantanamo is to be transferred—

(A) is not a designated state sponsor of terrorism or a designated foreign terrorist organization;

(B) maintains control over each detention facility in which the individual is to be detained if the individual is to be housed in a detention facility;

(C) is not, as of the date of the certification, facing a threat that is likely to substantially affect its ability to exercise control over the individual;

(D) has taken or agreed to take effective actions to ensure that the individual cannot take action to threaten the United States, its citizens, or its allies in the future;

(E) has taken or agreed to take such actions as the Secretary of Defense determines are necessary to ensure that the individual cannot engage or reengage in any terrorist activity; and

(F) has agreed to share with the United States any information that—

(i) is related to the individual or any associates of the individual; and

(ii) could affect the security of the United States, its citizens, or its allies; and

(2) includes an assessment, in classified or unclassified form, of the capacity, willingness, and past practices (if applicable) of the foreign country or entity in relation to the Secretary's certifications.

(c)(1) Except as provided in paragraph (2) and subsection (d), none of the funds appropriated or otherwise made available in this or any other Act may be used to transfer any individual detained at Guantanamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity if there is a confirmed case of any individual who was detained at United States Naval Station, Guantanamo Bay, Cuba, at any time after September 11, 2001, who was transferred to such foreign country or entity and subsequently engaged in any terrorist activity.

(2) Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantanamo to effectuate—

(A) an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance); or

(B) a pre-trial agreement entered in a military commission case prior to the date of the enactment of this Act.

(d)(1) The Secretary of Defense may waive the applicability to a detainee transfer of a certification requirement specified in subparagraph (D) or (E) of subsection (b)(1) or the prohibition in subsection (c), if the Secretary certifies the rest of the criteria required by subsection (b) for transfers prohibited by (c) and, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, determines that—

(A) alternative actions will be taken to address the underlying purpose of the requirement or requirements to be waived;

(B) in the case of a waiver of subparagraph (D) or (E) of subsection (b)(1), it is not possible to certify that the risks addressed in the paragraph to be waived have been completely eliminated, but the actions to be taken under subparagraph (A) will substantially mitigate such risks with regard to the individual to be transferred;

(C) in the case of a waiver of subsection (c), the Secretary has considered any confirmed case in which an individual who was transferred to the country subsequently engaged in terrorist activity, and the actions to be taken under subparagraph (A) will substantially mitigate the risk of recidivism with regard to the individual to be transferred; and

(D) the transfer is in the national security interests of the United States.

(2) Whenever the Secretary makes a determination under paragraph (1), the Secretary shall submit to the appropriate committees of Congress, not later than 30 days before the transfer of the individual concerned, the following:

(A) A copy of the determination and the waiver concerned.

(B) A statement of the basis for the determination, including—

(i) an explanation why the transfer is in the national security interests of the United States; and

(ii) in the case of a waiver of subparagraph (D) or (E) of subsection (b)(1), an explanation why it is not possible to certify that the risks addressed in the subparagraph to be waived have been completely eliminated.

(C) A summary of the alternative actions to be taken to address the underlying purpose of, and to mitigate the risks addressed in, the subparagraph or subsection to be waived.

(D) The assessment required by subsection (b)(2).

(e) In this section:

(1) The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term ''individual detained at Guantanamo'' means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay,

(3) The term ''foreign terrorist organization'' means any organization so designated by the Secretary of State under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

SEC. 8110. (a) None of the funds appropriated or otherwise made available in this or any other Act may be used to construct, acquire, or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantanamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 8111. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 8112. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 8113. None of the funds made available by this Act may be used in contravention of section 1590 or 1591 of title 18, United States Code, or in contravention of the requirements of section 106(g) or (h) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(g) or (h)).

SEC. 8114. None of the funds made available by this Act for International Military education and training, foreign military financing, excess defense article, assistance under section 1206 of the National Defense Authorization Act for Fiscal year 2006 (Public Law 109–163; 119 Stat. 3456) issuance for direct commercial sales of military equipment, or peacekeeping operations for the countries of Chad, Yemen, Somalia, Sudan, the Democratic Republic of the Congo, and Burma may be used to support any military training or operation that include child soldiers, as defined by the Child Soldiers Prevention Act of 2008, and except if such assistance is otherwise permitted under section 404 of the Child Soldiers Prevention Act of 2008 (Public Law 110–457; 22 U.S.C. 2370c-1).

SEC. 8115. None of the funds made available by this Act may be used in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.).

SEC. 8116. None of the funds made available by this Act may be used to retire, divest, realign, or transfer Air Force aircraft, to disestablish or convert units associated with such aircraft, or to disestablish or convert any other unit of the Air National Guard or Air Force Reserve.

SEC. 8117. The Secretary of the Air Force shall obligate and expend funds previously appropriated for the procurement of RQ–4B Global Hawk and C–27J Spartan aircraft for the purposes for which such funds were originally appropriated.

SEC. 8118. None of the funds made available by this Act shall be used to retire C–23 Sherpa aircraft.

SEC. 8119. The total amount available in the Act for pay for civilian personnel of the Department of Defense for fiscal year 2013 shall be the amount otherwise appropriated or made available by this Act for such pay reduced by $258,524,000.

Mr. YOUNG of Florida (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 120, line 12, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SEC. 8120. None of the funds appropriated, or otherwise made available in this Act may be used to transfer a veterans memorial object to a foreign country or an entity controlled by a foreign government, or otherwise transfer or convey such an object to any person or entity for purposes of the ultimate transfer or conveyance of the object to a foreign country or entity controlled by a foreign government, unless such transfer is specifically authorized by law.

SEC. 8121. (a) Except as provided in subsection (b), none of the funds made available in this Act may be used to sponsor professional or semi-professional motorsports, fishing, mixed martial arts, wrestling, or other sporting events or competitors.

(b) The prohibition in subsection (a) shall not apply in the case of sponsorship of amateur or high school sporting events or competitors.

POINT OF ORDER

Mr. PALAZZO. Mr. Chair, I raise a point of order against section 8121 of the bill.

The Acting CHAIR. The gentleman will state his point of order.

Mr. PALAZZO. Section 8121 constitutes legislation because it requires that the Secretary determine what qualifies as ''semiprofessional,'' ''a sporting event,'' and ''mixed martial arts.''

These are not terms that current law requires that the Secretary know, thus, imposing these determinations upon the Secretary violates clause 2 of rule XXI.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any other Member wish to be heard on the point of order?

Seeing none, the Chair is prepared to rule.

The gentleman from Mississippi makes a point of order that section 8121 proposes to change existing law in violation of clause 2(b) of rule XXI. Section 8121 is in the form of a limitation on funds in the bill.

As recorded in Deschler's Precedents, volume 8, chapter 26, section 52, even though a limitation might refrain from explicitly assigning new duties to officers of the government, if it implicitly requires them to make investigations, judgments, or determinations not otherwise required of them by law, then it assumes the character of legislation and is subject to a point of order under clause 2(b) of rule XXI.

The fact that a limitation may impose certain incidental burdens on executive officials does not destroy the character of the limitation as long as it is descriptive of functions and findings already required to be undertaken by existing law. The proponent of a limitation assumes the burden of establishing that any duties or determinations imposed by the provision are merely ministerial or are already required by law. As noted in Deschler's Precedents, volume 8, chapter 26, section 61.12, the question is not whether an official routinely makes such determinations but, rather, whether such determinations are required by law.

The Chair finds that the limitation in section 8121 does more than merely impose a negative restriction on the funds of the bill. Instead, it would require the Secretary to make various determinations, such as what qualifies as ''semi-professional,'' as ''mixed martial arts,'' or as ''sporting events.'' The proponent of this language has not proven that these are matters with which the Secretary is charged under existing law.

The Chair finds the proceedings of August 20, 1980, pertinent. On that day, a limitation on funds in an appropriation bill to dispose of ''agricultural'' land was held to impose new duties in violation of clause 2 of rule XXI because the determination whether lands were ''agricultural'' was not required by law.

On these premises, the Chair concludes that the section proposes to change existing law. Accordingly, the point of order is sustained, and the section is stricken from the bill.

Mr. DICKS. Mr. Chairman, I ask unanimous consent to be permitted to request a recorded vote on the amendment offered by the gentleman from Michigan (Mr. AMASH).

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

Seeing none, pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan will be postponed.

The Clerk will read.

The Clerk read as follows:

TITLE IX

OVERSEAS DEPLOYMENTS AND OTHER ACTIVITIES

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for ''Military Personnel, Army'', $9,165,082,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AMENDMENT OFFERED BY MR. JONES

Mr. JONES. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 121, line 12, after the dollar amount, insert ''(increased by $98,697,000)''.

Page 121, line 19, after the dollar amount, insert ''(increased by $9,373,000)''.

Page 122, line 3, after the dollar amount, insert ''(increased by $17,482,000)''.

Page 122, line 10, after the dollar amount, insert ''(increased by $13,857,000)''.

Page 122, line 17, after the dollar amount, insert ''(increased by $1,690,000)''.

Page 122, line 24, after the dollar amount, insert ''(increased by $424,000)''.

Page 123, line 6, after the dollar amount, insert ''(increased by $266,000)''.

Page 123, line 13, after the dollar amount, insert ''(increased by $273,000)''.

Page 123, line 20, after the dollar amount, insert ''(increased by $6,287,000)''.

Page 124, line 3, after the dollar amount, insert ''(increased by $113,000)''.

Page 132, line 23, after the dollar amount, insert ''(reduced by $412,287,000)''.

The Acting CHAIR. The gentleman from North Carolina is recognized for 5 minutes in support of his amendment.

Mr. JONES. Mr. Chairman, under title IX of this bill there is $412 million labeled ''incentive pay'' for Afghan soldiers. Also under title IX, there is $13 million labeled ''incentive pay'' for American soldiers. This is a problem for our military.

My amendment, which is supported by the Veterans of Foreign Wars, is very simple. At all does it move some incentive pay from Afghan soldiers to American soldiers.

Last month the Department of Defense published their review of military compensation, a report required by law every 4 years. The report concluded that our system of combat pay is broken. I quote: ''There is little correlation between exposure to danger and compensation pay.''

A recent article on the report by the Marine Corps Times outlined how a Navy captain assigned to Bahrain received more than $1,000 a month while a Marine lance corporal patrolling the streets of Helmand province received much less in combat pay. That's not right.

□ 1850

If you look in this bill and compare the $412 million for the Afghans against the $13 million for our troops, the inequity is clear. My amendment simply moves the incentive pay for the Afghan soldiers to the American soldiers. This money should go to the junior enlisted servicemembers facing the most risk in Afghanistan.

My amendment does not touch Afghan base pay. That $450 million is still in the bill. It does not touch their pay for food and subsistence. That $71 million is still there. It doesn't touch their recruiting money either. The $4 million is still there. It doesn't even touch the money we spent to host ''welcome home'' concerts for the Afghan army when they returned from deployment. That money comes out of the Information Operations fund.

If anyone says that this amendment will hurt America's effort to fund the Afghan army, which we hope will take over its responsibility in just a few years, I invite you to look at the numbers in this fund. The Afghan security forces are well funded.

Mr. Chairman, I hope that this amendment will be accepted, and I yield back the balance of my time.

VETERANS OF FOREIGN WARS
OF THE UNITED STATES,
July 18, 2012.

Hon. WALTER B. JONES,
House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR CONGRESSMAN JONES: On behalf of the 2 million members of the Veterans of Foreign Wars of the United States (VFW) and our Auxiliaries, I am pleased to offer our support for your amendment to the National Defense Authorization Act to eliminate $412 million dollars in incentive pay for the Afghan Security Forces and redirect them in full to American service members for incentive pay.

This reprogramming of funds would not affect Afghan base pay or the payments these individuals receive for food and other subsistence needs. Additionally, the ability of the Afghan Security Forces to recruit and train would not be hindered. Your amendment is limited to incentive pay funds—a fund that DoD has not fully obligated funds from in at least two fiscal years.

This is a prudent measure that wisely balances our fiscal challenges, objectives on the ground, and the absolute responsibly we all share to honor the sacrifices of those who choose to wear the uniform. Thank you for taking the lead on this effort, and for your continued support of our armed forces and veterans.

Sincerely,

RAYMOND C. KELLEY,
Director,
VFW National Legislative Service.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. I do not object to what the gentleman is trying to do. Although, I have to be very honest in that his amendment does not accomplish what he thinks it will accomplish. We are okay to transfer the money, so we are not going to object to the amendment.

The fact is that this is controlled by law, not by appropriations. This is controlled by the National Defense Authorization Act, not by the appropriations bill. So, while I understand what the gentleman wants to do and while I agree with what he wants to do, this won't do it, but I am not going to object to it.

I yield back the balance of my time.

Mr. McGOVERN. Mr. Chair, I rise in strong support of the Jones amendment.

I appreciate the efforts of the Chairman and Ranking Member of the Defense Appropriations Subcommittee to provide the Administration with funds for the Afghan military and police who are being trained to take over security from our troops, but $412 million for additional incentive pay is simply crazy.

For the past two fiscal years, funds for this same account remain unobligated. Not unexpended, Mr. Chair—unobligated.

We need to move that unobligated funding stream along, and then determine how much more is needed in incentives for these Afghan forces. But right now we need to stop putting the money out there before anyone knows what they're doing with it. This is nearly half a billion dollars. And it's going to waste.

The bottom line here is this amendment would not touch the base pay for Afghan military and police. It would not touch funds to provide food and other basic needs for these Afghan troops. It would not touch the funds for recruitment and training.

Instead, under the Jones amendment, funds targeted for Afghan incentive pay would be transferred within the OCO account to augment the combat pay of our junior enlisted servicemen and women who carry out daily patrols.

I strongly urge my colleagues to support the Jones amendment.

It's good policy. It's a good use of funds. And it's only fair.

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. JONES).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

MILITARY PERSONNEL, NAVY

For an additional amount for ''Military Personnel, Navy'', $870,425,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for ''Military Personnel, Marine Corps'', $1,623,356,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for ''Military Personnel, Air Force'', $1,286,783,000: *Provided*, That such amount is designated by the

Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, ARMY

For an additional amount for ''Reserve Personnel, Army'', $156,893,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, NAVY

For an additional amount for ''Reserve Personnel, Navy'', $39,335,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for ''Reserve Personnel, Marine Corps'', $24,722,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for ''Reserve Personnel, Air Force'', $25,348,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for ''National Guard Personnel, Army'', $583,804,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for ''National Guard Personnel, Air Force'', $10,473,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for ''Operation and Maintenance, Army'', $26,682,437,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, NAVY

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Operation and Maintenance, Navy'', $5,880,395,000, of which up to $254,461,000 may be transferred to the Coast Guard ''Operating Expenses'' account: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for ''Operation and Maintenance, Marine Corps'', $4,566,340,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for ''Operation and Maintenance, Air Force'', $9,136,236,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for ''Operation and Maintenance, Defense-Wide'', $7,790,579,000: *Provided*, That of the funds provided under this heading, not to exceed $1,750,000,000, to remain available until September 30, 2014, shall be for payments to reimburse key cooperating nations for logistical, military, and other support, including access, provided to United States military operations in support of Operation Enduring Freedom, notwithstanding any other provision of law: *Provided further*, That such reimbursement payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, in his discretion, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: *Provided further*, That the requirement under this heading to provide notification shall not apply with respect to a reimbursement for access based on an international agreement: *Provided further*, That these funds may be used for the purpose of providing specialized training and procuring supplies and specialized equipment and providing such supplies and loaning such equipment on a non-reimbursable basis to coalition forces supporting United States military operations in Afghanistan, and 15 days following notification to the appropriate congressional committees: *Provided further*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided in this paragraph: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AMENDMENT NO. 3 OFFERED BY MR. POE OF TEXAS

Mr. POE of Texas. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 125, lines 17 and 19, after each dollar amount, insert ''(reduced by $1,300,000,000)''.

Page 153, line 15, after the dollar amount, insert ''(increased by $1,300,000,000)''.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. POE of Texas. As stated in the report language of the bill, my amendment cuts $1.3 billion that is going specifically to Pakistan.

Pakistan seems to be the Benedict Arnold nation in the list of countries that we call allies. They have proven to be deceptive and deceitful and a danger to the United States. Here is some of the evidence:

For the last 7 months, Pakistan closed down the southern supply route. The route transported about 40 percent of all NATO supplies into the country and to Afghanistan;

Pakistan still refuses to go after the terrorist sanctuaries in the tribal areas of Pakistan. Terrorist groups like the LET, the Pakistani Taliban, and al Qaeda frequently cross over into Afghanistan, kill our troops and then run back into Pakistan and hide where our troops cannot follow them;

On May 23, 2012, Pakistan sentenced the doctor who helped us get Osama bin Laden to 33 years in prison. I thought getting the world's No. 1 terrorist—the terrorist who killed thousands of Americans—was a good thing, but apparently, Pakistan prosecuted him;

In February 2012, a NATO report confirmed our suspicions: the ISI is aiding the Taliban and other extremist groups in Afghanistan and Pakistan by providing resources, sanctuary, and training;

In June 2011, Pakistan tipped off terrorists making IEDs—not once, but twice—after we told them where the bomb-making factories were and asked Pakistan to go after them;

In 2011, Pakistan tried to cheat the United States by filling out bogus reimbursement claims for allegedly going after militants when they weren't doing that at all.

There is more.

On September 22, 2011, Admiral Mike Mullen, Chairman of the Joint Chiefs of Staff, testified before the Senate Armed Services Committee: ''With ISI support, Haqqani operatives planned and conducted that truck bomb attack as well as the assault on our Embassy.'' The truck bombing he mentions here wounded more than 70 U.S. and NATO allies and troops. Admiral Mullen went on to say: ''The Haqqani Network acts as a veritable arm of Pakistan's Inter-Services Intelligence Agency.''

What more do we need to hear? Pakistan doesn't deserve American money. By the end of fiscal year 2011, Pakistan had had a total of $21.5 billion of American money since FY 2002. Mr. Chairman, I ask: Has America received its money's worth? The answer is no.

I want to address a couple of arguments I've heard from the other side:

First, some say that the money in this bill for Pakistan is only to reimburse them for going after terrorists. They say we shouldn't take away that carrot. But, since 2002, Congress has already appropriated over $8 billion to the Coalition Support Fund specifically for Pakistan. Where I come from, if you try something and it doesn't work, you don't continue to do it. We've been doing the same thing for over 10 years. It's time for a new strategy with Pakistan. More money is not going to solve the problem.

Second, they say Pakistan just reopened the southern supply route.

Pakistan closed the southern supply route from November 2011 to this month. Pakistan was a bad ally before it closed the supply route. The fact that they messed us around and closed it for 7 months only adds to the long list of evidence that shows they are no friend of ours. It also shows that we don't need them to win the war in Afghanistan. We were able to pursue our mission in Afghanistan without them. What really endangers our troops is not access to the southern supply route, but the failure to get access to Pakistan's tribal areas where Pakistan gives terrorists a safe haven.

Pakistan is playing America. The only thing Pakistan's military rulers understand is dollars, and as long as we keep the money flowing, they have no incentive to change their evil ways.

Our message should be this: Pakistan has a raging insurgency in their country with al Qaeda, the Pakistan Taliban, and the Haqqani Network. Pakistan can either receive assistance and go after these terrorists with us or don't take any of our money, and we will find our own way to take these terrorists out.

I urge all of my colleagues to join me in telling Pakistan they will no longer get American money. We don't need to pay Pakistan to betray us. They will do it for free.

I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. Mr. Chairman, I agree with everything that Mr. POE said. You cannot have an ally who is an ally today but not an ally tomorrow, and that has been our experience with Pakistan. The Defense Department will tell you that it is very complicated because they do enjoy a nuclear capability that could be dangerous if it got into the wrong hands.

I would ask Mr. POE a question and would yield to him for an answer:

Your amendment is not limited to Pakistan. Your amendment would cut across the board and reduce money for the Kurdish Republic, Jordan, which is one of our most important partners and coalitions in the region; funding for the northern distribution networks; and numerous other coalition partners who are helping in the fight against terrorism.

□ 1900

I wonder if we could talk you into amending your amendment or rewriting your amendment to make it specifically to Pakistan. And let me say this to you before you answer, and then I will yield to you.

In this bill, the money for Pakistan cannot be spent. We have fenced this money—all of it—until the Secretary of Defense, with the concurrence of the Secretary of State, certifies to Congress that the government of Pakistan is doing this: cooperating with the United States in counterterrorism efforts, including taking steps to end support for terrorist groups and preventing them from basing and operating in Pakistan and carrying out cross-border attacks; Pakistan is not supporting terrorist activities against the United States or coalition forces in Afghanistan; Pakistan is not dismantling IED networks and is interdicting precursor chemicals used in making IEDs; preventing the proliferation of nuclear-related materials.

There are four or five more, and I won't take the time. I want to do what you want to do, but I don't want to have an adverse effect on our coalition partners that we rely on so much.

I yield to the gentleman from Texas.

Mr. POE of Texas. I thank the gentleman for yielding.

My understanding is, in the report language, to specify a certain country would not be ruled in order; therefore, I used the $1.3 billion with the floor statement that applies only to Pakistan and none of our coalition countries that you have mentioned.

I am open to an amendment that would be ruled in order, and I would be glad to work with the chairman on that amendment.

Mr. YOUNG of Florida. We would probably have to take a few minutes to do that, which I would be very happy to do because what you want to do is what I want to do.

Mr. Chairman, let me inquire as to where we are in this bill so we can have an opportunity to amend this amendment and still not get beyond the point of reading.

The Acting CHAIR. The reading has progressed to page 127, line 2.

Mr. YOUNG of Florida. Would the gentleman be willing to do just that, withdraw your amendment now, and let us take a few minutes and guarantee that these coalition partners are not included?

Mr. POE of Texas. Yes, I would certainly be willing to do that.

I will withdraw my amendment.

Mr. YOUNG of Florida. I thank the gentleman very much. This is an important issue.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for ''Operation and Maintenance, Army Reserve'', $152,387,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control act of 1985.

AMENDMENT OFFERED BY MR. ALTMIRE

Mr. ALTMIRE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 127, line 5, after the dollar amount insert the following: ''(increased by $5,500,000)''.

Page 128, line 11, after the dollar amount insert the following: ''(increased by $10,000,000)''.

Page 129, line 4, after the dollar amount insert the following: ''(reduced by $18,500,000)''.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. ALTMIRE. Mr. Chairman, I rise to offer an amendment that will restore $15.5 million that was cut from the Yellow Ribbon program under this bill.

While I understand the tough budget constraints we face, I think we can all agree that programs that provide essential services to the brave men and women who risk their lives to serve our country should not be on the chopping block. Simply put, no one should stand ahead of our Nation's veterans and our men and women in uniform when it comes time to making Federal funding decisions.

Congress established the Yellow Ribbon program in 2008 to provide tailored support to meet the unique needs of the National Guard and Reserve combat veterans and their families before, during, and after their deployments. The services it provides includes suicide prevention, career counseling, access to health care, veteran, and education benefits. Last year alone, the Yellow Ribbon program held over 2,100 events across the country, reaching over 300,000 servicemen and -women and their families.

As the number of returning National Guard and Reserve combat veterans increases, the need for these services increases along with it. My amendment will help to ensure the Yellow Ribbon program is there to meet the increasing need. My amendment simply restores funding for the Yellow Ribbon program to its level from the previous year, fiscal year 2012, paid for by transferring funds from the overseas contingency operations transfer account. The $15.5 million returned to the Yellow Ribbon program represents only one half of 1 percent of this account. While I recognize its importance, I think a small part of the funding can and should be used to help our National Guard and Reserve veterans and their families navigate through the challenges associated with their deployment.

I urge my colleagues to support my amendment, and I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I rise in support of the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. The Yellow Ribbon program is a very great program, and the gentleman has made the case very powerfully. I am in support of what he is trying to do. I support the amendment.

Mr. DICKS. Will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman from Washington.

Mr. DICKS. I want to commend the gentleman for his amendment, and we gladly support it.

Mr. YOUNG of Florida. With that, I yield back the balance of my time.

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

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for ''Operation and Maintenance, Navy Reserve'', $55,924,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for ''Operation and Maintenance, Marine Corps Reserve'', $25,477,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for ''Operation and Maintenance, Air Force Reserve'', $120,618,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Army National Guard'', $382,448,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Air National Guard'', $34,500,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND

(INCLUDING TRANSFER OF FUNDS)

In addition to amounts provided elsewhere in this Act, there is appropriated $3,250,000,000 for the ''Overseas Contingency Operations Transfer Fund'' for expenses directly relating to overseas contingency operations by United States military forces, to be available until expended: *Provided*, That of the funds made available in this section, the Secretary of Defense may transfer these funds only to military personnel accounts, operation and maintenance accounts, procurement accounts, and working capital fund accounts: *Provided further*, That the funds made available in this paragraph may only be used for programs, projects, or activities categorized as Overseas Contingency Operations in the fiscal year 2013 budget request for the Department of Defense and the justification material and other documentation supporting such request: *Provided further*, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: *Provided further*, that the Secretary shall notify the congressional defense committees 15 days prior to such transfer: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation and shall be available for the same purposes and for the same time period as originally appropriated: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AFGHANISTAN INFRASTRUCTURE FUND

(INCLUDING TRANSFER OF FUNDS)

For the ''Afghanistan Infrastructure Fund'', $375,000,000, to remain available until September 30, 2014: *Provided*, That such funds shall be available to the Secretary of Defense for infrastructure projects in Afghanistan, notwithstanding any other provision of law, which shall be undertaken by the Secretary of State, unless the Secretary of State and the Secretary of Defense jointly decide that a specific project will be undertaken by the Department of Defense: *Provided further*, That the infrastructure referred to in the preceding proviso is in support of the counterinsurgency strategy, which may require funding for facility and infrastructure projects, including, but not limited to, water, power, and transportation projects and related maintenance and sustainment costs: *Provided further*, That the authority to undertake such infrastructure projects is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That any projects funded under this heading shall be jointly formulated and concurred in by the Secretary of State and Secretary of Defense: *Provided further*, That funds may be transferred to the Department of State for purposes of undertaking projects, which funds shall be considered to be economic assistance under the Foreign Assistance Act of 1961 for purposes of making available the administrative authorities contained in that Act: *Provided further*, That the transfer authority in the preceding proviso is in addition to any other authority available to the Department of Defense to transfer funds: *Provided further*, That any unexpended funds transferred to the Secretary of State under this authority shall be returned to the Afghanistan Infrastructure Fund if the Secretary of State, in coordination with the Secretary of Defense, determines that the project cannot be implemented for any reason, or that the project no longer supports the counterinsurgency strategy in Afghanistan: *Provided further*, That any funds returned to the Secretary of Defense under the previous proviso shall be available for use under this appropriation and shall be treated in the same manner as funds not transferred to the Secretary of State: *Provided further*, That contributions of funds for the purposes provided herein to the Secretary of State in accordance with section 635(d) of the Foreign Assistance Act from any person, foreign government, or international organization may be credited to this Fund, to remain available until expended, and used for such purposes: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers to or from, or obligations from the Fund, notify the appropriate committees of Congress in writing of the details of any such transfer: *Provided further*, That the ''appropriate committees of Congress'' are the Committees on Armed Services, Foreign Relations and Appropriations of the Senate and the Committees on Armed Services, Foreign Affairs and Appropriations of the House of Representatives: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AMENDMENT OFFERED BY MR. CICILLINE

Mr. CICILLINE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 130, line 14, after the dollar amount, insert ''(reduced by $375,000,000)''.

Page 153, line 15, after the dollar amount, insert ''(increased by $375,000,000)''.

The Acting CHAIR. The gentleman from Rhode Island is recognized for 5 minutes.

Mr. CICILLINE. Mr. Chairman, I rise today in opposition to the continued appropriation of hundreds of millions of dollars to the Afghanistan infrastructure fund while our national infrastructure is crumbling here in America.

President Obama has laid out a broad vision for completing our work in Afghanistan, turning security responsibilities over to the Afghan people, and bringing our troops home. Now is the time to focus our resources here in the United States, on our own roads, bridges, schools, and infrastructure.

We have already spent billions of dollars toward rebuilding the infrastructure of Afghanistan. As we begin drawing down combat operations in Afghanistan, it's the responsibility of the Afghan people to build, operate, and maintain their own civilian and military institutions, and their own infrastructure.

My amendment, which I offer along with the gentleman from California (Mr. HONDA), the gentlelady from California (Ms. LORETTA SANCHEZ), and the gentleman from Vermont (Mr. WELCH), would strike the funding of the Afghanistan infrastructure fund and apply the savings to the spending reduction account.

Established by Congress in the fiscal year 2011 National Defense Authorization, in its first year, the Afghanistan infrastructure fund received an appropriation of $400 million. These funds have been dedicated to projects that are jointly approved by the Department of State and the Department of Defense, and the projects include power generation and transmission, roads, and construction of other large infrastructure projects.

□ 1910

According to the April 2012 report by the Special Inspector General for Afghanistan Reconstruction, from fiscal year 2002 to the end of March, fiscal

year 2012, the United States appropriated approximately $89.4 billion for relief and reconstruction in Afghanistan. Approximately $800 million has been provided thus far for the Afghanistan Infrastructure Fund.

As the nonpartisan Congressional Research Service indicates from 2012 to 2010, the U.S. Agency for International Development allocated more than $2 billion towards road construction and more than $1.2 billion towards electric power in Afghanistan. While we've spent billions of dollars on infrastructure in Afghanistan, we have also seen reports from the Government Accountability Office and others that have highlighted the challenges in accounting for how reconstruction funds are spent and the overall impact that these are having on the society there.

Yet according to a 2011 report by the American Society of Civil Engineers, the cost of our crumbling infrastructure right here in America is real. By the year 2020, our Nation's crumbling surface transportation infrastructure is slated to cost the United States economy more than 876,000 jobs and suppress the country's growth of gross domestic product by $897 billion.

These costs are only going to increase more and more if we don't take the action to make the much-needed and long-deferred investments in our own transportation systems and our own infrastructure. When we look at the bigger picture, including water and wastewater, energy, schools, ports and more, the American Society of Civil Engineers estimated that over the next 5 years we would need an investment of $2.2 trillion just to bring our Nation's infrastructure to a condition they describe as ''good.''

Every year that we wait to take meaningful steps to do this, the cost to taxpayers and to our economy keeps growing and growing and growing. Over the past 18 months, constituents have expressed to me tremendous frustration that we're devoting so many of our resources and so much of our energy to rebuilding the infrastructure in Afghanistan.

They ask why we are dedicating so much to nation-building halfway around the world when there are so many families right here in our own country who are struggling to find work and make ends meet.

We need to do nation-building right here at home in America. This amendment is a strong step in support of reinvesting in our own economy and our own infrastructure right here at home.

I urge my colleagues to support this amendment, and I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. Mr. Chairman, this gets to be a very serious issue if we want to get our troops out of Afghanistan. At numerous hearings, General Allen, who commands in Afghanistan, General Mattis, commander of Central Command, this was their recommendation. This is what they said they needed in order to get us and get our troops out of Afghanistan, which I think we all want to see happen as quickly as possible. Certainly I can tell you that I do.

We did not fund it totally because some of the plans were not sufficiently considered; but, generally, this is what our commanders in the field, those responsible for fighting the fight, those responsible for leading our troops, this is what they tell us they need to get our troops out of Afghanistan. I do object and oppose this amendment.

I yield back the balance of my time.

The Acting CHAIR (Mr. WOODALL). The question is on the amendment offered by the gentleman from Rhode Island (Mr. CICILLINE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CICILLINE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Rhode Island will be postponed.

AMENDMENT OFFERED BY MR. COHEN

Mr. COHEN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 130, line 14, after the dollar amount, insert ''(reduced by $175,000,000)''.

Page 153, line 15, after the dollar amount, insert ''(increased by $175,000,000)''.

The Acting CHAIR. The gentleman from Tennessee is recognized for 5 minutes.

Mr. COHEN. I'm not going to repeat some of the arguments that were made by my colleague from Rhode Island, but I understand them.

There is, indeed, a large need for infrastructure in our country. We're falling far behind, and we've invested a lot of money in Afghanistan that has been wasted; a tremendous amount of money has been wasted. The most recent report I saw said that we cannot even begin to approximate how much money has been stolen and wasted in Afghanistan.

We're not providing infrastructure for the people. We're providing a ruling class, a limited—we talk about the 2 percent here—we're talking about the one-tenth of 1 percent in Afghanistan, if that, and giving them the opportunity to put money in their pocket that should be going to the people.

I ask the gentleman on the other side of the aisle who opposed the last amendment to consider this one, which almost passed last year, same basic amendment. This takes 175 million out, leaves 200 million in the fund, but it says they have got to prioritize, pick their projects and pick what they do.

It doesn't decimate the fund; it just prioritizes and takes 175 million out of the Afghan infrastructure fund. We rebuilt Iraq. They're partners with Iran now. Didn't do us a lot of good.

Most of us have been to Afghanistan or, at least, better yet, many of us have. We could do all the infrastructure in the world. It will go to waste. They can't even maintain it.

They don't have vehicles to use the roads. It's crazy to build them roads to go from point A to point B when they don't have cars. They have got oxen and carts.

So I would say that we reduce it by 175 million, we leave 200 million. Certainly I want our troops out. I went and visited with 124 soldiers, Guardsmen in Memphis, who were going down to Camp Shelby before they go to Afghanistan. I went down to visit with them yesterday when they went off, all police people.

I suspect that one of those people may not come back. I hated the idea that those people were leaving Memphis to go to Afghanistan. It will be the last troops going over.

I want them out. If Mr. YOUNG understands, I guess, there is some magic to this money, there would be $200 million left. If it's roads to get them out and airports to get them out, fine. But I can't believe they need all 375; and I have to submit that I think that a lot of that money is for roads, infrastructure, hospitals, grids, whatever that has nothing to do with our troops getting out. It has something to do with some people who continue a policy that has failed to really build up goodwill toward America or to see that the monies go where they belong.

I ask that we think of America first, we get our troops out, we leave $200 million in the fund. I ask you to approve this amendment and reduce the Afghanistan Infrastructure Fund by $175 million. I urge my colleagues to support the amendment.

I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I rise to oppose the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. I would say to the sponsor of the amendment that this is a more reasonable approach—yes, it is—but this actually cuts the fund in half. Now, that is a major cut on something that our military commanders in the field say that they really need to have.

Now, the committee took a $25 million cut, but that was in agreement with the commanders. They felt that they could absorb that cut and still do the program, but I don't think I can support cutting this program in half.

Mr. COHEN. Will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman.

Mr. COHEN. I didn't know, in your statement to the gentleman from Rhode Island, why are these funds needed to get our troops out? Do we not have airplanes, roads, boats and whatever to get our folks out?

Mr. YOUNG of Florida. We are having a little trouble hearing at the table here.

Mr. COHEN. I said, in response to the gentleman from Rhode Island, you have said these funds, all $375 million, were needed to get our troops out of Afghanistan. Are we building, like, runways to get all our troops out, roads to get them out?

Mr. YOUNG of Florida. Reclaiming my time, I want the troops out of Afghanistan as soon as our military commanders advise us and the President that we can do so and we can do it safely.

I have seen on my weekly visits to the Walter Reed/Bethesda Hospital, I have seen the terrible, terrible tragic cost of this war, and that doesn't even talk about those who have lost their lives.

I don't want to walk through that hospital and see any more quadruple or triple amputees. I don't want to see that, and our military commanders must make that decision. We are not in a position to make that decision of how, when, where do we accomplish this departure from Afghanistan with victory.

□ 1920

And so I still have to express my objection to this amendment because it cuts the fund that our military commanders tell us that they need—cuts it in half. And so I just have to oppose the amendment.

I yield back the balance of my time.

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

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. COHEN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Tennessee will be postponed.

Mr. ROHRABACHER. I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. ROHRABACHER. Mr. Chairman, I rise in support of the amendment that was offered by Congressman POE, which I understand may well be reintroduced once the wording is worked on a little bit by the end of this discussion. Let me just then move forward with my support for Judge POE's amendment and the basic concept that he's presented, which is to eliminate funding for Pakistan.

Basically, we need to end the charade once and for all that we are buying Pakistani cooperation against terrorist forces in South Asia. Pakistan isn't with us in the war against terrorism. They are at war with us by supporting and funding the very terrorists that we are up against. Pakistan, at best, is a war profiteer, collecting a ransom by taxing our military supply lines that pass through their country. They are laughing all the way to the bank. They are also laughing as their military intelligence, the ISI, takes huge sums of money that they are getting from us and then passing it on to terrorists and radical Islamist elements who are killing their neighbors and killing American military personnel.

After our SEALs went to get Osama bin Laden, the Pakistan military took the wreckage of our downed stealth helicopter and gave it for study to the Communist Chinese. Then they arrested and imprisoned the Pakistani doctor who risked his life to help us find bin Laden. Dr. Afridi still languishes in a Pakistani dungeon even as we speak here today. Some of us understand that this Pakistani doctor—and I hope we should all understand this—is an American hero. He risked his life to bring justice to the murderers of 3,000 Americans who died on 9/11. It is a shame that we even consider giving Pakistan billions of dollars of aid while they keep Dr. Afridi in a dungeon. Who else will ever cooperate with us in the future? Who's going to work with our military overseas, knowing that that's the way we treat people who commit heroic acts? We shouldn't give the Pakistanis one penny until Dr. Afridi is free.

Just recently, I was contacted by a distraught individual in Pakistan asking for help in locating a missing Baloch leader. Sadly, this Baloch leader is probably already dead—another victim of the Pakistani government's ''kill and dump'' policy by which they repress their own people.

We have to understand we have lost over 2,000 American military personnel in Afghanistan. But who has been supporting the side that has been killing our people? The Pakistanis have inspired and supported these very insurgents. They were the creators of the Taliban. And after 9/11, they played us for fools ever since.

Yesterday, this House passed a bill that Pakistani's Haqqani Network should be listed as a terrorist organization. That terrorist organization has been helped and supplied by some members of the Pakistani military. We should have quit bankrolling this rotten regime a long time ago. We should end the charade.

There are people in South Asia that are our friends. Due to the Cold War, we allied ourselves with Pakistan a long time ago, and we were told they were the bulwark against radical Islam. That was a lie. But during the Cold War, we needed them in the fight against the Soviet Union. The Cold War is over. We should ally ourselves with people who share our values and cherish, as we cherish them, a friendship between free people. As I say, we should go towards India, now that the Cold War is over, to help establish a new type of relationship in South Asia that will preserve the peace and preserve the equilibrium in that part of the world.

It is ridiculous for us to continue to support that country, that government that is the basis of support for the most radical elements of radical Islam and the terrorist units that are killing our people and killing their people throughout the world. If we're having trouble getting out of Pakistan, it's because the Pakistanis are on the wrong side. And we all know it. We shouldn't give one more penny thinking we're going to buy their friendship. They disdain us for it. They think we're weaklings for it.

Let's stand up for Dr. Afridi. Let's stand up and make sure that we are courageous in what we're doing in our policy and not trying to curry favor with gangsters that run a country like Pakistan.

I yield back the balance of my time.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

AFGHANISTAN SECURITY FORCES FUND

For the ''Afghanistan Security Forces Fund'', $5,026,500,000, to remain available until September 30, 2014: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Combined Security Transition Command-Afghanistan, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and funding: *Provided further*, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, to remain available until expended, and used for such purposes: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees in writing upon the receipt and upon the obligation of any contribution, delineating the sources and amounts of the funds received and the specific use of such contributions: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to obligating from this appropriation account, notify the congressional defense committees in writing of the details of any such obligation: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees of any proposed new projects or transfer of funds between budget sub-activity groups in excess of $20,000,000: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AMENDMENT OFFERED BY MR. BOSWELL

Mr. BOSWELL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 132, line 23, after the dollar amount, insert ''(reduced by $22,000,000)''.

Page 141, line 12, after the dollar amount, insert ''(increased by $10,000,000)''.

The Acting CHAIR. The gentleman from Iowa is recognized for 5 minutes.

Mr. BOSWELL. I rise to offer an amendment with my good friend from Washington (Mr. MCDERMOTT) to provide greater funding for suicide prevention outreach for our troops on Active Duty. This amendment would add $10 million for suicide prevention outreach in the Defense Health Program of the Operations and Maintenance Account in title IX of the bill. It would pay for this by transferring $22 million from the Afghanistan Security Forces Fund. This amendment is fully paid for, fiscally responsible, and incredibly timely.

This is the most recent issue of Time magazine, reporting that military and veteran suicide is a tragic epidemic that has only gotten worse. We are currently losing one U.S. soldier every day to suicide. I know my colleague, Dr. MCDERMOTT, comes to this issue as an expert in the field. I come as a Vietnam veteran and someone very passionate about providing our heroes with the care and the support they deserve.

In 2007, I wrote the Joshua Omvig Veterans Suicide Prevention Act to honor the memory of a young veteran from Iowa who, tragically, took his life in front of his mother. To make sure veterans have 24/7 access to a crisis hotline and other mental health resources, we passed that bill. Since then, the Veterans Crisis hotline has answered more than 600,000 calls and reportedly made more than 21,000 life-saving rescues. Tragically, we still lose a veteran to suicide every 80 minutes. So we have much more to do.

I want to thank the chairman and the ranking member for their work on this issue. You worked tirelessly to combat suicide rates amongst our servicemembers and our veterans. I hope you will join me in supporting this amendment. We are losing too many of our heroes. It's up to us to act.

With that, I yield to the gentleman from Washington, Dr. MCDERMOTT.

Mr. MCDERMOTT. Thank you, Mr. BOSWELL.

Mr. BOSWELL and I saw the Vietnam war in different ways—he, by flying a helicopter and me, by being a psychiatrist dealing with people who came home. And I feel strongly that suicide prevention and the intervention must become, in military speak, a core mission of the military.

This week's Time magazine, as you see from that front page, describes military suicides as an epidemic. I would like to take $10 million out of a $19 billion fund in this amendment to go beyond the funding for existing suicide prevention services and toward modifying the culture that keeps some from seeking help. We must also note that any progress in suicide prevention will be fleeting if we don't focus on reducing the stigma associated with seeking psychological health services among our Active Duty people.

□ 1930

I believe the Pentagon can do more to eradicate barriers to mental health care. This means ensuring that mental health and substance abuse issues are treated as medical issues and are taken out of the realm of personnel matters. This means ensuring that seeking and receiving psychological health care does nothing to jeopardize a soldier's security clearance or prospects in his future career.

I would also urge the Pentagon to ensure that a portion of this money goes toward hiring, development and retention of top-tier psychological health talent for our military at this time. It is the tale of cost of this war that nobody calculates when we go to war. What do we do when the people come home? We forget them. We think they should pull themselves together and go back to their regular life. And many of them can't do it without some help. We need to provide it. They become desperate, figure there's no hope and take their own life. That shouldn't happen to a 24-year-old kid, man or woman, who has been in Afghanistan or Iraq giving to our country what we ask from them. Their willingness to risk the whole business of going to war has to be dealt with when they come home.

I thank the gentleman for yielding.

Mr. BOSWELL. I yield back the balance of my time and ask for everyone's support.

Mr. YOUNG of Florida. Mr. Chairman, I rise in support of this amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. I had opposed similar amendments in the past because of the source of the funding, the defense-wide O&M accounts which we just really cannot afford to cut into our readiness accounts. This does not take funding from that account. And so I appreciate the gentleman's changing the source of his amendment, and I'm agreeing to the amendment.

Mr. BOSWELL. Will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman from Iowa.

Mr. BOSWELL. I just want to thank you again for your attention and your dedication to this cause, Mr. Chairman. I've noticed that for years you and the ranking member have worked together, and you're doing the right thing. Thank you very much.

Mr. YOUNG of Florida. I thank the gentleman for his comments.

Mr. DICKS. Will the chairman yield?

Mr. YOUNG of Florida. I yield to my friend from Washington.

Mr. DICKS. I want to commend the gentleman for his efforts here and my colleague from Washington State who I know has an abiding concern about this, as I do.

This is a tragedy when more people are dying from suicide than are in combat. I know the Army has tried. General Corelli made an enormous effort to try to find the answers, and it's a serious, difficult problem. And a lot of it relies on trying to deal with these people before they go over so that you can find the ones that are going to be susceptible or have problems going in. It's just a very difficult problem.

I commend the gentleman for his leadership on this.

Mr. YOUNG of Florida. Mr. Chairman, I yield back the balance of my time.

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

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for ''Aircraft Procurement, Army'', $541,600,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MISSILE PROCUREMENT, ARMY

For an additional amount for ''Missile Procurement, Army'', $49,653,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for ''Procurement of Weapons and Tracked Combat Vehicles, Army'', $15,422,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for ''Procurement of Ammunition, Army'', $338,493,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, ARMY

For an additional amount for ''Other Procurement, Army'', $2,005,907,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for ''Aircraft Procurement, Navy'', $146,277,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

WEAPONS PROCUREMENT, NAVY

For an additional amount for ''Weapons Procurement, Navy'', $22,500,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for ''Procurement of Ammunition, Navy and Marine Corps'', $284,450,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, NAVY

For an additional amount for ''Other Procurement, Navy'', $98,882,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, MARINE CORPS

For an additional amount for ''Procurement, Marine Corps'', $943,683,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for ''Aircraft Procurement, Air Force'', $305,600,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MISSILE PROCUREMENT, AIR FORCE

For an additional amount for ''Missile Procurement, Air Force'', $34,350,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for ''Procurement of Ammunition, Air Force'', $116,203,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for ''Other Procurement, Air Force'', $2,785,170,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for ''Procurement, Defense-Wide'', $217,849,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for ''Research, Development, Test and Evaluation, Army'', $14,860,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for ''Research, Development, Test and Evaluation, Navy'', $60,119,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for ''Research, Development, Test and Evaluation, Air Force'', $53,150,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for ''Research, Development, Test and Evaluation, Defense-Wide'', $107,387,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for ''Defense Working Capital Funds'', $293,600,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for ''Defense Health Program'', $993,898,000, which shall be for operation and maintenance, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

For an additional amount for ''Drug Interdiction and Counter-Drug Activities, Defense'', $469,025,000, to remain available until September 30, 2014: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for the ''Joint Improvised Explosive Device Defeat Fund'', $1,614,900,000, to remain available until September 30, 2015: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Director of the Joint Improvised Explosive Device Defeat Organization to investigate, develop and provide equipment, supplies, services, training, facilities, personnel and funds to assist United States forces in the defeat of improvised explosive devices: *Provided further*, That the Secretary of Defense may transfer funds provided herein to appropriations for military personnel; operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AMENDMENT OFFERED BY MS. SPEIER

Ms. SPEIER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 142, line 6, after the dollar amount, insert ''(reduced by $120,500,000)''.

Page 153, line 15, after the dollar amount, insert ''(increased by $120,500,000)''.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. SPEIER. Mr. Chairman, I'm here to offer an amendment to strike $120.5 million in undistributed funds from the Joint Improvised Explosive Device Defeat Fund, matching the Senate authorizers and keeping intact over $1.7 billion for this program.

The Joint Improvised Explosive Device Defeat Fund—more commonly known as JIEDDO—is responsible for leading, advocating and coordinating the Defense Department's efforts to defeat IEDs. After more than $20 billion, Congress has received numerous reports that JIEDDO has had decidedly mixed outcomes, and after three attempts still has not developed a mechanism for tracking the Pentagon's counter-IED efforts. So we've spent $20 billion.

In the Senate, the Armed Services Committee cut $200 million from JIEDDO. In their report, they said JIEDDO suffered from:

Duplication of effort with the military services, excessive contractor support costs, and organizational inefficiencies.

As The Washington Post recently reported, these excessive contractor support costs included noncompetitive contracts given to former government employees profiting from Washington's perpetual revolving door and hundreds of millions of dollars of contracts being subcontracted out to other former military personnel.

Isn't this what our constituents dislike the most about what's going on here, that there are cronyism activities, that there are revolving doors and that military personnel, after they're retired, become mentors?

□ 1940

This bill also recognizes there's a problem here. The bill itself has actually reduced their budget by $60 million.

The IED threat remains significant, but continuing to robustly invest in counter-IED technology makes less sense, both tactically and strategically.

From a tactical level, Pentagon statistics show that IEDs were 25 percent less effective this year than the year before. Strategically, we are shifting away from ground wars and counterinsurgency missions and must begin reallocating some of these funds to more pressing national security needs.

In February, the GAO told Congress that JIEDDO's poor planning and management resulted in many funds going to duplicative projects, creating waste and likely slowing down the ability of the Department of Defense to meet its mission objectives. For example, in 2008, U.S. Central Command began development for a directed energy solution to defeating IEDs. Without coordination, JIEDDO undertook six different efforts to tackle the problem, which cost taxpayers at least $104 million.

When the commander of U.S. Central Command still didn't have a solution by August 2011, he had to write JIEDDO to urge them to coordinate their efforts in hopes of getting something he could field to fulfill what was then a 3-year-old unmet requirement for the warfighter. JIEDDO coordinated the effort of the six projects but deferred making a decision on shifting resources or canceling the project yet again. The organization also admitted that they likely would not have been able to execute their mission to manage the Pentagon's IED efforts in this case without the commander's written protest.

Some soldiers in the field have also expressed disappointment at JIEDDO's results. A marine that served in Afghanistan in 2009 compared the IED-detecting devices issued by JIEDDO to a beachcomber's faulty metal detector and said his IED jammers were frequently broken. Others report that dogs remain more reliable detectors downrange.

It's time to stop signing a blank check for an organization that cannot track its projects or expenditures, that often gives contracts to its cronies, and that the GAO has said is duplicative.

As we draw down in Afghanistan and look to cut funds from much more productive and efficient parts of the Federal budget, I urge you to support these cuts of an inefficient organization that lacks the management controls to prevent taxpayer dollars from being wasted.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, the Joint IED Defeat fund recognizes the fact that we're still a nation at war. The young men and women who come back from war—and God forbid, some come back having paid the ultimate sacrifice, but many come back with unbelievable wounds, double amputees, loss of different limbs. This joint IED task force has done a lot to minimize that possibility.

The committee did recognize, and as the gentlewoman mentions, we did reduce spending in this fund by $70 million. But we're a nation at war. They still have a critical mission. It's important that the work that they continue to do to defeat sometimes the simplest IEDs and sometimes the most complex IEDs continue. It's an investment that we need to make to make sure that, as we finish our job in Afghanistan, that we do our level best to protect our troops, those that are volunteering there, and to bring them back home in one piece.

So we oppose the gentlewoman's amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. SPEIER).

The amendment was rejected.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for the ''Office of the Inspector General'', $10,766,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

SEC. 9001. Notwithstanding any other provision of law, funds made available in this title are in addition to amounts appropriated or otherwise made available for the Department of Defense for fiscal year 2013.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9002. Upon the determination of the Secretary of Defense that such action is necessary in the national interest, the Secretary may, with the approval of the Office of Management and Budget, transfer up to $3,000,000,000 between the appropriations or funds made available to the Department of Defense in this title: *Provided*, That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this section: *Provided further*, That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense and is subject to the same terms and conditions as the authority provided in the Department of Defense Appropriations Act, 2013.

SEC. 9003. Supervision and administration costs associated with a construction project funded with appropriations available for operation and maintenance, ''Afghanistan Infrastructure Fund'', or the ''Afghanistan Security Forces Fund'' provided in this Act and executed in direct support of overseas contingency operations in Afghanistan, may be obligated at the time a construction contract is awarded: *Provided*, That for the purpose of this section, supervision and administration costs include all in-house Government costs.

SEC. 9004. From funds made available in this title, the Secretary of Defense may purchase for use by military and civilian employees of the Department of Defense in the U.S. Central Command area of responsibility: (a) passenger motor vehicles up to a limit of $75,000 per vehicle; and (b) heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of $250,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

SEC. 9005. Not to exceed $250,000,000 of the amount appropriated in this title under the heading ''Operation and Maintenance, Army'' may be used, notwithstanding any other provision of law, to fund the Commander's Emergency Response Program (CERP), for the purpose of enabling military commanders in Afghanistan to respond to urgent, small-scale, humanitarian relief and reconstruction requirements within their areas of responsibility: *Provided*, That each project (including any ancillary or related elements in connection with such project) executed under this authority shall not exceed $20,000,000: *Provided further*, That not later than 45 days after the end of each fiscal year quarter, the Secretary of Defense shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that quarter that were made available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein: *Provided further*, That, not later than 30 days after the end of each month, the Army shall submit to the congressional defense committees monthly commitment, obligation, and expenditure data for the Commander's Emergency Response Program in Afghanistan: *Provided further*, That not less than 15 days before making funds available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein for a project with a total anticipated cost for completion of $5,000,000 or more, the Secretary shall submit to the congressional defense committees a written notice containing each of the following:.

(1) The location, nature and purpose of the proposed project, including how the project is intended to advance the military campaign plan for the country in which it is to be carried out.

(2) The budget, implementation timeline with milestones, and completion date for the proposed project, including any other CERP funding that has been or is anticipated to be contributed to the completion of the project.

(3) A plan for the sustainment of the proposed project, including the agreement with either the host nation, a non-Department of Defense agency of the United States Government or a third-party contributor to finance the sustainment of the activities and maintenance of any equipment or facilities to be provided through the proposed project.

SEC. 9006. Funds available to the Department of Defense for operation and maintenance may be used, notwithstanding any other provision of law, to provide supplies, services, transportation, including airlift and sealift, and other logistical support to coalition forces supporting military and stability operations in Afghanistan: *Provided*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees regarding support provided under this section.

SEC. 9007. None of the funds appropriated or otherwise made available by this or any other Act shall be obligated or expended by the United States Government for a purpose as follows:

(1) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq.

(2) To exercise United States control over any oil resource of Iraq.

(3) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Afghanistan.

SEC. 9008. None of the funds made available in this Act may be used in contravention of the following laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984):

(1) Section 2340A of title 18, United States Code.

(2) Section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231 note) and regulations prescribed thereto, including regulations under part 208 of title 8, Code of Federal Regulations, and part 95 of title 22, Code of Federal Regulations.

(3) Sections 1002 and 1003 of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109–148).

SEC. 9009. None of the funds provided for the ''Afghanistan Security Forces Fund'' (ASFF) may be obligated prior to the approval of a financial and activity plan by the Afghanistan Resources Oversight Council (AROC) of the Department of Defense: *Provided*, That the AROC must approve the requirement and acquisition plan for any service requirements in excess of $50,000,000 annually and any non-standard equipment requirements in excess of $100,000,000 using ASFF: *Provided further*, That the AROC must approve all projects and the execution plan under the ''Afghanistan Infrastructure Fund'' (AIF) and any project in excess of $5,000,000 from the Commanders Emergency Response Program (CERP): *Provided further*, That the Department of Defense must certify to the congressional defense committees that the AROC has convened and approved a process for ensuring compliance with the requirements in the preceding provisos and accompanying report language for the ASFF, AIF, and CERP.

SEC. 9010. Funds made available in this title to the Department of Defense for operation and maintenance may be used to purchase items having an investment unit cost of not more than $250,000: *Provided*, That, upon determination by the Secretary of Defense that such action is necessary to meet the operational requirements of a Commander of a Combatant Command engaged in contingency operations overseas, such funds may be used to purchase items having an investment item unit cost of not more than $500,000.

SEC. 9011. Notwithstanding any other provision of law, up to $88,000,000 of funds made available in this title under the heading ''Operation and Maintenance, Army'' may be obligated and expended for purposes of the Task Force for Business and Stability Operations, subject to the direction and control of the Secretary of Defense, with concurrence of the Secretary of State, to carry out strategic business and economic assistance activities in Afghanistan in support of Operation Enduring Freedom: *Provided*, That not less than 15 days before making funds available pursuant to the authority provided in this section for any project with a total anticipated cost of $5,000,000 or more, the Secretary shall submit to the congressional defense committees a written notice containing a detailed justification and timeline for each proposed project.

SEC. 9012. From funds made available to the Department of Defense in this title under the heading ''Operation and Maintenance, Air Force'' up to $508,000,000 may be used by the Secretary of Defense, notwithstanding any other provision of law, to support United States Government transition activities in Iraq by funding the operations and activities of the Office of Security Cooperation in Iraq and security assistance teams, including life support, transportation and personal security, and facilities renovation and construction: *Provided*, That not less than 15 days before making funds available pursuant to the authority provided in this section, the Secretary shall submit to the congressional defense committees a written notice containing a detailed justification and timeline for each proposed site.

(AVAILABILITY OF FUNDS)

SEC. 9013. Each amount designated in this Act by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

(RESCISSIONS)

SEC. 9014. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: *Provided*, That such amounts are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985:

''Retroactive Stop Loss Special Pay Program, 2009/20XX'', $79,900,000; and

''Afghanistan Security Forces Fund, 2012/20XX'', $500,000,000.

SEC. 9015. None of the funds appropriated or otherwise made available by this Act under the heading ''Operation and Maintenance, Defense-wide'' for payments under Section 1233 of Public Law 110–181 for reimbursement to the Government of Pakistan may be made available unless the Secretary of Defense, in coordination with the Secretary of State certifies to the Committees on Appropriations that the Government of Pakistan is—

(1) cooperating with the United States in counterterrorism efforts against the Haqqani Network, the Quetta Shura Taliban, Lashkar e-Tayyiba, Jaish-e-Mohammed, Al Qaeda, and other domestic and foreign terrorist organizations, including taking steps to end support for such groups and prevent them from basing and operating in Pakistan and carrying out cross border attacks into neighboring countries;

(2) not supporting terrorist activities against United States or coalition forces in Afghanistan, and Pakistan's military and intelligence agencies are not intervening extra-judicially into political and judicial processes in Pakistan;

(3) dismantling improvised explosive device (IED) networks and interdicting precursor chemicals used in the manufacture of IEDs;

(4) preventing the proliferation of nuclear-related material and expertise;

(5) issuing visas in a timely manner for United States visitors engaged in counterterrorism efforts and assistance programs in Pakistan; and

(6) providing humanitarian organizations access to detainees, internally displaced persons, and other Pakistani civilians affected by the conflict.

TITLE X

ADDITIONAL GENERAL PROVISIONS

SPENDING REDUCTION ACCOUNT

SEC. 10001. The amount by which the applicable allocation of new budget authority made by the Committee on Appropriations of the House of Representatives under section 302(b) of the Congressional Budget Act of 1974 exceeds the amount of proposed new budget authority is $0.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, from the Clerk's reading, we've reached the limitations portion of the bill, and we would encourage Members having amendments for us to consider in that arena, or portion, this would be the appropriate time for them to come forward.

I yield back the balance of my time.

□ 1950

Mr. SHUSTER. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. SHUSTER. Mr. Chairman, I rise today to share the concern of seven Members of this House that represent Army depots and arsenals, including Letterkenny Army Depot in my congressional district in Pennsylvania.

The following letter fully addresses our concerns:

CONGRESS OF THE UNITED STATES,
Washington, DC, July 12, 2012.

Hon. C.W. BILL YOUNG,
Chairman, Subcommittee on Defense, Washington, DC.

Hon. NORM DICKS,
Ranking Member, Washington, DC.

DEAR CHAIRMAN YOUNG AND RANKING MEMBER DICKS: As Members with Army Depots and Arsenals in our districts, we wish to express our concern over significant funding reductions in this year's House Defense Appropriations Bill that will negatively impact the Army's organic industrial base. The Fiscal Year 2013 Defense Appropriations Bill, Sec. 8087 cites ''excessive levels of funding carryover at Army Depots'' and reduces ''Operation and Maintenance, Army'' (OMA) by $1.207 billion and ''Other Procurement, Army'' (OPA) by $1.253 billion. This reduction of approximately $2.5 billion will have harmful consequences far beyond what was originally forecasted and will derail the Army's ability to maintain equipment readiness. Ultimately, we believe this legislation as it currently stands will cripple the ability of depots and arsenals to support our soldiers during a time of war. We understand the competing priorities facing the committee, but we believe it is vital that we work together with you to address this critical issue.

This reduction of funds will not only hurt the ability of Army depots and arsenals to generate and maintain its workload for the next Fiscal Year, but will also have lasting impacts on the defense industrial base that will be felt well beyond 2013. The cuts to OMA and OPA will cause an estimated 3,000 layoffs of specialized technicians that cannot be easily replaced or retrained if workload returns to its normal rate. Core depot logistics requirements will be increasingly difficult and costly to meet and the Department of the Army will be forced to turn to contracted alternatives in order to reduce the backlog. This cut will make the organic base less attractive for program managers and will likely reverse the recent trend of depots and arsenals being the preferred source of manufacture and repair.

It is our understanding that the Army did not provide a detailed explanation for excessive levels of carryover money until after the Appropriations Committee passed this year's Defense Bill. Once the Army provided this analysis, it became clear to all parties involved that the House Appropriations Committee's proposed funding levels would not provide adequate funding to sustain depots and arsenals throughout Fiscal Year 2013. As we approach the debate over the Defense Appropriations Bill on the House floor, it is still unclear to us what possible measures will be taken, if any, to reduce the impact of these cuts.

We look forward to further discussing this issue with you and working with you on any potential adjustments that can be made before this legislation is considered by the House of Representatives. We believe that a strong organic industrial base is critical to maintaining our national security posture and the current Defense Appropriations Bill will result in unrecoverable consequences for our Army depots and arsenals.

Sincerely,

BILL SHUSTER.
DAVID LOEBSACK.
BLAKE FARENTHOLD.
MIKE ROGERS (AL).
RALPH HALL.
ROBERT SCHILLING.

This bill includes reductions in funding for depots and arsenals due to a perceived surplus of funded workload available for previous fiscal years. After further analysis and additional feedback provided by the Army, we believe these cuts, as currently structured, could have a lasting negative impact on the organic industrial base.

It is my understanding that the House Appropriations Committee agrees that these current general provisions should be modified and is already developing an alternative plan.

As a member of the House Armed Services Committee, I look forward to working with the chairman to address these concerns and to ensure we provide adequate funding for depots and arsenals. I know we are both in favor of a strong and capable organic industrial base and value the critical role our depots and arsenals play in maintaining the readiness of our military.

Mr. Chairman, at this time I yield to the gentleman from Iowa (Mr. LOEBSACK).

Mr. LOEBSACK. I thank the gentleman from Pennsylvania.

Our depots, arsenals, and their workforce are critical to our national security and ability to rapidly equip our soldiers. For example, in 2003, the Rock Island Arsenal produced 500 Humvee add-on armor kits to protect our troops within 3 months of receiving the order.

We must strengthen our arsenals and depots so that they are able to continue to produce the equipment that is vitally needed by our men and women in uniform. I am strongly concerned that the effects of the bill's reductions will be felt beyond 2013 and across the organic industrial base, and I appreciate the chairman's willingness to work with us. I look forward to closely collaborating with him in support of our arsenals and depots, and I appreciate this time.

Mr. SHUSTER. I thank the gentleman from Iowa.

And the gentleman from Texas, who's not here on the floor, I'd like to talk a little bit about his situation down at the Corpus Christi Army Depot, which is an industry leader of repair and overhaul for our aviation helicopters, employing over 6,000 civilians, of which 56 percent are veterans. Without CCAD, the Army would be unable to sustain maximum combat power for the warfighter.

Further, the depot in Corpus Christi's stewardship of taxpayer dollars is evident in the cost effective repair and overhaul of rotary wing aircraft systems. For example, in fiscal year 2011, a record production year, more than $47 million in cost savings was documented at the CCAD.

With today's rotary wing aircraft and unmanned aircraft systems flying in record numbers, the work at Corpus Christi Army Depot has become invaluable to the aircraft to remain airworthy. I am concerned that any lapse in production of the UH–60 Black Hawk Recap, CCAD's larger single program, would have a negative impact on supporting components programs and major OEM contracts and employers.

I know that the gentleman from Texas looks forward to working work with the chairman—as do I and other Members of the House that represent depots and arsenals—and the House Appropriations Committee as this bill moves forward to conference.

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. SHUSTER. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. I thank the gentlemen for their comments, and we share in their support of a strong organic industrial base and a strong, ready military.

We are pleased to work closely with members of the army depot and arsenal delegation throughout the conference proceedings to ensure their concerns are fully addressed and the necessary adjustments to depot and arsenal funding are made.

I thank the gentleman for yielding.

Mr. SHUSTER. Mr. Chairman, I yield back the balance of my time.

AMENDMENT OFFERED BY MS. WOOLSEY

Ms. WOOLSEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. The total amount of appropriations made available by this Act is hereby reduced by $181,000,000.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Chairman, our Nation's transportation infrastructure is in terrible, terrible disrepair. More than ever, we need to be pumping resources into transportation projects and into initiatives for that end.

We need to upgrade and modernize our roads and highways, but we also need to build up mass transit systems, buses, rail lines, et cetera. Doing so improves lives in our communities, allowing people to move around more freely and easily, and it also creates jobs. And by reducing our dependency on automobile travel, this transportation is clean, energy-efficient, and environmentally sensitive, as well.

Luckily, we have a Federal agency, the Federal Transit Administration, or FTA, that exists to make exactly these investments. I'm proud to say that my home district has benefited from FTA grants to the tune of $11 million over the last year. A new commuter train, the Sonoma-Marin Area Rail Transit, or SMART train, that connects the major cities in my district is just one of the local projects that is putting FTA money to good use.

So, at a moment when our transportation needs are so great across the country, wouldn't it make sense to increase the FTA budget? Except that the House, expressing the priorities of its Republican majority, recently passed a fiscal year 2013 appropriations bill that cut $181 million from current FTA spending levels. And at the same time, they're now presenting us with a Department of Defense spending bill that calls for $1.1 billion more in military spending over current levels.

Why are we all being asked to tighten our belts while the military industrial complex gets to loosen theirs by a few notches year after year after year?

If the Federal budget crisis is so dire, Mr. Chairman, so dire that we can pinch pennies on badly needed transit infrastructure, surely we can do the same with a bloated Pentagon budget that has been growing out of control for more than a decade now. And that's the simple concept behind my amendment.

In the interest of fairness and shared sacrifice, I'm proposing a $181 million cut to the Defense appropriations bill identical to the reduction in FTA spending passed by the House a few weeks ago. I trust that all my Republican colleagues, each one more fiscally responsible than the next, will jump at this chance to further cut Federal spending.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the gentlewoman's amendment. I'm the first to admit that defense should not be immune to reasonable, analytically-based reductions, which are what we've already done over the past few years.

Just 2 years ago, when Congress considered the fiscal year 2011 defense budget, the Department was planning on a fiscal year 2013 budget of roughly $562 billion. Their actual request for 2013, however, was only $516 billion, $46 billion less.

□ 2000

In fact, in the past two fiscal years, our committee has produced a defense budget which totaled $39 billion below the request.

My point is that we have cut defense, but we have done so reasonably and without impacting readiness or threatening the Department's ability to protect our Nation and our allies. This fiscal year 2013 budget is the first we've seen in which there are identifiable and significant risks associated with the budget decisions we've made.

We've talked about that a lot today, about our pivot towards the Asia Pacific, the growing capability of China, things on the North Korean peninsula, for example, in cutting ships and in reducing the required Navy ship fleet size, in retiring large numbers of aircraft, some of which have been delivered, and in significantly underfunding facility maintenance and modernization. We have tried to mitigate these as best we could within our given allocation. Speaking of our allocation, it is essentially in line with both the Ryan budget as well as with the Defense authorization bill, both of which passed the House.

Finally, in just the CBO's most recent analysis of the Department's future-years' defense program, they determined that the Department's plans will cost $123 billion more than they projected over the next 5 years. National security, of course, should never be subjected to partisan politics. Instead, we should show our support for our brave men and women, who have sacrificed so much and who continue to do so on our behalf.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. WOOLSEY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. WOOLSEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

AMENDMENT OFFERED BY MR. MARKEY

Mr. MARKEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to operate or maintain more than 300 land-based intercontinental ballistic missiles.

Mr. FRELINGHUYSEN. Mr. Chairman, we would like a copy of the amendment, please.

I reserve a point of order until we have had a chance to look it over.

The Acting CHAIR. The gentleman from New Jersey reserves a point of order.

The gentleman from Massachusetts is recognized for 5 minutes.

Mr. MARKEY. Our current nuclear arsenal has significant overkill that is built into it. Our country continues to spend more and more taxpayer money on nuclear weapons even though the President and the Senate have already agreed to reduce the number of deployed nuclear weapons, and even though there is a growing bipartisan consensus that the United States has an excessive number of nuclear weapons and that the United States spends far more than it needs to for a nuclear deterrent and defense.

That is why I rise today to offer my amendment: to reduce the number of deployed intercontinental ballistic nuclear missiles from 450 to 300.

I believe that this is the soundest approach to both our national security and our economic security needs. Each of our land-based nuclear missiles costs us—and this is an incredible number—$2.4 million every year to operate and to maintain. My amendment would save the taxpayers about $360 million next year and every year after that.

It's not just arms control groups that support this departure from Cold War thinking. It also includes General James Cartwright, who until last year was the commander of the United States' nuclear forces. General Cartwright published a report in May that concluded that zero intercontinental ballistic missiles are necessary for our nuclear deterrent or defense. The former commander of U.S. nuclear forces doesn't think we need ICBMs at all.

So reducing the number from 450 to 300 still leaves more than enough missiles for an effective nuclear deterrent. That's still more than enough missiles to annihilate any of our enemies over and over. It not only will turn our enemies into rubble, but it will make that rubble bounce and bounce and bounce again. That's how many nuclear weapons we would still have in reserve.

That is a real savings, and that savings can be used for the NIH budget. The entire budget to find the cure for Alzheimer's—5 million Americans have it—is $450 million a year. If we would just cut out these ICBMs—and that leaves plenty left over—it would give us enough money to almost double the budget to find a cure for something that really is going to kill Americans, that really does terrify them in their homes.

So I pray that the House will accept this amendment and send us in the correct direction in which we should be heading in terms of really protecting the American public.

Mr. DICKS. Will the gentleman yield?

Mr. MARKEY. I yield to the gentleman from Washington.

Mr. DICKS. I want to compliment the gentleman on listening to what we discussed in the last go-around and then taking a hard look at land-based ICBMs, which I believe have always been the most vulnerable part of the triad. The most invulnerable part, of course, is our ballistic missile submarine—and bombers are second—but the land-based ICBMs are vulnerable. There is no question about that, and I do believe we can reduce the amount of money we are spending on strategic forces. I think the focus should be, as General Cartwright has suggested, on reducing the ICBMs.

So this is a way to start this debate, and I am going to support the gentleman's amendment today.

Mr. MARKEY. I just want to note here that the gentleman from Washington State did pioneering work in the 1980s in identifying the vulnerability of the land-based ICBM fleet. That discussion continues even today out here on the House floor.

Mr. DICKS. I recall—and you might remember—that we had a great discussion about synergism, about the synergy of the three legs of the triad giving some protection to the land-based missiles.

I agree with the gentleman's overall premise that we don't need as many nuclear weapons. I can remember John Lehman—famous for his 600-ship Navy—always saying to me, if you want to cut something, cut the submarines, and go ahead with the aircraft carriers and more airplanes because they're conventional weapons and, therefore, more usable.

Mr. MARKEY. I thank the gentleman, and I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I withdraw my point of order.

The Acting CHAIR. The gentleman's point of order is withdrawn.

Mr. FRELINGHUYSEN. I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, normally the committee is given the courtesy of seeing amendments that come to the floor. This is the third time today, I believe, the gentleman from Massachusetts has shown a lack of courtesy in letting the committee have copies of his amendments.

Let me say, as a Nation, we still believe in a nuclear deterrent. The last time I checked, there was bipartisan support for that. Both Mr. VISCLOSKY and I serve on the Energy and Water Subcommittee, and part of our jurisdiction is to make sure that the President of the United States, our Commander in Chief, verifies that we have nuclear capabilities. The last time I checked, the administration was conducting what we call a Nuclear Posture Review relative to what our position should be in negotiations with other nuclear powers in terms of the type of weapons that are so critical to the nuclear triad.

So, with all due respect to the gentleman from Massachusetts, who referred to a lot of what we said as the

fantasy land of our bill, it would be good, actually, for the Members of Congress to have some facts from the Nuclear Posture Review before we consider something here which might put our Nation at risk.

I strongly oppose this amendment, and I urge my colleagues to do so as well.

I yield back the balance of my time.

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

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. MARKEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Massachusetts will be postponed.

□ 2010

AMENDMENT OFFERED BY MS. WOOLSEY

Ms. WOOLSEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title) insert the following:

SEC. ____. The total amount of appropriations made available by this Act is hereby reduced by $293,900,000.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Chairman, whenever we debate the Defense appropriations bill, I feel like I'm living in an alternative universe, because the other 51 weeks of the year all I hear from my Republican colleagues is that the sky is falling and we have to rein in a deficit that is wildly out of control. When it comes to the military budget, that rhetoric is nowhere to be heard and my friends in the majority become the biggest spenders of all. If cutting spending is a matter of such great urgency, then I believe the Pentagon, which has been generously funded over the years, can pitch in its share.

Why do the programs that Americans depend on for basic needs have to take the budget hit? For example, under the Labor-HHS appropriations bill, the title X program is not just trimmed but completely zeroed out. For more than 40 years, title X has been a lifesaving source of family planning services and preventive health care for millions and millions of low-income women. PAP tests, breast exams, early detection of cervical cancer—uninsured women depend on title X in order to receive these vital services at clinics nationwide. The proposed elimination of funding would be devastating to these women and to their families.

It's critical to point out, Mr. Chairman, by law, not a single penny of title X money is used to perform an abortion. If, however, you want to reduce unintended pregnancies, as the other side says it does, then there is no more effective program than title X.

Title X was signed into law by President Nixon and has historically enjoyed broad bipartisan support, at least until the Republican Congress decided to launch a war on women. Now they want to eliminate funding for the program completely. We spent just under $294 million on title X last fiscal year. To put things in perspective, Mr. Chairman, that's less than what we spend on any given day to continue a failed military occupation of Afghanistan.

Mr. Chairman, if we're going to ask poor women to give up all the benefits they receive from title X, then I think we can ask the Pentagon to give up the exact same amount: $293 million. It's just so big, it makes my head spin. If we did that, we would be saving the misguided elimination of title X. That's what my amendment does, because I believe women need to access lifesaving health care at least as much as the military needs another $293 million. In fact, if my Republican colleagues truly believe that the Federal deficit represents a moral crisis demanding sacrifice from everyone, then I'm confident they're going to support my amendment.

With that, I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. Mr. Chairman, I don't know how many times that I have said this on this floor and in the committee and to anyone that would listen: You cannot make your decisions on national defense based on politics. You can't make your decision based on national defense just on a number. And this number, by the way, on this similar amendment, has changed. Where is the commitment?

The policies and the investment in our national defense must be based on the real threat to our own security, to the security of the United States, to the security of our troops, and to the security of our allies and our interests, whatever they might be. Stop and think. The threat has not diminished. The threat has not gone away.

Did anybody happen to watch Iran's exercises last week where they fired short-range missiles, medium-range missiles, and long-range missiles? Iran is moving to make itself a strong military capability nation. That is a threat. Their commentaries about the United States and to the United States, that's a threat. We have got to be careful.

China is expanding its military, expanding its technology, and expanding its work in cyber. The threat is growing, and so this is not the time to reduce our capability, to reduce our readiness, to reduce our training, to reduce in preparing our troops for whatever is required to defend the Nation that we love so much.

This amendment just can't go, and I strongly ask Members to oppose this amendment and the message that it would send around the world that we don't care about the threat. We do care about the threat, and we are aware of the threat, and we know what it could mean to us.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. WOOLSEY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. WOOLSEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

AMENDMENT OFFERED BY MR. LOBIONDO

Mr. LOBIONDO. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following new section:

SEC. _____. None of the funds made available by this Act may be used to operate an unmanned aircraft system except in accordance with the Fourth Amendment of the Constitution.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. LOBIONDO. Mr. Chairman, the Fourth Amendment is unequivocal that ''the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches, shall not be violated.'' I'm a firm believer in this. I'm also a firm believer in article I, section 8 of the Constitution that Congress shall have the right to provide for the common defense of the United States. Therefore, I offer my amendment to ensure that no funding will be used to operate unmanned aerial systems, except those operations that are in accordance with the Fourth Amendment.

We need to make sure our citizens explicitly understand that while funding for these platforms is critical for our Nation's intelligence activities, these normal operations will not conflict with our constitutional protections against unreasonable searches.

This language would ensure that there is no misperception about the Department's use of these technologies, and I urge its adoption.

Mr. YOUNG of Florida. Will the gentleman yield?

Mr. LOBIONDO. I yield to the gentleman.

Mr. YOUNG of Florida. Mr. Chairman, I rise in support of the amendment.

Mr. DICKS. Will the gentleman yield?

Mr. LOBIONDO. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I have no objection to the amendment.

Mr. LOBIONDO. With that, Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. LOBIONDO).

The amendment was agreed to.

□ 2020

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to enter into a contract for UH–60 Leak Proof Drip Pans using procedures other than competitive procedures (as defined in section 2302(2) of title 10, United States Code).

Mr. FLAKE (during the reading). Mr. Chairman, I ask unanimous consent that the reading be dispensed with.

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

There was no objection.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. FLAKE. This bill would prohibit the use of funds in the bill to enter into a contract with a company for leakproof drip pans unless the contract is awarded using competitive procedures as defined by statute.

A recent article by The New York Times highlights the story of a sole-source contract being awarded to a for-profit company to produce leak pans used in Black Hawk helicopters operated by the U.S. Army. These pans, according to The New York Times, cost $17,000 apiece, and in the last 3 years the Army has purchased $6.5 million of them.

An Army spokesman is quoted in the article, saying, ''Congress mandated a leakproof transmission drip pan,'' and that the contract was awarded without competitive bids.

I think that we can all agree that any contract administered by the Army or any other Federal agency should be awarded based on competitive procedures, which are already codified in statute.

While there are no line items for these pans included in the bill before us or the accompanying report, the Times reports that the Army has indicated that it ''might get more pans if financing is approved.''

The Department of Defense is already in the process of slashing its budget. They are learning to do more with less as Americans all over the country have had to do in the past several years. If a competitor exists who will produce these pans for less than $17,000 apiece, we ought to make sure that they compete for the project.

The amendment before us now would not prohibit the procurement of these pans even if it is determined that there is one company that can supply the Army with them—now, if there is only one company—but it would ensure that any purchase of these pans is done in a manner consistent with competitive procedures, putting to rest any notion that Congress has mandated sole-source contracts for private companies. This is a good governance, commonsense amendment.

I urge my colleagues to adopt it, and I look forward, if there is any objection—I think it's a good government amendment, but I would love to be able—I can't reserve my time, but I would like to have a dialogue if somebody has an issue with this amendment.

Mr. DICKS. Will the gentleman yield?

Mr. FLAKE. I yield to the gentleman.

Mr. DICKS. So what you are saying is you have got to have a competitive procedure.

Mr. FLAKE. That's correct.

Mr. DICKS. This is, I think, what we tried to do a few years ago on defense-related—with private companies is to have a competitive procedure, which I agree with. I think the gentleman is right on this. I appreciate his amendment.

Mr. FLAKE. I thank the gentleman.

I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I rise in support of the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. It has been a long-standing practice put in place by appropriations legislation years ago that the contracts for these pans must be awarded under a competitive process. In fact, the FY 2010 DOD appropriations bill required that the contract be competitive, and every year the Army holds an open competition where it asks all qualified companies to place a bid.

Therefore, Mr. Chairman, I don't think the amendment is necessary, but I do agree with what it does, and I accept the amendment.

Mr. FLAKE. Will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman.

Mr. FLAKE. I thank the gentleman, and I know that we have made efforts in the past to make sure that these are all competitively bid.

The reason I am bringing this amendment is that the Army stated in this case that this contract was not competitively bid. We just want to make sure, and that's why I appreciate the gentleman accepting the amendment.

Mr. YOUNG of Florida. We do understand that the law does exist that requires it, so we're with you.

Mr. FLAKE. Thank you.

Mr. YOUNG of Florida. I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MS. LEE OF CALIFORNIA

Ms. LEE of California. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. (a) PROHIBITION ON USE OF FUNDS.—None of the funds made available by this Act may be used for any account of the Department of Defense (other than accounts excluded by subsection (b)) in excess of the amount made available for such account for fiscal year 2008, unless the financial statements of the Department for fiscal year 2013 are validated as ready for audit within 180 days after the date of the enactment of this Act.

(b) ACCOUNTS EXCLUDED.—The following accounts are excluded from the prohibition in subsection (a):

(1) Military personnel, reserve personnel, and National Guard personnel accounts of the Department of Defense.

(2) The Defense Health Program account.

(c) VALIDATION DEFINED.—In this section, the term ''validation'', with respect to the auditability of financial statements, means a determination, following an examination, that the financial statements comply with generally accepted accounting principles and applicable laws and regulations and reflect reliable internal controls.

(d) WAIVER.—The President may waive subsection (a) with respect to a component or program of the Department if the President certifies that applying the subsection to that component or program would harm national security or members of the Armed Forces who are in combat.

Ms. LEE of California (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read.

The Acting CHAIR. Is there objection to the request of the gentlewoman from California?

There was no objection.

Mr. YOUNG of Florida. Mr. Chairman, I reserve a point of order on the gentlelady's amendment.

The Acting CHAIR. A point of order is reserved.

The gentlewoman is recognized for 5 minutes.

Ms. LEE of California. Mr. Chairman, I join with my esteemed colleague, Congresswoman JAN SCHAKOWSKY of Illinois, in offering an amendment which hits really at the heart of the issue of fiscal responsibility.

My amendment is short and to the point. If enacted, it would freeze Department of Defense programs at fiscal year 2008 levels unless the financial statements of the Department of Defense for fiscal year 2013 are validated as ready for audit within 6 months of enactment of this act.

This amendment would exempt military personnel, Reserve and National Guard personnel accounts, as well as the Defense Health Program accounts from this potential funding freeze. It also contains a waiver for any potential harm to national security or combat forces.

Now, some of my colleagues may make the argument that the Department of Defense is making progress on this issue in response to congressional engagement. They might reference language in recent Defense authorization bills requiring DOD to develop and implement plans to achieve audit readiness by September 30, 2017.

But let me just say, Mr. Chairman, this is wholly unacceptable that we are still just developing plans for the Department of Defense to have much its fiscal house in order 5 years from now. This problem is not newly discovered and further delay is really an abandonment of our congressional duty, given the enormous and increasing proportion of Federal dollars going towards the defense budget. In the 1990s, Congress was promised that these financial deficiencies would be solved by 1997. This timeline then was delayed to 2007 in the early 2000s. Given the Pentagon's past failures to meet deadlines, why should we believe the 2017 timeline will be honored?

Nearly 60 cents of every Federal discretionary dollar now goes towards defense spending, and by the Pentagon's own admission, they cannot properly account for how the money is spent.

Can you imagine? We have nonprofit organizations that get shut down behind a few thousand dollars in unaccountable funds.

There is no doubt that these circumstances have contributed to instances of waste, fraud, and abuse at the Pentagon, including more than $300 billion in major weapons cost overruns identified by the Government Accountability Office.

It's time to finally do away with the culture of unlimited spending and no accountability at the Pentagon. Being strong on defense does not mean handing a free pass to irresponsible spending. I believe it's critical that the Department of Defense be not only prepared and validated as ready for an audit, but actually pass an audit.

Today I urge my colleagues to support this amendment and take a first step toward compelling the Department of Defense to act with urgency on this matter. The financial reforms necessary to abide by basic accounting standards, laws, and regulations at the Department of Defense cannot wait.

I deeply regret that my colleagues would invoke a point of order on an issue of such vital importance to Congress' charge to conduct responsible oversight on Federal expenditures. I wish that the Pentagon would be held to the same standards as nonprofit organizations and those in business and other entities responsible for responsibly spending Federal dollars.

I yield back the balance of my time.

POINT OF ORDER

Mr. YOUNG of Florida. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and, therefore, violates clause 2 of rule XXI.

The rule states in pertinent part:

''An amendment to a general appropriation bill shall not be in order if changing existing law.''

The amendment grants new authority.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any other Member wish to be heard on the point of order? If not, the Chair will rule.

The Chair finds that this amendment imposes a new duty on the Secretary to validate certain data as ready for audit. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI. The point of order is sustained and the amendment is not in order.

□ 2030

AMENDMENT OFFERED BY MR. WITTMAN

Mr. WITTMAN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), add the following new section:

SEC. ____. None of the funds made available by this Act may be used to propose, plan for, or execute an additional Base Realignment and Closure (BRAC) round.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. WITTMAN. This amendment directs that none of the funds made available in this act may be used to propose, plan for, or execute an additional Base Realignment and Closure, or BRAC, round. During the House Armed Services Committee markup of H.R. 4310 on May 9, a similar amendment passed with overwhelming bipartisan support by a vote of 44–18, with 14 of 27 Democrats voting in favor of a similar amendment.

On February 27, 2012, I joined 41 fellow Members of Congress in signing a bipartisan letter to President Obama expressing our concerns over his administration's announcement of the intent to request two new rounds of BRACs. Six House Armed Services Subcommittee chairmen signed this letter also.

The 2005 BRAC is estimated to cost $36 billion, and the taxpayers will not realize that net savings until 2018, at the earliest. Congress has robustly funded the military construction accounts over the past 3 years to accommodate the growing Army and Marine Corps. Proposed new rounds of military base closures by the President will require additional expenses in a time of military spending reductions. More BRAC rounds will cost more than it saves in the near-term and negate the value of deficit reduction. More BRAC rounds will cost billions of dollars and thousands of jobs.

According to the GAO in a study that was concluded in March 2012, DOD's fiscal year 2012 budget submission to Congress on BRAC 2005 shows that costs to implement the BRAC recommendations grew from $21 billion originally estimated by the BRAC Commission in 2005 dollars to about $35.1 billion in current dollars, an increase of about $14.1 billion, or 67 percent. In constant 2005 dollars, costs increased to $32.2 billion, an increase of 53 percent.

In 2005, the Commission estimated net annual recurring savings of $4.2 billion and a 20-year net present value savings by 2025 of $36 billion. GAO's analysis shows annual recurring savings are now about $3.8 billion, a decrease of 9.5 percent, while the 20-year net present value savings are now about $9.9 billion, a decrease of 73 percent. As such, DOD will not recoup its up-front costs until at least 2018.

Implementation of the 2005 BRAC round was officially completed on September 15, 2011. This took 6 years to fully execute. Strategically, as we draw down from over 10 years of combat operations in the Middle East and shift our focus to balancing the Middle East threat with the emerging security issues and presence of forces in the Asia-Pacific, additional rounds of BRAC at this time cannot be justified. After 10 years of war and a substantial 2005 BRAC round, we now have a well-trained, battle-hardened, combat-tested, efficient, streamlined all-volunteer force that is now more joint than ever. This is simply not the time for an additional BRAC round.

I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I rise in support of the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. I want to associate myself with the remarks of Mr. WITTMAN. He is right on. And I just want to emphasize how strongly I agree with what he has to say, and I strongly support this amendment.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MS. WOOLSEY

Ms. WOOLSEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. The total amount of appropriations made available by this Act is hereby reduced by $1,700,000,000.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Chairman, a few months ago, the Republican majority passed their budget blueprint which, unbelievably, called for the complete elimination, over 10 years' time, of funding for the Social Services Block Grant. This program is designed to help people in desperate straits, people who have fallen on hard times, people who need a hand up from their government in their hour of need. But the majority said, Sorry, we can't afford that.

The country, they say, just can't afford day care for children and adults, special services for people with disabilities, substance abuse assistance, low-income housing, home-delivered meals, employment services, and other support that people need when they have fallen on hard times and what people need when they're working very hard to become self-sufficient. That kind of compassion is too expensive, apparently.

But this week, when we're deciding how much to spend on our war machines and our Department of Defense bureaucracy, the sky is the limit. Money is no object. Well, those aren't the values I was taught. That's not the kind of country I want to live in.

The Pentagon has received more than its fair share of taxpayer dollars over the years. And, frankly, they haven't always been the most careful stewards of the people's money. They haven't always had the best accountability and oversight. They haven't always delivered the best bang for the buck, Mr. Chairman.

Recent polling indicates that Americans overwhelmingly want defense cuts, but instead we've got a defense spending bill that is larger than last year's and larger than what the President requested. I say it's time that the Pentagon contribute its fair share. My amendment calls for a $1.7 billion cut to Defense appropriations—an amount equal to the cut we have asked of the Social Services Block Grant program for next year.

If you believe that human dignity and basic compassion are more important than throwing money at wasteful weapons, then I hope that you will support my amendment.

I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. Mr. Chairman, I want to compliment the gentlelady. She is certainly determined. This is the third or fourth amendment on the same subject, just by changing the numbers. I'm not going to make the same arguments about the threat and about the need to defend our country. Again, you have heard that many, many times. But it is serious. It is serious.

The numbers keep changing. I don't know why they keep changing, but the fact that they keep changing indicates to me that there's not really a real determination here on the number. But there is a determination on my side and from my viewpoint and, that is, the threat cannot be ignored, the threat is growing, and this is not a good amendment and I ask that our Members oppose it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. WOOLSEY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. WOOLSEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

□ 2040

AMENDMENT OFFERED BY MR. POE OF TEXAS

Mr. POE of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. The amounts otherwise provided in title IX of this Act are revised by reducing the amount made available for ''Operation and Maintenance, Defense-Wide'' and the amount under that heading for payments to reimburse key cooperating nations for logistical, military and other support by $650,000,000, respectively.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. POE of Texas. I thank the Chair.

I thank the chairman, and his staff especially, for working with me on this amendment, which I would like to associate my previous remarks in a previous amendment on Pakistan to this amendment. Basically the intent is to cut half of the money that goes to Pakistan under title IX in this legislation.

Mr. YOUNG of Florida. Will the gentleman yield?

Mr. POE of Texas. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. I thank the gentleman for yielding.

I want to thank the gentleman for working with us. As we discussed earlier during our debate, we would work together to find a solution that would be acceptable. You have done that, I congratulate you, and I support your amendment.

Mr. POE of Texas. I yield back the balance of my time.

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

The amendment was agreed to.

Mr. LOEBSACK. Mr. Chairman, I move to strike the last word for the purpose of engaging in a colloquy with Chairman YOUNG.

The Acting CHAIR. The gentleman from Iowa is recognized for 5 minutes.

Mr. LOEBSACK. Mr. Chairman, as you well know, 40-millimeter cartridges provide sustained coverage for our ground troops and have played a significant role in providing protection for our troops in Afghanistan. They are produced in a joint effort between the Iowa Army Ammunition Plant, which I represent, and facilities in Florida, Wisconsin, and several other States.

In Iowa, 75 employees work on a state-of-the-art production line to load, assemble, and pack the 40-millimeter ammunition. This state-of-the-art equipment allows this work to be done safely, at a high-quality rate, and in a cost-effective way for the taxpayers and the Army.

The Army's budget request included 40-millimeter funding levels that are considered the minimum level necessary to sustain our capability and the highly skilled workforce needed to produce them. A reduction in funding could result in a break in work that would result in lost capabilities, lost jobs, and delays and quality concerns when the line is restarted.

Mr. Chairman, I know we share a commitment to maintaining the workforce, capabilities, and lines that produce the 40-millimeter ammunition, and I very much appreciate your and Ranking Member DICKS' work with me over the last several weeks. I look forward to continuing to work with you to address this matter going forward so that we can ensure the final 2013 defense bill supports the 40-millimeter ammunition workforce and supply chain.

I thank you for the cooperation.

Mr. YOUNG of Florida. Will the gentleman yield?

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

Mr. YOUNG of Florida. I thank the gentleman for his work on this important issue.

The gentleman is correct. Our Nation's ability to produce the 40-millimeter ammunition is a critical readiness issue. I am very proud of the work that is done in Florida and other States to support production of this ammunition. This is a matter of importance to the readiness of the Army, and the readiness of all of our Armed Forces is a matter of top priority to me and it is a matter of great importance to both of our districts.

I'm committed to ensuring that the funding necessary for production of 40-millimeter ammunition in 2013 is available and that the supply chain and workforce associated with the 40-millimeter ammunition remains strong.

I look forward to working with the gentleman from Iowa to ensure that the final bill reflects that priority.

I thank the gentleman for yielding.

Mr. LOEBSACK. Mr. Chairman, I yield back the balance of my time.

AMENDMENT OFFERED BY MR. BILBRAY

Mr. BILBRAY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), add the following new section:

SEC. ____. None of the funds made available by this Act may be used to remove any portion of the Mount Soledad Veterans Memorial in San Diego, California.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. BILBRAY. Mr. Chairman, this is a very simple amendment. It just says you will not use Federal funds to tear down the war memorial on Mount Soledad. It is very simple. It is basically a war memorial that was originally built in honor of the veterans of Korea.

Mr. Chairman, when I was a young teenager, a young child, I still remember as my father and I drove up the coast from San Diego, he would point up at this memorial and say that is the only war memorial to Korea. At the time, I believed him. As far as I know, at that time, it was. Since then, the war memorial has been surrounded by over 3,000 plaques; many show the Star of David, many show crescents, and many show crosses. But there are those that have taken offense to the fact that this war memorial happened to be a cross, the universal sign of memorial.

All I have to say is that if we don't support this amendment not to tear down this one memorial, then I ask this body to be serious about the fact that in the United States, we have over 4 million crosses as memorials in this country. We have over 455,000 emblems that may be interpreted any way you want. We have 40,000 Stars of David as memorials on veteran property. In fact, in Normandy, England, Mexico City, and Panama, we have 130,000 crosses or other symbols that might be projected as being religious.

Sadly, what we've got going on in San Diego is those who claim, in the name of religious tolerance, to want to destroy war memorials if anyone takes offense to this. All this says is we're not going to tear down the 4 million crosses on our veterans' memorials across this country and we're not going to tear down or use any funds from this budget to tear down the war memorial that stands on top of Mount Soledad at La Jolla, San Diego, California. It's very simple and very clear.

I hope that my colleagues can say, in the spirit of tolerance, no one means to go out and be so intolerant as to tear down war memorials just because somebody may claim that it may have a religious connotation. God knows we don't want to start tearing down those 4 million crosses that exist today or those thousands of Stars of David that proudly sit today on veterans' and Federal property.

Mr. YOUNG of Florida. Will the gentleman yield?

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

Mr. YOUNG of Florida. We are happy to support your amendment.

Mr. BILBRAY. I appreciate it, Mr. Chairman, and I appreciate the minority's consideration.

With that, I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MS. LEE OF CALIFORNIA

Ms. LEE of California. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. (a) Except as provided in subsection (b), appropriations made in title IX of this Act are hereby reduced in the amount of $20,843,869,000.

(b) The reduction in subsection (a) shall not apply to the following accounts in title IX:

(1) ''Defense Health Program''.

(2) ''Drug Interdiction and Counter-Drug Activities, Defense''.

(3) ''Joint Improvised Explosive Device Defeat Fund''.

(4) ''Office of the Inspector General''.

Ms. LEE of California (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The Acting CHAIR. Is there objection to the request of the gentlewoman from California?

There was no objection.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. LEE of California. Mr. Chairman, my amendment, once again, is very straightforward. It reduces the overseas contingency operations account, which is currently funded at $85 billion, by $21 billion.

□ 2050

That leaves $64 billion in reserves, more than enough funds for the safe and swift withdrawal of troops from Afghanistan.

This amendment allows Congress the opportunity to stand squarely with the war-weary American people who want to bring our troops home. It is clear that the American people have been far ahead of Congress in supporting an end to the war in Afghanistan. The call has been growing across this land to bring this war to an end, and it is past time for the Congress to answer that call here today.

I want to thank all of the cosponsors of this bipartisan amendment and all of my colleagues who have worked on this issue throughout the year and supported my legislation, H.R. 780, to responsibly end the war in Afghanistan.

Our brave troops have done everything that was asked of them and more. Asking our troops to remain in Afghanistan for another 2 years when there is no indication that circumstances on the ground will change is unconscionable.

As we send our men and women in uniform back into danger on multiple tours, they are bearing an overwhelming and unfair burden of sacrifice while so many of us go on with our daily lives. An alarming number of troops are coming back home with post-traumatic stress disorder, suicide cases are rampant, and sadly, each day we continue to hear more and more about our veterans and the terrible toll this has taken on their lives.

Mr. Chairman, the costs of this war are unacceptable, particularly when we ask what the added benefit is of keeping our troops in Afghanistan through 2014. The war in Afghanistan has already taken the lives of over 2,000 soldiers, injured tens of thousands more, and drained our treasury of over $500 billion. And those costs will only go up as we spend trillions of dollars on long-term care for our veterans, which of course we must and we should do.

Instead of spending over $85 billion in Afghanistan this next year, we should restrict funding to the safe and responsible withdrawal of all of our troops and use the tens of billions of dollars in savings right here at home, investing in jobs and education and health care and mental health care.

The situation on the ground in Afghanistan, whether we leave in 2013, 2014, or 2020, whether 100 more United States troops die or 1,000, let me just say, not an extra dollar should be spent extending the decade-long war in Afghanistan. We have the power of the purse strings in this House. For those who believe that enough is enough, they should vote for this amendment.

As the daughter of a military veteran, I know firsthand the sacrifices and the commitment involved with defending our Nation. But the truth is that our troops have been put in an impossible situation; there is no military solution. It's past time to end the war and bring our troops home. And quite frankly, it is time to use these tax dollars from ending the war to create jobs here at home and economic security for the American people. It's time to rebuild America, and also to provide for health care and, of course, as I said earlier, the economic security of our troops.

Today, once again, we have the opportunity to stand with 7 out of 10 Americans who oppose the war in Afghanistan. The American people have made it clear that the war is no longer worth fighting. And I'll say it again, not an extra day, not an extra dollar should be spent extending the decade-long war in Afghanistan.

I knew 10 years ago that this would be a war without end. I could not support it then. More Members of Congress are beginning to see that this was a blank check to wage war forever unless we end it now. So after 11 years, yes, we should bring our troops home. We can do that responsibly by voting ''yes'' on the Lee amendment today.

I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. Mr. Chairman, in working with the administration, the Department of Defense, and our commanders in the field in Afghanistan, we have come to a proper amount to be funded for this purpose. It's already included in this bill. I think to change the formula now from one that has been agreed upon by the administration, the Defense Department, and the commanders in the field who have the responsibility for operating this entire Afghan operation, I just oppose this amendment. I think it's the wrong thing to do.

It's very balanced. It's agreed to by the parties that have the responsibility. I just hope the Members will vote ''no.''

I yield back the balance of my time.

Ms. WOOLSEY. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Chairman, I'm proud to cosponsor the amendment offered by my friend from California.

If approved, this amendment would accomplish two goals: One, to end this war, and two, to save the taxpayers $21 billion, something I think both sides of the aisle could agree on.

Let's be clear about what this amendment really does. It fully funds a safe and responsible redeployment of our troops from Afghanistan. It's not cut and run; it's funding redeployment.

The Afghan people do not want us there. The American people don't want us there. Yet, we are spending $10 billion a month for a decade-long war that's failing to advance our national security objectives.

Why would we want to continue down this road, especially at such a great cost in blood and treasure? More than 2,000 servicemembers have been killed, and $548 billion in taxpayer money has been spent.

This amendment provides sufficient funding to ensure that every man and woman in uniform leaves Afghanistan safely. At that point, we can look away from defense spending to a national security policy based on the other two Ds: diplomacy and development. We can turn away from military force and toward SMART Security, an agenda that keeps America safe by alleviating human need and investing in human capital in Afghanistan and around the developing world.

Since 2004, Mr. Chairman, I have come to the House floor 437 times during Special Orders to call for an end to the wars in Afghanistan and Iraq. Since I am retiring at the end of this term, this will be my last debate and last vote on defense spending. I hope it can be my legacy and yours to finally reorder our national security priorities and put an end to the war in Afghanistan. We owe it to the next generation, and we owe it to Americans in Afghanistan, together.

Let's bring our troops home in a safe and responsible way. Let's vote ''yes'' on Congresswoman LEE's amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. LEE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. LEE of California. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

AMENDMENT OFFERED BY MR. KING OF IOWA

Mr. KING of Iowa. I have an amendment at the desk, Mr. Chairman.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), add the following new section:

SEC. ____. None of the funds made available in this Act may be used to administer the wage-rate requirements of subchapter IV of chapter 31 of title 40, United States Code, with respect to any project or program funded by this Act.

Mr. KING of Iowa (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read.

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

Mr. DICKS. I object.

The Acting CHAIR. Objection is heard.

The Clerk will continue reading.

The Clerk continued to read.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. KING of Iowa. Mr. Chairman, this is the Davis-Bacon limitation amendment that I believe most Members of this Congress have seen that applies to this appropriations bill.

We have an existing code called the Davis-Bacon Act. What it does is it requires that any construction projects that have Federal dollars in them—$2,000 or more—be constructed under what the bill says are prevailing wages. While prevailing wages in 1931 might have been a legitimate evaluation, today, it's a federally mandated union scale determined by a formerly smoke-filled room of people from the administrative side and the construction side of the industry.

I've spent my life in the construction business. I've been involved in the construction business since 1970, and I've worked on all sides of this that I can imagine. I've been a recipient of Davis-Bacon wages; I've paid Davis-Bacon wages; and I've done a fair amount of reporting of those wages into the bureaucrats.

This law is the last remaining Jim Crow law in the U.S. Code. It was written to protect union workers in New York City from the southern African Americans who were brought up to do a Federal building in that city back during the Depression.

□ 2100

And in 1931 there was a Senator James Davis of Pennsylvania and Representative Robert Bacon of New York, Long Island, who, I might add, decided that they wanted to protect the unions in that locale, and so they brought this legislation to Congress and passed it. It has long been union scale, not prevailing wage. And, yes, merit shop employers have an opportunity to introduce those wages that they actually pay, the earned wages they actually pay; but, in the end, it's a formerly smoke-filled room, people deciding it doesn't cost us anything, if it raises our bottom line, we all put our add of our margin on top of that. So we'd kind of like to be able to outcompete the rest of the industry for the opportunity to hire the workers that will receive the highest pay.

This is irresponsible on the part of a Congress that now we're finding ourselves nearly $16 trillion in national debt. We have a budget crunch like we've never seen. We've seen a President that's driven this national debt up about $1.33 trillion just in the last budget that the President offered. And we're looking at taxpayers that have had enough.

We need a balanced budget amendment to the United States Constitution. We don't need irresponsible spending. We don't need wage protectionism.

By the way, Senator Davis and Representative Bacon were both Republicans. They were two of the more misguided Republicans in the history of this country, and I regret that I, as an Iowan, have to stand here and inform this body that it was Iowa President Herbert Hoover that signed the bill on March 3, 1931.

I'm pledged to undo this, to repeal Davis-Bacon in the end, because we believe in competition. We're a free and fair competition country that believes in free markets.

I have listened to the gentleman from Massachusetts in the past who has said that anytime that you have two consenting adults that are conducting any activity that doesn't hurt anyone else, they should be able to do so without Federal interference. If that's the case, tell me why I can't climb in the seat of my son's excavator and say, ''Just pay me 10 bucks an hour, Dave. That's enough. I need the therapy to get away from this insanity of this overspending government that we have here in this Congress.''

So I urge the adoption of this wage limitation so that we can build five bases, not four; five barracks, not four; five military hospitals, not four. We can do five of everything instead of four if we just let competition set the wages.

The quality will be there. The gentleman's about to tell you that it's not. I will tell you, if I spend my life in this, we meet specifications. The high quality of the work is there.

The other side of that's just an argument for union wage protectionism. We need to protect the taxpayers.

And the unions are fine. If they want to organize, I encourage them doing so. But they need to do so without Federal protection. Compete in the competitive world on low bid like the rest of us, where you have to meet the specifications and the quality of work.

Mr. Chairman, I urge the adoption of this amendment, and I yield back the balance of my time.

Mr. DICKS. I rise in strong opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. The House has spoken on this issue repeatedly. There's been a very substantial majority in favor of retaining Davis-Bacon and opposing the gentleman's amendment.

Some Members continue to try to repeal Davis-Bacon, despite the House record of supporting the protection on labor standards. I have been a longtime supporter of Davis-Bacon prevailing wage requirements. It helps ensure that local projects provide local jobs with affordable middle class wages.

The law protects the government from contractors trying to win Federal contracts by bidding too low to attract competent workers. And we have seen time and time again where you have prevailing wages. The State of Washington has its own prevailing wage standard in our State; and we find that on these projects, you get better work and the work is done at a higher quality.

So, again, I oppose this amendment. And as I said, we have had several votes on this this year, and every time it's been defeated. I hope that we can again defeat the King amendment.

I yield back the balance of my time.

Mr. VISCLOSKY. I move to strike the last word.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKY. I appreciate the recognition and would want to join with the ranking member, Mr. DICKS, in my strong opposition to the gentleman's amendment.

We had a similar debate during the consideration of the Energy and Water bill. And one observation I would make is we do have a disparity in this country, and it continues to grow, despite how hard the average American works.

The problem today for that average American is that for 1 hour's worth of work—it could be pushing paper, it could be waiting tables at a diner, it could be working at a steel mill, it could be laying brick, it could be a contractor, it could be a manager, it could be a CEO—is less for 1 hour's worth of human labor in the United States today than it was in 1977 when I came to Washington, D.C. on a congressional staff. That is not the country my parents left me.

I think it is wrong to offer an amendment to further suppress the wages hardworking Americans are trying to earn to make sure that they can buy a house, they can send their children to what are increasingly expensive public institutions because of the lack of State support for them, and who now hold retirement programs that are probably about 40 percent less in value than they were in 2007.

This is a bad amendment, and I strongly oppose it.

I yield back the balance of my time.

Ms. LEE of California. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. LEE of California. Let me just say that I rise in strong opposition to this amendment.

Some Members here continue to try to repeal Davis-Bacon, despite the House being on record supporting the protection of labor standards.

All of us, or at least the majority of us, have been in support of prevailing wage requirements. It helps to ensure that local projects that provide local jobs have these jobs that have affordable, middle class wages with benefits. The law protects government from contractors trying to win Federal contracts by bidding too low to attract competent workers.

This amendment should be opposed. If we really want people to move toward achieving middle class standards, if we want to keep the middle class with good jobs, good-paying jobs with benefits, then there is no way we should repeal Davis-Bacon.

People are losing the American Dream quite quickly here in our own country, unfortunately. And here we go again trying to erode one of the basic protections of working men and women.

So I hope we oppose this amendment, maintain standards of prevailing wage for our workers, and ensure that they too have the opportunity to achieve the American Dream.

I yield back the balance of my time.

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

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. KING of Iowa. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Iowa will be postponed.

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:

Amendment No. 4 by Ms. MCCOLLUM of Minnesota.

Amendment No. 2 by Mr. KINGSTON of Georgia.

An amendment by Mr. QUIGLEY of Illinois.

The first amendment by Mr. COHEN of Tennessee.

An amendment by Mr. POMPEO of Kansas.

The first amendment by Mr. MARKEY of Massachusetts.

An amendment by Mr. AMASH of Michigan.

The second amendment by Mr. COHEN of Tennessee.

An amendment by Mr. CICILLINE of Rhode Island.

The first amendment by Ms. WOOLSEY of California.

The second amendment by Mr. MARKEY of Massachusetts.

The second amendment by Ms. WOOLSEY of California.

The third amendment by Ms. WOOLSEY of California.

The second amendment by Ms. LEE of California.

An amendment by Mr. KING of Iowa.

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

AMENDMENT NO. 4 OFFERED BY MS. MCCOLLUM

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Minnesota (Ms. MCCOLLUM) 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 250, not voting 15, as follows:

[Roll No. 472]

AYES—166

Ackerman
Altmire
Amash
Baldwin
Barrow
Bass (CA)
Bass (NH)
Benishek
Biggert
Bilbray
Bilirakis
Black
Bonner
Brady (PA)
Brady (TX)
Braley (IA)
Buchanan
Campbell
Cantor
Carnahan
Carney
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clay
Coffman (CO)
Connolly (VA)
Cooper
Courtney
DeFazio
DeLauro
Dent
Deutch
Dingell
Dold
Donnelly (IN)
Duffy
Duncan (SC)
Duncan (TN)
Ellison
Farenthold
Farr
Fitzpatrick
Flake
Frank (MA)
Franks (AZ)
Gardner
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Graves (GA)
Griffith (VA)
Gutierrez
Hanna
Hartzler
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Honda
Huelskamp
Huizenga (MI)
Hurt
Israel
Jenkins
Johnson (GA)
Johnson (IL)
Jordan
Keating
Kind
Kingston
Kinzinger (IL)
Kissell
Kucinich
Labrador
Lance
Langevin
Larsen (WA)
Latham
Levin
LoBiondo
Loebsack
Lowey
Luetkemeyer
Luján
Lummis
Lynch
Mack
Maloney
Markey
Matheson
McClintock
McCollum
McDermott
McKinley
McNerney
Meehan
Meeks
Mica
Michaud
Miller, Gary
Miller, George
Moran
Mulvaney
Murphy (CT)
Nadler
Napolitano
Neal
Neugebauer
Noem
Olver
Paul
Paulsen
Pelosi
Perlmutter
Peters
Petri
Pingree (ME)
Pompeo
Price (NC)
Quayle
Reed
Renacci
Ribble
Roby
Rohrabacher
Royce
Ruppersberger
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schilling
Schmidt
Schrader
Schwartz
Schweikert
Sensenbrenner
Serrano
Sherman
Southerland
Speier
Stearns
Sutton
Tierney
Tipton
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Walden
Walsh (IL)
Waxman
Webster
Wilson (FL)
Woodall
Young (IN)

NOES—250

Adams
Aderholt
Alexander
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Barber
Barletta
Bartlett
Barton (TX)
Berg
Berkley
Berman
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Bonamici
Bono Mack
Boswell
Boustany
Brooks
Broun (GA)
Brown (FL)
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Canseco
Capito
Capps
Capuano

Carson (IN)
Carter
Clarke (MI)
Clarke (NY)
Cleaver
Clyburn
Coble
Cohen
Cole
Conaway
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeGette
Denham
DesJarlais
Diaz-Balart
Dicks
Doggett
Doyle
Dreier
Edwards
Ellmers
Emerson
Engel
Eshoo
Fattah
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frelinghuysen
Fudge
Gallegly
Garamendi
Gerlach
Gingrey (GA)
Gonzalez
Gowdy
Granger
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Grimm
Guinta
Guthrie
Hall
Hanabusa
Harper
Harris
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Hinojosa
Hochul
Holden
Holt
Hoyer
Hultgren
Hunter
Issa
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Kaptur
Kelly
Kildee
King (IA)
King (NY)
Kline
Lamborn
Landry
Lankford
Larson (CT)
LaTourette
Latta
Lee (CA)
Lewis (CA)
Lewis (GA)
Lipinski
Lofgren, Zoe
Long
Lucas
Lungren, Daniel E.
Manzullo
Marchant
Marino
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McGovern
McHenry
McIntyre
McKeon
McMorris Rodgers
Miller (FL)
Miller (MI)
Miller (NC)
Moore
Murphy (PA)
Myrick
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Pearce
Pence
Peterson
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Quigley
Rahall
Rangel
Rehberg
Reichert
Richardson
Richmond
Rigell
Rivera
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Runyan
Rush
Ryan (OH)
Scalise
Schakowsky
Schiff
Schock
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sessions
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Stark
Stutzman
Sullivan
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Turner (NY)
Turner (OH)
Upton
Visclosky
Walberg
Walz (MN)
Wasserman Schultz
Waters
Watt
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woolsey
Yarmuth
Yoder
Young (AK)
Young (FL)

NOT VOTING—15

Akin
Becerra
Boren
Cardoza
Conyers
Filner
Hahn
Hirono
Jackson (IL)
Jackson Lee (TX)
Polis
Reyes
Sewell
Stivers
Welch

(2135)

Mr. DAVIS of Kentucky, Ms. FUDGE, Mrs. McCARTHY of New York, Messrs. RANGEL and BACHUS, Ms. WASSERMAN SCHULTZ, Ms. ROYBAL-ALLARD, and Messrs. DOGGETT and SCHIFF changed their vote from ''aye'' to ''no.''

Messrs. LUETKEMEYER, WEBSTER, WALDEN, PRICE of North Carolina, SCHWEIKERT, COFFMAN of Colorado, Ms. JENKINS, Ms. PELOSI, Messrs. NEUGEBAUER, RYAN of Wisconsin, YOUNG of Indiana, KEATING, Ms. CASTOR of Florida, and Messrs. RUPPERSBERGER, GARRETT, HURT, GOODLATTE and ISRAEL changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 472, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''aye.''

AMENDMENT NO. 2 OFFERED BY MR. KINGSTON

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. KINGSTON) 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 Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 202, noes 216, not voting 13, as follows:

[Roll No. 473]

AYES—202

Ackerman
Alexander
Amash
Andrews
Baldwin
Barrow
Bass (CA)
Becerra
Benishek
Berman
Bilbray
Bishop (NY)
Bishop (UT)
Blumenauer
Bonamici
Bonner
Bono Mack
Boustany
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Buchanan
Burgess
Camp
Capps
Capuano
Carnahan
Carney
Cassidy
Castor (FL)
Chabot
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman (CO)
Cohen
Connolly (VA)
Conyers
Costello
Courtney
Crowley
Culberson
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dent
Deutch
Dicks
Dingell
Doggett
Doyle
Dreier
Duffy
Duncan (TN)
Edwards
Ellison
Emerson
Eshoo
Farr
Fattah
Flake
Frank (MA)
Fudge
Garrett
Gibson
Goodlatte
Gosar
Graves (GA)
Griffin (AR)
Griffith (VA)
Gutierrez
Hastings (FL)
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hochul
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hurt
Israel
Jones
Jordan
Kaptur
Keating
Kildee
Kind
King (IA)
Kingston
Kucinich
Labrador
Lance
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
LoBiondo
Lofgren, Zoe
Lowey
Luján
Lummis
Lungren, Daniel E.
Lynch
Maloney
Marchant
Markey
Matheson
McCarthy (NY)
McClintock
McCollum
McDermott
McGovern
McKinley
McNerney
Meeks
Mica
Michaud
Miller, Gary
Moran
Mulvaney
Nadler
Neal
Neugebauer
Noem
Olver
Owens
Pascrell
Paul
Pelosi
Peters
Petri
Pingree (ME)
Pitts
Price (NC)
Quayle
Quigley
Rehberg
Reichert
Ribble
Richmond
Roby
Rohrabacher
Rokita
Rothman (NJ)
Roybal-Allard
Royce
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schmidt
Schrader
Schwartz
Schweikert
Scott (VA)
Sensenbrenner
Sherman
Slaughter
Smith (NJ)
Southerland
Speier
Stark
Stearns
Sutton
Terry
Thompson (MS)
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Upton
Van Hollen
Velázquez
Walden
Walsh (IL)
Waters
Waxman
Webster
Wilson (FL)
Wilson (SC)
Wolf
Woolsey

NOES—216

Adams
Aderholt
Altmire
Amodei
Austria
Baca
Bachus
Barber
Barletta
Bartlett
Barton (TX)
Bass (NH)
Berg
Berkley
Biggert
Bilirakis
Bishop (GA)
Black
Blackburn
Boswell
Brady (PA)
Brown (FL)
Bucshon
Buerkle
Burton (IN)
Butterfield
Calvert
Campbell
Canseco
Cantor
Capito
Carson (IN)
Carter
Chaffetz
Chandler
Coble
Cole
Conaway
Cooper
Costa
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Davis (KY)
Denham
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Duncan (SC)
Ellmers
Engel
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garamendi
Gardner
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Gonzalez
Gowdy
Granger
Graves (MO)
Green, Al
Green, Gene
Grijalva
Grimm
Guinta
Guthrie
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Hinojosa
Holden
Hunter
Issa
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Kelly
King (NY)
Kinzinger (IL)
Kissell
Kline
Lamborn
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
Loebsack
Long
Lucas
Luetkemeyer
Mack
Manzullo
Marino
Matsui
McCarthy (CA)
McCaul
McHenry
McIntyre
McKeon
McMorris Rodgers
Meehan
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Moore
Murphy (CT)
Murphy (PA)
Myrick
Napolitano
Nugent
Nunes
Nunnelee
Olson
Palazzo
Pallone
Pastor (AZ)
Paulsen
Pearce
Pence
Perlmutter
Peterson
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Rahall
Rangel
Reed
Renacci
Richardson
Rigell
Rivera
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Runyan
Ruppersberger
Rush
Ryan (OH)
Scalise
Schock
Scott (SC)
Scott, Austin
Scott, David
Serrano
Sessions
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (TX)
Smith (WA)
Stutzman
Sullivan
Thompson (CA)
Thompson (PA)
Thornberry
Turner (NY)
Turner (OH)
Visclosky
Walberg
Walz (MN)
Wasserman Schultz
Watt
Welch
West
Westmoreland
Whitfield
Wittman
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—13

Akin
Bachmann
Boren
Cardoza
Filner
Hahn
Hirono
Jackson (IL)
Jackson Lee (TX)
Polis
Reyes
Sewell
Stivers

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 2140

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

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 473, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''aye.''

AMENDMENT OFFERED BY MR. QUIGLEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Illinois (Mr. QUIGLEY) 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 Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 60, noes 359, not voting 12, as follows:

[Roll No. 474]

AYES—60

Amash
Becerra
Benishek
Blumenauer
Bonamici
Campbell
Carson (IN)
Conyers
Cooper
Davis (IL)
DeFazio
DeGette
Dold
Duffy
Duncan (TN)
Flake
Frank (MA)
Garamendi
Green, Gene
Griffith (VA)
Grijalva
Herrera Beutler
Higgins
Hinojosa
Huelskamp
Huizenga (MI)
Johnson (IL)
Jones
Kucinich
Labrador
Lee (CA)
Lowey
Lummis
Markey
McClintock
McCollum
Miller (NC)
Miller, George
Napolitano
Paul
Peters
Peterson
Petri
Price (NC)
Quigley
Ribble
Richmond
Rohrabacher
Sánchez, Linda T.
Schakowsky
Schrader
Sensenbrenner
Serrano
Speier
Stark
Tipton
Upton
Van Hollen
Velázquez
Walden

NOES—359

Ackerman
Adams
Aderholt
Alexander
Altmire
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barber
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Canseco
Cantor
Capito
Capps
Capuano
Carnahan
Carney
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (KY)
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Duncan (SC)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Griffin (AR)
Grimm
Guinta
Guthrie
Gutierrez
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Himes
Hinchey
Hochul
Holden
Holt
Honda
Hoyer
Hultgren
Hunter
Hurt
Israel
Issa
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Marino
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Perlmutter
Pingree (ME)
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Richardson
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sanchez, Loretta
Sarbanes
Scalise
Schiff
Schilling
Schmidt
Schock
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sessions
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stearns
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Visclosky
Walberg
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—12

Akin
Boren
Cardoza
Filner
Hahn
Hirono
Jackson (IL)
Jackson Lee (TX)
Polis
Reyes
Sewell
Stivers

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 2145

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

Ms. HERRERA BEUTLER changed her 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 474, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''no.''

AMENDMENT OFFERED BY MR. COHEN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the first amendment offered by the gentleman from Tennessee (Mr. COHEN) 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 Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 145, noes 273, not voting 13, as follows:

[Roll No. 475]

AYES—145

Altmire
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Buchanan
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Cohen
Conyers
Cooper
Crowley
Cummings
Davis (IL)
DeFazio
DeGette
DeLauro
Dent
Deutch
Dingell
Doggett
Doyle
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanna
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hochul
Holt
Honda
Israel
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Keating
Kildee
Kind
Kucinich
Lance
Larsen (WA)
Larson (CT)
Latham
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Lummis
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McKinley
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Paul
Paulsen
Pelosi
Perlmutter
Peters
Pingree (ME)
Price (NC)
Quigley
Rahall
Reed
Rehberg
Richmond
Roybal-Allard
Rush
Sánchez, Linda T.
Sarbanes
Schakowsky
Schwartz
Serrano
Sherman
Sires

Speier
Stark
Thompson (CA)
Tierney
Tonko
Towns
Tsongas
Velázquez
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth
Yoder

NOES—273

Ackerman
Adams
Aderholt
Alexander
Amash
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Barber
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Brown (FL)
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Cicilline
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (CA)
Davis (KY)
Denham
DesJarlais
Diaz-Balart
Dicks
Dold
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
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanabusa
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Holden
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Kaptur
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Landry
Langevin
Lankford
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pastor (AZ)
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rangel
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)
Rothman (NJ)
Royce
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Sanchez, Loretta
Scalise
Schiff
Schilling
Schmidt
Schock
Schrader
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stearns
Stutzman
Sutton
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Van Hollen
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—13

Akin
Boren
Cardoza
Filner
Hahn
Hirono
Jackson (IL)
Jackson Lee (TX)
Polis
Reyes
Sewell
Stivers
Sullivan

□ 2149

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 475, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

AMENDMENT OFFERED BY MR. POMPEO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Kansas (Mr. POMPEO) 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 Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 137, noes 282, not voting 12, as follows:

[Roll No. 476]

AYES—137

Adams
Amash
Amodei
Bachmann
Bachus
Barton (TX)
Bass (NH)
Benishek
Biggert
Black
Bonner
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Camp
Campbell
Canseco
Cantor
Cassidy
Chabot
Chaffetz
Coble
Cohen
Conaway
Cravaack
DeFazio
Denham
Doggett
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Farenthold
Fincher
Flake
Fleischmann
Fortenberry
Foxx
Gardner
Garrett
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Griffith (VA)
Gutierrez
Hensarling
Himes
Hinojosa
Huelskamp
Huizenga (MI)
Hultgren
Hurt
Jenkins
Johnson (IL)
Jones
Jordan
Kind
King (IA)
Kucinich
Labrador
Lamborn
Lance
Landry
Lankford
Latta
Luetkemeyer
Lummis
Mack
Manzullo
Marchant
McClintock
McHenry
McKinley
McMorris Rodgers
Michaud
Miller (MI)
Miller, Gary
Mulvaney
Murphy (CT)
Neugebauer
Nugent
Paul
Paulsen
Pence
Peters
Peterson
Petri
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Quigley
Reed
Renacci
Ribble
Roby
Rogers (AL)
Rohrabacher
Rokita
Ross (FL)
Royce
Ryan (WI)
Scalise
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Speier
Stearns
Stutzman
Terry
Upton
Walberg
Walden
Walsh (IL)
Walz (MN)
Webster
Westmoreland
Woodall
Yoder
Young (IN)

NOES—282

Ackerman
Aderholt
Alexander
Altmire
Andrews
Austria
Baca
Baldwin
Barber
Barletta
Barrow
Bartlett
Bass (CA)
Becerra
Berg
Berkley
Berman
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Bonamici
Bono Mack
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Calvert
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman (CO)
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeGette
DeLauro
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Dold
Donnelly (IN)
Doyle
Dreier
Emerson
Engel
Eshoo
Farr
Fattah
Fitzpatrick
Fleming
Flores
Forbes
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gerlach
Gibson
Gonzalez
Granger
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Grimm
Guinta
Guthrie
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Herger
Herrera Beutler
Higgins
Hinchey
Hochul
Holden
Holt
Honda
Hoyer
Hunter
Israel
Issa
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Kaptur
Keating
Kelly
Kildee
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luján
Lungren, Daniel E.
Lynch
Maloney
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McDermott
McGovern
McIntyre
McKeon
McNerney
Meehan
Meeks
Mica
Miller (FL)
Miller (NC)
Miller, George
Moore
Moran
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Noem
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Pearce
Pelosi
Perlmutter
Pingree (ME)
Platts
Price (NC)
Rahall
Rangel
Rehberg
Reichert
Richardson
Richmond
Rigell
Rivera
Roe (TN)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
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
Sessions
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stark
Sullivan
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watt
Waxman
Welch
West
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woolsey
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—12

Akin
Boren
Cardoza
Filner
Hahn
Hirono
Jackson (IL)
Jackson Lee (TX)
Polis
Reyes
Sewell
Stivers

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There are 30 seconds remaining.

□ 2154

Mr. POE of Texas changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 476, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''aye.''

AMENDMENT OFFERED BY MR. MARKEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the first amendment offered by the gentleman from Massachusetts (Mr. MARKEY) 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 Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 150, noes 268, not voting 13, as follows:

[Roll No. 477]

AYES—150

Ackerman
Amash
Andrews
Bachmann
Baldwin
Bass (CA)
Becerra
Berman
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Capps
Capuano
Carnahan
Carney
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Cohen
Connolly (VA)
Conyers
Cooper
Courtney
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dingell
Doggett
Doyle
Duncan (TN)
Edwards
Ellison
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gibson
Gonzalez
Grijalva
Gutierrez
Hastings (FL)
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hochul
Holden
Holt
Honda
Hoyer
Huizenga (MI)
Israel
Johnson (GA)
Jones
Keating
Kildee
Kind
Kucinich
Labrador
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCollum
McDermott
McGovern
Michaud
Miller (NC)
Miller, George
Moore
Mulvaney
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Paul
Pelosi
Peters
Pingree (ME)
Price (NC)
Quigley
Rahall
Rangel
Rothman (NJ)
Roybal-Allard
Rush
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Serrano
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Tierney
Tonko
Towns
Upton
Van Hollen
Velázquez
Walden
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOES—268

Adams
Aderholt
Alexander
Altmire
Amodei
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
Boustany
Brady (TX)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carson (IN)
Carter
Cassidy
Chabot
Chaffetz
Chandler
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Costa
Costello
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dicks
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Ellmers
Emerson
Engel
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Huelskamp
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jordan
Kaptur
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Lamborn
Lance
Landry
Lankford
Larsen (WA)
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Pastor (AZ)
Paulsen
Pearce
Pence
Perlmutter
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stutzman
Sullivan
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Visclosky
Walberg
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—13

Akin
Boren
Cardoza
Filner
Hahn
Hirono
Jackson (IL)
Jackson Lee (TX)
Polis
Reyes
Sewell
Stivers
Tsongas

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There are 30 seconds remaining.

□ 2158

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 477, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''aye.''

AMENDMENT OFFERED BY MR. AMASH

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 186, noes 233, not voting 12, as follows:

[Roll No. 478]

AYES—186

Adams
Aderholt
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Bass (NH)
Benishek
Berg
Biggert
Bilirakis
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Cassidy
Chabot
Chaffetz
Coble
Cole
Conaway
Cravaack
Crawford
Crenshaw
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Flake
Fleischmann
Fleming
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
Hanna
Harper
Harris
Hastings (WA)
Hayworth
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hurt
Issa
Jenkins
Jones
Jordan
Kelly
King (IA)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Landry
Lankford
Latta
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller, Gary
Mulvaney
Murphy (PA)

Neugebauer
Noem
Nugent
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Schweikert
Scott (SC)
Sensenbrenner
Sessions
Simpson
Smith (NE)
Smith (TX)
Southerland
Stearns
Stutzman
Thompson (PA)
Tipton
Turner (OH)
Walberg
Walden
Walsh (IL)
Webster
Westmoreland
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NOES—233

Ackerman
Altmire
Andrews
Baca
Baldwin
Barber
Barrow
Barton (TX)
Bass (CA)
Becerra
Berkley
Berman
Bilbray
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman (CO)
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Emerson
Engel
Eshoo
Farr
Fattah
Fitzpatrick
Flores
Forbes
Fortenberry
Frank (MA)
Fudge
Garamendi
Gibson
Gonzalez
Granger
Green, Al
Green, Gene
Grijalva
Grimm
Gutierrez
Hanabusa
Hartzler
Hastings (FL)
Heck
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hochul
Holden
Holt
Honda
Hoyer
Hunter
Israel
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Kaptur
Keating
Kildee
Kind
King (NY)
Kissell
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinley
McNerney
Meehan
Meeks
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Myrick
Nadler
Napolitano
Neal
Nunes
Nunnelee
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Pingree (ME)
Pitts
Platts
Price (NC)
Quigley
Rahall
Rangel
Richardson
Richmond
Rogers (MI)
Rooney
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schrader
Schwartz
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sherman
Shimkus
Shuler
Shuster
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stark
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiberi
Tierney
Tonko
Towns
Tsongas
Turner (NY)
Upton
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
West
Whitfield
Wilson (FL)
Wolf
Woolsey
Yarmuth
Young (AK)

NOT VOTING—12

Akin
Boren
Cardoza
Filner
Hahn
Hirono
Jackson (IL)
Jackson Lee (TX)
Polis
Reyes
Sewell
Stivers

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There are 30 seconds remaining.

□ 2201

Mr. LEWIS of Georgia changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 478, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

AMENDMENT OFFERED BY MR. COHEN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the second amendment offered by the gentleman from Tennessee (Mr. COHEN) 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 Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 228, noes 191, not voting 12, as follows:

[Roll No. 479]

AYES—228

Ackerman
Adams
Amash
Andrews
Baca
Baldwin
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berman
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brooks
Broun (GA)
Buchanan
Burgess
Camp
Campbell
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
DesJarlais
Deutch
Dicks
Doggett
Dold
Donnelly (IN)
Doyle
Duffy
Duncan (TN)
Edwards
Ellison
Emerson
Engel
Eshoo
Farr
Fattah
Fitzpatrick
Fortenberry
Foxx
Frank (MA)
Fudge
Garamendi
Gibson
Gohmert
Goodlatte
Graves (GA)
Green, Al
Green, Gene
Griffith (VA)
Grijalva
Gutierrez
Hanabusa
Hanna
Hastings (FL)
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hurt
Israel
Johnson (GA)
Johnson (IL)
Jones
Kaptur
Keating
Kind
Kissell
Kucinich
Labrador
Lance
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Lummis
Lynch
Maloney
Manzullo
Markey
Matsui
McCarthy (NY)
McClintock
McCollum
McDermott
McGovern
McIntyre
McKinley
McNerney
Meehan
Meeks
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Nadler
Napolitano
Neal
Neugebauer
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Pelosi
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Poe (TX)
Posey
Price (GA)
Price (NC)
Quigley
Rahall
Reed
Ribble
Richardson
Richmond
Rigell
Rohrabacher
Rokita
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Rush
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schrader
Scott (SC)
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sherman
Shuler
Sires
Slaughter
Speier
Stark
Stearns
Stutzman
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Upton
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
Whitfield
Wilson (FL)
Woolsey
Yarmuth
Yoder

NOES—191

Aderholt
Alexander
Altmire
Amodei
Austria
Bachmann
Bachus
Barber
Barletta
Barrow
Berg
Berkley
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brown (FL)
Bucshon
Buerkle
Burton (IN)
Butterfield
Calvert
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (KY)
Denham
Dent
Diaz-Balart
Dingell
Dreier
Duncan (SC)
Ellmers
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gonzalez
Gosar
Gowdy
Granger
Graves (MO)
Griffin (AR)
Grimm
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Hunter
Issa
Jenkins
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jordan
Kelly
Kildee
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Lamborn
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lungren, Daniel E.
Mack
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McHenry
McKeon
McMorris Rodgers
Miller (FL)
Miller, Gary
Murphy (PA)
Myrick
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Pitts
Platts
Pompeo
Quayle
Rangel
Rehberg
Reichert
Renacci
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Scalise
Schiff
Schilling
Schmidt
Schock
Schwartz
Schweikert
Scott, Austin
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Sullivan
Terry
Thompson (PA)

Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Van Hollen
West
Westmoreland
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—12

Akin
Boren
Cardoza
Filner
Hahn
Hirono
Jackson (IL)
Jackson Lee (TX)
Polis
Reyes
Sewell
Stivers

□ 2206

Mr. POE of Texas changed his vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 479, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''aye.''

AMENDMENT OFFERED BY MR. CICILLINE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Rhode Island (Mr. CICILLINE) 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 Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 149, noes 270, not voting 12, as follows:

[Roll No. 480]

AYES—149

Ackerman
Adams
Amash
Baldwin
Bartlett
Bass (CA)
Bass (NH)
Becerra
Benishek
Berman
Bishop (NY)
Blumenauer
Bonamici
Boswell
Braley (IA)
Brooks
Broun (GA)
Campbell
Capps
Capuano
Carnahan
Carson (IN)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Coble
Conyers
Costello
Courtney
Crowley
Cummings
DeFazio
DeLauro
DesJarlais
Doggett
Duffy
Duncan (TN)
Edwards
Ellison
Eshoo
Fattah
Foxx
Frank (MA)
Fudge
Garamendi
Gibson
Gohmert
Goodlatte
Graves (GA)
Green, Al
Green, Gene
Griffith (VA)
Grijalva
Gutierrez
Hanabusa
Hanna
Higgins
Himes
Hinojosa
Hochul
Holt
Honda
Hurt
Johnson (IL)
Johnson, E. B.
Jones
Keating
Kind
Kucinich
Labrador
Landry
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Lewis (GA)
Loebsack
Lofgren, Zoe
Lummis
Maloney
Manzullo
Markey
Matsui
McClintock
McCollum
McGovern
McIntyre
McKinley
Michaud
Miller (MI)
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Nadler
Napolitano
Neal
Neugebauer
Olver
Pallone
Pascrell
Paul
Peters
Peterson
Petri
Pingree (ME)
Posey
Price (GA)
Quigley
Rahall
Rangel
Ribble
Richardson
Richmond
Rigell
Rohrabacher
Ross (FL)
Royal-Allard
Royce
Rush
Sánchez, Linda T.
Sanchez, Loretta
Schrader
Sensenbrenner
Serrano
Sherman
Sires
Slaughter
Speier
Stark
Stearns
Thompson (CA)
Tierney
Towns
Upton
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Webster
Welch
Wilson (FL)
Woolsey
Yarmuth
Yoder

NOES—270

Aderholt
Alexander
Altmire
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Barber
Barletta
Barrow
Barton (TX)
Berg
Berkley
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (PA)
Brady (TX)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Canseco
Cantor
Capito
Carney
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Cleaver
Clyburn
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Cooper
Costa
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (CA)
Davis (IL)
Davis (KY)
DeGette
Denham
Dent
Deutch
Diaz-Balart
Dicks
Dingell
Dold
Donnelly (IN)
Doyle
Dreier
Duncan (SC)
Ellmers
Emerson
Engel
Farenthold
Farr
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gonzalez
Gosar
Gowdy
Granger
Graves (MO)
Griffin (AR)
Grimm
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Hinchey
Holden
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Israel
Issa
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, Sam
Jordan
Kaptur
Kelly
Kildee
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Lamborn
Lance
Lankford
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lipinski
LoBiondo
Long
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Mack
Marchant
Marino
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McDermott
McHenry
McKeon
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Miller (FL)
Miller (NC)
Miller, Gary
Murphy (PA)
Myrick
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Perlmutter
Pitts
Platts
Poe (TX)
Pompeo
Price (NC)
Quayle
Reed
Rehberg
Reichert
Renacci
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Rothman (NJ)
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stutzman
Sullivan
Sutton
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Tonko
Tsongas
Turner (NY)
Turner (OH)
Van Hollen
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—12

Akin
Boren
Cardoza
Filner
Hahn
Hirono
Jackson (IL)
Jackson Lee (TX)
Polis
Reyes
Sewell
Stivers

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There are 30 seconds remaining.

□ 2209

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 480, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''aye.''

AMENDMENT OFFERED BY MS. WOOLSEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the first amendment offered by the gentlewoman from California (Ms. WOOLSEY) 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 Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 114, noes 302, not voting 15, as follows:

[Roll No. 481]

AYES—114

Amash
Baldwin
Barton (TX)
Bass (CA)
Becerra
Benishek
Blumenauer
Bonamici
Buchanan
Campbell
Capuano
Carnahan
Castor (FL)
Chu
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Coble
Conyers
Cooper
Crowley
DeFazio
DeGette
Deutch
Doyle
Duffy
Duncan (TN)
Edwards
Ellison
Eshoo
Farr
Frank (MA)
Fudge
Garamendi
Gibson
Goodlatte
Graves (GA)
Green, Gene
Griffith (VA)
Grijalva
Gutierrez
Himes
Hinojosa
Holt
Honda
Johnson (GA)
Johnson (IL)
Jones
Keating
Kucinich
Labrador
Lance
Larsen (WA)
Lee (CA)
Lewis (GA)
Lofgren, Zoe
Maloney
Markey
Matsui
McClintock
McCollum
McDermott
McGovern
Michaud
Miller (MI)
Miller, George
Moore
Mulvaney
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Paul
Peters
Peterson
Petri
Pingree (ME)
Quigley
Rahall
Rangel
Ribble
Rohrabacher
Royal-Allard
Royce
Rush
Sánchez, Linda T.
Sarbanes
Schakowsky
Schrader
Schwartz
Sensenbrenner
Serrano
Slaughter
Speier
Stark
Stearns
Stutzman
Thompson (CA)
Tierney
Towns
Tsongas
Velázquez
Waters
Watt
Welch
Wilson (FL)
Woolsey
Yarmuth
Yoder

NOES—302

Ackerman
Adams
Aderholt
Alexander
Altmire
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Barber
Barletta
Barrow
Bartlett
Bass (NH)
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boswell
Boustany
Brady (PA)
Brady (TX)
Brooks
Broun (GA)
Brown (FL)
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Canseco
Cantor
Capito
Capps
Carney
Carson (IN)
Carter
Cassidy
Chabot
Chaffetz
Chandler
Cicilline
Clyburn
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeLauro
Denham
Dent
DesJarlais
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Dreier
Duncan (SC)
Ellmers
Emerson
Engel
Farenthold
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Gonzalez
Gosar
Gowdy
Granger
Graves (MO)
Green, Al
Griffin (AR)
Grimm
Guinta
Guthrie
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Hinchey
Hochul
Holden
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jenkins
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jordan
Kaptur
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Lamborn
Landry
Langevin
Lankford
Larson (CT)
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lipinski
LoBiondo
Loebsack
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Miller (FL)
Miller (NC)
Miller, Gary
Moran
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Pelosi
Pence
Perlmutter
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Reed
Rehberg
Reichert
Renacci
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Sanchez, Loretta
Scalise
Schiff
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sessions
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Sullivan
Sutton
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Tonko
Turner (OH)
Upton
Van Hollen
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waxman
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—15

Akin
Boren
Braley (IA)
Cardoza
Filner
Hahn
Hirono
Jackson (IL)
Jackson Lee (TX)
Polis
Reyes
Sewell
Stivers
Turner (NY)
Visclosky

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There are 30 seconds remaining.

□ 2213

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 481, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

AMENDMENT OFFERED BY MR. MARKEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the second amendment offered by the gentleman from Massachusetts (Mr. MARKEY) 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 Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 136, noes 283, not voting 12, as follows:

[Roll No. 482]

AYES—136

Baldwin
Bass (CA)
Becerra
Berman
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Capps
Capuano
Carnahan
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Cohen
Conyers
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Doggett
Doyle
Edwards
Ellison
Eshoo
Farr
Frank (MA)
Fudge
Garamendi
Grijalva
Gutierrez
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Holt
Honda
Hoyer
Israel
Johnson (GA)
Jones
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Paul
Pelosi
Peters
Pingree (ME)
Price (NC)
Quigley
Rahall
Rangel
Richmond
Rohrabacher
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Serrano
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

NOES—283

Ackerman
Adams
Aderholt
Alexander
Altmire
Amash
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Barber
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Berkley
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carney
Carson (IN)
Carter
Cassidy
Chabot
Chaffetz
Chandler
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Cooper
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dingell
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Engel
Farenthold
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hochul
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Larsen (WA)
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pastor (AZ)
Paulsen
Pearce
Pence
Perlmutter
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Richardson
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Royce
Runyan
Ruppersberger
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schrader
Schweikert
Scott (SC)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sherman
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg

Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—12

Akin
Boren
Cardoza
Filner
Hahn
Hirono
Jackson (IL)
Jackson Lee (TX)
Polis
Reyes
Sewell
Stivers

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There are 30 seconds remaining.

□ 2216

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 482, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

AMENDMENT OFFERED BY MS. WOOLSEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the second amendment offered by the gentlewoman from California (Ms. WOOLSEY) 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 Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 106, noes 311, not voting 14, as follows:

[Roll No. 483]

AYES—106

Amash
Baldwin
Bass (CA)
Becerra
Benishek
Blumenauer
Bonamici
Braley (IA)
Campbell
Capuano
Carnahan
Carson (IN)
Castor (FL)
Chu
Clarke (MI)
Clarke (NY)
Clay
Cohen
Conyers
Cooper
Cummings
Davis (IL)
DeFazio
DeGette
Deutch
Doyle
Duncan (TN)
Edwards
Ellison
Eshoo
Farr
Frank (MA)
Fudge
Garamendi
Goodlatte
Griffith (VA)
Grijalva
Gutierrez
Hastings (FL)
Himes
Hinchey
Hinojosa
Holt
Honda
Johnson (GA)
Johnson (IL)
Jones
Keating
Kucinich
Labrador
Lee (CA)
Lewis (GA)
Lofgren, Zoe
Markey
Matsui
McClintock
McCollum
McDermott
McGovern
Michaud
Miller (MI)
Miller, George
Moore
Mulvaney
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Paul
Pelosi
Peters
Peterson
Petri
Pingree (ME)
Quigley
Rahall
Rangel
Ribble
Rohrabacher
Roybal-Allard
Royce
Rush
Sánchez, Linda T.
Sarbanes
Schakowsky
Schrader
Sensenbrenner
Serrano
Slaughter
Speier
Stark
Stearns
Thompson (CA)
Tierney
Towns
Tsongas
Velázquez
Waters
Watt
Welch
Wilson (FL)
Woolsey
Yarmuth

NOES—311

Ackerman
Adams
Aderholt
Alexander
Altmire
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Barber
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boswell
Boustany
Brady (PA)
Brady (TX)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Canseco
Cantor
Capito
Capps
Carney
Carter
Cassidy
Chabot
Chaffetz
Chandler
Cicilline
Cleaver
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Davis (CA)
Davis (KY)
DeLauro
Denham
Dent
DesJarlais
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Ellmers
Emerson
Engel
Farenthold
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Grimm
Guinta
Guthrie
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Hochul
Holden
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jenkins
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jordan
Kaptur
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lipinski
LoBiondo
Loebsack
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCarthy (NY)
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Miller (FL)
Miller (NC)
Miller, Gary
Moran
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pastor (AZ)
Paulsen
Pearce
Pence
Perlmutter
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Reed
Rehberg
Reichert
Renacci
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Sanchez, Loretta
Scalise
Schiff
Schilling
Schmidt
Schock
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sessions
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stutzman
Sullivan
Sutton
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Tonko
Turner (NY)
Turner (OH)
Upton
Van Hollen
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waxman
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—14

Akin
Boren
Cardoza
Filner
Hahn
Hirono
Jackson (IL)
Jackson Lee (TX)
McCaul
Polis
Reyes
Rokita
Sewell
Stivers

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 2219

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 483, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

Ms. SCHWARTZ. Mr. Chair, during rollcall vote No. 483 on H.R. 5856, I mistakenly recorded my vote as "no" when I should have voted "aye."

AMENDMENT OFFERED BY MS. WOOLSEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the third amendment offered by the gentlewoman from California (Ms. WOOLSEY) 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 Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 91, noes 328, not voting 12, as follows:

[Roll No. 484]

AYES—91

Amash
Baldwin
Bass (CA)
Becerra
Benishek
Blumenauer
Bonamici
Braley (IA)
Campbell
Capuano
Carnahan
Carson (IN)
Castor (FL)
Chu
Clarke (MI)
Clarke (NY)
Clay
Cohen
Conyers
Cooper
Cummings
Davis (IL)
DeFazio
DeGette
Deutch
Doyle
Duncan (TN)
Edwards
Ellison
Eshoo
Farr
Frank (MA)
Fudge
Grijalva
Gutierrez
Hinojosa
Holt
Honda
Johnson (GA)
Johnson (IL)
Jones
Keating
Kucinich
Labrador
Larsen (WA)
Lee (CA)
Lewis (GA)
Lofgren, Zoe
Maloney
Markey
Matsui
McClintock
McCollum
McGovern
Michaud
Miller (MI)
Miller, George
Moore
Mulvaney
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Paul
Peters
Quigley
Rahall
Rangel
Rohrabacher
Roybal-Allard
Royce
Rush
Sánchez, Linda T.
Sarbanes
Sensenbrenner
Serrano
Slaughter
Speier
Stark
Thompson (CA)
Tierney
Towns
Tsongas
Velázquez
Waters
Welch
Wilson (FL)
Woolsey
Yarmuth

NOES—328

Ackerman
Adams
Aderholt
Alexander
Altmire
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Barber
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boswell
Boustany
Brady (PA)
Brady (TX)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Canseco
Cantor
Capito
Capps
Carney
Carter
Cassidy
Chabot
Chaffetz
Chandler
Cicilline
Cleaver
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Davis (CA)
Davis (KY)
DeLauro
Denham
Dent
DesJarlais
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Ellmers
Emerson
Engel
Farenthold
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hochul
Holden
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jenkins
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jordan
Kaptur
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Lamborn
Lance
Landry
Langevin
Lankford
Larson (CT)
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lipinski
LoBiondo
Loebsack
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McDermott
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Miller (FL)
Miller (NC)
Miller, Gary
Moran
Murphy (CT)
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Perlmutter
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Sanchez, Loretta
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sessions
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stearns
Stutzman
Sullivan
Sutton
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Tonko
Turner (NY)
Turner (OH)
Upton
Van Hollen
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Watt
Waxman
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—12

Akin
Boren
Cardoza
Filner
Hahn
Hirono
Jackson (IL)
Jackson Lee (TX)
Polis
Reyes
Sewell
Stivers

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 2222

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 484, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

AMENDMENT OFFERED BY MS. LEE OF CALIFORNIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the second amendment offered by the gentlewoman from California (Ms. LEE) 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 Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 107, noes 312, not voting 12, as follows:

[Roll No. 485]

AYES—107

Amash
Baldwin
Bass (CA)
Becerra
Benishek
Blumenauer
Bonamici
Boswell
Braley (IA)
Campbell
Capps
Capuano
Carson (IN)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Conyers
Crowley
Cummings
Davis (IL)
DeFazio
DeGette
DeLauro
Doyle
Duncan (TN)
Edwards
Ellison
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Grijalva
Gutierrez
Hanabusa
Higgins
Himes
Hinchey
Hinojosa
Holt
Honda
Johnson (IL)
Johnson, E. B.
Jones
Keating
Kucinich
Larsen (WA)
Larson (CT)
Lee (CA)
Lewis (GA)
Loebsack
Lofgren, Zoe
Maloney
Markey
Matsui
McCollum
McDermott
McGovern
Meeks
Michaud
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Paul
Pingree (ME)
Price (NC)
Quigley
Rangel
Richardson
Richmond
Rohrabacher
Roybal-Allard
Rush
Sánchez, Linda T.
Sanchez, Loretta
Schakowsky
Schrader
Scott (VA)
Serrano
Slaughter
Speier
Stark
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Velázquez
Visclosky
Waters
Watt
Welch
Wilson (FL)
Woolsey
Yarmuth

NOES—312

Ackerman
Adams
Aderholt
Alexander
Altmire
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Barber
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (PA)
Brady (TX)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Canseco
Cantor
Capito
Carnahan
Carney
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (CA)
Davis (KY)
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Ellmers
Emerson
Engel
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Hochul
Holden
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, Sam
Jordan
Kaptur
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lipinski
LoBiondo
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Royce
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Sarbanes
Scalise
Schiff
Schilling
Schmidt
Schock
Schwartz
Schweikert
Scott (SC)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sherman
Shimkus

Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stearns
Stutzman
Sullivan
Sutton
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Van Hollen
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waxman
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—12

Akin
Boren
Cardoza
Filner
Hahn
Hirono
Jackson (IL)
Jackson Lee (TX)
Polis
Reyes
Sewell
Stivers

□ 2225

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 485, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

AMENDMENT OFFERED BY MR. KING OF IOWA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Iowa (Mr. KING) 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 Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 182, noes 235, not voting 14, as follows:

[Roll No. 486]

AYES—182

Adams
Amash
Amodei
Austria
Bachmann
Bachus
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Calvert
Camp
Campbell
Canseco
Cantor
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Dreier
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Gardner
Garrett
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Hensarling
Herger
Huelskamp
Huizenga (MI)
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
King (IA)
Kingston
Kline
Labrador
Lamborn
Landry
Lankford
Latham
Latta
Lewis (CA)
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller, Gary
Mulvaney
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Renacci
Ribble
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ross (FL)
Royce
Scalise
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Simpson
Smith (NE)
Smith (TX)
Southerland
Stearns
Stutzman
Thompson (PA)
Thornberry
Tipton
Walberg
Webster
West
Westmoreland
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NOES—235

Ackerman
Alexander
Altmire
Andrews
Baca
Baldwin
Barber
Barletta
Barrow
Bass (CA)
Becerra
Berkley
Berman
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Burton (IN)
Butterfield
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Duffy
Edwards
Ellison
Emerson
Engel
Eshoo
Farr
Fattah
Fitzpatrick
Frank (MA)
Frelinghuysen
Fudge
Garamendi
Gerlach
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Grimm
Gutierrez
Hanabusa
Hanna
Hastings (FL)
Heck
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hochul
Holden
Holt
Honda
Hoyer
Hultgren
Israel
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kelly
Kildee
Kind
King (NY)
Kinzinger (IL)
Kissell
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinley
McNerney
Meehan
Meeks
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Murphy (PA)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Price (NC)
Quigley
Rahall
Rangel
Rehberg
Reichert
Richardson
Richmond
Rivera
Ros-Lehtinen
Roskam
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sherman
Shimkus
Shuler
Shuster
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stark
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Whitfield
Wilson (FL)
Woolsey
Yarmuth
Young (AK)

NOT VOTING—14

Aderholt
Akin
Boren
Cardoza
Filner
Hahn
Hirono
Hunter
Jackson (IL)
Jackson Lee (TX)
Polis
Reyes
Sewell
Stivers

□ 2229

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 486, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

Mr. YOUNG of Florida. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WESTMORELAND) having assumed the chair, Mr. WOODALL, 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. 5856) making appropriations for the Department of Defense for the fiscal year ending September 30, 2013, and for other purposes, had come to no resolution thereon.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H. CON. RES. 131

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent to be removed as a cosponsor of H. Con. Res. 131.

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

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. JACKSON LEE of Texas (at the request of Ms. PELOSI) for July 17 and today on account of funerals in the district.

ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 205. An act to amend the Act titled "An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases", approved August 9, 1955, to provide for Indian tribes to enter into certain leases without prior express approval from the Secretary of the Interior, and for other purposes.

H.R. 3001. An act to award a Congressional Gold Medal to Raoul Wallenberg, in recognition of his achievements and heroic actions during the Holocaust.

SENATE ENROLLED BILLS SIGNED

The Speaker Announced his signature to enrolled bills of the Senate of the following titles:

S. 2009. An act to improve the administration of programs in the insular areas, and for other purposes.

S. 2165. An act to enhance strategic cooperation between the United States and Israel, and for other purposes.

ADJOURNMENT

Ms. ROS-LEHTINEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 32 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, July 19, 2012, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

6947. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 1,2-Ethanediamine, N1-(2-aminoethyl)-, polymer with 2, 4-diisocyanato-1-methylbenzene; Tolerance Exemption [EPA-HQ-OPP-2012-0014; FRL-9349-1] received June 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6948. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 2,6-Diisopropylnaphthalene (2,6-DIPN) and its metabolites and degradates; Pesticide Tolerances [EPA-HQ-OPP-2009-0802; FRL-9350-4] received June 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6949. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Natamycin; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2010-0727; FRL-9349-2] received June 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6950. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Prohydrojasmon; Amendment of Temporary Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2010-0048; FRL-9347-9] received June 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6951. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Shipping Instructions (DFARS Case 2011-D052) (RIN: 0750-AH53) received June 25, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

6952. A letter from the Principal Deputy, Department of Defense, transmitting authorization of Colonels Daniel L. Karlbler and Robert P. White, United States Army, to wear the insignia of the grade of brigadier general; to the Committee on Armed Services.

6953. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: New Qualifying Country-Czech Republic (DFARS Case 2012-D043) (RIN: 0750-AH75) received June 25, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

6954. A letter from the Assistant Secretary, Department of Defense, transmitting a proposed change to the Fiscal Year 2012 National Guard and Reserve Equipment Appropriation (NGREA) procurement; to the Committee on Armed Services.

6955. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Updates to Wide Area WorkFlow (DFARS Case 2011-D027) (RIN: 0750-AH40) received June 25, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

6956. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Applicability of Hexavalent Chromium Policy to Commercial Items (DFARS Case 2011-D047) (RIN: 0750-AH39) received June 21, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

6957. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Acquisition Regulations System; Defense Federal Acquisition Regulation Supplement; Only One Offer (DFARS Case 2011-D013) (RIN: 0750-AH11) received June 21, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

6958. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket ID: FEMA-2012-0003] [Internal Agency Docket No.: FEMA-8233] received June 25, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6959. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Eligible Obligations, Charitable contributions, Nonmember Deposits, Fixed Assets, Investments, Fidelity Bonds, Incidental Powers, Member Business Loans, and Regulatory Flexibility Program (RIN: 3133-AD98) received June 25, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6960. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Loan Workouts and Nonaccrual Policy, and Regulatory Reporting of Troubled Debt Restructured Loans (RIN: 3133-AE01) received June 25, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6961. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maine; Reasonably Available Control Technology (RACT) for the 1997 8-Hour Ozone Standard [EPA-R01-OAR-2009-0696; A-1-FRL-9673-4] received June 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6962. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland; Baltimore Nonattainment Area Determinations of Attainment of the 1997 Annual Fine Particulate Standard [EPA-R03-OAR-2011-0819; FRL-9674-5] received June 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6963. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Rhode Island; Regional Haze [EPA-R01-OAR-2009-0631; A-1-FRL-9674-3] received June 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6964. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Vermont; Regional Haze [EPA-R01-OAR-2009-0689; A-1-FRL-9674-4] received June 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6965. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Oregon: Infrastructure Requirements for the 1997 8-Hour Ozone National Ambient Air Quality Standard [EPA-R10-OAR-2011-0716; FRL-9673-7] received June 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6966. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Portion of York County, South Carolina within Charlotte-Gastonia-Rock Hill, North Carolina-South Carolina 1997 8-Hour Ozone Nonattainment Area; Ozone 2002 Base Year Emissions Inventory [EPA-R04-OAR-2008-0177(b); FRL-9673-9] received June 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6967. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Protection of Stratospheric Ozone: The 2012 Critical Use Exemption from the Phaseout of Methyl Bromide [EPA-HQ-OAR-2009-0277; FRL-9668-3] (RIN: 2060-AQ83) received June 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6968. A letter from the Chair, Medicaid and CHIP Payment and Access Commission, transmitting the June 2012 Report to Congress on Medicaid and CHIP; to the Committee on Energy and Commerce.

6969. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Withdrawal of Regulatory Guide 7.3, ''Procedures for Picking Up and Receiving Packages of Radioactive Material'' received June 21, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6970. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 12-08, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

6971. A letter from the Assistant Secretary Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-020, pursuant to the reporting requirements of Section 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6972. A letter from the General Counsel, Department of Housing and Urban Development, transmitting a report pursuant to the

Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

6973. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Atmospheric and Oceanic Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries [Docket No.: 110210132-1275-02] (RIN: 0648-XC035) received June 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6974. A letter from the Acting Deputy Assistant Administrator for Regulatory Programs, NMFS, National Atmospheric and Oceanic Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Halibut and Sablefish Individual Fishing Quota Program [Docket No.: 0906041011-2432-02] (RIN: 0648-AX91) received June 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6975. A letter from the Board, Railroad Retirement Board, transmitting the Board's 2012 annual report on the financial status of the railroad unemployment insurance system, pursuant to 45 U.S.C. 369; jointly to the Committees on Transportation and Infrastructure and Ways and Means.

6976. A letter from the Board, Railroad Retirement Board, transmitting a copy of the 25th Actuarial Valuation of the Assets and Liabilities Under the Railroad Retirement Acts as of December 31, 2010, pursuant to 45 U.S.C. 231f-1; jointly to the Committees on Ways and Means and Transportation and Infrastructure.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the following action was taken by the Speaker:

The Committee on Financial Services discharged from further consideration. H.R. 459 referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

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. FLEMING:

H.R. 6137. A bill to repeal provisions of the Patient Protection and Affordable Care Act relating to health savings accounts, and for other purposes; 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. LEE of California (for herself, Mr. MORAN, Ms. CLARKE of New York, Ms. SCHAKOWSKY, Ms. NORTON, Mr. SCHIFF, Ms. WOOLSEY, Mr. TOWNS, Mr. NADLER, Mr. CONYERS, Mr. RANGEL, Mr. HINCHEY, Mr. SERRANO, Mr. JOHNSON of Georgia, Mr. HONDA, Ms. MCCOLLUM, Mr. ENGEL, Mr. HIMES, Mr. MCDERMOTT, Ms. CHU, Mr. LEWIS of Georgia, Ms. BASS of California, Mrs. CHRISTENSEN, Ms. LINDA T. SÁNCHEZ of California, Ms. WATERS, Mr. RUSH, and Mr. GRIJALVA):

H.R. 6138. A bill to bring an end to the spread of HIV/AIDS in the United States and around the world; to the Committee on Energy and Commerce, and in addition to the Committees on Foreign Affairs, Education and the Workforce, the Judiciary, Armed Services, Financial Services, and Ways and Means, 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. LUETKEMEYER (for himself and Mr. BACA):

H.R. 6139. A bill to create a Federal charter for National Consumer Credit Corporations, and for other purposes; to the Committee on Financial Services.

By Mr. CAMP (for himself, Mr. KLINE, and Mr. JORDAN):

H.R. 6140. A bill to prohibit waivers relating to compliance with the work requirements for the program of block grants to States for temporary assistance for needy families, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on 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.

By Mr. SCHRADER:

H.R. 6141. A bill to provide for the addition of certain real property to the reservation of the Siletz Tribe in the State of Oregon; to the Committee on Natural Resources.

By Mr. BURGESS (for himself, Mr. SESSIONS, Mr. THORNBERRY, Mr. CARTER, and Mr. FLORES):

H.R. 6142. A bill to amend title XVIII of the Social Security Act to extend Medicare physician payment rates for 1 year; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, 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. BACA:

H.R. 6143. A bill to provide for supplemental appropriations for obesity programs of the Centers for Disease Control and Prevention, and for other purposes; to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARROW:

H.R. 6144. A bill to reduce amounts available to the General Services Administration for the acquisition of new vehicles for the Federal fleet; to the Committee on Oversight and Government Reform.

By Mr. FRANK of Massachusetts (for himself and Mr. KEATING):

H.R. 6145. A bill to authorize the Secretary of the Interior to provide preservation and interpretation assistance for resources associated with the New Bedford Whaling National Historical Park in the Commonwealth of Massachusetts, and for other purposes; to the Committee on Natural Resources.

By Mr. HINOJOSA (for himself and Mr. JOHNSON of Illinois):

H.R. 6146. A bill to permit pass-through payment for reasonable costs of certified registered nurse anesthetist services in critical access hospitals notwithstanding the reclassification of such hospitals as urban hospitals, including hospitals located in ''Lugar counties'', and for on-call and standby costs for such services; to the Committee on Ways and Means.

By Mr. ISSA:

H.R. 6147. A bill to designate the exclusive economic zone of the United States as the ''Ronald Wilson Reagan Exclusive Economic Zone of the United States''; to the Committee on Natural Resources.

By Mr. KELLY (for himself and Ms. BUERKLE):

H.R. 6148. A bill to make permanent the EGTRRA improvements to Coverdell education savings accounts; to the Committee on Ways and Means.

By Mr. MICHAUD (for himself and Ms. DELAURO):

H.R. 6149. A bill to require the United States Trade Representative to take action to obtain the full compliance of the Russian Federation with its commitments under the protocol on the accession of the Russian Federation to the Agreement Establishing the World Trade Organization, and for other purposes; to the Committee on Ways and Means.

By Mr. ELLISON (for himself, Mr. GRIJALVA, Ms. BASS of California, Ms. BONAMICI, Ms. BROWN of Florida, Mr. CAPUANO, Mrs. CHRISTENSEN, Ms. CHU, Mr. CLARKE of Michigan, Ms. CLARKE of New York, Mr. CLAY, Mr. COHEN, Mr. CONYERS, Mr. DAVIS of Illinois, Mr. DEFAZIO, Mr. FILNER, Mr. GUTIERREZ, Ms. HAHN, Mr. HINCHEY, Mr. HOLT, Mr. HONDA, Ms. JACKSON LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Mr. KUCINICH, Ms. LEE of California, Mr. MARKEY, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. NADLER, Mr. OLVER, Ms. PINGREE of Maine, Mr. RANGEL, Ms. RICHARDSON, Ms. SCHAKOWSKY, Mr. SERRANO, Mr. STARK, Ms. WATERS, and Ms. WOOLSEY):

H. Res. 733. A resolution expressing the sense of the House of Representatives that any deal replacing the Budget Control Act of 2011 should contain serious revenue increases and no Medicare, Medicaid, and Social Security benefit cuts; to the Committee on the Budget, and in addition to the Committees on Ways and Means, Energy and Commerce, Armed Services, Transportation and Infrastructure, 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.

By Mrs. LOWEY:

H. Res. 734. A resolution recognizing the importance of frontline health workers toward accelerating progress on global health and saving the lives of women and children, and for other purposes; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

247. The SPEAKER presented a memorial of the General Assembly of the State of Rhode Island, relative to the Assembly's Joint Resolution 12-193 urging the Congress to pass the PACE Assessment Protection Act; to the Committee on Financial Services.

248. Also, a memorial of the House of Representatives of the State of Illinois, relative to House Resolution No. 51 urging the Congress to pass the Talent Act; to the Committee on Education and the Workforce.

249. Also, a memorial of the Senate of the State of Maine, relative to Senate Joint Resolution urging the Congress and the President to modernize the federal Toxic Substances Control Act of 1976; to the Committee on Energy and Commerce.

250. Also, a memorial of the Senate of the State of Nevada, relative to Senate Joint Resolution No. 4 urging the Congress to ensure that the public lands in Nevada that are managed and controlled by the Federal Government remain open to multiple uses; to the Committee on Natural Resources.

251. Also, a memorial of the Senate of the State of Nevada, relative to Senate Joint Resolution No. 3 urging the Congress to enact legislation requiring the Secretary of the Interior to convey ownership of federal land from the Federal Government to Nevada; to the Committee on Natural Resources.

252. Also, a memorial of the House of Representatives of the State of Colorado, relative to House Resolution 12-1003 calling for a convention for the purpose to propose an amendment to the Constitution; to the Committee on the Judiciary.

253. Also, a memorial of the General Assembly of the State of Rhode Island, relative to the Assembly's Joint Resolution 12-285 urging the Congress to pass and send an amendment to the constitution to effectively overturn the holding of Citizens United and it's progeny; to the Committee on the Judiciary.

254. Also, a memorial of the Senate of the State of Nevada, relative to Senate Joint Resolution No. 8 urging the Congress to enact legislation to pursue methods and procedures that expedite or may expedite the permitting processes for mineral exploration and development of mines; to the Committee on Natural Resources.

255. Also, a memorial of the Senate of the State of Illinois, relative to Senate Resolution No. 620 urging the Congress to pass the Secure Travel and Counterterrorism Partnership Program Act of 2011; jointly to the Committees on the Judiciary and Intelligence (Permanent Select).

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. FLEMING:

H.R. 6137.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to Article I, Section 8, Clause I, Congress has the ability to lay and collect taxes and to provide for the general welfare of the United States, and Amendment XVI.

By Ms. LEE of California:

H.R. 6138.

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 of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. LUETKEMEYER:

H.R. 6139.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the explicit power of Congress to regulate commerce in and among the states, as enumerate in Article 1, Section 8, Clause 3, the Commerce Clause, of the United States Constitution.

By Mr. CAMP:

H.R. 6140.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to ''provide for the common Defence and general Welfare of the United States.''

By Mr. SCHRADER:

H.R. 6141.

Congress has the power to enact this legislation pursuant to the following:

The power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. BURGESS:

H.R. 6142.

Congress has the power to enact this legislation pursuant to the following:

The attached bill is constitutional under Article 1, Section 8, Clause 1: ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. BACA:

H.R. 6143.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. BARROW:

H.R. 6144.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9 of the Constitution of the United States.

By Mr. FRANK of Massachusetts:

H.R. 6145.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of article I of the Constitution.

By Mr. HINOJOSA:

H.R. 6146.

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 Mr. ISSA:

H.R. 6147.

Congress has the power to enact this legislation pursuant to the following:

Article IV Section III: ''The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States . . .''

By Mr. KELLY:

H.R. 6148.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. MICHAUD:

H.R. 6149.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 3.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 288: Mr. HONDA.
H.R. 371: Mrs. CAPITO.
H.R. 459: Mr. OWENS.
H.R. 719: Mr. STIVERS.
H.R. 835: Ms. BONAMICI.
H.R. 905: Mr. CASSIDY.
H.R. 1030: Mr. LUJÁN and Mr. THORNBERRY.
H.R. 1085: Ms. SPEIER.
H.R. 1116: Mr. REYES and Mr. BARBER.
H.R. 1167: Mr. AUSTIN SCOTT of Georgia and Mr. LONG.
H.R. 1286: Mrs. BLACK.
H.R. 1288: Ms. WASSERMAN SCHULTZ.
H.R. 1322: Mr. OLVER and Mr. NADLER.
H.R. 1325: Ms. HOCHUL.
H.R. 1340: Mr. CASSIDY.
H.R. 1417: Mr. CLARKE of Michigan.
H.R. 1464: Mr. MANZULLO.
H.R. 1489: Ms. SPEIER and Mr. BRADY of Pennsylvania.
H.R. 1537: Mr. REYES.
H.R. 1564: Ms. WOOLSEY.
H.R. 1653: Mr. MULVANEY and Mr. BILIRAKIS.
H.R. 1704: Mr. PETERSON.
H.R. 1775: Mr. STEARNS.
H.R. 1789: Mr. CHANDLER.
H.R. 1903: Ms. WATERS and Ms. BASS of California.
H.R. 1956: Mr. FORTENBERRY.
H.R. 1993: Mr. PAUL and Mr. SCHOCK.
H.R. 2010: Mr. HANNA.
H.R. 2092: Mr. GIBBS and Mr. GARDNER.
H.R. 2102: Mrs. BIGGERT.
H.R. 2139: Mr. RIVERA, Mr. CLARKE of Michigan, Mr. CONYERS, and Mr. CASSIDY.
H.R. 2140: Mr. ROONEY.
H.R. 2198: Mr. GRIFFIN of Arkansas and Mr. STIVERS.
H.R. 2200: Mr. CHABOT.
H.R. 2346: Ms. SPEIER.
H.R. 2382: Mr. POMPEO and Mr. SARBANES.
H.R. 2429: Mr. ROKITA.
H.R. 2514: Mr. LONG.
H.R. 2595: Mr. YODER.
H.R. 2730: Mr. STIVERS.
H.R. 2954: Ms. SPEIER.
H.R. 2969: Mr. HEINRICH and Mr. SCHOCK.
H.R. 2982: Mr. RANGEL.
H.R. 2985: Mr. POLIS.
H.R. 3030: Mr. BLUMENAUER.
H.R. 3053: Mr. JOHNSON of Georgia.
H.R. 3067: Mrs. BLACKBURN and Mr. CAPUANO.
H.R. 3091: Mr. LUETKEMEYER and Mr. KLINE.
H.R. 3150: Mr. MORAN and Mr. RANGEL.
H.R. 3151: Ms. SPEIER.
H.R. 3192: Ms. MATSUI.
H.R. 3238: Mr. HONDA.
H.R. 3337: Mr. MILLER of North Carolina and Mr. FLEISCHMANN.
H.R. 3423: Mr. MARCHANT and Mr. WALDEN.
H.R. 3486: Mr. KELLY.
H.R. 3496: Mr. QUIGLEY.
H.R. 3506: Mr. KIND.
H.R. 3510: Mrs. DAVIS of California.
H.R. 3528: Mr. PETERS.
H.R. 3594: Mr. FRANKS of Arizona, Mr. HARPER, Mr. LANDRY, Mr. SCHILLING, Mrs. ELLMERS, Mr. SCHOCK, Mr. KINZINGER of Illinois, Mr. LONG, Mr. ROE of Tennessee, Mr. GOHMERT, Mr. MCCLINTOCK, Mr. WILSON of South Carolina, Mr. TIPTON, Mr. CHABOT, Mr. SCALISE, Mr. FLORES, Mr. ALEXANDER, Mr. SCHWEIKERT, Mr. BARTLETT, Mrs. BLACK, Mr. MULVANEY, Mr. GRIFFITH of Virginia, Mr. CRAWFORD, Mrs. EMERSON, Mr. GIBBS, and Mr. PLATTS.
H.R. 3596: Mr. HIMES and Ms. SPEIER.
H.R. 3619: Mr. GRIJALVA.
H.R. 3643: Mr. LIPINSKI, Mr. HULTGREN, Mr. WILSON of South Carolina, Mr. CHABOT, Mr. POSEY, Mr. FLEMING, and Mr. MULVANEY.
H.R. 3663: Mr. WESTMORELAND.
H.R. 3679: Mr. RANGEL.
H.R. 3728: Mr. FORTENBERRY and Mr. ROE of Tennessee.
H.R. 3767: Mr. POMPEO.
H.R. 3798: Mrs. BIGGERT.
H.R. 3881: Mr. NADLER.
H.R. 3889: Mr. PAUL.
H.R. 4010: Mr. HEINRICH.
H.R. 4070: Mr. KING of New York.
H.R. 4083: Ms. HANABUSA.
H.R. 4103: Mr. CICILLINE, Mr. RANGEL, and Mr. BARTLETT.

H.R. 4120: Mr. BOREN, Mr. CAPUANO, and Mr. DOYLE.
H.R. 4154: Mr. KISSELL.
H.R. 4160: Mr. DESJARLAIS and Mr. STUTZMAN.
H.R. 4165: Mr. BROUN of Georgia.
H.R. 4259: Mrs. MALONEY.
H.R. 4297: Mr. BARLETTA.
H.R. 4313: Mr. BUTTERFIELD.
H.R. 4336: Mr. SHIMKUS.
H.R. 4341: Mr. TURNER of Ohio.
H.R. 4345: Mr. SHUSTER and Mr. HOLDEN.
H.R. 4365: Mr. AUSTIN SCOTT of Georgia.
H.R. 4373: Mr. STARK.
H.R. 4405: Mr. DANIEL E. LUNGREN of California, Mr. CONYERS, Mr. CAPUANO, Mrs. BLACKBURN, and Mr. CLAY.
H.R. 4454: Mr. SCHOCK.
H.R. 4965: Mr. COFFMAN of Colorado.
H.R. 5320: Mr. OWENS.
H.R. 5542: Mr. MCGOVERN, Ms. SPEIER, Mr. CARSON of Indiana, and Mr. TIERNEY.
H.R. 5647: Mr. SCHIFF and Mr. HASTINGS of Florida.
H.R. 5684: Mr. GRIJALVA.
H.R. 5707: Mr. ENGEL.
H.R. 5708: Mr. CRAWFORD.
H.R. 5781: Mr. CARSON of Indiana.
H.R. 5796: Mr. HEINRICH and Mr. LEWIS of Georgia.
H.R. 5822: Mrs. HARTZLER.
H.R. 5823: Ms. ZOE LOFGREN of California.
H.R. 5848: Ms. SPEIER.
H.R. 5903: Mr. KEATING and Mr. MCGOVERN.
H.R. 5936: Mr. WELCH.
H.R. 5975: Mr. GEORGE MILLER of California and Mrs. DAVIS of California.
H.R. 6012: Ms. BALDWIN and Mr. DINGELL.
H.R. 6025: Mr. AUSTIN SCOTT of Georgia, Mr. LONG, and Mr. KLINE.
H.R. 6047: Mr. LANKFORD.
H.R. 6085: Mr. NUNES, Ms. JENKINS, Mr. WOMACK, Mr. ALTMIRE, and Mr. BARROW.
H.R. 6088: Mr. MULVANEY, Mr. DUNCAN of South Carolina, Mr. FLEMING, Mr. POSEY, Mr. WALSH of Illinois, Mr. HUELSKAMP, Mr. HULTGREN, Mr. BROUN of Georgia, Mr. ROE of Tennessee, Mr. DESJARLAIS, Mrs. BLACKBURN, and Mr. CANSECO.
H.R. 6095: Mr. ROONEY and Mr. HASTINGS of Florida.
H.R. 6112: Mr. NUGENT.
H.R. 6113: Mr. HOLDEN and Mr. COSTELLO.
H.R. 6116: Mr. SABLAN.
H.R. 6117: Mr. PIERLUISI, Mr. MCGOVERN, Ms. HIRONO, and Mr. MICHAUD.
H.R. 6118: Mr. AUSTRIA.
H.R. 6124: Mr. HINCHEY, Mr. DEFAZIO, Mr. HOLT, Mr. ELLISON, Mr. OLVER, Mr. BISHOP of New York, and Mr. ENGEL.
H.J. Res. 81: Mr. AUSTIN SCOTT of Georgia.
H.J. Res. 110: Mr. MILLER of Florida and Mr. MARCHANT.
H.J. Res. 112: Mr. PRICE of Georgia, Mr. FINCHER, Mr. FLEMING, Mrs. MCMORRIS RODGERS, Mr. RIGELL, Mr. CASSIDY, Mr. GOWDY, Mr. GRIFFIN of Arkansas, Mr. CRAWFORD, Mr. DUNCAN of South Carolina, and Mr. AKIN.
H. Con. Res. 40: Ms. SPEIER.
H. Con. Res. 116: Mr. WALZ of Minnesota, Mr. REICHERT, Mr. CAPUANO, Mr. BUCHANAN, and Mr. PETERS.
H. Con. Res. 129: Mr. COBLE, Ms. CHU, and Mr. LATTA.
H. Res. 25: Mr. CLAY.
H. Res. 134: Ms. LEE of California.
H. Res. 353: Mr. ENGEL, Mr. HASTINGS of Florida, Mr. CARNAHAN, Mr. RUSH, Ms. CLARKE of New York, Ms. HAHN, Mrs. MALONEY, and Mr. RUPPERSBERGER.
H. Res. 618: Mr. HONDA.
H. Res. 672: Ms. MCCOLLUM.
H. Res. 728: Ms. EDWARDS.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H. Con. Res. 131: Ms. ROS-LEHTINEN.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

49. The SPEAKER presented a petition of the Legislature of Rockland County, New York, relative to Resolution No. 243 requesting that Algonquin prepare and submit to the Federal Energy Regulatory Commission an additional means of access to the pipeline and its facilities; to the Committee on Energy and Commerce.

50. Also, a petition of the Biloxi City Council, Mississippi, relative to Resolution No. 198-12 expressing its commitment to promoting contracting opportunities to local service providers, small and disadvantaged businesses and training and employment opportunities to local workers; jointly to the Committees on Natural Resources, Education and the Workforce, and Transportation and Infrastructure.

DISCHARGE PETITIONS

[Omitted from July 13, 2012]

Under clause 2 of rule XV, the following discharge petition was filed:

Petition 4, July 12, 2012, by Mr. CHRIS VAN HOLLEN H.R. 4010 was signed by the following Members: Chris Van Hollen, Robert A. Brady, Paul Tonko, Barbara Lee, Linda T. Sánchez, Laura Richardson, Marcy Kaptur, Betty Sutton, Hansen Clarke, Stephen F. Lynch, Michael E. Capuano, Dale E. Kildee, Alcee L. Hastings, Zoe Lofgren, James P. Moran, Joe Courtney, Xavier Becerra, Carolyn B. Maloney, Nick J. Rahall II, Steve Cohen, Janice Hahn, Carolyn McCarthy, Anna G. Eshoo, David N. Cicilline, Gwen Moore, G. K. Butterfield, Keith Ellison, Jerry McNerney, Doris O. Matsui, Gary C. Peters, Steve Israel, Judy Chu, Charles A. Gonzalez, Albio Sires, André Carson, Timothy J. Walz, Susan A. Davis, Kathy Castor, Yvette D. Clarke, Allyson Y. Schwartz, Russ Carnahan, Niki Tsongas, Colleen W. Hanabusa, Jackie Speier, Rubén Hinojosa, James A. Himes, Bruce L. Braley, Ed Pastor, Jerrold Nadler, Eliot L. Engel, David Scott, James R. Langevin, Lois Capps, Tammy Baldwin, Lucille Roybal-Allard, Rosa L. DeLauro, Maurice D. Hinchey, Raúl M. Grijalva, Christopher S. Murphy, Danny K. Davis, Henry C. ''Hank'' Johnson, Jr., Mazie K. Hirono, John B. Larson, Nancy Pelosi, Henry A. Waxman, Nydia M. Velázquez, Betty McCollum, John Lewis, Suzanne Bonamici, Janice D. Schakowsky, Sander M. Levin, Howard L. Berman, Karen Bass, Jared Polis, Michael H. Michaud, Theodore E. Deutch, Sam Farr, Joseph Crowley, Steven R. Rothman, Frank Pallone, Jr., Debbie Wasserman Schultz, John Garamendi, Rush D. Holt, Mike Thompson, Edolphus Towns, Grace F. Napolitano, Michael F. Doyle, Fortney Pete Stark, Donna F. Edwards, William R. Keating, Timothy H. Bishop, John A. Yarmuth, Bill Pascrell, Jr., Al Green, Marcia L. Fudge, Robert E. Andrews, Peter Welch, Brian Higgins, Michael M. Honda, Chaka Fattah, Ed Perlmutter, Lynn C. Woolsey, Melvin L. Watt, Edward J. Markey, John F. Tierney, Eddie Bernice Johnson, John Conyers, Jr., Mike Quigley, John P. Sarbanes, Robert C. ''Bobby'' Scott, George Miller, Barney Frank, Terri A. Sewell, Ron Barber, Frederica S. Wilson, James P. McGovern, Elijah E. Cummings, Diana DeGette, James E. Clyburn, Loretta Sanchez, John W. Olver, Gene Green, Bob Filner, C. A. Dutch Ruppersberger, Ben Chandler, Lloyd Doggett, Jim Costa, Adam B. Schiff, Ben Ray Luján, José E. Serrano, Silvestre Reyes, Rick Larsen, Brad Sherman, Jim McDermott, Henry Cuellar, Brad Miller, Maxine Waters, Chellie Pingree, Steny H. Hoyer, Gerald E. Connolly, Bennie G. Thompson, David Loebsack, Louise McIntosh Slaughter, John C. Carney, Jr., David E. Price, Corrine Brown, Adam Smith, Wm. Lacy Clay, and Tim Ryan.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 5856

OFFERED BY: MR. MULVANEY

AMENDMENT NO. 9: At the end of the bill (before the short title), insert the following:

SEC. ____. The amounts otherwise provided in title IX of this Act are revised by reducing the amount made available for ''Military Personnel, Army'', by increasing such amount, by reducing the amount made available for ''Military Personnel, Marine Corps'', and by increasing such amount, by $4,359,624,000, $4,359,624,000, $1,197,682,000, and $1,197,682,000, respectively.

H.R. 5856

OFFERED BY: MS. WOOLSEY

AMENDMENT NO. 10: At the end of the bill (before the short title), insert the following:

SEC. ____. The total amount of appropriations made available by this Act is hereby reduced by $293,900,000.

H.R. 5856

OFFERED BY: MS. WOOLSEY

AMENDMENT NO. 11: At the end of the bill (before the short title), insert the following:

SEC.____. The total amount of appropriations made available by this Act is hereby reduced by $119,000,000.

H.R. 5856

OFFERED BY: MS. WOOLSEY

AMENDMENT NO. 12: At the end of the bill (before the short title), insert the following:

SEC.____. The total amount of appropriations made available by this Act is hereby reduced by $1,700,000,000.

H.R. 5856

OFFERED BY: MS. WOOLSEY

AMENDMENT NO. 13: At the end of the bill (before the short title), insert the following:

SEC.____. The total amount of appropriations made available by this Act is hereby reduced by $181,000,000.

H.R. 5856

OFFERED BY: MR. QUIGLEY

AMENDMENT NO. 14: Page 24, line 14, after the dollar amount, insert ''(reduced by $988,000,000)''.

Page 25, line 1, after the dollar amount, insert ''(reduced by $988,000,000)''.

Page 153, line 15, after the dollar amount, insert ''(increased by $988,000,000)''.

H.R. 5856

OFFERED BY: MR. GALLEGLY

AMENDMENT NO. 15: Page 8, line 24, after the dollar amount, insert ''(reduced by $24,000,000)''.

Page 13, line 9, after the dollar amount, insert ''(increased by $8,000,000)''.

Page 27, line 7, after the dollar amount, insert ''(increased by $16,000,000)''.

H.R. 5856

OFFERED BY: MR. JONES

AMENDMENT NO. 16: Page 121, line 12, after the dollar amount, insert ''(increased by $98,697,000)''.

Page 121, line 19, after the dollar amount, insert ''(increased by $9,373,000)''.

Page 122, line 3, after the dollar amount, insert ''(increased by $17,482,000)''.

Page 122, line 10, after the dollar amount, insert ''(increased by $13,857,000)''.

Page 122, line 17, after the dollar amount, insert ''(increased by $1,690,000)''.

Page 122, line 24, after the dollar amount, insert ''(increased by $424,000)''.

Page 123, line 6, after the dollar amount, insert ''(increased by $266,000)''.

Page 123, line 13, after the dollar amount, insert ''(increased by $273,000)''.

Page 123, line 20, after the dollar amount, insert ''(increased by $6,287,000)''.

Page 124, line 3, after the dollar amount, insert ''(increased by $113,000)''.

Page 132, line 23, after the dollar amount, insert ''(reduced by $412,287,000)''.

H.R. 5856

OFFERED BY: MR. JONES

AMENDMENT NO. 17: At the end of the bill (before the short title), add the following:

SEC. ____. (a) None of the funds appropriated or otherwise made available in this or any other Act may be used to negotiate, enter into, or implement any agreement with the Government of the Islamic Republic of Afghanistan that includes security assurances for mutual defense, unless the agreement—

(1) is in the form of a treaty requiring the advice and consent of the Senate (or is intended to take that form in the case of an agreement under negotiation); or

(2) is specifically authorized by a law enacted after the date of enactment of this Act.

(c) For purposes of this section, an agreement shall be considered to include security assurances for mutual defense if it includes provisions addressing any of the following:

(1) A binding commitment to deploy United States Armed Forces in defense of the Islamic Republic of Afghanistan, or of any government or faction in Afghanistan, against any foreign or domestic threat.

(2) The number of United States Armed Forces personnel to be deployed to, or stationed in, Afghanistan.

(3) The mission of United States Armed Forces deployed to Afghanistan.

(4) The duration of the presence of United States Armed Forces in Afghanistan.

H.R. 5856

OFFERED BY: MR. COFFMAN OF COLORADO

AMENDMENT NO. 18: At the end of the bill (before the short title) insert the following:

SEC. ____. None of the funds appropriated in this Act shall be available to continue the deployment, beyond fiscal year 2013, of the 170th Infantry Brigade in Baumholder and the 172nd Infantry Brigade in Grafenwöhr, except pursuant to Article 5 of the North Atlantic Treaty, signed at Washington, District of Columbia, on April 4, 1949, and entered into force on August 24, 1949 (63 Stat. 2241; TIAS 1964).

H.R. 5856

OFFERED BY: MR. ALTMIRE

AMENDMENT NO. 19: Page 127, line 5, after the dollar amount insert the following: ''(increased by $5,500,000)''.

Page 128, line 11, after the dollar amount insert the following: ''(increased by $10,000,000)''.

Page 129, line 4, after the dollar amount insert the following: ''(reduced by $18,500,000)''.

H.R. 5856

OFFERED BY: MR. CICILLINE

AMENDMENT NO. 20: Page 130, line 14, after the dollar amount, insert ''(reduced by $375,000,000)''.

Page 153, line 15, after the dollar amount, insert ''(increased by $375,000,000)''.

H.R. 5856

OFFERED BY: MR. MCKINLEY

AMENDMENT NO. 21: Page 9, line 6, after the dollar amount, insert ''(reduced by $5,000,000)''.

Page 32, line 18, after the dollar amount, insert ''(increased by $5,000,000)''.

H.R. 5856

OFFERED BY: MR. MULVANEY

AMENDMENT NO. 22: Page 2, line 22, after the dollar amount, insert ''(increased by $4,359,624,000)''.

Page 3, line 20, after the dollar amount, insert ''(increased by $1,197,682,000)''.

Page 121, line 12, after the dollar amount, insert ''(reduced by $4,359,624,000)''.

Page 122, line 3, after the dollar amount, insert ''(reduced by $1,197,682,000)''.

H.R. 5856

OFFERED BY: MR. WALZ OF MINNESOTA

AMENDMENT NO. 23: Page 9, line 6, after the dollar amount insert the following: ''(reduced by $5,000,000)''.

Page 35, line 15, after the dollar amount insert the following: ''(increased by $5,00,000)''.

Page 35, line 23, after the dollar amount insert the following: ''(increased by $5,000,000)''.

H.R. 5856

OFFERED BY: MS. CASTOR OF FLORIDA

AMENDMENT NO. 24: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used by the Secretary of Defense to prohibit the distribution of information regarding the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) or the Children's Health Insurance Program under title XXI of such Act (42 U.S.C. 1397aa et seq.) to members of the Armed Forces, former members of the Armed Forces, or covered beneficiaries (as defined in section 1072(5) of title 10, United States Code).

H.R. 5856

OFFERED BY: MR. HANNA

AMENDMENT NO. 25: Page 9, line 6, after the dollar amount, insert ''(reduced by $30,000,000)''.

Page 32, line 6, after the dollar amount, insert ''(increased by $30,000,000)''.

H.R. 5856

OFFERED BY: MR. LOBIONDO

AMENDMENT NO. 26: At the end of the bill (before the short title), insert the following new section:

SEC. _____. None of the funds made available by this Act may be used to operate an unmanned aircraft system except in accordance with the Fourth Amendment of the Constitution.

H.R. 5856

OFFERED BY: MR. SESSIONS

AMENDMENT NO. 27: Page 9, line 6, after the dollar amount, insert ''(reduced by $10,000,000)''.

Page 35, line 15, after the dollar amount, insert ''(increased by $10,000,000)''.

Page 35, line 23, after the dollar amount, insert ''(increased by $10,000,000)''.

H.R. 5856

OFFERED BY: MR. WITTMAN

AMENDMENT NO. 28: At the end of the bill (before the short title), add the following new section:

SEC. ____. None of the funds made available by this Act may be used to propose, plan for, or execute an additional Base Realignment and Closure (BRAC) round.

H.R. 5856

OFFERED BY: MS. WOOLSEY

AMENDMENT NO. 29: At the end of the bill (before the short title), insert the following:

SEC. ____. The total amount of appropriations made available by this Act is hereby reduced by $20,000,000.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, SECOND SESSION

Vol. 158 WASHINGTON, WEDNESDAY, JULY 18, 2012 No. 108

Senate

The Senate met at 9:30 a.m., and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

PRAYER

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

Let us pray.

O Lord our God, we turn to You for strength and courage and faith. We thank You for Your promise to supply all our needs from Your bountiful reservoir of grace.

Today, empower our lawmakers to find new opportunities for service. Lord, infuse them with such hope and purpose that their labors will bring a harvest of goodness and justice that will reign in our land and world. May our Senators yield their attitudes and dispositions to Your control so that they might work effectively with each other.

We pray in Your gracious Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN E. GILLIBRAND led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 18, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Mrs. GILLIBRAND thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

BRING JOBS HOME ACT—MOTION TO PROCEED

Mr. REID. Madam President, I move to proceed to Calendar No. 442.

The ACTING PRESIDENT pro tempore. The clerk will report.

The assistant legislative clerk read as follows:

Motion to proceed to S. 3364, a bill to provide an incentive for businesses to bring jobs back to America.

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

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

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Madam 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.

SCHEDULE

Mr. REID. Madam President, the schedule here this morning is that the first hour will be equally divided and controlled between the two leaders or their designees, the majority controlling the first half and the Republicans the final half.

Yesterday cloture was filed on the motion to proceed to the Bring Jobs Home Act. Unless an agreement is reached, this vote will occur tomorrow morning.

MEASURE PLACED ON THE CALENDAR—S. 3393

Mr. REID. Madam President, I am told S. 3393 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 3393) to amend the Internal Revenue Code of 1986 to provide tax relief to middle-class families.

Mr. REID. Madam President, I object to any further proceedings on this bill at this time.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar under the provisions of rule XIV.

TAXPAYER SUBSIDIZATION

Mr. REID. Madam President, if you want to do business in America today, your goal should be to make a profit. There is nothing wrong with that. That is good. Millions of hard-working American entrepreneurs are the backbone of our economy. And if your company boosts profits by sending jobs overseas, that is your right as a business owner. But American taxpayers shouldn't subsidize your business decision to outsource jobs, especially when there are millions of people in this country looking for work.

Over the last 10 years, about 2½ million jobs in call centers, sales centers, financial firms, and factories were shipped overseas, and American taxpayers helped foot the bill for sending those jobs overseas. Every time U.S. companies ship jobs or facilities overseas, American taxpayers help cover the moving costs. The Bring Jobs Home Act will end these disgraceful subsidies for outsourcing and would give a 20-percent tax break to cover the cost of moving those jobs back to the United States.

But Republicans are filibustering this commonsense legislation. It is no surprise Republicans are on the side of corporations—corporations making big

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

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bucks—sending American jobs to China, India, and other places. After all, their Presidential nominee, Mitt Romney, made a fortune in outsourcing jobs also. So Republicans are once again putting tax breaks for big corporations and multimillionaires ahead of the needs of ordinary Americans.

What most Americans need is a good job—a job here at home—and the assurance their taxes won't go up on January 1. Democrats, Republicans, and Independents across the country agree with our plan. It is only Republicans in Congress who disagree. Yet Republicans here in the Senate are filibustering legislation to bring jobs back to America. They have twice blocked a vote on legislation to keep taxes low for 98 percent of American families.

It was Republicans who asked for a vote on the plan to raise taxes for 25 million families and a vote on our plan to keep taxes low for 135 million American taxpayers. So we offered them what they wanted. We offered them up-or-down votes on both proposals—no procedural hoops, no delay tactics, just a simple majority vote on our plan and theirs. And they refused.

Maybe Republicans refused our offer because they don't have the votes for their plan to raise taxes on 25 million Americans or maybe they have refused it because the majority of Americans support our plan to keep taxes low for 98 percent of families, while asking only the top 2 percent to contribute a little bit more to reduce the deficit. Everyone across America—the majority of Republicans—supports our plan. Yet, still, Republicans here in the Senate are holding hostage tax cuts for nearly every American family to extort more budget-busting giveaways to millionaires and billionaires.

For a year, the budget deficit was all Republicans wanted to talk about. They were willing to end Medicare as we know it, slash funding for nursing homes for seniors, investments in education, and raise taxes on the middle class all in the name of deficit reduction. But now that Democrats have a plan to reduce the deficit by almost $1 trillion simply by ending wasteful tax breaks, Republicans have given up fiscal responsibility.

So I say this to my Republican friends: You can't have it both ways. You can't call yourself a deficit hawk and fight for more tax breaks for millionaires and billionaires while the deficit increases. You can't call yourself a fiscal conservative and fight to protect tax breaks for companies that outsource jobs to India and China.

RECOGNITION OF THE MINORITY LEADER

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

SENATE PROCEDURE

Mr. MCCONNELL. Madam President, I indicated to the majority leader before the Senate convened today that I wanted to have a discussion, the two of us, on several items.

No. 1, I understand my friend the majority leader, last night on MSNBC, said it was his intention at the beginning of the next Congress, if Democrats were in the majority, to change the rules of the Senate by a simple majority. So I want to begin by asking my friend the majority leader if his comments at the beginning of this Congress, on January 27, 2011, are no longer operative. At that time, my friend the majority leader said:

> I agree that the proper way to change Senate rules is through the procedures established in those rules, and I will oppose any effort in this Congress or the next to change the Senate's rules other than through the regular order.

So my first question to my friend the majority leader is: Is that statement no longer operative?

Mr. REID. Madam President, through the Chair, I would answer my friend the Republican leader, as I have said here on the floor. I believe what took place at the beginning of this Congress was something that was very important for this body. It was led by Senator UDALL of New Mexico and Senator MERKLEY of Oregon. They had been here a little while and they thought the Senate was dysfunctional. Well, they hadn't been here a long time, and I was still willing to go along at that time with the traditional view of let's not rock the boat here. But that was with the hope, and I thought the assurance of my Republican colleagues, that we would not have these continual, nonsensical motions to proceed filibustered, taking a week to get through that before finally moving to a piece of legislation.

So I said here in the Senate a few months ago that I was wrong. It is hard to acknowledge you are wrong. It is difficult for any of us to do, especially in front of so many people. But I said I think they were right and I was wrong, and I stick by that. I think what has happened the last few years of changing the basic rules of the Senate where we require not 50 votes to pass something but 60 votes on everything is wrong. I think we waste weeks and weeks on motions to proceed.

I had a conversation with a real traditionalist last evening—CARL LEVIN, the Senator from Michigan—where we talked about this at some length. He acknowledges the motion to proceed is a real problem here but he disagrees with me. Others can talk to him personally, but that is the way I understood him. But I am convinced something must change, unless there is an agreement to change how we focus on the motion to proceed.

I will try to end this quickly, but I think the leader deserves a full explanation. The filibuster was originally devised—it is not in the Constitution—to help legislation get passed. That is the reason they changed the rules here to do that. Now it is being used to stop legislation from passing, and so we have to change things because this place is becoming inoperable.

Mr. MCCONNELL. I gather then my friend the majority leader's commitment at the beginning of the Congress, that we would follow the regular order to change the rules of the Senate, is no longer operative. So let me turn to a second area of discussion.

The principal advantage of being in the majority is you get to schedule legislation. And of course there are a number of things that can be done with a simple majority of 51. So I would ask my friend the majority leader why it is his view Republicans have somehow prevented the Senate from passing a budget, which could have been done with a mere 51 votes anytime during the last 3 years?

Mr. REID. Madam President, that is an easy question to answer. We already have a budget. We passed, in August of last year, a budget that took effect for the last fiscal year and this fiscal year. It set numbers—302(b) numbers, in effect. There was no need for a budget this year. We already had one.

So the hue and cry of my Republicans friends that we need to have a budget is just a lot of talk. We already have a budget.

Mr. MCCONNELL. Madam President, I would say to my friend the majority leader, he knows the Parliamentarian disagrees with his view that we already have a budget. But let us assume for the sake of discussion we do have a budget. Then I would ask my friend the majority leader why we haven't passed a single appropriations bill?

Mr. REID. That also is an easy question to answer. The Republicans in the House—and this is a bicameral legislature—have reneged on the law that was passed last August where it set numbers. Their appropriations bills have artificially lowered the numbers and violated the law, in effect, here in this Congress. As a result, Senator INOUYE has marked up his bill—subcommittee bills.

But I would also say the House is not serious about what they do. Energy and Water used to be one of the most important subcommittees—the most popular, I should say, in addition to being important—in this body. I was fortunate to serve on that subcommittee for more than a quarter of a century under great leaders—Domenici, Bennett, Johnson, and the committee chairs switched back and forth. But the House sent over here an Energy and Water Subcommittee appropriations bill that has more than 30 riders directed toward EPA-type functions alone. I mean, they are not serious about doing legislation. They are serious about satisfying their tea party and the ridiculous messages they are trying to send.

I would also say one of the other problems we have is we have to fight to get to anything—any legislation. We have to fight to get that done. As you know, we have wasted—I said weeks earlier—months trying to get legislation on the floor. So appropriations bills, I want to get these done. I am an appropriator. But it has been unrealistic with the actions of the House.

Mr. MCCONNELL. Madam President, what we just heard is that it is not the

Senate's fault, it is the House's fault that the Senate won't schedule appropriations bills that have been marked up in the Senate appropriations committees.

My concern here is that nobody is taking responsibility for the Senate itself. We are not responsible for what the House is doing. And typically these differences in what we call 302(b)s; that is, what each subcommittee is going to spend, are worked out in conference. We can't have a conference on any of the bills because we haven't passed any of the bills across the Senate floor.

So the majority leader doesn't want to do a budget. He doesn't want to schedule votes on appropriations bills. Then I would ask my friend, why don't we do the DOD authorization bill?

Mr. REID. The answer is pretty simple there too: We have spent the last many weeks working through procedural matters on bills the Republicans have held up.

We are now in a cloture situation. I spoke to Senator LEVIN last night about that. He is the chairman of that committee. I have spoken to JOHN MCCAIN several times on this matter. I know how important they feel this legislation is, and I think it is important also. But we can only do what we have to do.

One of the things I have an obligation for our country to get to is cybersecurity. I was asked to visit with General Petraeus. I did that a day or two ago. And we don't have to have a briefing by General Petraeus to understand how important it is to do something about cybersecurity. There are people out there making threats on this country every day, and we have been fortunate in being able to stop a number of them. So we are going to have to get to cybersecurity before we get to the Defense authorization bill because on the relative merits of the two, cybersecurity is more important. They are both important, but I believe that one is more important than the other.

Mr. MCCONNELL. Madam President, it is pretty obvious that the reason the Senate is so inactive is because the majority leader doesn't want to take up any serious bills that are important to the future of the country. He mentioned cybersecurity. Why isn't it on the floor? Defense authorization: Why isn't it on the floor? Appropriations bills: Why don't we call them up? These are not partisan bills. They are widely supported. They are the basic work of government, including the budget. And I understand his view is that the Parliamentarian is wrong and that we really did pass a budget. But the budget could be done with a simple majority. The appropriations bills are not partisan in nature. If there are differences in the 302(b)s, they could be worked out in conference, which is the way we did it for years.

We have followed the regular order occasionally, and when we have Senators have been involved, they were relevant in the process. I will give five examples. The Export-Import Bank reauthorization, trade adjustment assistance patent reform, FAA reauthorization, the highway bill, and the farm bill are all examples of when Senators were made relevant by the fact that we took up bills that actually came out of committees, that were worked on by Members of both parties, that were brought up on the floor, amendments were offered, and in the end bills passed.

The core problem here is that my good friend the majority leader as a practical matter is running the whole Senate because everything is centralized in his office, which diminishes the opportunity for Senators of both parties to represent their constituents.

Look, we all were sent here by different Americans who expected us to have a voice, to have an opportunity to effect legislation.

I would say to my good friend the majority leader, we don't have a rules problem, we have an attitude problem. When is the Senate going to get back to normal?

I can recall my friends on the other side saying repeatedly that the difference between the House and Senate is you get to vote; it is not a top-down organization the way the House is, it is really kind of a level playing field in which the majority leader has a little more advantage than any of the rest of us and the right of first recognition, but really, once a bill is called up, it is a jump ball.

What my friend the majority leader is saying is that it is inconvenient, it is hard to work with all these Senators who have different points of view and want to do different things. Well, heck, that is the way legislation is passed. It is not supposed to be easy, and Senators are supposed to have an opportunity to participate.

I would argue that in the examples I just cited where Senators did participate—both in the committee and on the floor—the Senate functioned the way it used to. And all this talk about rules change is just an effort to try to find somebody else to blame for the fact that the Senate has been ruled essentially dysfunctional by 62 efforts by my good friend the majority leader to fill up the tree—in effect, deny Senators, both Democrats and Republicans, the opportunity to offer any amendments he doesn't select. That is the reason we are having this problem. So it doesn't require a rules change, it requires an attitude change. And I sense on both sides of the aisle—this is not just a Republican complaint, I would say to my friend the majority leader. I have talked to a lot of Democrats about this too. They would like to be relevant again, and the way Senators are relevant is for their committee work to be respected and to be important and to become a part of the bill coming out of committee or, if it didn't, an opportunity to offer an amendment to effect it on the floor.

Sure, we don't have rules of germaneness. We generally are able to work that out. When we were in the majority, we got nongermane amendments from the Democratic side, and I used to tell my Members that the price of being in the majority is you have to cast votes you don't want to cast because that is the way you get a bill across the floor and get it to completion.

So I would say to my good friend the majority leader, quit blaming everybody else. It is not the House; it is not the Senate; it is not the motion to proceed. Why don't we operate the way we used to under leaders of both parties and understand that amendments we don't like are just part of the process because everybody here doesn't agree on everything? That would be my thought about how to move the Senate forward.

But at the beginning of this discussion, the majority leader made it clear that what he said at the beginning of the Congress is no longer operative. It is now his view that the Senate ought to operate like the House—it ought to operate like the House, with a simple majority. I think that is a mistake. I think that would be a mistake if I were the majority leader and he were the minority leader, which could be the case by the end of the year. And now I will probably have to argue to many of my Members why we shouldn't do what the majority leader was just recommending about 6 months before.

Let's assume we have a new President and I am the majority leader next time and we are operating at 51. I wonder how comforting that is to my friends on the other side. How does it make you feel about the security of ObamaCare, for example? I think that is worth thinking about.

The Senate has functioned for quite a number of decades without a simple majority threshold for everything we do. It has a good effect because it brings people together. To do anything in the Senate, you have to have some bipartisan buy-in.

My colleagues, do we really want the Senate to become the House? Is that really in the best interests of our country? Do we want a simple majority of 51 to ramrod the minority on every issue? I think it is worth thinking about over the next few months as the American people decide who is going to be in the majority in the Senate and who is going to be the President of the United States.

Mr. REID. Madam President, the Republican leader has asked a few questions, so I will proceed to answer.

I can remember reading with great interest George Orwell's ''1984'' book where, as you know, it came out that up was down and down was up. The Republican leader is living in a fantasy world if he believes what he said, and I assume he does. That is why two scholars, Mann and Ornstein, a couple months ago wrote a book. They have been watching Washington for three or four decades, and they said they have over the years been like a lot of people

who are writers—Democrats did this, Republicans did this—but their conclusion was that what has happened in recent years is the Republicans have stopped this body from working by all of their shenanigans on these motions to proceed, creating 60 votes where it never existed before.

Robert Caro, who is writing the definitive work on Lyndon Johnson, one of my predecessors, said that I had a very difficult job based on how the Senate has changed with what the Republicans are doing.

Now, we have tried mightily. We have gotten a few things done. Whenever there is a decision made that they want to help a bill get passed, we get it done—for example, the highway bill. That bill took so long to get done. We had one major piece of legislation that we waited 4 weeks before they could get it out of their system that instead of doing highways, we should be doing birth control, determining what birth control women should be entitled to. All of these extraneous issues—important legislation held up. One of the Republicans over here decides they are a better Secretary of State than Hillary Clinton, holding up major pieces of legislation.

So I can take the criticism the Republican leader has issued. I assume it is constructive criticism, and I accept that. But I would just suggest to my friend that if a Democratic Senator—as the Presiding Officer knows—has a problem about anything going on around here, they talk to me. I don't think there is any reason for them to talk to the Republican leader. But if they do that, more power to them.

There have been volumes of pieces of legislation that have been brought to a standstill here. Why do we now have a rule that every basic piece of legislation has 60 votes?

I had a meeting with Senator FEINSTEIN, Senator TESTER, and Senator LAUTENBERG. In the course of the conversation, Senator FEINSTEIN looked back and said: You know, I had really a controversial amendment dealing with what should happen to assault weapons. That passed on a simple majority vote. No one suggested filibustering that thing to death. That is new. That is new—legislation being used as an excuse to stop things.

Now, I want the record to be very clear—and I have made it all very clear in all of my public statements—about the need to get rid of the motion to proceed. I am not for getting rid of the filibuster rule. It is ''1984'' to suggest that I think the House and the Senate should be the same. But I do believe that when the filibuster came into being, it was to help get legislation passed. I repeat: It is now to stop legislation from passing. That is not appropriate.

So I am convinced that the best thing to do with filibusters is to have filibusters. I have been involved in a couple of them, and I am sure I irritated people on both of them, but I did that. One of them didn't last too long, but the first one lasted 11 or 12 hours. That is what filibusters are supposed to be, not throwing monkey wrenches into decisions we are trying to make and then walking off the floor.

The rules have to be changed. I acknowledge that, and I don't apologize for it for 1 second.

As far as how I attempt to run the Senate, I do the best I can under very difficult circumstances, as indicated by the two writers Mann and Ornstein.

Mr. MCCONNELL. Madam President, most people think a filibuster is a lot of talking to stop the bill from passing. In fact, cloture is to end debate. And what we have had here on at least 62 occasions while the majority leader was running the Senate are examples of times when Senators were not allowed to talk, not allowed to offer amendments, and not allowed to participate in the process. Cloture is frequently used in order to advance a measure, but, as you can imagine, when Senators have no opportunity to have any input, it tends to create the opposite reaction.

But what is all of this really about? It is about making an excuse for a completely unproductive Senate, much of which could have been done with simple 51 votes, passing a budget, and not even bringing up bills that we all want to act on—all the appropriations bills, the Defense authorization bill. And on the rare occasions when the majority leader has turned to a measure that Senators have been involved in developing, we have come to the floor, we have had amendments, we have had votes, and the bills have passed. That is the way the Senate used to operate.

So this isn't a rules problem, this is a making-excuse argument to try to blame somebody else for the lack of productivity of a Senate that I sense on a bipartisan basis would like to be a lot more productive, which would involve the use of Senators' talents, speaking ability, voting, and debating on the floor of the Senate.

Since when did that go out of fashion?

Yes, we have a big difference of opinion about the way this place is being run. It is not a rules problem; it is an attitude problem. It is a looking for somebody else to blame game.

I say to my friend the majority leader, I think what we need to do is get busy with the serious business confronting the American people. Where is the Defense authorization bill? Where are the appropriations bills? Don't blame it on the House. Don't blame it on Senate Republicans. We want to go to these bills. Our Members have been involved in developing this legislation. In the Armed Services Committee, in the Appropriations subcommittees, Senate Republicans are involved in developing that legislation. We would like to see it brought up on the floor, debated, and considered.

What is more important than funding the government? What is more important than the Defense authorization bill? Why isn't it on the floor? That is my question to the majority leader.

We can have the rules debate later, and apparently we will, but why aren't we doing anything now is my question for my friend the majority leader.

Mr. REID. Madam President, I think this best can be answered in my not responding directly but quoting. This is from an op-ed that appeared around the country by Thomas E. Mann and Norman J. Ornstein. ''Let's just say it,'' is the headline, ''The Republicans are the problem.''

I am quoting:

> Rep. Allen West, a Florida Republican, was recently captured on video asserting that there are ''78 to 81'' Democrats in Congress who are members of the Communist Party. Of course, it's not unusual for some renegade lawmaker from either side of the aisle to say something outrageous. What made West's comment—right out of the McCarthyite playbook of the 1950s—so striking was the almost complete lack of condemnation from Republican congressional leaders or other major party figures, including the remaining presidential candidates.
>
> It's not that the GOP leadership agrees with West; it is that such extreme remarks and views are now taken for granted.

Understand, Ornstein works for the American Enterprise Institute, a conservative think tank. They go on to say:

> The GOP has become an insurgent outlier in American politics. It is ideologically extreme; scornful of compromise; unmoved by conventional understanding of facts, evidence and science; and dismissive of the legitimacy of its political opposition.

I am a legislator. I have been doing it for 30 years here and for quite a few years in Nevada prior to getting here. I have enjoyed being a legislator. These last few years, because of what we hear from Ornstein and Mann, has made it very unpleasant. For the Republican leader, with a straight face, to come and say: Why aren't we doing the Defense authorization bill? Why aren't we doing appropriations bills, everyone knows why we are not doing them. They have not let us get to virtually anything. To be dismissive of me because I say the Republican leadership in the House has been dismissive of the law we have guiding this country, I think says it all. I recognize we are a bicameral legislature. We have our own things to do. But we have to take this as a whole and look at the record—major pieces of legislation we cannot get to.

For example, we cannot get to something dealing with outsourcing of jobs. We are here filibustering a motion to proceed to that—a motion to proceed to it, not the substance of the legislation, a motion to proceed to it.

The record speaks for itself. The record speaks for itself:

> We have been studying Washington politics and Congress for more than 40 years, and never have we seen them this dysfunctional. In our past writings, we have criticized both parties when we believed it was warranted. Today, however, we have no choice but to acknowledge that the core of the problem lies with the Republican Party.

The GOP—

The Grand Old Party, the Republican Party—

has become an insurgent outlier in American politics. It is ideologically extreme; scornful of compromise; unmoved by conventional understanding of facts, evidence and science; and dismissive of the legitimacy of its political opposition.

Mr. MCCONNELL. The reason I am having a hard time restraining my laugher, I actually know Norm Ornstein and Tom Mann. They are ultra ultraliberals. Norm Ornstein is the house liberal over at the American Enterprise Institute. Their problem with the Senate is the Democrats don't have 60 votes anymore. Their problem is the Republicans control the House. Their views about dysfunctionality of the Senate carry no weight, certainly with me. I know they have an ideological agenda, always have, and usually admit it—although it is cloaked in this particular instance.

But I think the best way to wrap it up is nobody else is keeping the majority leader from calling up the appropriations bills, from calling up the Defense authorization bill, from calling up a budget. That is his responsibility. He has a unique role in this institution. He has the opportunity to set the agenda, and just because all 100 Senators do not immediately fall into line—and it may be a little bit difficult to go forward—is no excuse for not doing the important and basic work the American people sent us to do. It is time to bring up serious legislation that affects the future of the country that the American people expect us to act on and not expect 100 Senators to all agree on every piece of legislation from the outset.

Passing bills is inevitably difficult but not impossible. That has been demonstrated on at least five occasions when the majority leader allowed the committees to function, allowed the Senate floor to function, allowed Members to have amendments, and we got a result.

Mr. REID. Madam President, in one committee, the Energy and Water Committee led by Senator BINGAMAN—that committee alone has had hundreds of pieces of legislation held up. It can't get out of the committee. I am sorry it is an unusual thing to have Ornstein and Mann referred to as liberals, but whatever they are, working for the conservative American Enterprise Institute, one of them at least—it is very clear they view this body as being in deep trouble because of the Republicans being dysfunctional themselves.

I think it is very clear we have a situation—I understand there is a Presidential election going on. I clearly understand that. I know there are efforts to protect their nominee. We do what we can to protect the President of the United States. But that should not prevent us from legislating.

For my friend, who has been on the Appropriations Committee as long as I have, to talk about why aren't we doing appropriations bills—it is obvious. We have 12 or 13 appropriations bills. We have simply not been able to get to the appropriations bills——

Mr. MCCONNELL. Have you tried calling up any of them?

Mr. REID. Mr. President, I don't think it calls for my being interrupted. I have listened patiently to all his name calling and I do not intend to do that. But I do say this. I have tried to call up lots of things—lots of things, by consent or by filing motions, and virtually everything has been held up. The bills he is talking about, to stand here and boast about passing five pieces of legislation in an entire Congress is not anything any of us should be happy about. We should not be happy about that at all. We should be passing scores of pieces of legislation, as we did in the last Congress.

But, no, the decision was made at the beginning of this Congress—it may not be a direct quote but substantively accurate—my friend the Republican leader said his No. 1 goal is to stop Obama from being reelected, and that is what this legislation we have tried to get forward has had, the barrel we tried to get around continually. We are going to go ahead. We will have cloture tomorrow on another one of our scores of times we have tried to break cloture this Congress and move on to something else. We have had 13 cloture votes on motions to proceed in the second session of the Congress alone—13. Others just went away because we run out of time to do those kinds of things.

As indicated by the Republican leader, we passed five things. That is about one-third of the motions I have had to file to invoke cloture on motions to proceed, not on basic legislation.

Mr. MCCONNELL. Just one final point on that. The reason it has been difficult to get on bills is we cannot have an agreement with the majority leader to let us have amendments once we do get on the bill. So the reaction on this side is, if the majority leader is not going to let us have amendments, if the only result of invoking cloture on a motion to proceed is that he fills the tree and doesn't allow us to offer any amendments, why would we want to do that? All this is much more easily avoided than you think.

The majority leader is basically trying to convince the American people it is somebody else's fault that the Senate is not doing the basic work of government. Regardless of the blame game, the results are apparent: no budget, no appropriations bills, no Defense authorization. We are not doing the basic work of government and that ought to stop. It is within the purview of the majority leader to determine what bill we try to turn to, and just because it may be occasionally difficult to get to a bill, particularly when the majority leader will not say we can have amendments, is no good excuse for not trying. We spend days sitting around when we could be processing amendments and working on bills. All we would need is an indication from the majority leader that these bills are going to be open for amendment. We tried that a few times and it worked quite well. It is amazing how the Senate can function when Members are allowed to participate, offer amendments, get votes, and move forward. I recommend we try that more often.

Mr. REID. Madam President, we are where we are. I think it is very clear from outside sources—take, for example, I repeat what Caro said, writing the definitive work of Lyndon Johnson, about the difficult job I have had because of the way the Senate has changed because of what has taken place in the last couple years. We have had bills we have been able to work things out with, with Republicans. That is pleasant, and I am glad we have been able to do that. Most of the time we cannot do that. We have, for example, one Republican Senator, when we are in tense negotiations with Pakistan on a lot of very sensitive issues, who wants to do something that is outside the scope of rational thinking, which holds up legislation. We have had—we have tried very hard all different ways to move legislation in this body. For the first time in the history of the country, the No. 1 issue in the Senate of the United States has been a procedural matter: How do we get on a bill? A motion to proceed to something—that has taken over the Senate and it needs to go away. We should not have to do that anymore.

Mr. MCCONNELL. Madam President, the final thing I would say is just last week the chairman of the Appropriations Committee, Senator INOUYE, said his committee has been working hard to have the bills ready to go. To date, the panel has cleared 9 of 12 annual bills. Senator INOUYE is quoted, on July 10, just last week, ''After putting us all to work like this I expect some of these bills to pass.''

I recommend that my good friend the majority leader heed the advice of the chairman of the Appropriations Committee of his party, let's pass some appropriations bills.

Mr. REID. I do not have a better friend in this body than the chairman of the Appropriations Committee. I have been one of his big fans. He has been one of my big fans. He, of course, is a national hero, a Medal of Honor winner, and great chairman of the Appropriations Committee. We work hand in glove. Everything I have said about the appropriations process will be underscored, will be and has been, by Senator INOUYE. He supports what we are unable to do. He realizes that. He realizes his counterpart in the House has fumbled with the numbers and it makes it extremely difficult to get things done. We understand that.

But the main problem is we cannot get legislation on the floor because the No. 1 issue we have talked about in the Senate this entire Congress is how to get on a bill, and that is why the motion to proceed must go away.

Mr. MCCONNELL. A good example of the problem is the bill we are on right now. The Stabenow bill bypassed the committee entirely. It was introduced a week ago and placed on the calendar. This is not the way legislation is normally done. It is crafted in somebody's office. Rule XIV is brought up by the majority leader. I expect it has something to do with the campaign. We spent a week on it when we could have done the DOD authorization bill. Chairman INOUYE says: Where are the appropriations bills?

That is my point.

What are we doing here? Is the Senate a messaging machine or are we doing the basic work of government? We are not doing the basic work of government, but we can change. There are a vast majority of Senators of both parties who would like to become relevant, who would like to participate in the legislative process, and who would like to do the basic work of governing.

Mr. REID. Madam President, one of the most important issues facing America today is jobs being shipped overseas. Whether it is Olympic uniforms being made in China when they could be made by Hickey Freeman in New York and made here in America, outsourcing is an important piece of America that we now have to deal with. And, of course, we have the additional problem that Governor Romney has made a fortune shipping jobs overseas.

The American people care about this issue. We can sit here and point fingers and say: Boy, that is terrible. We are now going to have to deal with outsourcing. We should deal with outsourcing. We should have done it before, but we have had a problem getting legislation on the Senate floor. So I don't apologize to anyone for having the debate on outsourcing. Senator STABENOW has done a wonderful job on that. We couldn't have a better Senator to deal with outsourcing than her. Because of what we did in the stimulus bill, the American Recovery Act directed jobs back to Michigan, Detroit, and other places. With what we did with batteries, billions of dollars were saved. Instead of importing batteries, we are making most of them in America.

Governor Romney wanted to just let General Motors and Chrysler go bankrupt. We didn't do that, and as a result, that created almost 200,000 jobs in the automobile industry alone. Outsourcing is important, and it is a debate we are going to have.

Let me remind the Republican leader it wasn't Democrats who threatened to shut down government last year and took most all the time we had. First, it was the debt ceiling, and then after we got through the debt ceiling, then they weren't going to allow us to do anything for getting funding to take us through the end of the fiscal year.

It was the Republican Party last year that threatened to default the debt we have as a country. Now they are holding up tax cuts for 98 percent of the American people in an effort to satisfy this mysterious man I have never met, but he must be a dandy. He has gotten every Republican, with rare exception, to sign a pledge that they are not going to deal with the 98 percent because they have to protect the 2 percent.

We are here dealing with outsourcing because that is what we should be doing.

RESERVATION OF LEADERSHIP TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved. Under the previous order, the following hour will be equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half.

WIND PRODUCTION TAX CREDIT

Mr. UDALL of Colorado. Madam President, I am here on the Senate floor urging my colleagues in both parties to extend the production tax credit for wind as soon as possible. I listened with great interest to the discussion the majority leader and the Republican leader just had, and as the majority leader just said, to focus—as it should be—on jobs and the economy. This is a way in which we can enhance job creation and make sure our economy continues to grow; that is, by extending the production tax credit.

This tax credit is also critical to the maintenance of our economic leadership when it comes to clean energy technologies. Every day I have come to the floor of the Senate to talk about a different State and the efforts that are underway in those States. I look forward to talking about the Presiding Officer's State at some point in the future. Today I want to talk about the Buckeye State, Ohio.

Many families and businesses in Colorado and across our country are still struggling in this economic downturn even though we have seen some signs of improvement. This is especially true in Ohio. Over the last couple of decades, Ohio has been plagued by outsourcing and layoffs, which is one of the things we want to prevent by way of Senator STABENOW's bill. Those layoffs and outsourcing have cost Ohioans thousands of jobs. It looked as though we literally devastated the manufacturing base of one of the world's best manufacturing bases in the State of Ohio. But in recent years the wind industry has helped turn that around.

We can see on the map of Ohio that these green circles show all of the activity tied to the wind industry in Ohio. That renewal, if you will, is tied to Ohio's long history as a manufacturing powerhouse. There are dozens of manufacturing facilities that have retooled to build wind turbines across Ohio, while in the process employing thousands of hard-working middle-class Americans. We can see that those manufacturing skills easily transfer to the wind industry. PTC has been key to this and has created those incentives that allowed the manufacturing history of Ohio to take center stage.

I wanted to specifically talk about what is happening in Ohio. When we think about the wind industry, it is not just the building of the towers, the blades, and the cells, but there are maintenance needs. They have support sectors and a supply chain that results in the manufacturing of some 8,000 parts.

In Ohio, 6,000 jobs are tied to the wind energy industry, and that is 50 different companies that have created those jobs. Here is an area that is of real interest as well: $2.5 million in property tax payments result to local governments. That is money that helps fund schools, roads, and other basic services.

It is important to focus too on the people to whom we are alluding. I want to focus on one of the 6,000 employed Ohioans who has been a beneficiary of the tangible effect of wind PTC, and that is Jeff Grabner. He is a wind product sales manager for Cardinal Fasteners in Cleveland, OH. He was originally born in Ohio, but he left Ohio. He returned to Ohio when the wind industry started looking for talented people in the State, and he has been working now for almost 6 years in the wind industry.

Cardinal's Cleveland facility employs almost 55 people. It has been in operation for 30 years. Cardinal used to supply the construction industry, but the demand fell off in recent years. Now this growth in the wind industry presented them with an entirely new market. The factory is retooled and now supplies fasteners, which is the superglue that holds a wind turbine together. In fact, thousands of fasteners were used in every wind turbine to keep them standing and operating securely.

I don't think I have to say that Jeff loves his job at Cardinal, and because of it he is able to provide for his own growing family. In fact, he and his wife are about to celebrate their 1-year wedding anniversary this week. All of that could change if we don't extend the wind production tax credit.

Orders for wind turbines are down 98 percent from last year in large part because of the uncertainty tied to the market. Without new orders, Cardinal and other manufacturers like it may be forced to shut down and let people like Jeff go.

That is why I am back on the Senate floor today urging my colleagues to pass the wind production tax credit now. The PTC equals jobs. We should pass it and extend it as soon as possible. It is a commonsense bipartisan measure. It has strong support across our country. Not only has it shown that we can turn around manufacturing in States like Ohio, but it has shown us that we can outcompete China and other countries. If we want to continue to lead and then win the global economic race—and, specifically, the clean energy race—it is now

time for us to listen to the people of Ohio and Utah and South Carolina and New York.

This shouldn't be a partisan issue. This is an issue on which Americans expect us to work together. We must pass an extension of the production tax credit as soon as possible.

As I close, I want everybody to know I will be back on the Senate floor tomorrow to talk about wind production in another State, and I will keep pushing for this commonsense policy. Let's pass this as soon as possible.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Delaware.

Mr. COONS. Madam President, I appreciate the opportunity to speak today. I am following the Senator from the State of Colorado. My topic is also about manufacturing jobs in the United States. I thank the Senator from Colorado for coming to the Senate floor every day and reminding us of the importance of the consequences of the choices we make, whether it is the tax policy choice of failing to extend the production tax credit and the consequences for high-quality manufacturing jobs in the wind industry or the consequences for manufacturing all across our country, including the great State of New York, the State of Colorado, or the State of Delaware.

What we are on the Senate floor talking about is the Bring Jobs Home Act, which is just one of the many important ways we can and should be fighting for high-quality manufacturing jobs in our home States and across our country.

It was a very dark day when the Chrysler plant in Newark, DE, where I am from, shut its doors. It was built in the early 1950s first as a tank plant and then converted to an auto plant. This was a manufacturing facility that had sustained whole communities over several generations with high-quality, highly-skilled, and highly paid manufacturing jobs. In December of 2008, they closed their doors for the very last time, and that plant has now been torn down to the ground. It is an empty hole in the heart of the city of Newark.

We thought it couldn't have gotten any worse than the day that those thousands of workers filed out of the plant for the very last time, but it did just a few short months later when the General Motors plant—a few miles away in Boxwood—shuttered its doors.

In just a year Delaware went from having two high-performing, high-quality auto plants to none. We lost nearly 3,000 middle-class manufacturing jobs, and this was followed by a whole constellation of other plant closings from Avon, which lost hundreds of jobs to dozens of smaller manufacturers that had supported these auto plants for decades.

I know 3,000 jobs may not sound like a lot in the wreckage of the recession of 2008 to this whole country, but for Delawareans, for our small State, and for all the families who were supported for so long, it was huge.

I have an idea that I talk about all the time at home in Delaware; that is, we need to get back to ''Made in America'' and ''Manufactured in Delaware.'' That means something to us. Back in 1985 when I was just finishing school, transportation equipment manufacturing—which is the fancy way of saying making cars and all the stuff that goes in them—employed 10,000 people in Delaware. Today it is well below one-tenth of that.

Made in America and manufactured in Delaware has to mean something for our families, for our communities, and for our future. Delaware was once a great and strong manufacturing State, as America was once the greatest manufacturing Nation on Earth. Some believe those days are behind us, but I do not.

I know my colleague, Senator DEBBIE STABENOW from Michigan, the lead sponsor of the bill we are debating, the Bringing Jobs Home Act, also does not believe our future as a world-class, world-leading manufacturer is behind us. I know the people of Michigan, the people of New York, and the people of Delaware do not.

I had the great opportunity this morning to visit with two leaders of Delaware-based manufacturers whom I just wanted to lift up for a moment as we talk about the Bring Jobs Home Act. Marty Miller, the CEO of Miller Metal in Bridgeville, DE, has had a little heralded program known as the manufacturing extension partnership that helps small manufacturers streamline their production processes, reduce waste and inefficiency, do their ordering and throughput far more effectively, and compete head-to-head around the world successfully. This manufacturing extension partnership has allowed Marty's company to grow by 25 jobs in just the last year and to compete head to head with Chinese metal fabricating plants in the global market, and win.

ILC Dover has been known to Delawareans for its storied history in our space program. They made all the spacesuits for NASA. But they have also made blimps that have hovered over Iraq and Afghanistan and protected our troops with downward-looking radar and real-time information, and they make the escape hoods and the masks that actually are positioned around the periphery of this Chamber and throughout this building and at the Pentagon. They have made remarkable high quality soft goods for decades and they too have a promising future and the opportunity to grow even in this recovery because they too are focused on things made in America and manufactured in Delaware.

These two companies, these two men, the organizations they lead, are, in my view, just an introduction to what can and should be a renaissance, a recovery, of manufacturing in the United States. We still produce more in dollar value in manufacturing than any country on Earth, but there has been a downward slope in the number of jobs and in the sense of energy and investment and focus in our policy and in our priorities in manufacturing for years.

I think we can become a great manufacturing Nation again and our middle class can be stronger than ever, but we have to make smarter choices. We have to make smarter choices in our Tax Code. We have to look at our Tax Code with an eye toward fairness and investment for the future and not just short-term profitability. We need common sense and we need, in my view, to support companies that are creating jobs here, and we need to cut our support for companies that instead want to create jobs in China, in India, in Vietnam, in Thailand, by exporting jobs from the United States.

As our economy pulls back out of what has been a devastating recession, I can think of no more galling idea than this country incentivizing American companies to ship some of our best jobs overseas. Yet, as the Presiding Officer knows, our current Tax Code allows businesses to deduct the cost of moving expenses, including permits and license fees, lease brokerage fees, equipment installation costs, and certain other expenses. A company can take this deduction if they are moving from Bridgeville, DE, to Birmingham, AL, but it also turns out they can take it if they are moving to Bridgeville from Bangalore or Beijing. Can any of us think of a worse way to spend tax dollars? This is a loophole so big we could drive a car through it, right out of the shuttered manufacturing plants of Delaware.

Fixing the injustice of our Tax Code is the first half of the Bring Jobs Home Act. We say: We are not going to pay anymore for companies that send U.S. jobs overseas. We have better ways to invest our tax dollars in rebuilding the base of manufacturing and the high-quality, high-paying jobs that come from them.

The second thing this bill does is instead of incentivizing the outsourcing of American jobs, we incentivize insourcing. We say: Bring these jobs home. The Bring Jobs Home Act says a company can keep the deduction to help pay moving costs if they are moving from one facility in the United States to another. That is fine. They can still use the moving cost deduction if they are moving from a facility abroad back to the United States. That is better. But this bill takes a further step. We say: If companies bring jobs home to the United States, we will give them an additional 20-percent tax credit on the costs associated with moving that production back to the United States.

The message of this bill is straightforward: If you are an American company and you have manufacturing jobs or service jobs that could be done by Americans, we want you to bring those jobs home, and we are going to help you do it.

For my small State, I want to keep saying every chance I get that what we

want is made in America and manufactured in Delaware. Lord knows we have the workforce. There is an army of talented Delawareans, of Americans, ready to go. Ford knows it; Caterpillar knows it; GE knows it. As we have heard from Senator STABENOW, that is why they have brought jobs home. They are opening new plants in the United States and putting Americans back to work.

There is a company in Newark, DE, called FMC BioPolymer. They make specialty chemicals. They have run a factory in Newark, DE, for 50 years—in fact, exactly 50 years this year. They make a type of cellulose we find in everyday products such as foods, pharmaceuticals, cosmetics, and cleaning products. They had outsourced some of their manufacturing to China to save costs. But as we can imagine, when a company is working with these sorts of advanced products that go into consumer products, safety is key. So for performance and engineering and intellectual property and safety reasons, they brought some of their most critical jobs home. They employ more than 100 people and contribute more than $20 million to our local economy every year, and it is an important part of our economy. So to FMC BioPolymer, I say thank you for bringing jobs home and strengthening made in America, manufactured in Delaware.

If big companies and small companies are figuring this out, when will the Federal Government, when will this Congress figure it out as well?

The best thing we can do for our economy—for millions of talented Americans looking for work, from our returning veterans to those who have searched so hard for work for the last 2 or 3 years, is to invest in them. We can pass the Bring Jobs Home Act as a smart choice to invest in American workers and their communities, to invest in their education, in their schools and in their teachers, to invest in our infrastructure and our roads and our power grid, to make smarter choices as a country and a Congress. There is no better investment I can think of than to make this phrase real, to return to Made in America and manufactured in the States of every one of the Senators of this great body.

This is common sense. But, alas, in the Senate, common sense these days rarely seems to win the day. I hope those watching and I hope those whom we represent take this seriously and recognize that the most important question before us is what are we going to do to take the fight in the global economy, on behalf of our families, on behalf of our communities, on behalf of our manufacturers, and change things in our Tax Code, in our trade policy, in our intellectual property policy, to make it possible to not just invent things here and make them elsewhere but to invent them here and make them here.

I hope this body will proceed to vote in favor of the Bring Jobs Home Act so that for every one of our home States we can make this phrase true—that we want things made in America and manufactured in our home States.

I thank the Chair.

ORDER OF PROCEDURE

Madam President, before I yield the floor, I ask unanimous consent that the remainder of the majority's time be reserved for use following the Republicans' 30 minutes of controlled time.

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

The Senator from Missouri.

Mr. BLUNT. Madam President, I ask unanimous consent to enter into a colloquy with some of my colleagues on the minority side for 30 minutes.

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

Mr. BLUNT. I will yield to Mr. WICKER who I believe has a unanimous consent request as well.

The ACTING PRESIDENT pro tempore. The Senator from Mississippi.

Mr. WICKER. I thank my friend.

Mr. BLUNT. Madam President, we have heard our colleagues talking about jobs. Clearly, that needs to be the No. 1 priority in the country today, and it needs to be domestic jobs.

The private sector is not doing just fine. The answer to the problems we face is not more government jobs, it is more private sector jobs, and the numbers aren't good anywhere we look, any way we look. In fact, if we look at the last 3 months in the country, more people signed up for disability than new jobs were created. More people signed up for disability than new jobs were created. More people decided they were going to opt out of the workforce because of disability reasons than people who got jobs.

We are here talking about things that have minimal impact on the economy when we could be talking about things that have lots of impact on the economy: good energy policy, good tax policy, good regulatory policy. As long as this uncertainty continues or as long as there is substantial certainty that all of those things are going to begin to work against job creators, people aren't going to create jobs.

This week we voted twice on something called the DISCLOSE Act that had absolutely no chance of becoming law this year and everybody on this floor knew it. What we ought to be disclosing is what our budget would look like. The Senate hasn't had a budget in 3 years and the law already requires that. The law already requires a significant disclosure on the part of the Senate, and that is disclosing how we are going to spend the money. The Senate of the United States, for the first time in the history of the Budget Control Act, 3 years ago—the second time 2 years ago and the third time this year—has decided we are not going to obey the law. One of the leaders was asked: Why aren't you having a budget? He said: Well, we would be politically foolish to say what we are for.

What kind of responsible position is that?

The other way we could disclose things is we could have the appropriations bills on the floor. The House has a budget. The House has passed half of the appropriations bills already. We haven't had a single bill on the floor, and the majority leader announced last week that we wouldn't have an appropriations bill on the floor before the election. Why is it we don't want to say before the election what we are for? Why is it we don't want to say before the election how we are going to spend the people's money? Why is it we don't want to say before the election what the budget would be? Even before the last election, the Senate wouldn't say what the budget would be, so we don't have one.

When we don't have a plan, we plan to fail. Clearly, the economy is doing exactly that. Statistic after statistic is not what the American people would want them to be. Housing prices are down. Unemployment is up. The labor group of people who want to be in the economy is at a 30-year low. If we had the same number of people looking for jobs who were looking for jobs and had jobs in January of 2009, the unemployment rate would be over 11 percent. The only reason the unemployment is 8.2 percent is because so many people have given up on the economy. Nobody thinks we have fewer working-aged people than we had when Ronald Reagan was President, but the labor force we are counting is smaller than at any time since Ronald Reagan was President.

There must be some big problem or people would be out looking for jobs. People would be out finding jobs. People would want to be part of an economy that they see as faltering. We are talking about little things instead of big things while the big things that affect America are dramatically affecting American families and American job creators.

The President is telling small businesses that if their business was successful, it wasn't because of them; it was because of all kinds of other factors that they happened to take advantage of. No small businessperson in America believes that. Nobody who ever opened the door to a business on the first day and put their phone number in the phone book the first day and said, ''Call me; I can provide these services for you,'' thinks they weren't successful because of their work.

I wish to turn to my friend, the Senator from Mississippi, Mr. WICKER, to speak on these issues as well. There are so many things we could be talking about today, but clearly jobs and the economy are critical to American families.

Mr. WICKER. Absolutely. I thank my friend for leading us in this colloquy. We ought to be talking about jobs and the economy. We ought to be bringing

legislation to the floor and giving our side an opportunity to offer suggestions and hearing if the majority party in this Senate has something to offer other than the 3½ years of failed policies.

Their intentions are absolutely honorable. Everyone wants to create jobs. Everyone wants the unemployment rate to go down. But I think any fair observer would have to conclude that after 3½ years, the policies of the majority party in this body, the policies of the Obama administration, have been an utter failure—forty consecutive months of unemployment over 8 percent. The latest numbers were 8.2 percent. The last time we had a comparable sustained period of joblessness was World War II. It is absolutely unbelievable that the policies of our Democratic friends have been so unsuccessful and such a failure.

To put that in context, in September of 2008, we had a severe crisis because of the subprime loans, because of the excesses of Fannie Mae and Freddie Mac, which a lot of us who have been in the Congress for some time have tried to rein in. Because of that subprime crisis, unemployment went through the roof, the economy crashed.

The other crisis we had earlier than that, of course, was September 11, 2001, when the terrorists attacked the very heartland and soul of the United States of America—the Twin Towers, the Pentagon. In 2001 we had a spike in unemployment and our economy went in the tank.

Between that time, though, I think Americans should realize we did not have exactly everything we wanted in terms of job growth, but unemployment between 2002 and the middle of 2007 actually averaged between 4.5 percent unemployment and 6 percent unemployment. We were not happy with that then, but wouldn't we love to have that level of unemployment now rather than the 8.2 percent and the over 8 percent we have sustained for 40 straight months.

As a matter of fact, Americans need to remember this does not have to be the case, the 8.2 percent. As late as October 2007, the unemployment rate in this country was 4.4 percent. We can do that again, but we will not do it again with the failed policies the President and his party have been imposing on our country during their entire stewardship.

The Senator from Missouri mentioned it has been 8 percent or higher, and the effective rate is 11 percent if everybody who had left the job force came back trying to get a job. Actually, the unemployment rate in the African-American community is 15 percent—an astounding and shameful figure.

The Obama stimulus program failed. It cost us over $800 billion, and we are going to have to pay that back somehow, but it failed. The unemployment rate for 40 straight months remains above 8 percent. Dodd-Frank failed. The Affordable Care Act not only has made health care less affordable and less available, but it has failed to stimulate any jobs.

Then yesterday, as a member of the Banking Committee, I heard testimony, and this country heard testimony, from the Chairman of the Federal Reserve. Basically, he said he has lowered the economic expectations. He and the rest of the Federal Reserve now say the economy is going to get worse than they expected in January of this year, and the unemployment rate will be above 7 percent in his estimation, even at the end of calendar year 2014. That would be 6 straight years, under these current policies—unless we change our approach to job creation—that would be 6 straight years of unemployment higher than it ever was during the first 7 years even of the Bush administration.

We have some ideas about how to turn that around: an American-made energy policy; ending this regime of overregulation, which is just such a wet blanket on job creation; and ending the situation we have now of the tax burden on job creators. The tax burden on American risk takers is now higher than on any of our allies in the industrialized world. We hit job creators and risk takers and the people we want to help us with this 8.2-percent unemployment rate. We hit them harder than they do in any other country in the industrialized world.

So we have some ideas. We would like an honest-to-goodness jobs bill, and we would like the majority leader to give us a vote on some amendments. Do not just call up a bill, fill up the tree, offer every amendment you could possibly offer on the Democratic side, file cloture, and call that a filibuster. We need to go back to regular order in this Senate and let's offer some ideas. Let's have a debate again on this Senate floor about some ideas we have about job creation.

So I am glad to join my colleagues. I see my friend from Georgia in the Chamber, and I know he has been very thoughtful about this issue.

Mr. ISAKSON. Madam President, I thank the distinguished Senator from Mississippi.

I rise to talk about something I know something about, which sometimes in the Senate we do not do very often. I ran a small business for 22 years. I worked in a small business for 33 years. Quite frankly, I think I understand small business as well as anyone who has done it.

I was astounded, disappointed, and perplexed with the President's statement last week that small business did not owe its success to itself, but it owed it to government, because it is the other way around. We would not exist as a Senate were it not for the taxpayers of the United States of America. They send us our cashflow, they send us the money we invest to build the roads and bridges and highways. So it is an affront to those who have risked capital, as Senator WICKER said, those who have taken chances, and those who have succeeded and those who have failed to build small businesses, to employ the American people, to make this great engine of America work.

But I want to just go down a litany for a second of what small business does to make us exist as a Congress and as a government. Every January 15, April 15, June 15, and September 15 businesses pay their quarterly estimate on their taxes. So do independent contractors. Employees pay it every month in withholdings. The cashflow of the United States is not owed to the government; it is owed to the American people by the contributions they make.

Social Security. Every beneficiary of Social Security for their entire life paid 6.2 percent of their income, and their employer matched it with another 6.2 percent, up to $102,500 in income.

Medicare. With no cap whatsoever, 1.35 percent of your income from day one to the day you die goes to the Medicare trust fund.

Talking about medicine for a second, many small businesses—19 percent of American jobs are in health care now. They now have device taxes. If a small business is building an implant for dental work or something for some kind of a heart treatment or something like that, they have an extra tax because of the affordable health care bill. For those who pay dividends or pay out investment income to their investors, they have a new surtax to help pay for the Affordable Care Act. Then we have our ordinary income tax that we all pay on April 15. For our highways, when we fill up our tanks with gas, we pay the motor fuel tax to build our highways. And for our airports, we pay the passenger facility charge that goes to the government to reinvest in our infrastructure.

So it sounds to me as if it is us who owe small business, not small business that owes us. I think if we began acting like people who understood from whence comes our strength, America would begin to come back.

As Senator WICKER said about Mr. Bernanke yesterday, his downward forecast is because business is not deploying capital. People are not making investments. As one who did that, there is one simple reason. We are a nation of uncertainty. Nobody knows what the boundaries are going to be or what the policy is going to be on January 1.

Let me close with one example. On January 1, the estate tax goes back from a $5 million unified credit and exemption and 35-percent rate to a $1 million unified credit and a 55-percent rate. Do you know what that is going to do? That is going to close thousands of small businesses eventually around America because when a small business is owned by a family—a family farm in Mississippi or Georgia—when the

owner of that farm dies, and they go to pass their assets on to their heirs, after that $1 million deduction, they owe a 55-percent tax on the rest. Most of their value is in real estate and land, which is depressed. They are forced to liquidate land at suppressed prices to pay an income tax within 9 months of death. That is wrong and that should not happen. But if—as Senator MURRAY said yesterday or the day before—we allow every tax treatment we have today to go back to the 2001 rates, small businesses in America will be hit again with a tax that will force them to close or to liquidate.

It is time we understood from whence we get our strength. It is the American taxpayers. As we consider them and their investment in small business, we will make better decisions, we will act faster, and America will be better, and America will be stronger.

I see the Senator from Utah is on the Senate floor. I would like to turn to him.

Mr. LEE. I thank the Senator very much.

Madam President, on Monday we heard from Democrats who insist that Congress must now raise taxes on the American people. In fact, they are so committed to this task that they are willing to take the country off the fiscal cliff in order to get their way. This is unfortunate. It is unnecessary, and it is a course of action we cannot pursue.

Mind you, they are not trying to pursue comprehensive tax reform. No. They are not trying to fix this Byzantine-era Tax Code which occupies tens of thousands of pages. What they are doing instead is just to raise taxes right now so they can get their way right now, so they can cover the shortfall that exists right now because of a chronic failure by Congress over time to set and stick to spending priorities.

Well, the vast majority of Republicans are committed not to raise taxes—not on anyone. There are some very good reasons for it.

First, the Federal Government has proven its inadequacy in this area. Congress has proven time and time again that the money it takes from the American people, from hard-working taxpayers, is not always spent carefully. In fact, it has been spending more than it takes in for so long people almost cannot remember a time when Congress routinely balanced its budget. This is a problem, and it is a problem that should not be fixed by taxing the same people who are already paying this bill even more. This is not the fault of the American people, and the job of fixing it lies right here in Congress—not with the American people.

Second, from the CBO to the IMF to the Federal Reserve to Ernst & Young, experts around the world are warning of the dire economic consequences that await us if we raise taxes. We cannot allow it to happen. We have had over $4 trillion added to the national debt during this President's administration. At the same time, we have had unemployment exceeding 8 percent for the last 41 consecutive months. Nearly 13 million Americans are currently out of work, and millions more are underemployed and looking for more work. We cannot allow this to continue.

I would add here that there is a certain irony in the President's proposal to increase taxes on some Americans while leaving the necessary tax relief in place for others. While purporting to help hard-working Americans, this approach would actually have the opposite effect, hurting most—many of those Americans who can least afford the hit right now.

A new study from Ernst & Young reveals that this tax hike—the tax hike that hits some Americans but not others—would kill 710,000 jobs. These are people who cannot afford to lose their jobs. These are people who are living paycheck to paycheck. These are not CEOs. These are not the top 1 percent. These are hard-working Americans who cannot afford to lose a job. We cannot let a tax hike bring about that kind of terrible consequence.

Democrats will assure you that their tax hikes are all about reducing the deficit. That is curious because their proposal would leave 94 percent of this year's deficit intact, which makes it an inherently unserious proposal insofar as it relates to deficit reduction.

Further, the President's own 10-year budget, which includes massive tax increases, by the way, still adds $11 trillion to the national debt.

I really do appreciate the fact that the President is finally talking about these issues—issues that have long gone unaddressed and need to be addressed—but he cannot look the American people in the eyes and tell them he is doing something about the debt when his own budget, while raising taxes, nearly doubles our already sprawling national debt over the next 10 years.

Republicans have proposals. We have proposals to reform the Tax Code, reduce the deficit, and to do so in ways that will grow the economy, not cause it to contract. I have an amendment I hope will get considered in the next week or two that would permanently keep tax rates at their current levels so American families and businesses can know what to expect. It would also eliminate the death tax, and it would stop the expansion of the alternative minimum tax, which is quickly becoming the middle-income penalty tax.

These measures and others would go a long way—a long way—toward improving our economy and getting the American people back to work again. If my friends on the other side of the aisle disagree, as is their right to do, then let's come together and work to find some common ground. These election-year antics and distractions are not what the American people sent us here to do, and the longer we wait before enacting real reform, the worse the problem is going to get.

I would now like to turn the time over to my friend, the junior Senator from Missouri, who has fought long and hard on these issues, who will wrap this up for us.

Mr. BLUNT. I thank the Senator.

Madam President, how much time do we have?

The ACTING PRESIDENT pro tempore. There is 8 minutes 43 seconds remaining.

Mr. BLUNT. How much?

The ACTING PRESIDENT pro tempore. There is 8 minutes 40 seconds remaining.

Mr. BLUNT. Well, I am pleased to have the time on the floor today to talk about these issues: the attack on small business, and the idea that the private sector is doing fine, that we just need more government jobs. I just do not find anybody in America who believes that is the reality of the world we live in today.

The reluctance of the Senate to take votes—Mr. WICKER, who has served in the House of Representatives with Mr. ISAKSON and I, said we should have amendments; we should take votes; we should say what we are for; and we should not wait until after the election to say what we are for.

The reports that are out are consistent with the President's view in 2010 when he said we should not do anything to change tax policy because the economy was struggling. By any measure of the economy, it is struggling more now than it was in 2010. Growth in the economy is about half what it was when the President said: With this kind of economy, we should not raise taxes. So he agreed to extend the current tax policies for 2 more years.

But the minute we did that, we made exactly the same mistake we had made the previous 2 years: We created a big question mark out there for the American people as to what tax policies were going to be.

We already have the tax increases with the President's health care plan.

It raises the top rate to about 43 percent. The top rate goes up automatically with the President's health care plan to about 43 percent. If we go back to the old 39 rate, then we add the President's taxes in, we put an extraordinary tax on working families who, for whatever reason, decide they are not going to participate in the insurance system. The mandate—the tax on that would fall heavily—50 percent of all of that tax comes from families of four who make less than $72,000. Between $24,000 and $72,000 for families of four—we decided we are going to penalize them with a tax if you voted for the President's health care plan.

What are we thinking here? Why are we ignoring all of the warnings? Last month the Congressional Budget Office, the nonpartisan Congressional Budget Office, gave a rare warning that if we let the defense sequestration go into effect and return to the tax policies of 2000, we will be in a recession, that we will see a 4-percent decline in

growth in an economy, as I said earlier, that has more people signing up for disability than new jobs being created—already the case, and we want to take another 4 percent out of that economy?

The Ernst & Young report my friend from Utah mentioned said that if we drive over this fiscal cliff one of the Senate majority leaders said this week at the Brookings Institute that the majority is prepared to drive over, that we would lose 700,000 jobs, we would shrink the economy by 1.3 percent, we would reduce investment by 2½ percent, and we would cut wages by 2 percent, and this is in a country in which middle-class incomes have already dropped by $4,350 since the President took office. Why would we be looking for another time to cut wages? Why would we think this is a better time to slow the economy than the end of 2010?

Chairman Bernanke from the Federal Reserve was here yesterday and said that we are being held back because there is so much uncertainty. We are being held back because people are not making the investments, they are not taking the risks Senator WICKER talked about.

I would like to go back to Senator LEE and talk a little more about his ideas on taxes.

Whenever you do not reward risk, people do not take risk. If they do not take risk, they do not create opportunity for others. If we look at putting this tax on small businesses, if we are putting this tax on people who otherwise might take a chance with some of their investments, we are just not going to have the risk-reward system work the way it needs to work. If you don't want people to take risks, don't reward risk.

Government has traditionally taxed the things it wanted to discourage and subsidized the things it wanted to encourage. We appear to be subsidizing a lot of things, such as Solyndra, that don't work and taxing a lot of things that might work by constantly talking about not only today's taxes but the likelihood that if the current majority has its way and the President has his way, the current tax policies will dramatically go up. In fact, they are guaranteed to go up from the current rate even if we stayed at the current rate because of all of the health care taxes.

We would also say we want to go back to a death tax that goes back almost to a $1 million exemption. If you are a small business or a family farm—many family farms, if you just calculate the value of your farm equipment, you are suddenly at the edge of that number that sounds so big until you realize you would have to sell the farm to pay the taxes. If you have the business that you are trying to pass along, maybe to the very people who stood by your side, your children and grandchildren, who helped you grow that business—it is almost impossible to evaluate who created that growth. But when you pass away, as the person who started the business, suddenly this big tax obligation falls to your family. Senator LEE's proposal to eliminate the death tax would address that.

The proposal that we are for on this side to continue current tax policies as we look toward an effort to have tax policies that make more sense—we have the highest corporate rate in the world. We are seeing American companies say: Well, we think we are going to incorporate in Great Britain. We are going to move our company, our headquarters, who we are, to Great Britain because they have better tax policies.

Who would have ever thought Great Britain would have better tax policies than the United States of America, but it does today, as does every other European country. We have managed to get at the top of the list.

In return for those lower tax rates and a system that works internationally, let's eliminate a lot of the complexity of this Tax Code. We are for that. But let's not increase taxes while we are having that debate. Let's commit ourselves to that debate and not increase taxes, not move forward with all of the new health care taxes and the taxes that—apparently the majority says: Well, we are prepared to raise taxes on the middle class because then they will put so much pressure on Republicans in the Senate that we will have to eliminate some of the current tax policies that impact small businesses and other individuals.

Does the Senator want to talk a little bit more about it? I think we have now a couple more minutes to think about how these tax policies really hold back opportunity for other people. If you don't reward risk, people don't take risks. If they do not take risks, they do not create opportunity and we do not have the jobs out there in the private sector that are clearly the key.

Mr. LEE. That is right. I think that is the point that often goes missing in this debate, which is that when people talk about wanting to raise takes on one group of Americans and not increasing them on another, that causes problems. And we are concerned about job creation. We are not concerned about any one particular group, we are concerned about Americans as a whole—most importantly, about those who are most vulnerable, those who can least afford to lose their jobs.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. LEE. I see our time has expired.

Mr. BLUNT. I thank the Chair.

I thank my colleagues for joining me.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

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

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

FINANCIAL DISCLOSURE TO REDUCE TAX HAVEN ABUSE ACT OF 2012

Mr. DURBIN. Madam President, there is an old adage that sunlight is the best disinfectant. The reason it is an old adage is it is true. That is why I introduced the Financial Disclosure to Reduce Tax Haven Abuse Act of 2012. I introduced this months ago. It would require candidates for Federal office and certain Federal employees to disclose any financial interests they or their spouses have in an offshore tax haven. If the bill becomes law, individuals who file financial disclosure reports would be required to list the identity, category of value, and location of any financial interest in a jurisdiction considered to be a tax haven by the Secretary of the Treasury. The Secretary would be required to provide a list of those countries to filers and to consider for its inclusion on the list any jurisdiction that has been publicly identified by the Internal Revenue Service as a secrecy jurisdiction.

The American people might be surprised to know that we do not already ask whether candidates and Members of Congress are sheltering their money offshore to avoid paying taxes in America. That is because under current law those individuals—that would be candidates and Members of Congress—are not required to account for where their financial interests are held. Candidates for Federal office, including President, do not have to explicitly disclose their holdings in tax havens. The bill, which I introduced months ago with Senator FRANKEN, would change that.

Today it seems that we have a tax system with two sets of rules: one for those who are very wealthy and one for the rest of the people in America. The wealthiest Americans are able to take advantage of certain breaks, loopholes, to pay lower tax rates than working families. We should not have a political system where a candidate can claim to champion working people while that same person is secretly betting against America through tax avoidance and tax haven abuse.

Without this bill, the American people will not know whether a candidate has taken advantage of foreign tax havens to avoid paying his or her fair share. Offshore tax havens and other similar loopholes cost taxpayers in America $100 billion a year which otherwise would be paid by these Americans who are using these offshore tax havens.

Senator CARL LEVIN of Michigan may be joining me shortly. I hope he can. He has held an extensive set of investigative hearings in the Permanent Committee on Investigations on this particular issue. No one has explored it more than Senator LEVIN of Michigan. I am hoping he can join me and share his findings.

The money that is invested in these offshore tax havens is money that could be invested in America. It could be invested in America's schools, America's roads, America's Medical research, America's jobs, and it could be paying down America's deficit. Instead, that money is headed to Swiss bank accounts and holding companies in Bermuda and the Cayman Islands.

Senator LEVIN and Senator CONRAD, who will be joining me, have both done extraordinary work to shine light on these practices and what they mean to the American economy. Those two Senators, LEVIN and CONRAD, successfully included a provision in the Senate Transportation bill that will give the Treasury Department greater tools to crack down on offshore tax haven abuse. Unfortunately, that provision was not included in the conference report, and so we have to continue to fight to put an end to offshore tax haven abuse.

The American people are rightly concerned that wealthy and well-connected Americans are skirting our laws to avoid paying their taxes. They deserve to know that the people who hope to represent them in Washington are not cheating the system.

Nothing in my bill impinges on any individual's right to hold financial interests anywhere in the world. If there is a legitimate reason for a candidate or a Member of Congress or any other individual who files a financial disclosure to hold their money, let's say, in an account in the Cayman Islands, they should not have any problem explaining that to the voters. But any individual who has or wants to have the public trust should be honest about the practices they have engaged in that, in fact, cost American taxpayers, whom they may wish to represent, literally billions of dollars every single year.

This is an important step we must take to restore the public trust. I would hope that this issue, like the one we just finished debating in the previous several days, is one most Americans will understand. It is one that should be bipartisan.

I happen to have had the good fortune of coming into politics being schooled by two people who were my mentors and inspired me, Senator Paul Douglas of Illinois and Senator Paul Simon, both of whom enjoyed positive reputations after the end of their public career for being honest people. One of the things Senator Douglas started doing—and Senator Simon followed—was to make public disclosure of income and net worth. They did it long before it was the law and always did it to a greater degree and greater detail than was required by law.

I have followed that practice, and sometimes it has been hard. I can remember coming out of law school and going to work for then-Lieutenant Governor Paul Simon in Springfield, IL. There I was, deep in student loan debt with a beat-up old car, a wife and two babies, filing an income and net worth disclosure. My first filing, because of my student loan debt, showed me with a negative net worth. I took a little bit of ribbing as a result of that. But I continued to do it every single year I served on a public staff and every year I was a candidate or elected to office.

So there is a rich trove for anyone who is summarily bothered and wants to spend some time, if they would like to read what happens to a public official over the span of a lifetime, when they are in this business, in terms of their own personal wealth. There have been moments when the detail I have provided in these disclosures has been an invitation to the press; it makes their life easier to take a look at things that I and my family do. I can recall when, regarding my daughter Jennifer, I got a question from a reporter about what was her financial interest in Taco Bell. It turned out her financial interest was as a person working at the Springfield Taco Bell making tacos. That was it. But because we go into detail, those things are open for investigation and provide some clarity about my financial circumstance.

Paul Simon used to always say: When my career comes to an end, I want people to look at my record and say I never understood why he voted this way or that way, but he said I never want them to question my honesty in making a political decision. That has been my goal as well.

What I am suggesting is to expand the disclosure of Members of Congress and candidates for Federal office, such as President of the United States, to include foreign tax havens. I think it is an important element that people who are running for office and serving in office stand and basically explain why they felt it was a better idea to put money, for instance, in a Swiss bank account.

I have made a point of asking people—Members of Congress and business leaders—why would anybody have a Swiss bank account? I asked Warren Buffet, who is one of the wealthiest men in America. I said: You have been a successful businessman for decades. Why would you have a Swiss bank account? He said: I don't know. I have never had one. We have good banks in America, so why would I go there?

There are two reasons: One is to conceal their wealth and how they are changing, moving the money around; and second, if they happen to believe the Swiss franc is a stronger currency, a better bet than the U.S. dollar. That is it. There are no other reasons for an American to have a Swiss bank account. Yet people do. I think they should disclose it, and then they should stand ready to explain which of those two explanations stands behind their decision.

Senator CARL LEVIN has come to the floor. At this point, I will yield to him because he has done extensive investigation on the Senate Permanent Subcommittee on Investigations about these foreign tax havens. He and Senator CONRAD have probably told us more about dollars lost and tax collected and what is happening in some of these tax havens and shelters around the world. I yield to Senator LEVIN.

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

Mr. LEVIN. Madam President, I thank the Senator from Illinois for his leadership in dealing with the offshore tax haven problem.

This is not a new issue. It is not a new issue for me. In fact, my Permanent Subcommittee on Investigations has been exploring the damage the secrecy of offshore tax havens has caused for the nearly two decades we have been looking at this issue trying to change the situation that exists, and it is not a new issue for Senator DURBIN. He has been on this issue a long time. Indeed, when President Obama was a Senator, he joined in an effort to bring tax haven abuses to light.

Then-Senator Obama, in 2007, was an original cosponsor of the Stop Tax Haven Abuse Act, which I introduced with our Republican colleague Senator Coleman, and he said the following:

> There is no such thing as a free lunch—someone always has to pay. And when a crooked business or a shameless individual does not pay its fair share, the burden gets shifted to others, usually to ordinary taxpayers and working Americans without access to sophisticated tax preparers or corporate loopholes.

It was a bipartisan bill aimed at preventing the loss to taxpayers that results from tax-avoidance schemes that use secret tax haven jurisdictions, such as the Cayman Islands.

Those words I quoted remain just as true today as they were in 2007. There is indeed no free lunch. In 2006, our Permanent Subcommittee on Investigations estimated that tax havens cost the Treasury in the neighborhood of $100 billion a year, and though we have had some successes in the battle against tax havens since then, tax dodgers and avoiders have continued to exploit every offshore loophole and tax haven they can find.

This has significant consequences to the rest of us. Offshore tax evasion and avoidance takes money out of the hands of our military, takes money out of programs that millions of Americans rely on for good schools, roads, health care, protecting the environment or securing our borders. When money is lost to these tax havens that belongs in our Treasury, it adds to our deficits and debt. Ultimately, the rest of us are forced to pay more on our tax bills to make up for those who shirk their tax-paying responsibilities.

As I said, we spent years in my subcommittee exploring this problem. In 2001, we heard testimony from the former Cayman Islands banker who said 100 percent of his clients were avoiding or evading taxes. In 2006, we reported on some brothers from Texas, who, over the course of 13 years, stashed more than $700 million in offshore tax havens in a massive tax evasion scheme.

When a company incorporates in the Cayman Islands or another tax haven, with a mail drop as their only physical presence in that country, they most likely have one purpose: avoiding taxes. In 2006, we explored the history

of the Ugland House, a small building in the Caymans that, remarkably, is listed as the headquarters for nearly 20,000 different corporations. In 2005, we showed how a Seattle securities firm called Quellos devised a scheme of faked stock trades between two offshore companies, creating phantom stock losses used to avoid taxes on billions of dollars in income. In 2001 and 2002, we explored how Enron used offshore tax havens—dozens of them—as part of its deceptive schemes.

Just yesterday, in our subcommittee hearing on a global bank called HSBC and money laundering, we saw how the secrecy of tax havens, such as the Caymans, so often used to conceal income, can also be used by criminal enterprises to conceal and launder the proceeds of their crimes. HSBC's Mexican affiliate had an office in the Caymans with thousands of U.S. dollar accounts. The bank had no client information on 41 percent of those accounts, and internal documents, our investigation discovered, showed the bank was aware the accounts were being used by drug cartels and were subject to ''massive misuse . . . by organized crime.''

These tax havens have been a pervasive problem for our Treasury and for our economy and for our security.

We can stop them. When it comes to tax avoidance, our Federal fiscal situation demands we stop them. In the past, addressing offshore tax evasion was not a partisan issue. In 2004, Congress stopped companies from taking advantage of what was called inverting. When a company inverts, it will shift its headquarters, on paper, to a low-tax or no-tax country. It is just on paper, though. It was decided we were not going to allow that game to be played by American companies, and we stopped that practice. Since then, every year I have worked with Senator DURBIN and colleagues of both parties to ensure that these inverted companies are prohibited from receiving government contracts. If these tax dodgers cannot see fit to pay their taxes, we shouldn't be giving them our tax dollars.

Much more needs to be done. We could pass the Stop Tax Haven Abuse Act, which I have introduced again in this Congress, to address some of the worst offshore tax abuses and end the use of these tax havens that cost American taxpayers. We could pass the CUT Loopholes Act, which Senator CONRAD and I introduced earlier this year, which includes a number of provisions aimed at stopping offshore tax evasion and closing loopholes that allow companies to dodge their taxes.

The Senate, earlier this year, passed one important provision of the CUT Loopholes Act. This provision is known as the special measures provision. This would have given the Justice Department the same tools to combat tax haven abuses they now have to combat money laundering. Unfortunately, the House of Representatives succeeded in stripping this commonsense provision from the surface transportation bill to which it was attached in the Senate. That vote by the House allows the wealthy and powerful to continue dodging the taxes they owe, increasing the tax burden on American families who abide by the law and by their tax obligations.

The bill Senator DURBIN offered is another way we can combat tax havens, and I thank him for this effort. Simply put, his legislation would bring much needed daylight to the use of offshore tax havens. It would require that officeholders and candidates for public office disclose their financial interests located in tax haven countries. Perhaps there are some who believe individuals and corporations should be allowed to continue concealing their income and their assets overseas, adding to the deficit and forcing the rest of us to carry their own share of the burden and that of tax dodgers as well. But surely we can all agree the American people deserve to know when their public officials are using offshore tax havens. Senator DURBIN's bill would ensure that Americans know when their elected representatives and candidates for office are taking advantage of the offshore tax havens.

This is not about a political campaign; this is about years of effort to make visible those who shortchange their fellow citizens by concealing their finances abroad and to argue for reforms that make our tax system more fair for the vast majority of hardworking Americans who pay what they owe.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

(The remarks of Mrs. MURRAY are printed in today's RECORD under ''Morning Business.'')

The ACTING PRESIDENT pro tempore. The Senator from South Carolina.

Mr. DEMINT. Madam President, I wish to thank the chairman for her hard work, as well as the staff of the committee, and Representative JEFF MILLER and others who have worked on this bill. I am very supportive of the underlying bill, and I appreciate Senator MURRAY's willingness to consider the modification to make sure the veterans who deserve these benefits get them and they are not taken advantage of by the fraud of others who don't deserve them.

I think the modification the Senator and I have talked about will solve that problem, and hopefully we can get this bill agreed to this afternoon.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. Madam President, I wish to thank the Senator, and I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

Mr. KOHL. Madam 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.

Mr. KOHL. Madam President, I am here today to talk about the state of manufacturing in this country, how we can do better, and how we can create more jobs here at home.

The Bring Jobs Home Act is a good bill that will help keep jobs in this country, and help businesses bring more jobs back here at home. It would be especially good for manufacturing—and manufacturing, as we all know, is a critical part of our economy.

A healthy manufacturing sector is key to better jobs, rising productivity, and higher standards of living. Every individual and industry depends on manufactured goods, and the production of these goods creates the quality jobs that keep so many Americans families healthy and strong. That is why we need continued investment in the Manufacturing Extension Partnership, or MEP, as it is called.

Created in 1994, MEP is not just a Federal Government-funded program. MEP is unique in that it is funded almost equally between the States, fees paid by companies that use MEP, as well as the Federal Government. Each year, a bipartisan effort led by Senator SNOWE, Senator LIEBERMAN, and myself has worked to secure funding for this important program.

MEP is the only public-private program dedicated to providing technical support and services to small and medium-sized manufacturers, helping them provide quality jobs for American working people. MEP is a nationwide network of proven resources that helps manufacturers compete nationally as well as globally. Simply put, MEP helps manufacturers grow sales, increase profits, and hire more workers.

Throughout our country, day in and day out, MEP is working with small and medium-sized manufacturers to keep jobs here, and also helping existing businesses bring their outsourced jobs back to the United States. Let me say that again, because it bears repeating. Each day, MEP is working with manufacturers to keep jobs here, and bring their outsourced jobs back to the United States.

Our small and medium-sized manufacturers face different challenges than larger companies, especially in this tough economy. The improvements that come to a business from working with an MEP center can make the difference between profitability or shutting their doors.

You would be hard pressed to find another program that has produced the results MEP has. In fiscal year 2010—the most recent data available—MEP clients across the United States reported over 60,000 new or retained workers, sales of $8.2 billion, cost savings of $1.3 billion, and plant and equipment investments of $1.9 billion.

And in a sign of how strong manufacturing is in Wisconsin, the Wisconsin MEP is opening up a third office in my

State, this time in Milwaukee. The Milwaukee region—which ranks No. 2 among the Nation's top 50 metropolitan areas for manufacturing employment—is seeing high growth in the food processing, equipment manufacturing, and industrial controls fields. These businesses want to create jobs and grow here in the United States, and they are turning to MEP, a public-private partnership, to help them compete in the global economy. Since 1996, Wisconsin MEP has helped over 1,300 Wisconsin manufacturers make nearly $400 million in improvements in technology, productivity, and profits, helping to generate $2 billion in economic impact, and creating or saving over 14,000 manufacturing jobs.

Many people seem to think the decline of American manufacturing is inevitable. These critics point to high wages and claim that those make us uncompetitive worldwide. I do not agree. Look at Germany and Japan, two countries with high-wage structures, and yet both have a larger manufacturing sector as a portion of their economy than we do. So higher wages are not why we trail Germany and Japan in manufacturing. We have failed to invest in manufacturing and employee training sufficiently to keep up with global competition—and that is the problem.

We do have the tools and the programs available to help grow our economy and bring jobs back to the United States. Workers in Wisconsin and across the country stand ready to get back to work. Programs such as MEP help companies do the right thing for both their country as well as their bottom line—because betting on the American worker is still the best investment in the world.

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

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

The assistant legislative clerk proceeded to call the roll.

Mr. McCAIN. Madam 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.

DEFENDING HUMA ABEDIN

Mr. McCAIN. Madam President, rarely do I come to the floor of this body to discuss particular individuals. But I understand how painful and injurious it is when a person's character, reputation, and patriotism are attacked without concern for fact or fairness. It is for that reason that I come to the floor today to speak regarding the attacks recently on a fine and decent American, Huma Abedin.

Over the past decade, I have had the pleasure of knowing her during her long and dedicated service to Hillary Rodham Clinton, both in the Senate and now in the Department of State. I know Huma to be an intelligent, upstanding, hard-working, and loyal servant of our country and our government, who has devoted countless days of her life to advancing the ideals of the Nation she loves and looking after its most precious interests. That she has done so well maintaining her characteristic decency, warmth, and good humor is a testament to her ability to bear even the most arduous duties with poise and confidence.

Put simply, Huma Abedin represents what is best about America: the daughter of immigrants, who has risen to the highest levels of our government on the basis of her substantial personal merit and her abiding commitment to the American ideals she embodies. I am proud to know her, and I am proud—even maybe with some presumption—to call her my friend.

Recently, it has been alleged that Huma Abedin, a Muslim American, is part of a nefarious conspiracy to harm the United States by unduly influencing U.S. foreign policy at the Department of State in favor of the Muslim Brotherhood and other Islamist causes. On June 13, five Members of Congress wrote to the Deputy Inspector General of the Department of State demanding that he begin an investigation into the possibility that Huma Abedin, and other American officials, are using their influence to promote the cause of Muslim Brotherhood within the U.S. government. The information offered to support these serious allegations is based on a report, ''The Muslim Brotherhood in America,'' which is produced by the Center for Security Policy. I wish to point out, I have worked with the Center for Security Policy. The head of it is a longtime friend of mine. Still, this report is scurrilous.

To say that the accusations made in both documents are not substantiated by the evidence they offer is to be overly polite and diplomatic about it. It is far better and more accurate to talk straight. These allegations about Huma Abedin and the report from which they are drawn are nothing less than an unwarranted and unfounded attack on an honorable citizen, a dedicated American, and a loyal public servant.

The letter alleges that three members of Huma's family are ''connected to Muslim Brotherhood operatives and/or organizations.'' Never mind that one of these individuals—Huma's father—passed away two decades ago. The letter and the report offer not one instance of an action, a decision, or a public position that Huma has taken while at the State Department or as a member of then-Senator Clinton's staff that would lend credence to the charge that she is promoting anti-American activities within our government. Nor does either document offer any evidence of a direct impact that Huma may have had on one of the U.S. policies with which the authors of the letter and the producers of the report find fault. These sinister accusations rest solely on a few unspecified and unsubstantiated associations of members of Huma's family—none of which have been shown to harm or threaten the United States in any way. These attacks have no logic, no basis, and no merit, and they need to stop. They need to stop now.

Ultimately, what is at stake in this matter is larger even than the reputation of one person. This is about who we are as a Nation and who we aspire to be. What makes America exceptional among the countries of the world is that we are bound together as citizens, not by blood or class, not by sector or ethnicity, but by a set of enduring universal and equal rights that are the foundations of our Constitution, our laws, our citizenry, and our identity. When anyone—not least a Member of Congress—launches specious and degrading attacks against fellow Americans on the basis of nothing more than fear of who they are and ignorance of what they stand for, it defames the spirit of our Nation, and we all grow poorer because of it.

Our reputations and our character are the only things we leave behind when we depart this Earth, and unjust acts that malign the good name of a decent and honorable person are not only wrong, they are contrary to everything we hold dear as Americans.

Some years ago, I had the pleasure, along with my friend, the Senator from South Carolina, LINDSEY GRAHAM, of traveling overseas with our colleague then-Senator Hillary Clinton. By her side, as always, was Huma, and I had the pleasure of seeing firsthand her hard work and dedicated service on behalf of the former Senator from New York, a service that continues to this day at the Department of State and bears with it a significant personal sacrifice for Huma.

I have every confidence in her loyalty to our country, and everyone else should as well. All Americans owe her a debt of gratitude for her many years of superior public service. I hope these ugly and unfortunate attacks on her can immediately be brought to an end and put behind us before any further damage is done to a woman, an American, of genuine patriotism and love of country.

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

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

The bill clerk proceeded to call the roll.

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

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

THE ECONOMY

Mr. COATS. Mr. President, I come to the floor today to comment on a couple of things. One is the dialog that took place this morning between the majority leader and the minority leader regarding how the Senate should function. There were two different views on this between the two, and they had quite a back-and-forth exchange. I am

not sure how many people in America were watching that conversation this morning, but I watched in my office while I was trying to catch up on some other work and then found myself pretty engaged in that discussion.

It all stemmed from the fact that the majority leader announced he was not going to bring any of the appropriations bills to the floor for debate, consideration, amendment, or voting. I am a Member of that Appropriations Committee. The initial information passed on to us was that we would return to regular order; that is, the committees forming, through the committee process, how we spend our money, the limitations, where it should be sent.

We have held all the hearings. We bring in all the agencies. Everybody presents their budget, defends their budget. We make decisions, and we come up with legislation—13 separate pieces of legislation—that essentially covers the functions of this Congress and how we are going to pay for it.

So we go through all this work. We work through subcommittee, then we work through the full committee, and then the bills are ready, stacked up, waiting to be brought to the floor to be debated by Members—both Republicans and Democrats, both sides of the aisle—with amendments offered.

The same process happens in the House. We merge the two bills. We bring one product here. We make a final vote on that and send it to the President. He either signs it or rejects it. But that is a necessary procedure that is a written part of the way this Congress is designed to function.

Yet that procedure has essentially been discarded. To then hear that after all that effort by all of us in our respective committees, including the Appropriations Committee but also authorizing committees in terms of how we are going to spend the money and what direction it goes—after all of this effort, we are told: No, none of those bills will be brought to the floor.

Well, that is not the function of the Senate. The response is, well, we will put it all into one big bill at the end—13 bills, called an omnibus bill. Earlier, we had something put together called a minibus—they took three major bills, and put them together—and we were then asked to have either a ''yes'' or a ''no'' vote on the whole thing.

You know, there is a reason the public is so frustrated with the Congress. They cannot get clear answers from their respective Members as to whether they are for something or against something because when you combine all of those bills together, of course you are for parts of it and you are against parts of it, but Members are only allowed one vote, yes or no.

When I ran for office in 2010, I pledged to the people of Indiana that if I were elected, I would let my yes be yes and my no be no as it applied to a specific program or a specific spending item so that they could then evaluate their Senator in terms of how he was representing them. And they could then make a judgment that, I want to support this person or I am opposed to supporting this person because I do not agree with his vote on this or I support him because I do agree with a vote he took. That is the clarity and transparency the American people are asking for. Of course, they are getting exactly the opposite here.

The other problem with not bringing these bills to the floor one by one and having open debate, with the opportunity to offer amendments, to adjust them—you either pass your amendment or you do not pass your amendment, but in the end the whole thing has been vetted, vetted in front for the American to see, for us to understand, and therefore, when we do vote, we know that our yes means yes and our no means no.

So it is a mystery to me why this year and in previous years under the leadership of the majority leader we have not done what the Senate, historically is designed to do and has done and what I think is a duty and a responsibility to the people whom we represent.

Now, in normal times of economic growth, maybe you can get away with something like this. But at a time when lack of action in Congress contributes to an already staggering economy—many analysts say we are heading back into recession—when we look at the situation around the world and see the slowing down of economic activity and the problems in China and Brazil and in India, the major markets, and we see what is happening in Europe, and we read from analysts their evaluation of our current economic situation and this fiscal cliff that we are driving toward by the end of the year unless we address it, how uncertainty over all of that is negatively affecting our economy and affecting those who are in a position to either buy new machinery for their plant, increase employment, do more research, or expand a business. They are frozen in time saying: I cannot make decisions because there is uncertainty about what money will be available, what our budget will be, what our tax rate will be, what our health care obligations will be, what the Federal Government will be doing with this budget and how it affects our business.

So whether it is paving roads or funding hospitals, addressing education issues or any other function that Federal, State, local governments or individuals and businesses get involved in, this cloud of uncertainty that has settled over this country has kept us from putting those policies in place that are going to restore our country to economic growth, that are going to put people back to work and get our country back on track toward fiscal health.

This is an issue that should not be dividing us on a partisan basis. Whether you are listening to a liberal economic commentator or conservative economic analyst, there is a growing consensus that inactivity, this stalemate that exists is contributing significantly, and the failure to address the fact that we are heading toward this fiscal cliff, with all its ramifications, will have enormous negative consequences if we do not take some action.

So it is not just about the appropriations process, although I think that speaks to the dysfunction of this Senate. It is also about the larger question of some of the major issues that lie before us that the Congress is simply not addressing. We are viewed as a dysfunctional institution, either incapable or unwilling to address the critical issues facing our country—in particular, the dismal state of our economy and the fact that we have now for 41 straight months had unemployment above 8 percent.

This morning more than 12 million Americans woke up without a job and many others woke up with a job much below their abilities, much below what they had hoped to gain in a salary and a pay package that allows them to pay the mortgage, buy the groceries, save for their children's education. So the underemployed combined with the unemployed is a staggering number. That is something I believe we have a moral duty to address.

We may have a disagreement on the policies to address this crisis. I understand that. But when we are not even allowed to come down to this floor and debate those policies and have a package of legislation in front of us that we think will address some of these situations, that is simply taking a pass at a time when our country desperately needs us to be engaged.

If you looked at the Washington Post this morning, you saw the account of Federal Reserve Chairman Ben Bernanke, his testimony before the Senate yesterday, and I want to quote what he said:

> The most effective way that the Congress could help support the economy right now would be to work to address the Nation's fiscal challenges in a way that takes into account both the need for long-run sustainability and the fragility of the recovery.

I think if that question was posed to a Member of this body, whether that Member is conservative or liberal, Democratic or Republican, I think most would simply say: I agree with that. I cannot find fault with what he said.

You know, we look to the Fed to solve all of our problems but the Fed has used about every major tool they have—they might have a couple of little ones left. You can only do so much with monetary policy. The problem is fiscal policy, and fiscal policy is the responsibility of the Congress and the executive branch and the President.

Look, it is clear that we are not going to get any leadership from this President, at least until after this election has taken place. He is clearly in campaign mode. He is not doing business out of the White House relative to policy. He even said months and

months ago: Well, we are not really going to do any more this year.

So that has all been put on hold. Well, in normal times, that might be what Presidents ought to be doing. These are not normal times. We are not getting the leadership we need. And everything we tried to do in 2011 was stopped simply because we did not get support from the top.

But let's set that aside right now and acknowledge that what the Federal Reserve Chairman has said will have a major negative impact on this economy if Congress does not step up and take its responsibility and do what we all know we need to do. I repeat again that statement by the Federal Reserve Chairman:

> The most effective way that the Congress could help support the economy right now would be to work to address the nation's fiscal challenges in a way that takes into account both the need for long-run sustainability and the fragility of the economy.

Economists from across the political spectrum are sounding the alarm. Analysts report that the threat of the fiscal crisis in Europe is now being displaced by the threat of our country's inaction and refusal to address this fiscal cliff now. The American people and American industry and American businesses need to know what our plan is to stabilize our economy. Yes, it is important what Spain is doing and Italy is doing and Greece is doing and Germany is doing and France is doing to work on the European situation. Those of us who live in glass houses should not be throwing stones. There is a lot of criticism over what they are doing or not doing across the Atlantic. But we ought to be looking at ourselves and saying: How dare we tell them what they need to do—as some have tried to do—when we are not doing anything ourselves to address this.

The failure of Congress to act is having a negative impact, not only in my State but across the country. Household confidence is waning. Retail sales are down, according to the latest report. The manufacturing sector is taking a hit. As I said earlier, there have been 41 consecutive months of unemployment above 8 percent.

So it falls to Congress to act. Unfortunately, now we have been told that even on the regular process of how we act on a year-by-year basis to set the spending standards for the taxpayers' hard-earned money out of this Federal Government, set those standards, we are unwilling to have open debates, we are unwilling—the majority leader will not allow us to have amendments, will not even bring the bill to the floor. All of this legislation is needed to ostensibly run this Federal Government. Yet it is being run in a way that throws everything into the pot. It goes right up to the edge, and we have this drama about whether they will pass it or not pass it. In the meantime, the negative impact that it has on our economy is very troubling and not something we ought to be doing.

So here I am again voicing my frustration over our inability to step up to the responsibility that has been given to us by the American people to come here and do our very best, make our best arguments, put forward our best plan, but come to some conclusion as to where we are going in this country in dealing with this fiscal cliff.

It is not just a fiscal cliff, it is a whole range of issues that have enormous implications for our national defense, for our economy, for our budget, for going forward for our retirees, for those beneficiaries of some of the programs of the Federal Government—major implications—and all of that is left in a cloud of uncertainty.

The interesting thing to me is that whether you are a Democrat or Republican, whether you are President of the United States or a candidate for President of the United States, good policy is what the American people are looking for. Action is what they are looking for. Debate is what they are looking for, and then putting that forward with some sense of certainty in terms of where we are going. But right now politics seems to be dominating the Presidential race. I do not think there is anything we can do about that, but what we can do here in this body is acknowledge what was acknowledged by a lot of Democrats and a lot of Republicans in 2011 but not accomplished; what we can do is what we have the responsibility to do, and that is to step into the breach and do everything we can to put those policies in place that I think there is substantial agreement on, put those policies in place that will get our economy moving again, and, most important, put some certainty into what the future looks like so that those who go shopping and those who make products and those who are part of our American economy have the certainty of knowing what the future looks like so they can make decisions.

We have a chance, Mr. President—even as recent discoveries can lead us to energy independence, given our established rule of law, given the fact that right now America is the only safe haven—even though it is getting less safe—to invest your money if you are overseas—we have the opportunity, if we step up to our responsibilities, to open a new chapter and put America back in its place as that ''shining city on a hill,'' that place of freedom and opportunity where you want to put your money and invest, raise your children, an opportunity to be the country the world looks at to take the lead.

We have a golden opportunity now to send that signal. I think the investment markets would respond dramatically, we would start putting people back to work, and get our economy humming again. People would then look at us and say: They are taking this debt and deficit situation seriously. They put a credible long-term plan in place to address it, and we have the confidence to go forward, knowing that America will still be the place to live, work, raise a family, and invest. We can bring our economy back.

I am trying to end on a positive note simply by saying good policy is good politics. The people are hungry for us to stand up and basically say this is what we believe in, what we stand for. Yes, we had to modify this or that in order to get consent on going forward, but we are going forward. We know what the plan will be, and we can send a signal to the world that Congress has lived up to those responsibilities. You are not going to get it out of the White House—at least until November. This is the body where the responsibility falls. I think we all need to stand up and understand not only our constitutional duties but our moral responsibility to move forward and in the regular order address these issues that are so critical to the future of this Nation.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. UDALL of Colorado). The Senator from Kansas is recognized.

Mr. MORAN. Mr. President, I ask unanimous consent to address the Senate as in morning business.

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

KC–46A TANKER BASING

Mr. MORAN. Mr. President, Kansas has a long and remarkable history of supporting our Nation's aviation industry both commercially and in support of our Nation's men and women in uniform. In Kansas, roughly 40,000 citizens support approximately 270 aviation and aerospace companies and generate nearly $2.9 billion in exports annually from our State. Many of those workers live in Wichita, which has long been known as the air capital of the world. Not only do these workers contribute to the vitality of our State's economy, but they also strengthen our Nation's economy, and they certainly contribute to our Nation's defense.

At both McConnell Air Force Base and Forbes Field, in Topeka, members of the Active, Reserve, and the National Guard serve our country through a variety of missions. Since 1941, McConnell Air Force Base has been an instrumental part of the Wichita community, and Kansans have a proud history of standing behind the air men and women who have called McConnell home. McConnell Air Force Base employs more than 17,000 people, military and civilian, and last year it had an overall impact of more than $520 million on our local economy.

I have come to the floor today to outline my support, strong support, for McConnell Air Force Base as the best choice for our Nation's new tanker fleet, the KC–46A. Currently, the Air Force is considering McConnell for the first home—or main operating base 1—for the new tanker, which will be put into service in 2016. McConnell Air Force Base is our Nation's best choice.

McConnell already houses a total of 63 KC–135R tankers—48 assigned and manned, plus an additional 15 for global contingency purposes, making it by

far the largest tanker presence in our country. In fact, McConnell is considered the supertanker base in the Air Force, with twice the number of tankers than any other base.

Looking at the geography of the United States, it is clear McConnell serves our country well in terms of air mobility. Strategically located in the Nation's heartland—equidistant from both coasts—McConnell's location is a great asset.

To this point, the 22nd Air Refueling Wing and the 931st Air Refueling Group at McConnell are frequently called upon for refueling missions, within a 1,000-mile ''service radius'' of the base, which further highlights the reliability of this location in the Midwest for domestic or overseas missions. One thousand nautical miles is a vast portion of the continental United States and includes hundreds of routes, military operating areas, and airspace reserved for various air missions.

McConnell supports all branches of the military and allied partners, refueling off of either coast and around the world every day. The Air Force has long taken advantage of the expansive airspace available over and around Kansas, so it would be natural for McConnell Air Force Base to continue its important air mobility missions with the KC–46As.

McConnell also has a clear advantage in personnel because it houses both Active and Reserve air men and women in the air mobility mission. The Air Force calls this arrangement a classic association, and McConnell is one of the only few bases in the country that can boast this level of coordination between the Active and Reserve in air mobility missions.

The 22nd and 931st are prime examples of Active and Reserve components working together, sharing capabilities, collocating in various facilities, integrating crews and providing global support to operational needs.

The 22nd and 931st have a tremendous history of conducting air mobility operations not only throughout the United States, but in places in Libya, Serbia, Turkey, Iraq and Afghanistan. Furthermore, the Air Force has indicated their strong preference for this arrangement as they choose the location for the first round of KC–46A tankers.

Another advantage McConnell boasts is a surrounding community that fully supports and embraces the air men and women and their families. Since 1960, an organization of area business leaders and residents called Friends of McConnell has supported the men and women of McConnell Air Force Base through a wide range of programs and special events on and off the base each year.

One of those programs, called the Honorary Commander Program, pairs up more than 30 squadron and group commanders with local civic leaders for 2 years to build meaningful relationships between civilian and military leadership. When I talk with the air men and women stationed at McConnell, they often tell me how much they have enjoyed the quality of life Wichita offers them and their families.

When it comes to Air Force air mobility missions, there are four components that make a mission successful: airmen, command and control, infrastructure, and equipment. McConnell Air Force Base not only has the extremely capable airmen of the 22nd and 931st, but it also has the proven command and control to handle a myriad of operational needs and a sprawling infrastructure with enormous capacity. In fact, McConnell will soon have the newest runway in the Air Force at a length of 12,000 feet, which more than exceeds the requirements of the first round of tankers.

By locating the new tankers at McConnell, the Air Force would have the strategic flexibility and capacity needed to carry out a variety of missions both at home and abroad. Now is the time for the Air Force to replace the aging KC–135Rs with the ''iron'' of KC–46As at McConnell Air Force Base.

The Air Force has made clear that the acquisition and recapitalization of the KC–46A is their top priority. Air Force Chief of Staff GEN Norton Schwartz said it best when he stated:

> The KC–46A tanker is a critical force multiplier and essential to the way this Nation fights its wars and provides humanitarian support around the globe.

I agree. I recently had the opportunity to speak with Air Force Secretary Michael Donley while at the Farnborough airshow, and I emphasized personally the need to base KC–46A tankers at McConnell Air Force Base in order to meet this need for global mobility.

It is often said in the military that the difference between success and failure is logistics. McConnell Air Force Base offers the instrumental, logistical muscle that is vital to successful, strategic air power. Kansans have a long history of supporting air power and air mobility, and I know McConnell Air Force Base is the best choice for our Nation's new tanker fleet.

I am hopeful that Kansas air men and women will have the opportunity to continue their tradition of service in defending our Nation with this first round of KC–46As.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescind.

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

(The remarks of Mr. SESSIONS pertaining to the introduction of S. 3396 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

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

Mr. BLUMENTHAL. 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. BLUMENTHAL. Mr. President, I come to the floor to join the voices of my colleagues in favor of supporting strongly, and I hope persuasively, the Bring Jobs Home Act.

The Bring Jobs Home Act is a measure that contains some provisions that are hardly novel, not complex, and a matter of common sense.

They involve some of the basic ideas we have advanced and advocated in this Chamber for some time. They are measures that are contained in a proposal very eloquently argued for by my colleague, Senator STABENOW, and I thank her for her leadership, as well as for Leader REID's leadership, in bringing this measure to the floor now.

Very simply, the Bring Jobs Home Act will reshore and restore jobs to this country with two simple, straightforward provisions. This measure provides a 20-percent tax credit for the expenses incurred in moving facilities or plants—basically, jobs—back to America. It also does something that is critically vital to this country, which is to close the loopholes that right now reward companies for moving those jobs overseas. Again and again over the past 2 years I have advocated this straightforward, simple step: Close the loopholes that permit companies to deduct expenses when moving those jobs overseas.

The average American—certainly the average person in Connecticut—when told that these loopholes exist, simply is incredulous. They cannot believe the United States of America rewards companies for moving these jobs overseas. Let's close that loophole now. It will produce revenue for the United States. Literally tens of millions of dollars will come back to our country as a result of closing this loophole, and jobs will come back as well. The 20-percent tax credit, although it may not sound like a lot of money to major corporations, could well be the tipping point for executives considering what to do in terms of investing in this country. It is an incentive to invest in the United States instead of moving those jobs abroad. A 20-percent tax credit could be a critical decision point and a turning point in those decisions. The Boston Consulting Group surveyed 37 companies which have $10 billion or more in revenues and found that 50 percent are at that tipping point.

This measure should not be partisan. It should not be a matter of geography or party as to whether one of our colleagues supports it. There should be a bipartisan coalition behind it. I have found in Connecticut, as I go around the State, regardless of party, people support this idea of bringing jobs home and reshoring and restoring jobs to our State and to our country, particularly manufacturing jobs.

In the city of Waterbury, I visited on Monday a steel plant where there are

3,000 manufacturing jobs—part of the 165,000 manufacturing jobs that we have in Connecticut. Manufacturing is alive and well. Taxpayers should not be subsidizing companies that move those kinds of jobs overseas. In the last 10 years, 2.4 million jobs were shipped overseas—mostly manufacturing—and taxpayers helped to foot the bill for it. In Connecticut, the National Bureau of Economic Research has found more than 250,000 jobs are at risk of being outsourced. People are angry and outraged that they are subsidizing that risk, that outsourcing and offshoring of jobs.

In the steel plant I visited, fortunately those jobs have stayed. But from around the country and in Connecticut, many of them have moved overseas because of the economic incentives we have created and that now we should stop. At a time when job creation is our No. 1 priority, American taxpayers deserve that these loopholes and hidden subsidies be closed and ended forever.

I hope I speak for many of my colleagues in saying shipping jobs overseas with the subsidies and incentives now provided very simply is unacceptable. Let's pass the Bring Jobs Home Act now to close those loopholes and to provide these incentives so that companies such as Otis Elevator, United Technology, DuPont, Ford, Master Lock, GE, Spectrum Plastics in Ansonia, CT, will be encouraged to continue doing the right thing, bringing those jobs back, walking the walk, and walking jobs back to Connecticut and to the United States. I will be voting yes to bring jobs home.

Again, I thank my colleague Senator STABENOW for her invaluable leadership on this issue. I am proud to join her today.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Ms. STABENOW. Mr. President, I first want to thank my friend and colleague from Connecticut for his commitment and compassion and passion on this issue. I appreciate very much his joining with me and others to come together to put forward what I think is a commonsense bill that focuses on closing a major loophole that is requiring basically taxpayers to help foot the bill when jobs are shipped overseas. So I want to thank the Senator from Connecticut for his efforts and commitment. I know he shares my belief that we need to be bringing jobs home, and that is what we intend to do.

I do want to speak today about the legislation that is in front of us. We can come together and agree we don't have to go forward and have this vote to stop a filibuster. If we could agree to bring up the bill and discuss it and pass it, it would be terrific. We know we have a majority to support this bill and be able to pass it, send it to the House, and the President will sign it in 30 seconds, I know, to be able to close this loophole. But we are, unfortunately, engaged in something right now that we are engaged in all the time now. It used to be a rare occurrence to have an objection that triggers a filibuster. Now it is on every issue. So we find ourselves waiting to be able to vote to see whether we are going to be able to get a supermajority to be able to go to this bill. That is very concerning to me, given the fact that we do have the majority in the Senate that wants to debate and pass this bill and we have the vast majority of Americans. It is not about Democrats or Republicans. We have people all over this country who want to see us move forward on this bill as well as others that will focus on jobs and focus on bringing jobs home. We want to build an economy that lasts. The way we do that I believe is by making things—making things in America.

Two weeks ago, we passed the farm bill on an overwhelmingly bipartisan vote. As chair of the Agriculture Committee, working with my ranking member Senator ROBERTS, we very much appreciated the hard work and support of Members on both sides of the aisle to pass something that is involved in growing things. We don't have a middle class in this country and we don't have an economy unless we make things and grow things. So we showed we could come together around a major piece of legislation that invests in growing things and all of the offshoots of that as it relates to the food economy.

This is an opportunity to say ''we get it'' when it comes to making things and bringing jobs back from overseas so we can make more things again in America. It is unbelievable to me—and I know it is unbelievable to hard-working men and women in Michigan and I know all across the country—that companies actually get a tax writeoff for packing up shop, paying for the moving expenses, doing what they need to do to close down and move jobs overseas. It is actually astounding. And when we look at the fact that we have lost 2.4 million jobs in the last 10 years because of that, it is outrageous when you think about it that we are losing 2.4 million jobs and it continues, and, at the same time, American taxpayers are helping to foot the bill. That makes absolutely no sense.

We have heard a lot about tax reform from Members on both sides of the aisle, and I support that. I think there are some larger tax issues. As a member of the Finance Committee, I am committed to addressing a range of issues that deals with incentives and how we compete globally and our companies are able to compete globally. But this is tax reform we can do right now. We don't have to wait for something big to come someday. We are going to have an opportunity in the next day to vote on tax reform immediately. I know the Presiding Officer shares the desire to bring those jobs home. The fact is, we have something very simple and straightforward we are going to be asked to vote on.

First of all, the Bring Jobs Home Act would end the taxpayer subsidies that are helping to pay for moving costs for corporations that are closing up shop and sending jobs overseas. Secondly, we are going to allow companies to have that deduction when they bring the jobs back. So if we have a company wanting to close up shop in China and bring the jobs back, we are happy to allow a business tax deduction for that. And, on top of it, we will allow an additional 20-percent tax credit for the cost of bringing those jobs back. So we are happy to do that. But we are not paying to ship the jobs overseas.

I don't know of any country in the world right now that would have a tax policy that involves helping to pay for jobs leaving their country. If anything, we are in a situation today where we have other countries either trying to block us from selling to them or they create incentives. I have mentioned so many times but it is true, I have talked to companies that had the Chinese Government approach them and say, ''Come on over, we will build the plant for you.'' And then they steal your patent.

But the fact is other countries are aggressively trying to get what we have had as America, what has created the middle class of America, which is the ability to make things in this country. We don't seem to understand that if we are not vigilant, if we are not paying attention, if we are not focused, if we don't have the right policies and the right kinds of investments and partnerships with the private sector, they are going to have all of those middle-class jobs. So when we look at this, it is time to begin that process. In fact, it is way past time to do this.

Cheryl Randecker would certainly agree with that. She worked at Sensata for 33 years. She has a daughter who is ready to go to college. She is worried about how she is going to pay her bills and put food on the table and pay for her daughter's schooling. And now she finds she has lost her job. It is being shipped to China. Her employer gets a tax deduction that she is helping to pay for, for the moving expenses.

Her coworker Joyce is 60 years old and has worked at the same company for 29 years. She has given them her whole career, and in those years she has developed a very specific set of job skills that have made her a tremendous asset to the work they do at their facility. But those skills aren't necessarily transferrable to another company, and she is worried those companies would rather hire somebody half her age to save money. She is another person who must be absolutely outraged to find out that the taxes she has paid for nearly 30 years in her career are being used to help her company ship her job to China.

I have heard similar worries from my constituents all over Michigan, people who have worked all their lives—often for the same company—in their late fifties, early sixties, a few years shy of

retirement, and who suddenly find the rug pulled out from under them. It is outrageous to think that those individuals, who have played by the rules and worked hard their whole lives, suddenly find themselves in a situation where their jobs are shipped overseas and American taxpayers are subsidizing it. We can change that. We can change that when we vote to move forward on this bill.

The good news, and the reason we need to do this to keep this momentum going, is that we have a lot of companies that are now doing the math and finding it makes good business sense to bring jobs home. So we have some good news stories, and we need to keep them going.

But our Tax Code needs to catch up with that and reward those companies instead of putting them at a competitive disadvantage when we have companies closing up here and shipping jobs the other way.

Caterpillar is making major new investments in the United States, bringing jobs back from Japan, Mexico, and China.

DuPont is building a plant in Charleston, SC, to produce Kevlar. That is great news. They are making investments in Ohio, Iowa, Pennsylvania, and Delaware.

All-Clad Metalcrafters, the folks who make high-end cookware, have brought their production of lids back from China to the United States.

Keen, a shoe manufacturer, just opened a 15,000-square-foot plant to manufacture boots in Portland, OR—production that used to be in China.

Master Lock, the world's largest padlock maker, moved jobs back to their facility in Milwaukee, WI, and they now have 50 products manufactured exclusively in the United States made with U.S. component parts.

US Airways brought hundreds of jobs back to their call centers in North Carolina, Arizona, and Nevada. Today, Lori Manuel is joining me in just a few moments at a press conference to talk about how important those jobs are to her and her colleagues.

Yesterday I was on the floor talking about our American automobile industry. I am very proud that Ford has retooled. The largest plant they have is in North America, in Wayne, MI, and because of that effort and new advanced batteries, they are bringing jobs back from Mexico and, we are now hearing, from China and other places. I know GM and Chrysler are very focused on jobs here and bringing jobs back, and that is all good news.

These are companies that want to invest in America. They want to bring jobs home. Our Tax Code should be rewarding that, not rewarding those who want to leave. Our Tax Code still rewards their competitors who are not making investments in America, and it makes absolutely no sense. When CEOs are making calculations about where to move production, we do not want the Tax Code standing in the way.

It is very simple. We know we have to focus on jobs in America. We are in a global economy. Our companies are competing with countries and policies of countries and investments by other countries. We have to make sure that we are doing everything, that it is all hands on deck, that everybody is moving in the same direction, that the Tax Code works, that we are partnering in the right way in every part of our economy so that the message is sent out: Bring jobs home. ''American made.'' We want to strengthen America.

This is about America first. That is what the Tax Code ought to focus on, and that is what this bill is all about. I am hopeful that our colleagues will get beyond the politics of the moment. I know we are in an election year. I get the partisan politics of the moment. But there are people around our country counting on us—Democrats, Republicans, Independents, folks who vote, folks who do not vote—counting on us to actually step up together and do things that make sense. This makes sense. We need to bring jobs home. This bill will help do that.

I yield the floor.

The PRESIDING OFFICER (Mr. CARDIN). The Senator from Wyoming is recognized.

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

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

A SECOND OPINION

Mr. BARRASSO. Mr. President, I come to the floor, as I do each week, as a physician who practiced medicine in Wyoming for a quarter of a century, taking care of so many families there, to give a doctor's second opinion about the health care law that has now been found constitutional by the Supreme Court. Although it may not be unconstitutional, it is still unworkable, it is unaffordable, and it is very unpopular.

Today I wish to talk about one of the specific components of the health care law; that is, the issue of Medicaid expansion.

Most of the discussion of the Supreme Court's health care decision has been focused on the individual mandate, that incredibly unpopular portion of the law that forces every American to buy a government-approved product, government-approved health insurance. The Supreme Court has ruled it a tax. It is a tax. Still, the American people know it is a mandate coming out of Washington that they buy a government-approved product for the first time ever in American history.

Today I would like to talk about another important part, which is the Supreme Court's ruling that the law's Medicaid mandate is unconstitutional. As many Americans know, Medicaid is a government program that is jointly funded between States and the Federal Government. The President's health care law contained a huge expansion of Medicaid, and more than half of the new insurance coverage provided by the health care law was supposed to be delivered through the Medicaid Program.

The President's health care law forces States to expand their Medicaid eligibility or face the loss of all of their Medicaid matching funds. Currently, the States put up some money, and the Federal Government puts up some—it varies from State to State. In my State of Wyoming, the State puts up half, the Federal Government puts up half, and 15 States are in that 50–50 range. In some States, it goes up to 70 cents from the Federal Government and 30 cents from the State. Across the board, the average is about 57 cents from Washington, 43 cents from the home State.

Many States believed that this expansion, this forced expansion, this forced mandate on them was unconstitutional, that it was expensive, and that it would essentially leave States with no choice but to participate in the program. That is why 26 different States filed a lawsuit against the Federal Government to stop this massive Medicaid overreach.

Supreme Court Chief Justice Roberts and a majority of Justices agreed with the States. Chief Justice Roberts described the Medicaid expansion as a ''gun to the head'' that would leave States no choice but to participate in the program. The decision of the Supreme Court made clear that States cannot be forced by Washington—cannot be forced by Washington—to participate in the health care law's Medicare expansion.

In response, after the Supreme Court announced its decision, a reporter asked senior White House officials how they would entice States to participate. According to Kaiser Health News, the White House officials responded with laughter. Apparently it seemed almost inconceivable to these White House officials that States would want to opt out of the Medicaid expansion. In fact, Washington Democrats have argued that it is a good deal for States since the Federal Government is paying for the entire expansion through 2017, and then it will cover 90 percent of the cost of the States. But, again, that is not of all of the people on Medicaid, that is only of these newly eligible individuals. Never mind that the Congressional Budget Office predicted that the Medicaid expansion would cost the Federal Government over $900 billion between 2014 and 2022. Apparently Washington Democrats, who have not passed a budget—Members of this Senate—in over 3 years, believe the Federal Government has extra money to spend. It is completely irresponsible.

While this might be a laughing matter for the White House, people who work in State governments take this issue much more seriously. The concerns of Governors of both parties was recently highlighted in a Washington Post article. Not only are Republican Governors concerned about the expansion, but at least seven Democratic

Governors have been noncommittal about expanding the program in their own States as well. Governors are concerned because they know Medicaid has been the fastest growing part of the State budget for over the past decade. In fact, Medicaid spending has expanded twice as fast as spending on education, and this is according to the bipartisan National Governors Association.

In addition, State leaders worry that the Federal Government will not keep the promises Washington has made to the States regarding Medicaid's payment rates.

The Wall Street Journal referred to the matching rate this way:

> This 100 percent matching rate is like a subprime loan with a teaser rate and a balloon payment.

When asked to comment about the Medicaid expansion, Jay Nixon, the Governor of Missouri, who is a Democrat, said:

> This deals with hundreds of thousands of Missourians, it deals with their health care . . .

He went on to say:

> . . . it deals with billions of dollars, and we will be involved in the process that defines the best fit for our state and respects the sovereignty of our state and the individuality of our state.

Brian Schweitzer, Democratic Governor of Montana, put it best when he said:

> Unlike the Federal Government, Montana just can't print money. We have a budget surplus and we are going to keep it that way.

Unlike this current administration, Governors of both parties recognize the importance of controlling government spending.

Washington cannot expect States to simply trust that the money will come through in the future. States basically do not trust Washington, and they are right to not trust Washington. States and Governors across the country are much smarter than trusting Washington.

It did not have to be this way. If the White House and Democrats in Congress had actually focused on lowering costs—that was supposed to be the concern of the health care law, lowering the cost of care—if the White House and Democrats in Congress had actually focused on lowering the cost of care, States now would not be facing this bad choice.

We need to repeal this bad health care law. We need to replace it with legislation that will make it easier for States to work with Washington without going bankrupt. We need to move forward. We need to move forward with legislation that will allow Americans to get what they have been looking for, which is the care they need from a doctor they choose at lower costs.

I point out that the Republican Governors Association has a lot of questions about this Medicaid expansion. As a matter of fact, Virginia Governor Bob McDonnell, who is chairman of the Republican Governors Association, sent a letter to the President seeking answers to a number of questions dealing with Medicaid and dealing with the exchanges that are part of this health care law. There are 30 specific questions in the letter Governor McDonnell sent. I suggest that possibly the President has not thought of these issues as they relate to the health care law and does not have answers. But these are answers Governors of both parties continue to seek because they want to know what the impact of this Medicaid expansion is going to be on their own States and their own budgets.

The health care law may not be unconstitutional. It continues to be unworkable, it continues to be unaffordable, and it continues to be unpopular. You say: How unpopular is it? In a poll done just after the Supreme Court ruling, just last week, July 9 to July 12, a Gallup Poll talked to Republicans, they talked to Democrats, but then they focused on the Independents, and what they have shown is, of Independents in this country, how they think this health care law will affect different components of our society. They think it will actually make things worse for doctors, make things worse for people who currently have health insurance, they think it will make things worse for hospitals, they think it will make things worse for businesses, it will make things worse for taxpayers and, most importantly, they believe it will make things worse for them personally.

That is where we are today, which is why we need to repeal and replace this health care law. My advice to Governors around the country would be to wait a minute until after the election to decide what you want to do about Medicaid expansion because we are continuing to work to repeal and replace this broken health care law.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Utah.

(The remarks of Mr. HATCH pertaining to the introduction of S. 3397 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

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

The PRESIDING OFFICER. The clerk will call the roll of the Senate.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. 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. ALEXANDER. I ask unanimous consent to speak for up to 15 minutes as in morning business.

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

Mr. ALEXANDER. Mr. President, would the Chair please let me know when there is a couple of minutes remaining.

The PRESIDING OFFICER. The Chair will so advise.

Mr. ALEXANDER. I thank the Chair.

SENATE RESPONSIBILITY

Mr. President, earlier this year I came to the floor with a group of Republican and Democratic Senators to congratulate the majority leader, Senator REID, and the Republican leader, Senator MCCONNELL, as well as the leaders of the Appropriations Committee, Senator INOUYE and Senator COCHRAN. The reason for the congratulations was this: They said they were going to do their best to bring all of the appropriations bills to the floor and pass them. That may not seem like such a monumental pledge or promise, but it, in fact, is, because only twice since the year 2000 has the Senate gone through the whole process of bringing all 12 appropriations bills to the Senate floor and enacting them in time for the beginning of the fiscal year on October 1.

Why is that so important? Well, we are in the midst of a fiscal crisis. We are borrowing 42 cents out of every dollar we spend. One way to deal with that is through the appropriations process. That is our first constitutional responsibility. Judges judge; we appropriate. That is the first thing we do. We have control of the people's money. The appropriations bills I am talking about, the 12 of them together, constitute a pretty big number. More than a third—38 percent—of all the dollars we spend in the Federal Government go through those 12 bills. It used to be a lot more.

So when the majority leader and the Republican leader said, Yes, we are going to do our best to bring all of those appropriations bills to the floor, I thought the Senate had taken an important step in functioning the way the American people expect the Senate to function. The American people expect us to get about the serious business of this country so that, in the words of the Australian Foreign Minister, Bob Carr, we can show the people we recognize that we are really one budget agreement away from reasserting America's preeminence in the world. We have that within our power.

The economy of the country, the economy of other countries depends, to a great extent, on our ability to govern ourselves properly. So I was very encouraged when the majority leader and the Republican leader said, Yes, we are going to do our best to bring all 12 of those bills to the floor.

I regret to say I am equally disappointed that the majority leader suddenly announced last week he won't bring any appropriations bills to the floor. The reasons he gives are very puzzling to me. First he says, Well, the House is using a different number than the Senate. What is so new about that? That is why we have the House and the Senate. They are one kind of body and

we are another kind. They have their opinion; we have ours. We vote on our opinions. Then we have a procedure called the conference in which we come together and we get a result. We have had so few conferences lately that maybe some people have forgotten we do that, but we have a way to do it.

Then the majority leader said, Well, they in the House violated the Budget Control Act. The Budget Control Act was simply something we agreed on—I voted for it—to try to put some limits on the growth of discretionary spending in the budget. If we stick to that over the next 10 years, the discretionary spending—not the two-thirds of the budget that is entitlement spending but this one-third we are talking about—will only grow at an little bit more than the rate of inflation. If our whole budget grew at that rate, we wouldn't have a fiscal problem.

Those aren't good reasons. We have a way to reconcile our differences. The Budget Control Act is only limits. The Senate actually has exceeded those limits, according to my colleague Senator CORKER, already three times in this year. So there is no excuse whatsoever for not bringing up appropriations bills on the floor of the Senate.

If we think the Solyndra loan was a bad idea, that is the place to take it out. Or, if we want to spend more money for national defense, that is the place to put it in. Or if we think we are wasting money on national parks or too much government land, that is the place to take it out. Are those bills ready to come to the floor? Yes, they are. In the Senate, we have been doing our job in our committees. Let me be exactly right about this, but I believe we have nine of our appropriations bills that are ready to come to the floor, that we are ready to go to work on right now. The House of Representatives has already passed 11 of the 12 appropriations bills through committee and 6 of those have been passed by the House. So this month, we could be debating any of those appropriations bills. We could have amendment after amendment after amendment. We could reduce our spending. We could increase our spending. We could say to the American people: We are doing our job.

That brings me to my second disappointment. I was greatly encouraged this year—and a lot of the credit goes to Senators on the Democratic side as well as some on our side—who are saying, Wait a minute. We are grownups. We recognize we are political accidents. We have been given the great privilege of representing the people of our State and swearing an oath to our Constitution of the United States so we can help lead this country. So we want to go to work. We want to go to work.

What does the Senate do? Well, the Senate brings bills up through committee, it brings bills to the floor, and then, as the late Senator Byrd used to say, almost any amendment comes to the floor and we debate it and we vote on it, and then we either pass the bill or we don't pass the bill. That is what the Senate does.

We on our side have been saying to the majority leader: Mr. Majority Leader, let us offer our amendments. Don't silence the voices of the people in our States that we represent. So he has been allowing that to happen more. Of course, he has the procedural ability to stop that. The Senator from Michigan said: Let's try just having relevant amendments, so we said: OK, let's try that. So we began to make some progress.

There was a dispute over district judges. We resolved that. We have been confirming them. The Postal Service bill, the farm bill, the FDA bill, the highway bill—these are all important pieces of legislation that affect almost every American family, and what did we do? They went through committee; they had the expertise of the members who work on those committees; they came to the floor; we had a lot of amendments, we voted on them, and they were passed by the Senate. In other words, we did what we should do.

I thought we were on a lot better track until the last 2 or 3 weeks. Suddenly, what has happened? Suddenly, all that ends. We revert to political exercises—little bills of no real importance compared to the bills we should be debating. We have a jobs bill, the DISCLOSE Act bill, and the bill we are about to go to that the Senator from Michigan is proposing. The problem with those bills is they have not been through committee. They are not going to pass the House. Everybody knows that. So we are wasting our time at a time when we could be debating all of the appropriations bills of the U.S. Government. At a time when the U.S. Government is borrowing 42 cents out of every dollar we are spending, we are not even going to do our job and consider appropriations bills on the floor and amend them. What will the whole world think? What will our constituents think about our ability to govern ourselves if we can't pass—even consider—an appropriations bill in the U.S. Senate?

On top of that, we haven't had a budget for over 1,000 days. I remember when Condoleezza Rice, the Secretary of State, came back and met with a group of Senators. She came back from Iraq early after their government was formed and she said, They can't even get a budget over there in Iraq. Senators looked around at each other, and here we have been a Republic for a long time and we can't get one, either. So I am very disappointed by the fact that after such a promising surge of activity that was bipartisan and that got results, we have suddenly reverted back to forgetting that we have a way to deal with our differences.

It is not because we don't have anything to do. Where is the cybersecurity bill? Where is the Defense authorization bill? Where are the appropriations bills? They are all ready to be considered, at a time when we are in a fiscal crisis, looking at a fiscal cliff which, if we don't solve, according to the Congressional Budget Office and the Chairman of the Federal Reserve Board yesterday, it will plunge us into a recession in the first 6 months of 2013. Those are the stakes we are playing with.

There is also a third area in which I must express my severe disappointment. We worked hard at the beginning of this Congress to accommodate a number of Senators who felt we needed changes in the rules, and we made some changes. But we preserved the Senate's integrity as a different sort of institution—as a place where the party that has 51 votes doesn't run over anybody else.

Alexis de Tocqueville said the two greatest problems he foresaw with the American democracy—this was back in the 1830s—were, No. 1, Russia; and No. 2, the tyranny of the majority. Well, the Senate, as Senator Byrd used to so eloquently say, is the single most important institution in our country, to protect minority rights and minority points of view. Sometimes we are in the minority on this side, and we will notice there are some fewer desks. Then after an election, maybe more people vote for Democrats and they come in and they pick up the desks and they move them over to that side. Whichever side is in the minority in the Senate still has rights, and those aren't just the rights of the Senators themselves, those are their rights to speak the voices of Tennessee or Maryland or Nevada or New York or Kentucky. It is those voices that need to be heard on the floor of the Senate. And when we can't debate, when we can't offer amendments and we can't vote, those voices are silenced.

So to my great surprise, the majority leader—and as I said, I came to the floor more than once to compliment him for this—said at the beginning of this Congress that he wouldn't seek to change the rules of the Senate except according to the regular order—except according to the rules of the Senate which say we have to have 67 votes. That is what the rules say. We agreed on that. What that meant was we needed a change in behavior, not a change in the rules, to show that the Senate could function.

Last night on television, apparently the majority leader said that in the next Congress—he had changed his mind and that if he is the majority leader, he will seek to change the rules of the Senate by 51 votes. That will destroy the Senate. That will make it no different than the House. I would say to my friends on the other side, if they want to make the Senate like the House where a freight train can run through it with 51 votes, they might not like it so well when the freight train is the tea party express, which it could be. Republicans could be in control of the Senate after this session. Republicans could have a President, and then where would ObamaCare be?

Where will a whole series of things be? There will be a great many Senators on the other side who will say, Wait a minute, let's slow down the train. Let's think about what we are doing. That was the original intention of the Founders of this country. The House is majoritarian and 51 votes control. A freight train can run through it day in and day out. But when it gets to the Senate we stop and think and minority rights are protected. As a result of that, usually that forces us to have a supermajority 60, 65, or 70 votes—in order to do anything big, such as the time when finally the civil rights bill was enacted in the 1960s. Senator Russell, who led the debate against the Civil Rights Act, filibustered it. He was finally defeated. He flew home to Georgia and said, It is now the law of the land; we support it. That is why President Johnson wrote the bill in the office of the Republican leader, even though the President was a Democrat. He wanted bipartisan support.

President Johnson knew he had the votes in the 1960s to pass the Civil Rights Act without Republican support, but he had the bill written in the office of Senator Everett Dirksen, the Republican leader. I remember I was a young aide at that time. The Senators were in there and the aides were in there. Pretty soon everyone was invested in it. When it passed, as I said, Senator Russell went home to Georgia and said, it is the law of the land. We have to support it.

Now we are coming up on what the Chairman of the Federal Reserve Board has called the fiscal cliff. This is a convergence of big issues ranging from the debt ceiling to how we pay doctors to the spiraling, out-of-control entitlements we have, to the need for a simplified Tax Code, to the need for lower rates. We have been working on this in various ways across party lines for several months.

There is a growing consensus that the time to act is after the election. It will require Presidential leadership, whether it is newly inaugurated President Obama or a new President Romney, and our job will be to see that the newly inaugurated President succeeds, whether he is a Republican President or a Democratic President, because if he does, then our country succeeds.

What are the stakes? The Foreign Minister of Australia, Bob Carr, put it very well when he said in a speech here—and he is a great friend of the United States and I have known him for 25 years—he said: The United States is one budget agreement away from reasserting its global preeminence—one budget deal away from reasserting our global preeminence.

But if we cannot even bring up an appropriations bill to debate it, to amend it, to vote on it, and to pass it, if we suddenly are dealing with bills that have not gone to committee that are nothing more than a political exercise, if we are sitting around in the Senate with nothing to do of significance—and there is only one person who can bring up issues here; that is, the majority leader—how is that going to convey to the American people we are capable of governing ourselves? I think it sends a clear message that we are failing to do that.

So having expressed my disappointment, I wish to express my respect for the majority leader and to say again how much I appreciated the efforts he made at the beginning of the Congress to say we would not change the rules of this institution, except according to the rules, and the effort he said he would make at the beginning of this year to bring up the appropriations bills and the efforts he has made to allow more amendments on a whole series of bills this year and say: Can we not go back to that, even though this is a Presidential election year?

The stakes are too high. As far as voting on amendments, that is why we are here. Why would you join the Grand Ole Opry if you do not want to sing? That is why we are here. We are here to express the views of ourselves and the people we represent to make sure their voice is heard, and then we are here to get results.

I hope my record is a pretty good record of working to get results. I sometimes say to my friends—they will say: You are being bipartisan. I am not interested in being bipartisan. I am interested in results. I learned in the public schools of Maryville, TN, how to count, and I know it takes 60 votes to get results. So anything important we do is going to require Democrats and Republicans. We are going to need a coalition of Democrats and Republicans, not 51 or 53 or 54, no matter who is in charge next year. We are going to need a coalition of 60 or 65 or 70 who will come around some of the most difficult issues we have had to face in terms of tax reform, in terms of deficit reduction, in terms of reining in entitlements—a whole series of issues. We are going to have to remember our pledge to the Constitution that we take at the beginning of each 6-year term, and we are going to have to honor that pledge.

That is the Senate I hope to see. That is the Senate I am working to create. I wish to create an environment in which the Democratic leader and the Republican leader can succeed on big issues in helping us put together results on the serious problems. I wish to make the Australian Foreign Minister—a great friend of the United States—I wish to show him we can answer his question and that we realize, just like he does, that we are one budget agreement away from reasserting America's global preeminence and that we in the Senate are perfectly capable of doing it.

By not bringing up appropriations bills, by reverting to political exercises, by leaving off the table many amendments that need debate, and by even suggesting we would change the nature of the Senate so a freight train could run through it with 51 votes, none of that encourages confidence in the ability of the United States to govern that I think exists.

I know my colleagues pretty well. I work hard with people on both sides. I respect them all and their opinions and I do not question their motives. It is my personal judgment that 80, 85 percent of us on both sides of the aisle want a result on the big fiscal issues and on every other big issue that comes here, and I would like to do my best to create an environment in which that could happen.

I thank the Presiding Officer and yield the floor.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. BOXER. Mr. President, I am here to speak in favor of the Bring Jobs Home Act. I wish to thank my colleague Senator STABENOW of Michigan, who understands this issue because in her State of Michigan they almost lost the auto industry. They almost lost the auto industry. There were those who said: Let them go bankrupt. We know who those people are.

We supported our President. We had a majority who did so. We had tough votes, and we said: We are not going to be the only industrialized country in the world to not have an auto industry. We looked at it as not only a jobs issue—clearly, it is a jobs issue—but we looked at it as a national security issue as well.

What this bill is about, the Bring Jobs Home Act, is making sure we see the words ''Made in America'' again—we see the words ''Made in America''—so it is not a surprise when we see those words, but we say: That is right. It is made in America because we have the best workforce, the best entrepreneurs in the world, and we need the jobs here.

What has happened over the years is that shipping jobs overseas became a trend and a lot of important voices were heard saying: That is just the way it is. It is not just the way it is. If we have policies in place that incentivize manufacturing and production here, we are not going to lose those jobs. But what happened during these years is that companies got a tax deduction for moving jobs overseas. Imagine that. We American taxpayers were subsidizing companies, giving them tax breaks for moving jobs overseas.

The Bring Jobs Home Act ends those tax breaks for companies that ship jobs overseas. What we do instead is say: We will give a 20-percent tax credit to companies that move their jobs back from overseas. So they get a 20-percent tax credit for their moving expenses. So we stop giving tax incentives to companies that move jobs overseas, and we instead give tax incentives to those who bring them back.

Let me tell you the good news. The good news is that there are some companies that are coming back home. I wish to highlight a couple companies in California.

Simple Wave, a company that makes snack bowls from recycled materials,

relocated its production to Union City, CA, from China. Simple Wave chose to complete its manufacturing in America because they said it saves time and allows for greater quality control and flexibility.

A cofounder of Simple Wave, Rich Stump, said:

> Our business is growing very quickly and by having the ability to react quickly and provide just-in-time manufacturing will provide the fuel to our growth. Knowing that we are contributing to the US economy re-shoring effort is a great feeling—

Listen to that. This is a businessman who says: ''Knowing that we are contributing to the US economy re-shoring effort is a great feeling''—

> and we are confident that this will in turn provide a better quality product to our customers.

I say to my Republican colleagues—I do not know how they are going to vote, but they have not been very supportive of this bill—if a businessman feels great because he is bringing jobs home to the United States, why don't you feel great and do your part and take away tax breaks for companies that ship jobs overseas and give them to companies that bring jobs home?

Here is another one.

LightSaver Technologies, in Carlsbad, CA, makes emergency lighting for homes. They also moved their manufacturing back from China. They found that making adjustments to the manufacturing process is easier when the plant is only 30 miles away, as opposed to 12 time zones away.

Jerry Anderson, one of the company's founders, said:

> If we have an issue in manufacturing, in America we can walk down to the plant floor. We can't do that in China.

He says manufacturing in the U.S. is 2 to 5 percent cheaper once he takes into account the time and trouble of outsourcing jobs overseas.

Again, I say to my friends, if entrepreneurs such as these feel good about bringing jobs home, why are you continuing to support subsidies to companies that move jobs overseas?

We are coming out of a very tough recession—a very tough recession—and we know we need to create jobs here at home. I truly wish to say to the people who may be watching this debate—if there are a few; I think there might be just a few—we have control over this. We know if we give incentives to companies to ship jobs overseas, their bottom line is going to be changed by that. But if we give incentives to companies to bring jobs back, their bottom line will look much better.

So we have the opportunity with this important bill to move forward and turn things around. Do not believe when people say: Oh, it is just the way it is. We are just outsourcing. That is the global marketplace. That is it.

If we take that attitude, the future is going to be pretty bleak. Because we do have the greatest workers in the world. They have the best productivity of any workers—the best. So why would we say: It is just the way it is. We need to fight for those jobs. We need to fight. We have to stand up to the people who say: It is just the way it is. It is just the way business is.

When somebody tells us that kind of a simple statement, we should question it. It is the way it is for many reasons. One of them is, we are giving incentives right now to companies to ship jobs overseas.

A Wall Street Journal survey found that some of our largest corporations cut 2.9 million U.S. jobs over the last decade from America, while hiring 2.4 million people overseas. So they cut jobs here, and they created jobs there.

So when a politician says to you: I am for job creation, ask him, where. We want it here. We do not want it in other countries at the expense of American workers. We wish all countries well, but we have to take care of America.

People talked about the uniforms at the Olympics, and some said: Oh, I am not going to get into that. That is not such a big deal.

It is important. It is important we make a conscious effort for our athletes that they do have a ''Made in America'' label.

Many of us have had the experience of using, as a fundraising tool, the sale of T-shirts or purses or shopping bags or hats. Yes, it takes an effort to find the right place to go, but those can be made in America. I say it takes a little effort for a good result. As Senator REID said, we have people in the textile industry crying for work. So do not just brush it off as a nonissue. It is an important issue.

In California, more than 3,400 jobs were lost to outsourcing this year alone—3,400.

From 2000 to 2010, the United States lost 5.7 million manufacturing jobs.

But it is not just manufacturing. Science and high-tech jobs, legal and financial services, business operations are being moved overseas as well. We all know we make those calls trying to find out something, whether it is an airline schedule or information on a product, and you get the sense the person is not talking to you from an American city. Why on Earth would we give incentives to have those jobs created elsewhere?

That is what this bill is all about. With 12.7 million unemployed people and only 3.6 million jobs that we have open nationwide, we have to find ways to reverse this trend.

I think Senator STABENOW has hit on a very good way to start with the bringing American jobs home act. It is so easy. We want to say to companies: We are for your bringing jobs back, to the extent that we will give you an actual tax credit for doing that. It is very key.

So I hope we can come together across the lines that divide us, these artificial lines, and work together. We have done it on a few occasions. We did it on the highway bill. I am so pleased we were able to do it then. The Presiding Officer was very involved in that. It was not easy. This one is easy. The highway bill had 30 different programs in it. We are talking about a very simple premise: Right now we give tax breaks to companies who shift jobs overseas, and we want to end it. Enough. It is not complicated; it is easy.

Why my Republican friends cannot join hands with us on this one I do not understand. But I have to say, we can do this for the American worker, whether they are from California or Ohio or Texas or Arizona or Maryland or Kentucky—wherever they may be. This is one we can do for the working people and the entrepreneurs of our Nation.

So I congratulate Senator STABENOW. I look forward to voting in favor of the Bring Jobs Home Act.

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

The PRESIDING OFFICER (Mr. MERKLEY). 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.

DEFENSE SEQUESTER

Mr. MCCONNELL. Mr. President, we know with some certainty that on January 20, 2013, regardless of who the President is, he will swear, to the best of his ability, to protect and defend the Constitution of the United States; that more than 60,000 soldiers, sailors, airmen, and marines will remain deployed in Afghanistan, and that our All-Volunteer Force will stand ready to defend American interests in the Strait of Hormuz, in the Republic of Korea, as well as defend our allies across the globe.

Our forces will remain committed on that day to denying the Taliban a return to Afghanistan, to denying al-Qaida a safe haven, to training the Afghan national security forces, and to fulfilling the operational plans of our regional commanders. As important: the troops in the training pipeline and the schoolhouse, the F–35s in production, and the basic research and development programs in progress will provide the capabilities to meet future threats.

What is not certain is whether the President who is sworn in on that day will have to attempt to manage the damage done on January 2, 2013, by across-the-board cuts to the Defense Department of roughly $50 billion. But he will if the President and the Democrats in Congress fail to act on the cuts to defense that the President has insisted on, but which his own Secretary of Defense has said would be ''devastating.''

Let me say that again. These are cuts the President is insisting on, but his own Secretary of Defense says would be ''devastating.''

That is why I and my Republican colleagues call on the President to make his plans for these cuts clear right now. The President owes it to our forces around the world and to their families to put a plan on the table for all to see now rather than waiting until after the November elections pass. To keep these details secret and to leave the defense sequester in place as written would be irresponsible regardless of the outcome of the Presidential election.

Think about it. If Governor Romney is elected, he will be responsible for managing $50 billion of programmatic cuts before he or a new Secretary of Defense has even had a chance to conduct a review of the Defense Department's plans, programs, and strategy. And if President Obama is reelected, the arbitrary spending cuts directed by the Budget Control Act of 2011 that he insisted on would eviscerate the President's own defense strategic guidance issued earlier this year.

No wonder Secretary Panetta has said these cuts would be like ''shooting ourselves in the head.'' The weapons systems and capabilities required to provide a dominant presence in the Asia-Pacific Theater, attack submarines, amphibious ships, marines afloat and ashore, the next generation bomber, completing acquisition of the F–35, and the Ford class aircraft carriers will be required to deter and defeat aggression and to project power.

Investments in these capabilities must be made while we continue to combat and pursue al-Qaida, deploy and equip special operations forces, and, of course, seek to deter Iran. That is why the President should prepare for the possibility of a possible transition in power now and should do so with the same foresight and concern for our operations that previous administrations have demonstrated.

The last two transfers of political power, that from President Clinton to President Bush, and that from President Bush to President Obama, are instructive in how past administrations have managed the transition of the Defense Department's leadership both in peace and in war.

Early in 2001, before the Senate majority changed control from that of Republicans to Democrats, before the attacks of September 11, and before an envelope containing anthrax was sent to the Hart Building, Secretary Rumsfeld assumed his duties as the Secretary of Defense. He informed the Congress that he would conduct a strategic review of the Department's plan and programs and submit an amended budget later in the year.

That document was ultimately provided to the Congress in June 2001. Secretary Rumsfeld had months—literally months—to develop an initial plan. And this, by the way, was prior to the war on terror, or as we thought it then, during peacetime.

At the end of the second term of President Bush, Secretary Gates found himself responsible for the first Presidential transition during wartime in 40 years. Secretary Gates established a transition staff and a briefing process to ensure all incoming Obama administration officials were well prepared during a time of war. He encouraged political appointees to remain in office and to help with the new administration. Ultimately, he ended up staying on as Secretary.

Just consider the plight of what a President-elect may face in January 2013. Iran has shown no willingness to end its uranium enrichment effort. A young, inexperienced, untested leader is in charge of North Korea. The Taliban patiently waits for the United States and NATO to withdraw from Afghanistan. And al-Qaida's senior leadership, though weakened, and al-Qaida and an affiliate remain determined to strike the homeland. Egypt and Libya struggle with forming new governments. The revolt in Syria threatens regional stability, and al-Qaida affiliates stay active in Mali, North Africa, and Yemen.

As the next President attempts to have his Cabinet Secretaries confirmed, he will be dealing with managing a disruption in procurement contracts and deliveries, actions that are likely to elevate the cost of weapons systems and lead to layoffs in our industrial base. Troops preparing for deployment will see training curtailed. Permanent change-of-station orders will likely be delayed. Training and maintenance readiness levels will decline. All of this will occur while a new administration is reviewing war plans in Afghanistan.

Think of what this would say to a President-elect: As you are developing your new national security strategy, attempting to seat your Cabinet, and assessing the war in Afghanistan, the sequester will slash every program under review. Welcome aboard, sir. You have your hands full.

More important is what this will say to every soldier and marine still fighting in Regional Command East: Despite the outcome of the election, you may still be fighting the Taliban, attempting to train and mentor an Afghan soldier, conducting a drawdown of forces, and handing off operational responsibilities at the same time the funding of your operational training, weapons maintenance, and operations of your base childcare center are being slashed. If you are wounded, the funding for the defense health program and the care you receive will also be cut. That is why allowing the sequester to go into effect as currently written and as demanded, demanded by the President, would break faith with the forces we have sent abroad.

To confront a new President with this level of disruption as he transitions to wartime command would be deeply irresponsible. We must deal with defense sequestration prior to the election. The sequester should be equally concerning to President Obama.

In January of this year, the Department of Defense released strategic guidance that entails a rebalancing of our forces with an emphasis on a growing presence in the Asia-Pacific Theater. The wars in Iraq and Afghanistan and the counterinsurgency strategy used in both campaigns required an expansion of our Marine Corps and Army ground forces. President Obama has announced plans to reduce the Army by 72,000 soldiers between 2012 and 2017 and the Marine Corps by 20,000 between 2012 and 2017. Yet the force structure required to conduct counterinsurgency in Iraq and Afghanistan is far different from that required to convince friend and foe alike that our presence in Asia is significant and sustainable.

We must invest in a new generation of warfighting capability. The President's budget insufficiently funds this new strategy, and that is actually before sequestration. This year's budget request delayed construction of a large-deck amphibious ship, a new Virginia-class submarine, and announced the early retirement of other ships. These reductions are envisioned without those related to sequestration. Naval, air and forced-entry capabilities to combat anti-access weapons are the capabilities required under the new strategy, and they are underfunded in the President's budget. This comes at a time when military expenditures in Asia are outpacing those in Europe.

Let me be clear. The failure of the administration to match the President's budget request to his new strategy is not an argument for growing the defense top line, it is emblematic of the difficulty our regional commanders will have in fulfilling current operational plans before you even get to the sequester.

Although the administration has emphasized that the rebalancing of our forces in Asia is not a strategy to confront the growth of China's military, if we fail to match our commitment to Asia with the requisite force structure, China's influence, military posture, and sphere of influence will actually expand. As the Pentagon's own Annual Report to Congress makes clear, China is committed to annual military spending increases of roughly 12 percent, and it has undertaken a broad-based effort to expand the capabilities of the People's Liberation Army.

Both Secretary Panetta and General Dempsey have made it clear that the ability of our Armed Forces to execute the new strategy under sequestration would be at risk. As General Dempsey, the Chairman of the Joint Chiefs, has stated, under sequestration, ''it's coming out of three places: equipment and modernization—that's one. It's coming out of maintenance, and it's coming out of training. And then we've hollowed out the force.''

In his new strategic guidance, President Obama articulated a commitment to our enduring national security interests; the security of our Nation, allies, and partners; the prosperity that

flows from an open and free international system; and a sustainable international order. Needless to say, those interests will be extremely difficult to maintain with a hollow force.

Just as the next President will take the oath on Inauguration Day, we too take an oath as Senators. We have a responsibility to raise and support armies and provide and maintain a navy. If we let sequestration as currently written go forward and do not act, we will have failed. That is why I am so disappointed with the President's failure of leadership on this issue and that of Senate Democrats as well.

Both House and Senate Republicans have offered proposals to replace the savings from sequestration with more thoughtful and targeted spending cuts. Both of those proposals also either eliminated or reduced the sequester on nondefense programs as well.

Last week, Speaker BOEHNER, Majority Leader CANTOR, Senator KYL, and I sent a letter to the President asking him to work with us to find a bipartisan solution before the end of the fiscal year. With a $3.6 trillion annual budget, clearly there is a smarter, more thoughtful way to achieve at least $110 billion in savings.

It is simply outrageous that this President and Senate Democrats are missing in action on this issue. We are committed to finding a solution on this before we recess for the election. Are they? Or are they committed to jeopardizing our national security? When will they sit down and work with us to find a solution?

The House overwhelmingly passed the Sequestration Transparency Act today by a vote of 414 to 2. This bill is modeled after a Thune-Sessions bill. It asks the President's Office of Management and Budget to submit a report to Congress on the impact of sequestration on both defense and nondefense programs. Every single Democrat in the House Budget Committee supported it—every one. Will that bill die in the Senate because Democrats not only do not want to address sequestration, they want to hide the ball on the impact of sequestration until after the November elections? If they resist this effort to get more information on sequestration out in the open, it is clear that they wish Congress to be both blind and mute when it comes to our national defense and the fate of those who volunteer to defend it.

We need President Obama to tell this Congress his plan for avoiding the sequester, for preventing the gutting of his strategy, for responsibly transitioning to a new Commander in Chief, and for keeping faith with the warriors we have sent into combat. In all of this, our overriding objective—in fact, our duty—should be to work with the President to achieve the level of savings called for in the Budget Control Act without doing harm to our national security or to our military.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. CORNYN. Mr. President, I yield to the majority whip for a unanimous consent request.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I have a unanimous consent request that when the colloquy is finished with the five Republican Senators on the floor, I be recognized.

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

The Senator from Texas.

Mr. CORNYN. Mr. President, listening to the distinguished Republican leader, I am reminded of that quotation from former Secretary of Defense Robert Gates, who said that our records of predicting when we will use military force since Vietnam is perfect—we have never been right once.

We live in a dangerous and unpredictable world. We also know the global economy is in dire straits, in some places worse than others. In Europe, relevant to the national security question, we can no longer necessarily depend on our NATO allies to step up and do what they have done heretofore because they have their own economic and budgetary problems. Talking to some of our counterparts in the United Kingdom, the British Army is being cut by 20 percent because of austerity measures. So at a time when the world continues to be a very dangerous place—and Secretary Gates said we cannot know where the next threat to America or our allies will come from—we are finding the capability to address that threat reduced because of the budgetary cuts and thus increasing the risk to not only the United States but to our allies as well.

I wish to make just one point clear. National security is not just one thing on a laundry list of the things the Federal Government can or should do, it is No. 1. It is the ultimate justification for the Federal Government to provide for the safety and security of the American people. When the Federal Government treats national security just like any other expense on the government ledger, I think it denigrates the priority it should be.

When I heard the Senator from Washington the other day speaking at the Brookings Institute, she made an amazing speech in which—I am summarizing—she suggested that she and her colleagues will be prepared to trigger a recession unless this side would agree to raise taxes. It is not just the expiring tax provisions on December 31, which would be the single largest tax increase in American history, it is this $1.2 trillion sequester that cuts not only into the muscle but into the bone of our Defense Department and our ability to provide for our national security needs. It also has collateral impact on private sector jobs across the country. By one estimate, it is 90,000 jobs in my State alone. So why we would see our colleagues and the Commander in Chief himself wanting to play a game of chicken with our national security and our economy is beyond me.

Mr. MCCONNELL. Will the Senator yield for a question?

Mr. CORNYN. Yes, I will.

Mr. MCCONNELL. With regard to the impact on the economy, I wonder how many Boeing employees, for example, there may be in the State of Washington. Does the Senator have a number on that?

Mr. CORNYN. Responding to the question, I don't have an exact number, but I do know that by one estimate as many as 1 million private sector jobs would be affected if this sequester goes into effect as currently written.

We made it clear under the leadership of Senator MCCAIN, ranking member of the Armed Services Committee, that we are willing to work with our colleagues to try to change the structure of this sequester. We all believe Federal spending needs to be cut. But this is something that would, as the Republican leader said and Secretary Panetta admitted, would hollow out our national security and would be disastrous. Why the President won't listen to his own Secretary of Defense is beyond me.

Mr. MCCONNELL. So I say to the Senator from Texas, it is not just the impact on the military, which is devastating enough, but on our economy as well, correct?

Mr. CORNYN. That is exactly right. The consensus appears to be—I remember that Alice Rivlin, a former budget director under President Clinton, said that if the sequester goes into effect as currently written and this tax increase occurs at the same time, we will be in a recession.

This is the part I really don't understand. I think we all have been around politics enough to know that people act in their own self-interest, but how in the world could this be in the President's or his party's self-interest—it is certainly not in the national interest—to see the economy bouncing along from the bottom, with slow growth and the threat of a recession going into a national election? That makes no sense to me whatsoever.

I know we have other colleagues from the Armed Services Committee here who have something to say about this. I will reiterate something the Republican leader said. We stand ready to deal with this issue now—sooner rather than later. To ignore this until after the election, creating not only more uncertainty but the inability of our Department of Defense and our military to provide for the protection and the security of the American people, is completely irresponsible.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, may I say to my colleague that I thank him for his important words, and I thank the Republican leader for his commitment. I also point out that the Senator from Alabama, the ranking member on the Budget Committee, has some very

interesting statistics that I hope in the course of our colloquy he will talk about—how America's spending on defense has decreased over the years and how Draconian the effects on national defense will be in the case of the implementation of the sequester on our defense spending and the security of our Nation.

We need to discuss this issue in the context of what the Secretary of Defense said. He said that if this sequestration is implemented, it will place our national security in jeopardy. It will be, in his words, devastating. So I believe it is important for the American people and our colleagues to understand that the Secretary of Defense—not JOHN MCCAIN, Senator SESSIONS, or any of my Republican colleagues, but the Secretary of Defense—said it will be devastating.

We live in a dangerous world—a very dangerous world. If we cut defense the way this sequestration is headed, then there is no doubt we will have the smallest Navy and Air Force in history, with fewer ships than we have had since before World War II, and it will be a hollow force.

I would like to make one other comment as my friends join me. What is our country's greatest obligation? What is our No. 1 obligation, both the administration and Congress? It is to ensure the security of our Nation. That takes priority over every other item on our agenda. So when we start talking about sequestration, that is important in its effect, but I also think it is entirely proper—in fact, it should be our priority to talk about sequestration's effect on our defense.

I will point out that all of my colleagues here know we are facing reductions in defense. We already had $87 billion implemented by Secretary Gates, and another $400 billion has already been implemented. If we implement this sequestration, it will be over $1 trillion in a very short period of time.

We need to sit down and work together, Republicans, Democrats, and the President—who so far has been completely MIA—and work this out so that we can avoid what can be Draconian cuts and jeopardize our national defense, not to mention, as I am sure my colleague from Alabama will point out, the effect on our economy—the effect on our economy of over 1 million jobs lost and a reduction in our GDP.

So this is an important discussion. This is a very important debate. And if someone disagrees with our assessment and that of the Secretary of Defense, then I will be glad to listen to their arguments. But until then, I will take the word of the Secretary of Defense that this implementation of Defense sequestration will put our Nation in jeopardy.

Mr. SESSIONS. Would the Senator yield for a question?

From the Senator's perspective—as the Senator has been on this committee a long time, he has served in the military, and he is the ranking Republican on the committee—in the Senator's judgment, based on the obligations we have—and I know the Senator has openly and aggressively condemned waste and abuse in the Defense Department—but does the Senator think the Defense Department can maintain its responsibilities with this cut?

Mr. MCCAIN. I would respond to my friend, through the Chair, that I don't think in the dangerous world in which we live that we can afford to have the smallest Air Force in history, the smallest Navy since before World War II, and the smallest Army since before World War II. Most importantly, we have to continue to modernize and we have to continue to invest, as my friend from Alabama knows.

The fact is we have a crisis with Iran, we have a rising challenge with increasing activities of China, we have an unsettled North Africa, we have an Arab spring going on all over the Middle East, and all of these present a compelling argument for us to be prepared to meet contingencies.

If we were having this debate a year and a half ago, Ben Ali is in power in Tunisia, Qadhafi is in power in Libya, Mubarak is in power in Egypt, and there would not be a bloody civil war taking place in Syria. So where will we be, I ask my friend from Alabama, a year and a half from now? I don't know. But it seems to me we cannot afford to be cutting defense in this fashion.

Mr. SESSIONS. Mr. President, I value Senator MCCAIN's judgment because he has been engaged in these debates for many years.

Mr. President, I want to yield to Senator INHOFE because I know he wants to share his thoughts at this time.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I thank the Senator from Alabama. A lot has been said, and those of us who serve on the Armed Services Committee have been watching what is going on with a lot of distress. I think it is important for us to understand how we got into this mess to start with. By his own budget, we have a President who has given us over $1 trillion in deficit each year for 4 years, totaling $5.3 trillion. So that is the mess we are in that we are trying to get out of. But in all that time, the one that has not been properly funded has been the military. The first budget he had he cut out the F–22, the C–17, and the future combat system—all these systems that were so important—and it has gone downhill since then.

As you project the President's budget out, as has been said, we are talking about reducing about $½ trillion. Now comes sequestration. That is over and above. A lot of people don't realize it. They think we are talking just about the $½ trillion that will be cut over a period of time. I will use one of the charts that was actually put together by the Senator from Alabama that shows where this stuff is coming from. Everything seems to be exempt except the military. Food stamps, exempt 100 percent of it; Medicaid, 37 percent; and only 10 percent of the DOD base budget. So why is it we find ourselves in a situation where that is the problem?

The only thing other thing I want to mention is this. I have every reason to believe, because I have heard from people in industry, the President of the United States is trying to get them to avoid sending out pink slips until after the November 7 election. I would remind him that we have something called the Workers Adjustment Retraining and Notification Act—WARN Act—and that requires any of these companies, prior to sequestration on January 2, within 60 days, which would be November 2, to notify people of their pink slips.

But this is what I wish to remind people. They do not have to wait. If they want to do it today, they can do it. I think it is imperative the people—the workers who will be laid off work as a result of Obama's sequestration—know in advance of the November election, and we are going to do everything we can to make sure that happens.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, Senator INHOFE referred to this chart and I have now had it brought over at his request. This is something we prepared, and it dispels the myth that the reason this government is running such huge deficits is surges in military spending. That is an inaccurate event.

The base defense budget from 2008, 2009, 2010, and 2011 increased about 10 percent. Medicaid, during the same time, increased 37 percent; and food stamps, during this same 4-year period, doubled—a 100-percent increase. Under the sequester, food stamps get not a dime of cuts; Medicaid gets not a dime worth of cuts. These cuts are disproportionately targeted at the Defense Department.

The Defense Department, as the Senator says, has already taken a $487 billion reduction under the BCA, and due to sequestration it would be another $492 billion. That is why, I believe, it has gone from belt tightening, waste reducing, and efficiency to producing the damage to the Defense Department.

Mr. MCCAIN. Would the Senator show this other chart?

Mr. SESSIONS. Yes. Senator MCCAIN asks we look at this chart. This again shows what would happen under the sequester. Our budget staff has worked hard to correctly do these numbers. Under the sequester, the additional $492 billion in cuts, adjusted for inflation, the defense budget over 10 years would be reduced by a real 11 percent. That is, one-sixth of the Federal Government's spending is defense. The remaining five-sixths of the Federal Government would increase 35 percent under the sequestration and current

BCA policies. So again, I think that is clear proof the Defense Department is disproportionately being asked to reduce.

Senator MCCAIN suggests another chart. He likes my charts.

How about the 50-year switch? It is so dramatic. And the American people have to know this. I wish it were not so. I wish I could be more optimistic about our financial future and the ease with which we can get ourselves on the right track, but it is not going to be easy, and this chart indicates that.

In 1963, defense made up 48 percent of the outlays of the United States—48 percent in 1963. This was not at the height of Vietnam or the Korean war or anything. The entitlements of America amounted to 26 percent of the budget. What has happened in the past 50 years? Entitlements have now reached 60 percent of the budget and the Defense Department is 19 percent of the budget.

This is a dramatic alteration of where we are. Some of this is normal and natural. But I think what Senator MCCAIN is saying is that defending America is a core function of government and we need to be sure this alteration does not put us in the position where America is not properly defended.

I thank the Senator from Arizona.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, I would say to my colleagues who are here on the floor that this is a defining moment for our country. The most basic responsibility and the most important priority we have as Americans is to defend the country. If we don't get national security right, the rest is conversation. We can talk about all these other things in the budget—we can talk about all the other priorities the country has, all of which are important—but if we fail to defend the United States of America, we have failed the citizens of this country. It is the No. 1 priority we have. It is the most important responsibility and obligation we have as public servants here in the Senate—to make sure we are taking the steps necessary to keep this country strong and secure from threats both here at home and abroad.

What happened—and how we got to where we are today—goes back to the fact that we haven't passed a budget for 3 years in the Senate. I need to remind my colleagues why we are where we are today. The reason we are here is because for 3 consecutive years now the Democratic majority in the Senate has not done the most fundamental responsibility we have, which is to pass a budget that addresses our national security interests. What did we end up with? We ended up last summer with the Budget Control Act—something cobbled together at the eleventh hour to avoid a deadline on raising the debt limit—and we put in place a process where a supercommittee would look at ways to define long-term savings so we could avoid the sequester. But the sequester was put in place as a result of the Budget Control Act, which was put in place because the Senate hasn't passed a budget now for 3 straight years. That is why we are where we are.

Having said that, we need to fix the problem. And the problem is we have defense cuts that are going to cut very deeply into our national security interests, and we even have the Secretary of Defense coming out and saying these cuts would be devastating. The President's own Secretary of Defense has made a statement to that effect. With sequestration, we would have the smallest ground force since 1940, the smallest number of ships since 1915, and the smallest tactical Air Force literally in the history of the Air Force. That is the dimension of the problem we are talking about, as has been described by the experts who are supposed to know these things. As I said, the President's own Defense Secretary has made these sorts of statements.

One of the problems we have, of course, is we don't even know what the full impact of the sequester will be because the administration hasn't put a plan forward. So we are awaiting that plan. Today the House of Representatives voted 414 to 2 to require the administration to at least submit to Congress and to the American people how they intend to implement sequestration so we can at least have a better idea about what these impacts will be, where are they going to make the cuts, by account, so we can examine that and come up with a plan, hopefully, to replace those deep unbalanced cuts in the defense budget with reductions elsewhere in the budget. But we don't know that because we can't get the administration to put forward the plan we need to move forward with our proposals here in order to do away with what we think will be a very dangerous cut to America's national security.

I hope the Senate will do something to address that. We can start by taking up the bill passed in the House, pass it here in the Senate, and require the administration to put forward a plan about how they are going to implement the sequester.

As has already been pointed out by the Senator from Alabama and others, we are talking about basically a 50-percent cut in the defense budget—or 50 percent of the cuts coming out of the defense budget on top of $487 billion in cuts that were already approved last year. So we are talking about another huge amount of reduction, up to about another $½ trillion on top of what already is $½ trillion in cuts that came last year.

Remember, the defense budget, as has been pointed out, only represents 20 percent of all Federal spending, so we are going to take half the cuts out of 20 percent of the budget. Where is the proportionality in that? And as the Senator from Alabama has highlighted, what we have done essentially is we have shielded many areas of the budget. So a lot of the things some of our colleagues on the other side of the aisle don't want to see cut are protected from this. Yet we are going to make huge, steep, Draconian, and dangerous cuts in America's national military and national security budget.

I would hope we can at least act on what the House of Representatives did earlier today by a 414-to-2 vote, pick up that legislation, and require the administration to tell us how they are going to implement these reductions. Then let's go to work on a bipartisan basis and try to come up with a plan whereby we can avoid what will be a disaster, as has been described by every national security expert out there, for our national security interests.

We live in a dangerous world. We can't avoid that. The United States of America is looked to for leadership around the world. We have to continue to ensure we can protect this country and America's interests around the world. In order to do that, we have to make sure our military is resourced in a way that enables them to protect our interests. We cannot continue to go forward with this sequester, which would dramatically and in a very dangerous way harm those national security interests.

Mr. SESSIONS. Mr. President, I ask unanimous consent that we be allowed to proceed as in a colloquy so we can address one another directly.

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

Mr. SESSIONS. Senator THUNE is in the leadership on the Republican side and he is in the Budget Committee and the Defense Committee and is aware of how this all happened. So we are at a point where it appears to me the Defense Department is being asked to take unacceptable, disproportionate reductions in spending that go so far as to create damage rather than improving its efficiency.

Isn't it true the Secretary of Defense and all the top officials under the Secretary of Defense are appointed by the President and serve at his pleasure?

Mr. THUNE. That is correct.

Mr. SESSIONS. The Secretary of Defense now has said this would be a disaster to the Defense Department for these cuts to take effect. Isn't it true that the President is the Commander in Chief of all our military forces?

Mr. THUNE. That is correct.

Mr. SESSIONS. Isn't it true that we are at a situation at this point in history where we are heading toward a sequester, and the Commander in Chief is utterly silent on how to fix the problem?

Mr. THUNE. The Senator from Alabama is correct. That is one of the remarkable things about this. The Commander in Chief, of course, is tasked with the responsibility of being just that, the Commander in Chief. Yet when it comes to the national security interests that we have and to at least spelling out how he would implement

what we believe are going to be some disastrous cuts to the defense budget, he is not even informing us about what his ideas are with respect to that so we can react to that. More importantly, he doesn't seem to be the least bit interested in addressing this.

There is a huge silence coming out of the White House—the Senator from Alabama is absolutely correct—and it has to change if we are going to be able to fix this. It starts by at least him presenting a plan, and the Senator from Alabama and I have introduced legislation in the Senate that would require that, much like what passed in the House today, and that is where it all starts.

Mr. SESSIONS. I thank the Senator from South Dakota for his leadership, and I was proud to join with him on similar legislation to that in the House. But isn't it true that we agreed last August with the Budget Control Act to reduce spending over 10 years by $2.1 trillion; that is, reduce $47 trillion to $45 trillion, and there are no tax increases involved in that? Now we are discovering that late-minute deal has disproportionately impacted the Defense Department, as the President's own Secretary of Defense acknowledged.

Should we not be able to expect that the President would enter into discussions about how to deal with this? Does it not seem to the Senator, as an experienced part of the leadership in this Senate, that the President is saying: You Republicans care about the Defense Department. You Republicans care about preserving America. But I am not going to do it unless you agree to my tax increases. I am not going to do, as Commander in Chief, what I ought to be doing and providing the leadership on this because I am going to use this as leverage against you guys to force you to agree to a tax increase; is that the bottom line? I hate to be so frank about it, but that is the way I feel it is sort of developing; am I wrong about that?

Mr. THUNE. I don't think the Senator from Alabama is wrong at all. In fact, that is what much of the news stories that have been printed in the last few days and reporting on the subject have said. Some of our colleagues on the other side have essentially concluded this is leverage—leverage for them to get higher taxes.

It strikes me, at least, that there is a tremendous risk associated with allowing the country to go over a fiscal cliff—which includes not only these Draconian cuts to the defense budget but also tax increases that would occur on January 1, to go over the fiscal cliff, risk plunging the country into a recession, raise the unemployment rate which is already at historically high levels, all to prove a point about raising taxes. But that appears to be—at least by the reporting. There was a story in the Washington Post over the weekend that said: Democrats threaten going over the fiscal cliff basically to get higher taxes out of Republicans.

That, to me, seems like a terrible trade to make, to risk the country going into a recession, to risk these tremendous cuts in our national security priorities, just simply so they can get higher taxes.

Mr. SESSIONS. I think so. I would just say this—and I am so glad our colleague Senator AYOTTE is here.

One thing more I would say about it is the agreement last August was to raise the debt ceiling $2.1 trillion and to reduce spending over 10 years $2.1 trillion. It did not include a tax increase.

What we are saying is we need to simply reorganize how all those cuts fell so they are more realistic and the government is not so damaged, and we don't need to have agency after agency totally exempt from any cuts.

We are glad to have Senator AYOTTE here. She is a new member of the Armed Services Committee and the Budget Committee. She is a fabulous new addition to the Senate. Her husband is a military officer. She has contributed greatly to our discussion.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. AYOTTE. Mr. President, I wish to thank Senator SESSIONS. I appreciate his leadership as the ranking member on the Budget Committee and also as a senior member of the Armed Services Committee.

This is so troubling, where we are right now with respect to our Department of Defense, our military—the most important constitutional function we have as a government to make sure the American people are safe.

Essentially, where we are is the Budget Control Act, as described, initially has cut $487 billion from our military over the next 10 years. But on top of that, there are across-the-board cuts coming in January. I think the No. 1 lesson we learned from the Budget Control Act is when we kick the can down the road and we don't make the decisions right away or when we delegate it to some other committee to make the decisions, when we don't do a budget in 3 years, here is where we are. So we owe it to the American people to make the decisions that need to be made now.

It is irresponsible to put our Department of Defense and our military—our men and women who have fought so bravely for this country—at risk because somehow there are Members who think it is important to play roulette and to play chicken with our national security.

This isn't just from the Senator from New Hampshire. Just listen to our own Secretary of Defense. He describes what is coming with these across-the-board cuts in January as:

> Devastating. Catastrophic. Would lead to a hollow force incapable of sustaining the missions of the Department of Defense.

He has compared sequestration or these across-the-board cuts to ''shooting ourselves in the head, inflicting severe damage to our national security.''

To the point the Senator from Alabama made as well as the Senator from South Dakota, which is the President who is the Commander in Chief of this country, I would call upon him: Mr. President, lead an effort to resolve this. We can come up with alternative spending reductions. Yes, we need to cut spending, and I will be the first to stand in line to say we need to make sure we make those spending cuts. But let's not do it at the sake of our military.

If the Presiding Officer doesn't want to listen to me, the Senator from New Hampshire, please listen to your own Secretary of Defense and make sure we do not undermine our national security.

I serve as the ranking Republican on the Readiness Subcommittee. I asked the Assistant Commandant of the Marine Corps: What is the impact on the Marine Corps from these across-the-board meat axe cuts that are coming in January to our military?

Already the Marine Corps, under the initial reductions, is going to be reduced 20,000. If this goes forward, this irresponsible way of treating our military and our Department of Defense, the Marine Corps will take another 18,000 reduction. The Assistant Commandant of the Marine Corps said: The most shocking thing to me is actually something that keeps me up at night; that is, he said, the Marine Corps will be incapable of responding to one single major contingency.

Think about it. Think about it in terms of protecting our country. That is why it is so important that we resolve this now. It is my hope Members from the other side of the aisle will come to the table now.

To put it in perspective, we could resolve and find spending reductions to deal with not only the defense but the nondefense part of these across-the-board cuts by living within our means for 1 month within this government. It is $109 billion. We need to do this for the American people.

Our men and women in our forces of every branch of this service are so astounding in their courage. Just one example. There was a sergeant in the Marine Corps who lost his leg in Afghanistan and he took 1 year to recover. With a prosthetic leg, he reenlisted. He actually redeployed in the Marine Corps. Those are the types of men and women to whom we owe that they don't just get pink slips because we aren't showing the courage that needs to be shown right here in the Senate to come up with the spending reductions that don't put our country at risk.

Our Commander in Chief should be leading that effort. Unfortunately, all we have seen so far from the President is punting this issue. I would call upon him and Members of both sides of the aisle to come together to resolve this.

We should resolve this before the election. If we wait until after the election, then our Department of Defense

is going to be under this cloud of uncertainty. Our men and women in uniform need to know we will not break faith with them, that we will stand with them, that we are not going to use them as a political football for other issues because, on a bipartisan basis, we should stand with them, with our national security.

In addition, one of the reasons we should resolve this before the elections is it is not just about the safety of our country, which should come first and foremost, but we are also talking about nearly 1 million jobs in the private sector in our defense industrial base, based on a report from AIA and George Mason University—just looking at defense, 1 million jobs.

Those jobs are the manufacturers, both large and small, that build the equipment, the protection, the weapons systems our men and women in uniform need to fight the wars we ask them to do to keep them safe and protected. If we lose that capacity, not only do we lose the jobs that are good jobs in this country, but we also lose capacity, which is very much a part of the defense of this Nation. Under Federal law, these companies will be required to issue, under the Warren Act, notices of layoff, potential layoff 60 days before it happens, which brings us to November.

That is why we need to address this issue before the election as well. We should not put all those Americans who work for those companies and those companies at risk.

Yesterday, AIA also issued a report looking at the nondefense implications of sequestration. If we put it all together, it is over 2 million jobs in this country that are at issue.

We should get to the table right now, resolve this, cut the spending in a responsible way that doesn't add a national security crisis to our fiscal crisis. We can do it, but we aren't going to do it if we continue to put off the difficult decisions, if we kick this can down the road again, if we use this as roulette or chicken or in some other debate in December.

This needs to be resolved right now for our men and women in uniform who have shown the courage, the tenacity, and the love of country. They have done so much for us and they deserve better from us than to use them as a political football in some other debate.

I urge my colleagues from both sides of the aisle to come to the table now. I urge the President to come and lead this effort so we can resolve this issue on behalf of the American people.

I yield my time to the Senator from Alabama.

Mr. SESSIONS. I thank the Senator from New Hampshire. She made a great series of points. One of the most dramatic, is that we should not be waiting.

This is going to cost the Defense Department tremendous amounts of money. Private contractors may well assess against the Department of Defense costs for confusion and delays.

I just want to wrap up with these three charts.

One of the myths is the reason the United States is running the largest deficit in its history is the wars, the Afghan and Iraqi wars. We ran the numbers on that. The war outlays represent only 4 percent of defense spending. That is a lot, but it is only 4 percent. It is not the biggest part of it. In 2001–2011 it totaled $1.1 trillion during that time; 2001 through 2011 we spent $1.1 trillion on both wars in Iraq and Afghanistan.

During that same time—this represents the rest. The red represents the remaining expenditures of the U.S. Government, 96 percent. It is not so that defense and the war have caused the deficit we are in. Indeed, last year our deficit was about $1.3 trillion. The entire 10 years of the war effort amount to less than 1 year's deficit last year. In fact, we have averaged over $1.2 trillion for the last 4 years in deficits. For one year, you could eliminate the entire Defense Department, all $540 billion of it, and you would not cut the deficit in half. You can add the war costs to it, which is a little over $100 billion, and it is still less than half. It is not so that the reason this country is in financial trouble is that defense and the war have caused the deficit.

There are other factors going on. From 2008 through 2010, this shows the growth in spending as a percentage of those budgets. Defense spending, through those 3 years, increased 11 percent. The non-defense discretionary spending increased 24 percent. That is a rate of more than twice as fast. So it is not surging defense spending that is driving up the cost of government as much as the increase in the non-defense spending.

One more chart that should make us all nervous. This is a Congressional Budget Office estimate of interest costs on the debt we are now accumulating. We are now at $16 trillion in debt. Every penny of that is borrowed money. We have to pay interest on that $16 trillion. We are adding $1 trillion a year to it. We have added $1.2-plus trillion for each year for the last 4 years. According to the CBO, in 2019, just 7 years from now, interest will exceed the Defense expenditures. The amount of money we spend servicing the debt that we have run up will exceed the Defense Department and surge past it.

If we have a situation that could happen as is now happening in Europe, and the interest rates surge faster, that number could be a devastating number to the economy. It is a matter of great concern to us.

That is why we have to contain spending. The Defense Department has to reduce spending. We support the $487 billion in cuts they are working on today, but the additional $492 billion is so large that it does damage to the Defense Department and actually will cost us money by making rapid reductions in spending in such a way that cannot be accommodated in any rational way.

I believe if we work together, get this thing on the right path, be honest with ourselves about how much we can reduce the defense budget without hurting our security, I believe we can work out something before the end of the year. But I tell you, the President is going to have to get engaged. He cannot just sit back and think he is going to use this for leverage to raise taxes as it appears to me he is doing. I know others want to speak.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, for the last hour my friends on the Republican side of the aisle have had the floor, and they have presented their point of view. I would like to—and I am joined by the Senator from Vermont—I would like to spend a few moments, if I can, reflecting on what they said and perhaps making some observations that disagree with some of their conclusions.

There are some points on which we agree. The deficit is a serious national problem. Right now we are borrowing 40 cents for every dollar we spend. Whether we are spending that dollar on education, student loans, food stamps, missiles, or the paychecks for our soldiers, we borrow 40 cents for every dollar we spend. No company, no family could survive borrowing 40 percent of everything they spend. That is a fact. So we need to be serious about reducing this deficit.

We are confronted, however, with a reality in terms of our economy. Since 2008 we have had a weak economy. We have had a recession that has killed off a lot of jobs. We are coming back but slowly. If we are not careful in the way we reduce the deficit, we can make it worse. I think everybody agrees with that premise on both sides of the aisle.

So we have a massive deficit, and we have a weak economy. We have to be careful how we reduce spending and raise revenue in a way that doesn't kill off the recovery. Ultimately, we cannot have a strong American economy unless we start putting people back to work in larger numbers. I think both sides will agree on that.

Here is an area where we start to disagree. How do we achieve this? Several years ago the majority leader, Senator REID, asked me to serve on the Simpson-Bowles Commission. I sat for over a year listening to testimony about ways to reduce the deficit. At the end of the day I came to a conclusion that turned out to be bipartisan, and 11 out of 18 of the members of the Commission voted for it—Democrats, Republicans, public members.

It basically said this: Any honest approach to reducing our deficit puts everything on the table—everything. It puts spending cuts on the table for sure, but it also puts on the table revenue. And entitlements.

I can tell you, there is a great deal of pain in addressing some of these issues.

On the Republican side of the aisle when you say the word ''revenue''—I wouldn't dare use the word ''taxes''—but when you say the word ''revenue'' they race for the door.

On our side of the aisle, when you mention the entitlements—my colleague from Vermont and I and many others share a real concern about the future of programs such as Social Security, Medicare, and Medicaid, the basic insurance policy for senior citizens of America and the safety net for the poor and disabled. So you can understand this becomes extremely difficult in terms of cutting spending, raising revenue, reducing the deficit, and not killing off an economic recovery.

What happened last year? Last year we faced what is called the debt ceiling. The debt ceiling is a vague term that not many people understand. Let me try to put it in simple words, if I can.

The debt ceiling is America's mortgage. America's mortgage is growing in size, unlike many home mortgages which go down. America's mortgage is growing because our national debt is growing. Periodically, we have to borrow more money to cover what we have spent. So Members of the Senate on both sides of the aisle who vote for the spending—whether it is for a war or for education or health care—ultimately know the day will come when we have to borrow more money to cover the 40 percent of what that expenditure is that we are not raising in revenue.

The debt ceiling came up for us to consider last year, and for the first time—the first time—the Republicans in the House and Senate said: Let's default on the national debt.

What would happen if you started missing mortgage payments at home? After a month or two somebody might give you a phone call. Then on the third month you might get a letter from a lawyer. On the fourth month you might be in foreclosure proceedings. In other words, you were not a trustworthy borrower and your credit rating is being destroyed by your failure to pay your bills.

The same thing would happen to America if we did not pass the debt ceiling, if we did not extend our mortgage, if we did not make our timely payments on our debt. But that was what the Republicans threatened. So in order to get through this crisis, the possibility that our entire economy would shut down over this default on our national debt, we came up with a plan. Here is what the plan was.

We would create a bipartisan House and Senate supercommittee. We said to that supercommittee: Come up with $1.5 trillion in deficit reductions over the next 10 years—$1.5 trillion in deficit reduction. We did not say to the committee how to do it, but we told them if they fail to come up with this savings of $1.5 trillion over the next 10 years, there will be automatic spending cuts—automatic spending cuts called sequestration. We said specifically what they would be: $500 billion from defense spending, $500 billion from nondefense spending. That was the alternative. Reach an agreement, cut the deficit, or face this automatic penalty.

What we have heard on the floor of the Senate today are the protests of a half dozen or more Republican Senators to what we are now facing. You see, the supercommittee could not reach an agreement. There was no agreement because basically the Republican side refused to even consider raising revenue—raising taxes on anybody over the next 10 years. So the alternatives were to continue to cut spending and/or cut Medicaid and Medicare.

It broke down. So the automatic spending cuts, sequestration is now looming. January 2 they are looming as a possibility. The protests on the floor today from Republican Senators are over the possibility of a $500 billion cut in defense spending over the next 9 years, $55 billion a year—not an inconsequential cut by any means.

Here is what is interesting. I asked for the transcript from the Republican Senators in describing the defense sequestration cut, and every one of them came to the floor to condemn it. The words they used in describing it are ''predictable,'' ''devastating,'' ''arbitrary,'' ''irresponsible''—one after the other. That is how they described this.

Then I asked my staff to please get me a copy of the rollcall of Senators who voted for this option. Of the Senators—Republican Senators—who spoke on the Senate floor this afternoon protesting the defense sequestration as devastating, irresponsible, and arbitrary, the following Republican Senators voted for it: Senator MCCONNELL of Kentucky, Senator MCCAIN of Arizona, Senator THUNE of South Dakota, and Senator CORNYN of Texas. In fact, the entire Republican leadership team voted for what they are now branding as devastating, arbitrary, and irresponsible. So it is a little hard for me to understand how on this date, August 2, 2011, in the early afternoon, they could vote for this and now come to the floor and condemn it.

Here is the reality. The reality is we need to deal with our deficit in a responsible fashion. We need to keep this economy moving forward. In order to deal with the deficit in a responsible fashion, I still believe the Bowles-Simpson approach is the right approach—put everything on the table and work through it in a responsible way. I thought it was right then; I still believe it is right.

I am troubled, though, by this concept about defense spending. Let me confess my own personal family feelings. An hour ago my nephew Michael Cacace, who is in the 10th Mountain Division out of Fort Totten, NY, came to visit me upstairs. He was a sight for sore eyes. I hadn't seen him in a long time. A little over a year ago he was a doorman letting people into the gallery upstairs, and then he enlisted in the U.S. Army and spent a year in Afghanistan. I thought about him every single day. We sent him care packages and got notes back from him and occasional e-mails, and in he walks to my office today safe and sound. I couldn't have been happier to see him. In just a few weeks he is off to Korea. He has 2 more years in his commitment to the Army.

I thought about him—and think about him and so many others like him—every time the issue of America and the military came up. While Michael and so many others are risking their lives for our country, we can do nothing less than to keep them safe—as Michael was able to do. I am committed to that personally, politically.

To suggest that any of us, in either party, would jeopardize the defense and security of America for political reasons I do not accept. Everyone here is committed to the basic premise of keeping America safe and standing behind our men and women in uniform. I also want to be realistic about the defense budget. It is a big budget.

The last time the Federal budget was in balance was about 10 years ago, and we hit the sweet spot when it came to taxes and revenue on one side and spending on the other. The sweet spot was 19.5 percent of our gross domestic product. That is the sum total and value of all the goods and services produced in America. So we raised 19.5 percent of our gross domestic product on taxes and that is how much we spent. We were in balance 11 years ago.

What has happened since? Senator DAN INOUYE, chairman of the Senate Appropriations Committee, told us. Since the budget was last in balance, domestic discretionary spending for things such as education, health care, correction systems, highways, and all the nondefense items in our budget has not grown at all. It flatlined, zero growth. When it came to the entitlement programs, such as Medicaid, Medicare, veterans programs, and the like, they have gone up about 30 percent in costs since the budget was last in balance.

What about the defense budget? What has happened to the defense budget since we had a balanced budget? It has gone up 73 percent. Zero on domestic discretionary, 30 percent on entitlements, 64 percent on the military side. So what happened in the last 10 years? There were two wars we didn't pay for, a dramatic buildup in the military, and the reality is all of it was added to the debt.

When we had the Simpson-Bowles Commission, we brought in experts from the Department of Defense and asked them a lot of questions about our spending over there. There were some things there that were troubling. The F–35, which is supposed to be the fighter of the future, ends up dramatically overspent. There were cost overruns in every direction. You may have heard a lot about the Solyndra energy project. The cost overrides on the F–35

project are more than 10 times the money we lost on the Solyndra energy project. There has been a dramatic overrun on some of these major weapons systems.

We then asked the Department of Defense: How many contractors do you have working for you, not including civilian employees, in the Department of Defense or uniformed employees? Their answer to us was very candid: We don't know. We really don't. We hire contractors, and they hire people. We have no idea how many people work for us. It could be a million people, it could be 3 million people. It raises a question in my mind: Can we be safe as a country and still save some money at the Department of Defense? I think we can.

What I hear from the Republican side of the aisle is: Keep your hands off the Department of Defense. Well, I don't want to cut them and jeopardize our security or endanger our servicemen, but I do believe money can be saved there. How did we find ourselves in this position where we are even considering these cuts? Because the Republicans have steadfastly refused to consider revenue.

Before you took the chair, Madam President, our colleague and friend Senator MERKLEY of Oregon sent me a note to ask Senator SESSIONS of Alabama a question. I want to read it. He said: Ask Senator SESSIONS the following: What is more important, taking care of our national security or giving bonus tax breaks of over $100,000 a person for the richest 2 percent of Americans? What the President has proposed is that we cut the tax breaks off at $250,000 of income, and it means the top 2 percent of Americans would pay more. They would pay the rate they used to pay under President Clinton, and the Republicans have said: No way. President Obama's tax proposal would save us $800 billion. The Department of Defense cut over 9 years is $500 billion. So the Republicans here, almost to a person, are basically arguing that rather than raise taxes on the richest 2 percent in America at all, we would run the risk of jeopardizing our national security. That is a false choice. We can have a strong national defense and we must, but we can also have a rational approach to reducing our debt.

Our military is the best in the world, the biggest in the world, and larger than most other nations—the next 10 combined—and it is dramatically larger than any potential enemy of the United States. It has kept us safe as a Nation, and we want it to continue to do so. The men and women who serve us in the military are the best, but we can save money in the Department of Defense. We can do it and reduce the deficit.

What we need from the Republican side of the aisle is the willingness we found in the Simpson-Bowles Commission of a few Republicans to step up and say: Yes, we need to put everything on the table. Let's avoid deep cuts either on the domestic side or the defense side. Let's basically come up with an approach that is fair across the board, and we can do it. Let's spare those who are the most vulnerable in America, the homeless and helpless. For goodness sake, we all care for them. We should all care for America's needy. Those programs have to be protected.

When the Senator from Alabama comes to the floor and decries the fact that more people are using food stamps, I say to my friend from Vermont, who has probably seen the same thing I have: Meet these families on food stamps.

Meet them when you go to the soup kitchens and when you go to the food pantries. Many of them are working families. They can't make it on what they are being paid. They are struggling from paycheck to paycheck. At the end of the month, they are looking for something to put on the table. Sadly, families who have an income still qualify for food stamps because their income is too small.

The Senator from Alabama said the food stamp costs have gone up way too high. True, they are high, but they reflect the state of the economy and the troubling challenges that face working families and poor families across America. He also made a point of saying the entitlement payments are going up dramatically. Why? Because today in America 10,000 of our fellow citizens reached the age of 65. Yesterday was the same thing, tomorrow is the same thing, and for the next 18 years it will be the same thing: The boomers have arrived. And when they arrive at age 65, they look around and say: Well, we paid in all of our lives for Social Security and Medicare. Aren't we qualified? Aren't we entitled to our benefits?

Is the Senator from Alabama suggesting we walk away from those commitments? I don't think that is fair. We can make these better programs, we can make them more efficient, but we certainly don't want to give up on our commitment to Medicare, for example, as the PAUL RYAN budget did. I think that is a serious mistake.

To my friends on the Republican side of the aisle, I think the message is clear: You voted for this, so don't keep coming to the Senate floor and criticizing it. They knew what they were voting for. It said if you failed to reach a bipartisan agreement on the supercommittee, this is what we would face.

Secondly, we can solve this problem still. We can avoid sequestration with a bipartisan approach that considers all of the key elements to bring deficit reduction in a sensible and thoughtful way, that doesn't kill our economic recovery.

Third, I will never question any colleague's commitment to the safety and security of this Nation, and I hope our friends on the other side won't either. Everyone is committed to that, and we are committed to our men and women in uniform. Now let's do them proud and make America's economy stronger and make America stronger. Let's invest in what we know will make us a strong Nation. In addition to our military, let's invest in our schools and education, research and innovation, clean energy projects that offer an opportunity for 21st century leadership for America, the infrastructure which serves our country from one side to the other and keeps products moving and keeps America competitive. We can make the investments in these key areas and not jeopardize our national defense. We can do that and reduce the deficit.

I yield to my colleague from Vermont, Senator SANDERS.

The PRESIDING OFFICER (Ms. KLOBUCHAR). The Senator from Vermont.

Mr. SANDERS. I thank the Senator from Illinois.

Mr. SANDERS. Madam President, I appreciate the remarks of the Senator from Illinois, and I wanted to amplify on them a little bit. But before I do, I wanted to mention something we don't talk about enough here on the floor of the Senate.

In New England, and I'm sure in Minnesota, we have a lot of sports fans. When we are interested in baseball, basketball, football, hockey, or whatever, the key question everyone always asks is: Who wins and who loses? Well, I think it is appropriate that in terms of the economy, as it currently stands, we should also ask that simple question: Who is winning and who is losing? Let me discuss that for one moment before I get into deficit reduction.

We don't talk about it almost at all on the floor of the Senate. The media doesn't talk about it terribly much either. But the reality is we have the most unequal distribution of wealth and income of any major country on Earth and more income and wealth inequality in this country than at any time since the late 1920s.

Today the wealthiest 400 people own more wealth than the bottom half of America, which is about 150 million people. We could squeeze 400 people into this room, and if they were the wealthiest people in America, they would own more wealth than the bottom half of America.

A report came across my desk yesterday which I want to share with the American people. This is quite incredible and kind of tells us where we are moving as a Nation, and that is that today the Walton family of Wal-Mart fame—the folks who own Wal-Mart—now owns more wealth than the bottom 40 percent of America. One family owns more wealth than the bottom 40 percent of America.

Today the top 1 percent owns 40 percent of the wealth of the country. I think a lot of people are very surprised by that number. The top 1 percent owns 40 percent of the wealth of America. But what people would be far more shocked at is if we asked them how much the bottom 60 percent of the

American people own. I have done this. In Vermont, I have asked people. They say: 10 percent, 20 percent. The answer is less than 2 percent. The top 1 percent owns 40 percent of the wealth of America. The bottom 60 percent owns less than 2 percent. The bottom 40 percent of America owns three-tenths of 1 percent, less than one family—the Walton family—owns.

Why is that important? It is important because it tells us from both a moral and economic perspective the direction we have to move in terms of deficit reduction. I find it a little bit amusing that some of my Republican friends come to the floor of the Senate and say: We are deficit hawks. We have got to cut, cut, cut. We are worried about our kids, we are worried about our grandchildren, and we are worried about borrowing money from China. They have a whole set of talking points. They are worried about the deficit.

I am worried about the deficit, every American should be worried about the deficit, but I have a question to ask some of my Republican friends who today are great deficit hawks and that is: Where were they a few years ago? I voted against the war in Iraq for a number of reasons, not the least of which is it wasn't paid for. The war in Afghanistan wasn't paid for. I find it kind of interesting that former President Bush, who was a great deficit hawk, and all of my Republican friends who are great deficit hawks went not just to one war, they went into two wars. And you know what. It just slipped their minds. They forgot to pay for it. We all have slips of memory. You go to the grocery store and forget to buy the container of milk your wife wanted you to buy. It just slipped their mind. They were so busy talking about the deficit, they went into two wars that cost trillions of dollars and forgot to pay for them. Today they have noticed and it has come to their attention that there is a deficit.

I voted against the war in Iraq. I am not so sure many of them did.

The second issue. If we go on a shopping spree or a gambling spree or whatever it may be and we spend a lot of money, give away a lot of money, we have less money. Our Republican friends fought for and created huge tax breaks for the wealthiest people in this country. Hundreds and hundreds of billions of tax dollars in tax breaks went to the top 1 percent, went to the top 2 percent. So our deficit hawk friends who come down here every day to tell us how concerned they are went into two wars they forgot to pay for, and, for the first time in American history, they actually gave tax breaks to the very rich while they were at war.

Furthermore, one of the major problems our country is facing now in terms of the deficit, which Senator DURBIN touched on, is that because of the recession, which was caused by the greed and recklessness and illegal behavior of Wall Street—and many of my Republican friends and some Democrats told us awhile back when I was in the House how important it was to deregulate Wall Street, to allow the large commercial banks that have merged with the investor banks to merge with the insurance companies, and just get the government off the backs of these honorable people on Wall Street who are looking out for the American people. It turned out, of course, that they are a bunch of crooks. We deregulated them, and they did what many of us thought they would do: they began exchanging incredibly complicated financial transactions, which took this country to the verge of an international financial collapse. And our friends on Wall Street needed their welfare payment from the middle class of America—$700-and-some billion of welfare payments for Wall Street—to bail them out. The Fed provided $16 trillion in low-interest loans on a revolving loan basis. So in the midst of all of that, what ended up happening is that revenue is now down to 15.8 percent of GDP, which is the lowest amount of revenue per GDP we have seen in a very long time.

So we go into two wars and don't pay for them; we give tax breaks to billionaires; we deregulate Wall Street, which causes a recession; revenue declines as a percentage of GDP; and we have a serious deficit crisis, which is where we are right now. We have a $16 trillion national debt. I think it is a $1.2 trillion-a-year deficit—a serious situation. How do we deal with it? Everybody here recognizes that it is a problem. We don't want the younger generation to have to pick up this national debt. How do we deal with it?

Well, my Republican friends have a great idea. Let's see. We went to two wars and didn't pay for them; tax breaks for the rich; deregulated Wall Street; a recession. Oh, I know how we can deal with the deficit. Let's cut Social Security. That is a good idea. After all, we only have 50-some-odd million people on Social Security. Why don't we come up with a chained CPI? Nobody outside of Capitol Hill knows what a chained CPI is. And to any senior citizen, somebody on Social Security, who is watching this, please don't laugh, but I do want to tell you what a chained CPI is. You will think I am not telling you the truth. Check it out. I am.

There are people here in the Senate and in the House who think your COLAs have been too large; that the formula that determines COLAs—cost-of-living allowance increases for seniors—has been too generous.

Now, the seniors are saying: What is this guy talking about? How can it be too generous when for the last 2 years we didn't get any COLA? At a time when our prescription drug costs are going up and our health care costs are going up, what are they talking about?

Well, you are right, I say to those back home, they are a little bit off their rocker. The idea that they could think that after 2 years of zero COLAs, those are too large, and that we have to create a new formula to reduce COLAs—that is what people—certainly Republicans and some Democrats—are talking about right now.

So what about Social Security? How much of the deficit did Social Security cause so that my Republican friends—all of them—want to cut it and some Democrats may want to cut it? Well, the answer is zero, and everybody in America back home understands it, because Social Security is funded by the FICA tax, by the payroll tax. Social Security does not get general fund money, it comes independently. Social Security, according to the Social Security Administration, has a $2.7 trillion surplus—let me say it again: surplus—to pay every benefit for the next 22 years. Why do they want to cut Social Security? Go ask them. I don't know. It certainly doesn't make any sense to me. It should not be part of any deficit reduction effort. But it is not just Social Security that is under attack. They want to go after Medicare. They want to go after Medicaid. They want to go after nutrition programs for elderly people and for children. They want to go after Pell grants. You name the program that benefits working-class and middle-class families, and they want to go after it.

What about asking the wealthiest people to pay a nickel more in taxes? Oh, we can't do that, just can't do that—moral objection to having billionaires, who are doing phenomenally well and who are now paying the lowest effective tax rate they have paid in a very long time—we cannot allow them to pay a nickel more in taxes. It is far more important to cut Social Security, Medicare, Medicaid, and education.

Well, I think that set of priorities is dead wrong, and I think the American people think those priorities are dead wrong. We have to work together to make sure that doesn't happen in some kind of grand plan or whatever it is. Yes, we can deal with the deficit. We should deal with the deficit but not on the backs of the elderly.

Millions of senior citizens of this country are living on $12,000, $13,000, $14,000 in Social Security—it is either all or most of their income—and people here are talking about cutting Social Security? We have 50 million people who have no health insurance. We have 45,000 people who died this year because they didn't get to a doctor on time, and people say: Let's take our kids off Medicaid. Let's take lower income people off Medicaid. What happens? Let's do away, says the Ryan budget, the Republican budget, with Medicare as we know it. Let's give people an $8,000 check instead of Medicare. Well, a person has cancer or heart disease, and we have an $8,000 check for them to go out and get private insurance. How many days do my colleagues think they are going to stay in a hospital with cancer on $8,000? Not a whole long time, but that is what their plan is.

So we are now in the midst of a great philosophical and economic debate. The rich are getting richer, and our Republican friends want to give them more tax breaks. The middle class is collapsing. Our Republican friends want to cut Social Security, Medicare, and Medicaid.

In terms of defense spending, I would just say this: Everybody here agrees we want and need a strong defense. Do we really have to spend more on defense in the United States of America than the rest of the world combined? We spend more on defense than the rest of the world combined. Do we really have to do that? We spend 4.8 percent of our GDP on defense.

Our European allies, by the way, provide health care to all of their people as a right. Our European allies provide, in many instances, college education free to their young people—not $40,000 or $50,000 a year. Our European allies—and I say this in all due respect to them; I respect that, and it is what we should be doing—provide excellent quality childcare to their working families. Our European allies spend 2 percent of their GDP on defense.

We spend 4.8 percent.

So we are in the midst of an interesting moment. I hope the American people become engaged in this debate because I think, by and large, the position the Republican Party is taking—tax breaks for billionaires, cuts in Social Security, Medicare, and Medicaid—is way out of touch with where the American people are today.

I hope we have a serious debate on these issues. I hope the American people join us, and I hope the road we go down in terms of deficit reduction is one that is fair to working families and the middle class, and that means asking the wealthiest people in this country and the largest corporations in this country to start paying their fair share of taxes.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

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

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

RUSSIA PERMANENT NORMAL TRADE RELATIONS

Mr. BROWN of Ohio. Madam President, I rise because the pending proposal to grant permanent normal trade relations with Russia must be done right. It was voted out of the Finance Committee today. There is discussion about further changes in the legislation on the Senate floor when it reaches here.

People in my home State of Ohio know too well that we cannot afford to continue our normal, business-as-usual trade agreements that fail to hold our trading partners responsible.

We know what happened in the early 1990s with the North American Free Trade Agreement. We know what happened in the late 1990s with the permanent normal trade relations with China. Look at the most recent events around the U.S. Olympic Committee and these American athletes, with hundreds and hundreds of them soon to parade down the streets in London, England, wearing clothes made in China. If that does not tell somebody about our trade relations with China.

We need to do it right because we know what happened not too many years ago with the Central American Free Trade Agreement, so-called CAFTA. The American people recognize that.

Too often we have allowed countries to violate their trade commitments with detrimental consequences to our own industries, especially our manufacturing.

Between 2000 and 2010, we lost one-third of our manufacturing jobs in this country. More than 5 million manufacturing jobs disappeared. Madam President, 60,000 plants closed. That is not by accident. That globalization evolved that way. It was because of trade law and tax law in our country that gave incentives in far too many cases for companies to shut down in the United States and move overseas.

We know a number of large American businesses have decided their business plan is to shut down production in Sandusky or Hamilton, OH, and to move production to Shihan or Wuhan, China and sell those products back into the United States of America.

Never, to my knowledge, in world history has a large number of companies in one country put together a business plan such as that: Shut down production in the home country, move it overseas, and sell back those products into the home country. By and large, it has not worked for our country. Part of the result is a diminished middle class with stagnant wages.

That is what we need to make sure we understand as we go, with eyes wide open, into this PNTR with Russia.

Too often we compromise our values in these trade agreements, we compromise our commitment to upholding human rights.

Granting Russia PNTR status without oversight is another such deal in the making. We have a responsibility to American steelmakers and welders, the companies and the workers, the small manufacturers and the employees, the engineers, the laborers, all of them, to get it right this time.

I want more trade, and this is not just about Russia. This is about America's trade policy, America's workers, American job creation. This is about the guy in Zanesville who made big things with his hands for years and now has gone from $17 an hour to $11 an hour—and still has to provide for his family.

It is just this simple: enforcement and accountability must be at the heart of our trade commitments with every single country in the world.

Granting Russia PNTR; that is, granting Russia permanent normal trade relations, is important for U.S. businesses. It could be a major step toward boosting exports of machinery, aerospace products, and other manufactured goods. I get that. I support that. It could be helpful to Ohioans who produce nearly 328 million pounds of chicken. It could be helpful to hog farmers around Johnstown, OH, and pork producers throughout Ohio and throughout the United States.

But we need to ensure our manufacturers, our ranchers, and our producers are not economically hogtied, if you will, by our trading partners. U.S. workers have learned the hard way that promises about strict enforcement simply do not go far enough and are simply too often empty.

A decade of experience with China's failure to abide by its WTO commitments has provided ample evidence that we must strengthen our enforcement regime.

How many Senators who voted for permanent normal trade relations with China, how many Congress men and women who voted for permanent normal trade relations with China have come to the floor and complained about China breaking the rules? They have attacked China because China cheats. They have complained to China on the Senate floor. They have gone to the International Trade Commission saying China is not playing by the rules. Yet they voted for PNTR a dozen years ago.

But put that aside, make up for it by passing a Russian PNTR that has real commitments, has real language, not just for reporting language but for enforcement language.

After 10 years, after hundreds of thousands of American jobs lost, we are seeing the same arguments we saw for PNTR made in support of granting Russia WTO membership.

Our experience with China has shown we must ensure that our trading partners follow through on their commitments. Our workers, our farmers, our ranchers, our producers, our manufacturers should have confidence that if a trade deal is signed, it will actually be enforced.

We cannot afford another one-way trade agreement because one-way trade agreements tend to lead to one-way job movements—companies shutting down here, manufacturing somewhere else, and selling back into the United States.

That is why we must have oversight. We must have mechanisms in place to ensure that Russia adheres to its commitments.

We must learn from the Chinese case.

Our PNTR with China caused huge damage to our country and manufacturing job loss. From the implementation of PNTR—passed in 1999, begun in

2000—accession to the World Trade Organization, around then for China, we saw what happened with job loss.

I mentioned a minute ago, between 2000 and 2010, we lost one-third of our manufacturing jobs in this country, more than 5 million jobs. We lost 60,000 plants in this country—not entirely because of China not playing fair, not entirely because of PNTR, not even entirely because of PNTR with China and the North American Free Trade Agreement.

It is our tax law. It is our trade law. It is our unwillingness or inability to enforce these trade rules. All that has conspired for this job loss.

Since 2010, I might add—because of the auto rescue and some other things—we have gained back one-half million manufacturing jobs. Ten years of manufacturing job loss; since the auto rescue, 500,000 manufacturing job gains.

We have to have monitoring. We have to have appropriate consequences in place when these rules are violated. If we repeat our mistakes of the past—from the lessons we should have learned from China—we will have no one to blame but ourselves.

My bill, the Russian World Trade Organization Commitments Verification Act of 2012, would help ensure Russia abides by the schedules set out in its WTO terms of accession.

Russia said it is going to do A, B, C, D, and E. So did China. The point is, we need not just reporting language about evaluating—did they do A, B, C, D, and E—but we need enforcement mechanisms. So if they do A and they do not do B, then the administration or the House or the Senate or we individually can begin to bring some actions against Russia for not following these rules.

We accomplish this by requiring USTR to report to Congress annually on how Russia is adhering to the commitments it made as part of joining the World Trade Organization.

If Russia fails to comply—and here is what our language does differently from what we have done in the past; learning from what happened with China—if Russia fails to comply, the U.S. Trade Representative will be required—required, not an optional thing because we see how Trade Representatives, particularly during the Bush years, acted on these kinds of problems—the U.S. Trade Representative will be required to explain what the administration is doing about it. If the administration does nothing, my bill clarifies that Congress can request that the administration take action.

It is commonsense accountability. It has been lacking in our trade enforcement.

This is an American issue. We can solve it together. We can solve it bipartisanly. We can solve it because it is an issue in all regions of our country.

President Reagan once said about Russia we must ''trust, but verify.'' He was actually talking about the old days of the Soviet Union. The same applies today—''trust but verify.'' Bring the reporting requirements forward. Bring accountability forward. It will matter for American jobs, for American manufacturers, for a middle-class standard of living for so many in our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

SEQUESTRATION

Mr. INHOFE. Madam President, earlier today, we had a colloquy on this floor talking about the devastating effects of sequestration, and I think we covered most everything. One of the significant parts of this is how we got here in the first place.

Not many people realize that in our form of government the President of the United States, whether he is a Democrat or a Republican, comes out with a budget each year. Of course, we have not actually passed a budget in the Senate, so that becomes the budget.

In his budget, starting 4 years ago, he has had, each year, in excess of $1 trillion of deficit each year. Add them all up and it is $5.3 trillion of deficit.

I only mention that in conjunction with the concern we have on sequestration. How did we get here in the first place? This is something that is very much of a concern for us because it seems as if, when we look at all the increases, the deficit increases during this administration since 2008, the only area that has not been dealt with fairly, in terms of keeping up with our obligations, is national defense.

I am not too surprised this happened, but it did. In fact, I can remember going over to—let me interrupt myself.

Madam President, it is my understanding I have 30 minutes; is that correct?

The PRESIDING OFFICER. There is no time allocation.

Mr. INHOFE. Oh, fine. I like that better.

After the first budget, I can recall going over to Afghanistan, knowing this President would be disarming America in his first budget. I think he will go down in history as the most antidefense President we have ever had. But I remember going over there. I knew, with the tanks going back and forth in the background, that I would be able to respond and to get some attention of the American people.

Of course, that first budget, I remember it so well. He did away with our only fifth generation fighter, the F–22; did away with our lift capability, the C–17; did away with our Future Combat Systems, which would have been the first ground transition in 60 years. Then what I am going to talk about in another portion of my presentation this afternoon did away with the ground-based interceptor in Poland. Now that was the first budget.

Since that time, it has been deteriorating even more. So our national defense has been doing everything it can to try to stay afloat, try to support our troops who are over in harm's way. It is becoming more and more difficult.

If we project what this President has done and would be doing over the next 10 years, it would be cutting the military by $½ trillion. Now, that is bad enough, but what is worse is what would happen under sequestration.

Under sequestration, the way he has engineered sequestration, the cuts would take place—as was pointed out very effectively by the Senator from Alabama, Mr. SESSIONS—the amount of cuts that would come from sequestration would be coming almost entirely from the military. So not only is he projecting a cut of $½ trillion in our military as it is today, but if Obama's sequestration goes into effect, it is going to be another $½ trillion. So we know what this is going to do to jobs, we know what it is going to do to our ability, we know what it is going to do in terms of putting our troops in harm's way.

So I would only say, in my State of Oklahoma an article came out. It was by Marion Blakley, the president and CEO of the Aerospace Industries Association. She released a report, and it was covered very well by Chris Casteel in the Oklahoman in this morning's paper.

They talked about: Surely, Oklahoma could lose 16,000 jobs. Well, that is bad enough, but the figure actually is much higher than that when we throw in the uniformed presence we have and the jobs we would lose.

In my State of Oklahoma we have five major military installations. We have Tinker Air Force Base, which does a lot of the repairs on the heavy stuff, KC–135s, and so forth. We have Vance that does primary training, an excellent job. We have our depot and the ammunition depot that is in McAlester. We have Altus Air Force Base that trains people in flying the heavy stuff. And we have Fort Sill in Lawton, OK.

I have to say, this is a great compliment to my State of Oklahoma because we have had, since 1987, five BRAC rounds. It is called Base Realignment and Closure Commission rounds. These are rounds where they go through and make evaluation as to which of these military establishments are perhaps not making the contribution to our Nation's defense they should, and then they go through readjustment and realigning, and so forth.

I am proud to say in my State of Oklahoma, the five military establishments I just now mentioned all have benefited from each of the rounds in terms of numbers of missions and numbers of people. I have to say there is a reason for that. It is not political influence, as a lot of people might guess. It is community support.

I have people saying, well, every community, every State has that. No, it is not true. When there is a problem and a need, we pass bond issues such as

the very large bond issue in Oklahoma City to allow us to get the GM plant and, consequently, we have new missions going in. So I am saying that in a complimentary way.

On the other hand, with the sequestration that will be the Obama sequestration that will take place starting on January 2 of this coming year, we would have huge losses in Oklahoma. The estimate is probably closer to 22,000 jobs in the first year that we would be suffering in my State of Oklahoma.

It is bad enough what that will do to the economy in my State of Oklahoma, but what is even worse is what it does to our national defense. We have no way of knowing right now where that money is going to be coming from. I had a conversation—the first one in a long time yesterday—with Dick Cheney. Of course, we all recall not just his Vice-Presidential relationship, but he used to be Secretary of Defense.

He was one of those who was trying to make a lot of the cuts, and he did make a lot of the cuts. But he was talking about, if they do this and have these across-the-board cuts, it would be not just devastating—I mean, we all understand it would be devastating. That word was actually used by Secretary of Defense Panetta, who is under the Obama administration, saying the Obama sequestration would be devastating to our military.

But Dick Cheney was kind of pointing out some of the areas of interest. One of my backgrounds, and I still do it today, I have been a flight instructor for 50 years. I am sensitive to the need we have for pilots and how to train them. If we are to take across-the-board cuts, that would mean our pilots in the Air Force, in the Navy, and the Marines would not be subjected to the training I believe, in my opinion, would keep them as the crack pilots they are today.

The thing they would probably do is say: Well, we have simulators. We have simulators. That does not do it. Everybody knows that does not do it. So the cuts the Obama sequestration would make would be devastating to the whole country, devastating to my State of Oklahoma but more so, it would affect the lives of our troops.

You know, there is this kind of a myth out there, and the American people believe it, that the United States has the best of everything; when we send our kids into battle, that they have the best equipment always. That is not true. There are a lot of areas where we do not have the best. For example, the Non-Line-of-Sight Cannon. There are five countries, including South Africa, that have better equipment than we do.

So as we look down the road and we see these cuts that are taking place, and then come back, as I just did from the Farnborough Airshow, seeing the other countries—France and all the other countries—and their propulsion systems, they are developing vehicles that are actually, in some cases, better than what we are doing over here.

The problem we are having is the deep cuts that have taken place in defense. I would have to say there is one thing that I am concerned about. This is kind of a warning shot for manufacturers, for defense contractors around the country that it is my opinion that the President—and I have heard this from several of the defense contractors, saying the administration is leaning on them not to send pink slips out on firing these people as a result of the Obama sequestration until after the November 7 election.

Well, I think they are overlooking that there is a law that was passed back in 1988 called the WARN law. It was the Worker Adjustment and Retraining Notification law. It says if we go through something like this, we have to send out pink slips—or the contractors have to send out pink slips to those who are going to lose their jobs 60 days prior to the time that is going to take place.

Well, if sequestration takes place on January 2, that would mean November 2, only 5 days before the election. So I just want to make sure everybody knows. The law says they must do it by 60 days. But they can do it tomorrow if they want to. I think the people of this country who are going to lose their jobs due to the Obama sequestration should be entitled to know they are going to get their pink slips before the election so that could certainly affect what they are going to be doing in an election.

MISSILE DEFENSE

That is not what I came down to talk about because we already talked about that before. But I would like to mention something that occurred in the last couple of days that has put us in a more dangerous position, and nobody is talking about it.

Back in December of 2002, President Bush issued a National Security Presidential Directive, Directive No. 23, announcing the plan to begin deploying a set of missile defense capabilities that would include ground-based interceptors, sea-based interceptors—land, sea, and space, kind of a triad system.

This is a system that people did not object to at that time because they remember back when people used to give President Reagan a hard time. When they talk about Star Wars, they talk about there will be a time when people have missiles that can be aimed at the United States, and they said the idea that we could shoot down a missile with a missile or shoot down a bullet with a bullet is inconceivable. They did not believe that would ever happen, but it is happening today and we all know it. We know the missile capability of countries that would like to kill all of us. So it is a very serious threat right now.

By the end of 2008 President Bush had succeeded in fielding a missile defense system capable of defending all 50 States and had security agreements with the Czech Republic and Poland on the construction of a third missile defense site. The radar would be in the Czech Republic.

I can remember talking to one of my favorite people, who was the President of the Czech Republic, Vaclav Klaus, about this subject. This took a lot of courage for President Bush to go in there and say: Look, we have a serious problem.

Let me kind of get into the record—I want to make sure people understand this. We have great ground-based interceptors in Alaska and California. I am confident that any missile coming in from that direction we can kill, we can knock down. The problem is if it came from the other direction, such as Iran, we do not have that capability. Sure, we might get one lucky shot from the west coast, knock it down, something coming into the east coast. With 20 kids and grandkids, that does not give me a lot of comfort.

Instead, in his wisdom and the wisdom of the administration under the Bush administration, we started building a ground-based interceptor in Poland with the radar located in the Czech Republic. Russia did not like that. They do not like the idea that we are defending ourselves in—you have to use your own judgment to decide why they have come to that conclusion. But it took courage for the Poles and the Czechs to come up and build this thing, and they agreed to do it.

I remember talking to Vaclav Klaus when it first started. He said: We want to make sure if we make this commitment and we anger Russia that you are not going to pull the rug out from under us. I gave them the assurance that was not going to happen.

Well, unfortunately that did happen. When President Obama was elected, he first cut the budget for missile defense by $1.4 billion, and he killed the ground-based interceptor in Poland. At that time—this is very significant our intelligence had said Iran will have the capability of sending a nuclear weapon over a delivery system by 2015.

Well, the Obama administration cut that program. They said: No, they are not going to have that capability until 2020. Well, guess what happened. Just 2 or 3 days ago, Secretary Panetta said on ''60 Minutes'' that he believes Iran would be able to procure the nuclear weapon in about a year, and then it will take them another year or two in order to put it on a delivery vehicle. That would be 2015. So now we know we were right way back in the Bush administration. We know the danger that the Obama administration has put us in. I think people are going to have to understand that is true.

For us to use the system that President Obama wants to use, we would have to have capability—it is a system called SM32B. That missile would give us that protection we would have otherwise gotten by the system in Poland and the Czech Republic and would not be developed to be able to use until after 2020.

So this is something that is probably one of the most serious matters we are dealing with right now. I remember very well when President Obama was meeting with Russian President Medvedev on Monday, March 26, of this year, President Obama said—this is when the mic was on and nobody knew that he could be heard. He said:

On all of these issues, but particularly missile defense, this, this can be solved but it's important for him to give me space.

He was talking about Russian incoming President Vladimir Putin. These are his words.

This is my last election. After my election, I have more flexibility.

What does that tell us? It tells us that not only is it bad enough what he has already done in taking out our ability to defend ourselves against an incoming missile from anywhere, specifically from Iran, but it is a crisis that we are dealing with that has got to be dealt with.

LAW OF THE SEA TREATY

I want to mention one last thing because it is new—it is not new; it is something they have been trying to do for a long time. I quite often criticize the United Nations. Many times they do not have our interests at heart. I am very glad we got the 34th signature on a letter we were prepared to send saying: Do not bring the Law of the Sea Treaty for a ratification vote to the Senate because we will vote against it.

Now, 34 Senators signed that letter, which means they cannot do it. They are still having the hearings and all of that because they like to talk about it, I guess. But we are not going to cede our jurisdiction over 70 percent of the Earth's surface to the United Nations, nor are we going to give the United Nations the power, for the first time, to tax the United States of America. That is what we would find in this treaty.

That is when he signed this treaty. I only mention that because these treaties that come along somehow—I don't know what it is, but there is something about the internationalists, and a lot serve in this body. They don't think any idea is a good one unless it comes from the U.N. It makes you wonder where is sovereignty anymore.

Here is another one, the U.N. Arms Trade Treaty, which they are trying to get through. Over the past 15 years, the idea of creating a global arms trade treaty has been debated at the United Nations. During the Bush administration, the United States stood in opposition to such a treaty. Yet it should come as no surprise that soon after entering the White House, President Obama reversed this position and went to work crafting and negotiating a U.N. arms trade treaty.

We all hear about gun control and what we are going to do with your ability to keep and bear arms. We hear about the second amendment to the Constitution, how it means very little to a lot of people.

It should be noted first that the treaty is currently being negotiated, so we cannot speak with certainty about the details. However, in March the president of the conference that is negotiating the treaty released a ''chairman's draft.'' Through the draft, we know that the treaty may seek to establish certain criteria that must be met before the international transfer of conventional weapons—including small arms and light weapons—is allowed to take place.

Here is what we are talking about. I remember that back during the Clinton administration they were saying: We have to do something about restricting arms in the United States. After all, they said, look at all of the things happening with the drug cartels in Mexico and in Central America; they are getting their weapons from the United States. That was the justification for having a gun treaty at that time. This isn't all that bad.

We don't know the details of this yet, but we know the draft treaty may seek to establish certain criteria to be met before we can sell to other countries. We have a lot of friendly countries out there to which we would like to sell.

Although we all agree that a committed effort must be made to prevent terrorists and criminals from acquiring weapons, the treaty could undermine our foreign policy and national security strategy and infringe Americans' second amendment rights. In Oklahoma, maybe people are a little more sensitive to second amendment rights, but I seem to be hearing from them, and they are dead right. The heart of the problem with the treaty is the notion that bad actors will continue to be bad actors. We have seen this time and time again. Law-abiding nations will constrain themselves to the terms of the treaty, and rogue nations and corrupt states will contravene the explicit text of the treaty that only months ago they were negotiating and wholeheartedly endorsing.

I can remember using this argument on gun control in the United States. Gun control assumes that people out there are going to obey the laws. But they are not the problem people; it is the people who are not going to obey the law. Why would they single out a law on gun control that would preclude them from having guns if they are criminals to start with? It doesn't make sense. Internationally, the same thing is taking place.

This treaty is rife with opportunities for such behavior. In fact, the draft requires that provisions ''shall be implemented in a manner that would avoid hampering the right of self defense of any state party.'' One need look no further than the current conflict in Syria to see how ridiculous this requirement is. The arms that Russia is currently supplying to Syria obviously have a dual purpose—for its national defense against a foreign aggressor but also to be used in the oppression of its own people. We know that is happening. Just yesterday we watched this taking place. Russia would, of course, claim they are doing it for their own defense.

How, then, does anyone expect an arms trade treaty which would not have stringent enforcement mechanisms to have any impact whatsoever? The answer is, against bad actors and rogue nations, it will not. But against nations such as the United States, the arms trade treaty may have a considerable impact.

Take, for example, the requirement in the draft that arms should not ''be used in a manner that would seriously undermine peace or security, or provoke, prolong or aggravate internal, regional, subregional or international instability.'' Does anyone deny that each and every time we supply weapons to some of our greatest allies, such as Israel, Taiwan, and South Korea, that we are, in fact, prolonging regional or international stability? The answer is no. But this is instability that is necessary for international order and the prevalence of democracy in regions where it might not otherwise exist. Yet the terms of the draft treaty could be read to prohibit such weapons sales.

We can all agree that it is a great understatement to say that we don't want American gun companies selling weapons internationally when they might be used to commit violations of human rights, but, as everyone knows, we already have laws on the books that prohibit this. The export of firearms is already subject to a very strict and complex regime.

The U.S. international trade in arms regulations—that is why I call this the foot in the door, a first step—which has been promulgated pursuant to the Arms Export Control Act, already strictly limits the transfer or sale of firearms. This regulatory regime has been in place since the 1950s. The United States has been doing this for a very long time. Other nations—our allies primarily—have mirrored our export control regime because it is so comprehensive.

This goes back to my earlier point. The United States has been very responsible in the area of exporting firearms, but other nations will not be, even as signatories to this treaty. It gets back to the nations that are the bad guys—they will not pay attention to the treaty even though they signed it.

The final point is that this treaty, even if negotiations result this month in a finalized version, is just going to collect dust in the Senate. We already have 58 Members of this body who have already signed a letter in opposition, and I feel strongly that this will meet the same fate as the Law of the Sea Treaty and so many other U.N.-sponsored treaties.

So you know the administration is in constant negotiations with international groups, such as the United Nations, and we have to go around and get people, as we did on the Law of the Sea Treaty. We have 35 Senators saying they will vote not to ratify, and that means you are wasting your time. Why are we even talking about it if it can't

be ratified because it takes two-thirds for ratification? The same thing is true here, except we have 58 Members.

Keep in mind that the collectivists who are opposed to the private ownership of firearms, opposed to the second amendment rights, are the ones who are trying to do it internationally.

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

SEQUESTRATION

Mr. WICKER. Mr. President, it has been a tough day, a tough week. We could use a little bipartisanship in this Chamber and in this Congress. I don't understand it. We heard the Democratic leadership of the supercommittee come right out the other day and say that it was preferable to her that the fiscal cliff be encountered and that we actually bring our Nation over the fiscal cliff rather than working together in a bipartisan way to avoid it before the end of the year.

Then I was mystified today to learn that the majority leader of this great body proposes next year, if his party remains in power, to forever change the nature of the Senate in terms of being a great deliberative body and to go to the majority-rule 51-vote process that they have in the House. It worked OK in the House, but we have never done that in the Senate.

I am concerned with some of the things I have been hearing, and, frankly, I hope we can come back from the precipice of some of these disturbing proposals I have heard. One way to do that would be to address, in a bipartisan way, this issue of sequestration. So I rise this afternoon to point out to my colleagues that we are now less than 6 months away from seeing sequestration go into effect. This is a grim reality that was never supposed to happen. It is a reality that doesn't have to happen. But it will happen unless we act and unless the President signs legislation. Budget sequestration means defense and nondefense spending will be cut automatically and across the board, without regard to the priorities or the importance of programs. We need to avoid this.

How did we get here? Almost a year ago, Congress voted for the Budget Control Act as a first step toward seriously addressing the national debt. We authorized, in good faith, a supercommittee to produce a blueprint that would reduce the national deficit by $1.5 trillion or more. Our hope and our expectation was that both political parties would come to a reasoned, long-term solution to America's debt crisis. Of course, that hope faded quickly with the announcement of an impasse by the supercommittee.

With a national debt approaching an unprecedented $16 trillion, reining in Federal spending is imperative to our national and economic security. ADM Mike Mullen, former Chairman of the Joint Chiefs of Staff, put it simply: ''Our debt is our number one national security threat.'' Severe, across-the-board cuts to the Department of Defense are not the way to address this security threat, and they are not the way to achieve long-term fiscal responsibility. Federal debt is a national security threat, to be sure, but so is unilaterally cutting key funding to America's men and women in uniform.

Realistically confronting the debt problem means addressing soaring entitlement costs, which are growing at three times the rate of inflation, three times the rate of our economic growth. We can't sustain that. But realistically confronting the debt does not mean gambling with the resources our military needs to protect this Nation and the skilled jobs necessary to supply today's advanced force.

Unless we act, and act soon, $492 billion will be cut from defense spending beginning January 3, 2013.

According to Defense Secretary Leon Panetta, the effect would be ''devastating''—a ''meat axe.'' Our Secretary of Defense, a member of the Obama administration, said it would ''hollow out the force.'' Unfortunately, Secretary Panetta and the White House, so far, have failed to identify the specific impact of these cuts. Clarity is needed as to how these automatic cuts would limit our capabilities. As of this moment, sequestration is the law of the land unless Congress passes—and the President signs—a bill to stop it. The administration needs to get specific about the results of this ''meat axe.''

Our military faces a diverse set of challenges and emerging threats—a nuclear North Korea, a volatile Iran that wants to be nuclear, our commitment to a Democratic Taiwan, and the competition for mineral resources in the South China Sea. All of these and more require the ability to project American power abroad.

This year we celebrate the bicentennial of the War of 1812, and the lessons of that conflict should be remembered. During that war, it was our Navy that reaffirmed America's sovereignty. The United States saw that even the border of an expansive ocean would not fully protect our Nation. The influence of sea power on national security and commerce was clear then and it remains clear today.

As ranking member of the Armed Services Subcommittee on Seapower, I can attest that the Navy Department is the Armed Forces' most capital-intensive branch, and the Navy will be particularly hit hard by indiscriminate sequestration cuts. According to civilian and uniformed Navy leaders, our capacity to deter threats, defend our priorities, and project sea power could be gravely compromised. Sequestration would hurt readiness, fleet size, strategic investment, and the strength of America's workforce.

The projected numbers are striking. The Marine Corps would endure an additional 10-percent cut in troop strength, leaving our marines without sufficient manpower to meet even one major contingency operation. The Navy fleet would drop to 230 ships, well below the Navy's 313-ship requirement. It would drop to 230 from 313, hindering the ability of our combatant commanders to execute their missions abroad. Even now, the Navy can satisfy only half of combatant commander requests for naval support.

Sequestration could affect the quality of future investments and the long-term vitality of America's shipbuilding workforce. Experience has shown that stable shipbuilding rates have a direct impact on the acquisition and operational cost of amphibious ships, aircraft carriers, and submarines. Cuts would prevent the Navy from ensuring new ships are delivered on time and on budget.

The average age of today's shipyard worker is 45, and only 24 percent of our naval shipbuilding workforce is under 35 years of age. Sequestration would drive a generation of skilled shipbuilders from the workforce and would have a prolonged negative impact on American high-tech manufacturing.

I am proud to be from a State with a highly skilled manufacturing base. Mississippi workers produce ships, aircraft, and equipment that our troops depend upon throughout the world. Sharp cuts to defense will have a direct and detrimental impact on Mississippi's families and communities.

The stakes are high for the military and America's economy. These looming cuts are real, they are drastic, and they are just around the corner. Sequestration is real and not a hypothetical threat. It is the law unless we change it. Our national security is on the line, and it is in our interest either to prevent sequestration or prepare for it. Indeed, some defense manufacturers have already begun the process of issuing legally required layoff warning notices to shareholders and employees.

According to multiple forecasts, up to 1 million American jobs are at risk. The current unemployment rate already stands at 8.2 percent, and Federal Reserve Chairman Ben Bernanke projected unemployment rates will remain high, as he testified before the Congress yesterday and today.

There are some faint and hopeful signs this catastrophe can be avoided. Indeed, in the Congress, there has always been bipartisan cooperation to ensure our military remains the best trained, the best equipped, and most professional fighting force in the world. We argue about a lot of things, but bipartisanship has prevailed when it comes to the defense budget. The fiscal year 2013 Defense authorization bill is a hopeful example.

The bill recently passed by the Armed Services Committee, of which I

am a member, contains many provisions reflecting Congress's support of the Defense Department's top strategic priorities. It also reflects the challenges we may encounter while outlining ways to reduce spending, and we must reduce military spending, no question about it. But sequestration is not the way.

Also, with regard to the Defense authorization bill, I should mention this is the 51st consecutive year that Congress has passed such a bill. Again, that is testimony to bipartisanship with regard to DOD reauthorization. That is the good news. The bad news is the failure to address our past spending has compounded the situation we now face. Further delays only make the problem worse.

We know tough decisions will have to be made to fix our country's debt problem. All Federal agencies, including DOD, will have to do more with less in today's era of fiscal austerity. But the bottom line is this: We have an overriding constitutional obligation to provide for the common defense, to ensure our country is safe, and that our men and women in uniform are well equipped to face the challenges of the 21st century. I urge my colleagues to work together in a bipartisan fashion toward a solution that achieves the fiscal discipline we need without compromising the ability of our military to protect and defend America.

Addressing sequestration should be our No. 1 priority—this week. We should act before the August break. After Labor Day, after the political conventions, when campaigns are in full swing and we have only 2 months to go before these devastating cuts go into effect, do we truly believe the atmosphere will be conducive to solving sequestration? I don't think so. Is it truly in our Nation's best national security interest to address this during a lameduck session? I don't think so. We should not leave town for an August break if we have not answered this sequestration issue. The hour is upon us.

I yield the floor.

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

The Senator from Colorado is recognized.

Mr. BENNET. I thank the Chair.

(The remarks of Mr. BENNET pertaining to the introduction of S. 3400 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. BENNET. I yield the floor.

Ms. MIKULSKI. Mr. President, I rise in support of the Bring Jobs Home Act.

Growing up in a blue-collar neighborhood in Baltimore during World War II, my father had a small neighborhood grocery store.

We were the neighborhood of mom-and-pop businesses and factories. We made liberty ships. We put out turbo steel to make the tanks. Glenn L. Martin made the seaplanes that helped win the battle of the Pacific. We were in the manufacturing business. But the blue-collar Baltimore of World War II, Korea, and Vietnam just isn't what it used to be.

The jobs are leaving now. Our shipyard jobs have left. Our steel mills have shrunk to miniscule levels. We don't make ships. And we don't make clothing.

Where did those jobs go?

Those jobs are on a slow boat to China. They are on a fast track to Mexico and other jobs are in dial 1–800 anywhere.

And why did they go?

In some cases, they went because of tax breaks that rewarded corporations for moving manufacturing overseas.

It is wrong to give companies incentives to send millions of jobs to other countries, especially when millions of Americans are looking for work. It is wrong to put companies that stay in America at a competitive disadvantage.

It is time we look at our Tax Code and call for a patriotic tax code.

We walk around the floor of the Senate. We go to rallies. We love to be in parades. We wear our flags because we want to stand up for our troops, and we should stand up for our troops. But we also have to stand up for America.

The current Tax Code is putting companies that stay in America at a disadvantage because they keep their business here, hire their workers at home, pay their share of taxes, and provide health care to their employees. We should be rewarding these companies with ''good guy'' tax breaks for hiring and building their businesses right here in the United States.

I have been on a jobs tour of Maryland. I visited bakeries, microbreweries, and factories of small machine tool companies. I visited Main Street, small streets, and rural communities.

I talked with business owners and their employees. These are ''good guy'' businesses. They work hard and play by the rules. They have jobs right here in the United States. They want to expand. They want to hire. They need a government on their side and at their side. They are harmed by thoughtless government tax incentives that reward competitors who move overseas.

That is why I am a proud cosponsor of the Bring Jobs Home Act. This bill ends the loophole that gives companies a tax break for sending jobs overseas.

There is a loophole in the Federal Tax Code that lets businesses deduct the ''business expense'' for costs of moving the company or its workers right out of the country.

This legislation tells these companies. If you want to export jobs out of America, you can't file a deduction for doing it. And it ensures the Tax Code can't be used to boost corporate rewards at the expense of American workers.

This bill is about helping those ''good guy'' businesses who are creating jobs here. It says: If you bring jobs back to the United States, you can get a tax break for 20 percent of the cost of bringing the jobs home.

That is why I am proud to stand with my colleague from Michigan to call on us to think about economic patriotism, a tax code that rewards American companies that bring jobs back home, and a tax code that ends despicable tax breaks and subsidies to companies that move jobs overseas.

I call upon my colleagues to think about where America is going in the 21st century. Where are we going to be? Are we going to create more opportunity? Are we going to create more jobs that pay good wages with good benefits or are we going to resemble the economy of a third-world country?

I really want to have a tax code that brings our jobs back home, brings our money back home, and stands up for America. So let's pass the Bring Jobs Home Act and take an important step toward economic patriotism.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

MORNING BUSINESS

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

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

HIGH GAS PRICES

Mr. LEAHY. Mr. President, I remain concerned about the high price of gasoline that continues to disproportionately hurt working class families, especially those in rural States like Vermont. In Vermont, the average price of gasoline remains above the national average. Despite significant efforts to improve public transportation in the State, many Vermonters must still rely on their cars as the primary mode of transportation. More can and must be done to help families who are struggling to find jobs and put food on the table.

Crude oil accounts for the largest share of the price of gasoline. I am concerned that excessive speculation in the oil market has contributed to a significant rise in the price of gasoline. Congress included important protections to address excessive speculation

in the Dodd-Frank Wall Street Reform and Consumer Protection Act. As a conferee and strong advocate for that law, I have pushed the U.S. Commodity Futures Trading Commission to quickly implement the protections and rules to help curb these abuses.

At the same time, we must ensure that local and regional markets remain competitive and that oil companies do not engage in anticompetitive practices. While prices have eased somewhat nationally this summer, there have been concerns raised about price disparities in the cost of gasoline in Vermont. Vermont prices remain higher than the national average and residents of northern Vermont are paying even more than their neighbors just one or two towns to the south. I support the efforts by the State of Vermont, Senator SANDERS and Federal regulators to look into whether these differences can be explained by market conditions, and to take action if they cannot. Such serious allegations should be properly investigated by the Oil and Gas Price Fraud Working Group at the U.S. Department of Justice and the Federal Trade Commission.

The largest oil companies raked in $137 billion in profits last year alone, while also taking in billions in taxpayer subsidies. Repeated efforts to repeal these ridiculous subsidies by myself and a majority of the Senate have been filibustered by friends of the big oil industry. It is these large oil companies and those working at the wholesale level that are reaping tremendous profits, while many of our independent and locally owned stations are struggling to make ends meet. Regrettably, many of these same local stations are forced to shutter their doors when the large oil chains undercut their business.

The real cost of high gas prices is more than just the bill at the pump. These prices force families to choose between filling their gas tanks and putting food on the table. And they mean rising food prices due to increased shipping costs. These are costs that working families, particularly in these difficult economic times, often cannot absorb. I will continue to push for creative, long-term solutions to relieve the pain at the pump.

CONGRATULATING MASSACHUSETTS GENERAL HOSPITAL

Mr. BROWN of Massachusetts. Mr. President, I rise today to recognize Massachusetts General Hospital, located in my home State of Massachusetts. Mass General has recently been named the number one hospital in America by U.S. News & World Report for their dedication and excellence in providing care to thousands of patients every year. I also want to acknowledge Brigham and Women's Hospital for being named among the top hospitals in the country.

Mass General cares for more than 47,000 inpatients each year, and serves as the largest teaching hospital of Harvard Medical School. It is also the oldest and largest hospital in New England. Located right in Boston, Mass General's 907 bed facility has a tradition of excellence. They also have four additional health centers in Charlestown, Chelsea, Revere and the North End. Together, these locations handle over one million outpatient visits, as well as over 80,000 emergency visits, each year. It is no surprise that Mass General is the top hospital in the Nation, with its impressive research program, innovative primary care, and distinguished staff.

Massachusetts is home to a number of remarkable research programs, many of which are housed within Mass General's network, which is the largest hospital-based research program in the United States. This network includes over 20 clinical departments and centers, investing $550 million per year to work towards discoveries that transform treatments and patient care.

For example, the Global Network for Women's and Children's Health Research at Massachusetts General Hospital for Children is one of only 7 locations in the country funded by the NIH to study the rates of morbidity and mortality in women and children in developing countries. These discoveries have not only led to better treatments for children, but have also led to policy changes at the World Health Organization—WHO—to better address international health for women and children.

Mass General has also made important strides in primary care, especially for our State's seniors. The Mass General Geriatric Medicine Unit is rated one of the top departments in the nation for geriatric care, due to their diverse staff of specialists, including those in geriatric medicine, geriatric psychiatry, rehabilitation medicine, geriatric nursing, and social work, who focus on both the patient's physical and mental wellbeing.

Mass General is changing the way that we look at patient primary care. You may be familiar with Patient Centered Medical Homes, which focus on patient care and health in a very personalized and coordinated way. Mass General Senior Health is a recognized Level 3 Patient Centered Medical Home, which is setting the standard for the industry. I recently visited Mass General, and I am continually impressed by their coordination to bring together multiple doctors and services to ensure the highest quality of care for Massachusetts residents.

I would also like to recognize the Mass General nursing staff, as the hospital is a designated Magnet hospital. This is the highest honor in nursing excellence that is awarded by the American Nurses Credentialing Center, and recognizes Mass General's excellence and innovations in their nursing practice.

Finally, Mass General's Home Base Program has partnered with the Boston Red Sox Foundation to raise awareness about post-traumatic stress and traumatic brain injuries among our returning veterans. I am encouraged by their work to develop new treatments for these injuries, as well as their efforts to educate our community. Roughly 50,000 veterans returning from Iraq or Afghanistan are affected by these injuries, and the Home Base Program is making great strides in supporting these wounded warriors.

In closing, I congratulate Mass General Hospital for achieving the number one hospital ranking in the country. I know that the people of Massachusetts are extremely proud of this accomplishment.

TRIBUTE TO COMMANDER WILLIAM MOELLER

Mr. BLUMENTHAL. Mr. President, today I wish to honor the tremendous lifetime of service by one of our Nation's most courageous heroes, CDR William Moeller. Commander Moeller has served for 22 years in the Coast Guard in four location assignments, dedicating his time, energy, and even risking his life for his fellow servicemen and women, the U.S. Coast Guard, and his country. On September 1, 2012, he will retire from the U.S. Coast Guard Reserve.

Upon graduation from the United States Coast Guard Academy in 1990 with a B.S. in government, Commander Moeller began his career and his sea tour as a deck watch officer aboard the USCGC *Tamaroa*. He soon rose to first lieutenant and in this capacity led the rescue of four members of the Air National Guard in October 1991. This rescue among monstrous waves, churned by the worst storm off the Eastern seaboard in 100 years, captured the Nation's imagination in the book and later the film adaptation of ''The Perfect Storm.''

Following his commission as group captain, he transferred to reserve status at the Port Long Island Sound in New Haven. Promoted to lieutenant commander in the Marine Safety Office located in Portland, ME, he served in the Coast Guard Reserve until recalled to active duty during 9/11. Returning to reserve status and to the Sector Long Island Sound, he was promoted to commander in 2006. After a few years at Activities New York, he returned to New Haven in 2010 for the last time as reserve logistics section chief. Commander Moeller's dedicated protection of the Nation, most of which took place at the Long Island Sound—waters significant to Connecticut and the Eastern seaboard—is appreciated by millions.

In addition to receiving extensive military recognition—including the Coast Guard Medal for Extraordinary Heroism, the Coast Guard Commendation Medal, and the Air Force Commendation Medal—Commander Moeller has been awarded the Coast Guard Medal by President George W. Bush. In

April 2012, he was inducted as a member of the Coast Guard Academy's Wall of Gallantry.

Commander Moeller has further contributed to our Nation's safety and security as a business executive with Pratt & Whitney. In this capacity, he has furthered the development of the aerospace industry, committed to our national defense by both air and sea.

I invite my Senate colleagues to join me in congratulating Commander Moeller on his retirement and remarkable allegiance to the Coast Guard and his country. We wish him great success and thank him for his tremendous service.

ADDITIONAL STATEMENTS

REMEMBERING RICHARD EARDLEY

• Mr. CRAPO. Mr. President, today I wish to honor the life of Dick Eardley, who will be remembered as a man who cared deeply about his loved ones and community and worked hard to make a difference on their behalf.

As mayor for more than a decade, he was the longest serving mayor of Boise and was successful in enriching the city. During his time as mayor, he focused on revitalizing the city and worked extensively with business and community leaders to draw more commerce into downtown Boise. Those efforts led later to both a vibrant downtown core and to the development of the Boise Towne Square Mall, preservation of Boise's historic North End, creation of the Boise Arts Commission and bringing the World Center for Birds of Prey to Boise. He was also involved in many other local advancements, including the Greenbelt, the Senior Citizens Center, the parks, and Warm Springs Golf Course.

In addition to his public service, Dick had a career as a newsman. In his hometown of Baker City, OR, Dick worked in radio before moving to Idaho, where he went to work as a reporter covering sports and news for the Idaho Statesman. He then went on to work for KBOI-Channel 2 and KBOI–670. He announced high school sports and worked as a sportscaster and news executive. His reporting and work as city councilman and mayor earned many honors and recognitions.

Dick was an extraordinary individual who moved forward from a modest, Depression-era beginning in pursuit of his dreams. He had an exceptional way of connecting with people, which is likely why he had so many friends and acquaintances who admired and respected him. He had a deep love and devotion for his wife, Pat, of 57 years, who passed away 5 years ago, and he was a caring, giving and supportive father. Dick was also a natural athlete, who played semi-pro baseball and was known for his fondness and knack for golf.

I extend my condolences to Dick's loved ones, including his three sons, Randy, Rick and Ron; six grandchildren, and two great-grandchildren. Dick's example of respectful sincere, humble, benevolent service and hard work will endure.•

GARDEN CITY, SOUTH DAKOTA

• Mr. THUNE. Mr. President, today I wish to recognize Garden City, SD. The town of Garden City will commemorate the 125th anniversary of its founding this year.

Located in Clark County, Garden City was first settled in 1882. However, it was not until 1887 that the Chicago, Milwaukee & St. Paul Railroad line was built and sparked the official establishment of the town. By the end of 1887, Garden City had a post office, a railroad depot, and a grocery and hardware business. In the years that followed, Garden City became an agricultural center for the area, especially for potatoes. The first potato crop in the Garden City area was planted in the early 1900s. By the 1940s, half a million bushels of potatoes were being harvested from the area each year.

South Dakotans living in the Garden City area have a proud tradition of hard work and remain committed to their strong heritage and traditions. Though many things have changed in the last 125 years, the quality of character of Garden City residents has remained something of which the town should be very proud.

Garden City has been a tight-knit community for the past 125 years, and I am confident that it will continue to serve as an example of South Dakota values and hospitality. I would like to offer my congratulations to the citizens of Garden City on this landmark occasion and wish them prosperity in the years to come.•

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on Foreign Relations.

(The messages received today are printed at the end of the Senate proceedings.)

REPORT RELATIVE TO THE CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO SIGNIFICANT TRANSNATIONAL CRIMINAL ORGANIZATIONS THAT WAS ESTABLISHED IN EXECUTIVE ORDER 13581 ON JULY 24, 2011—PM 57

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

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within the 90-day period prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency declared in Executive Order 13581 of July 24, 2011, is to continue in effect beyond July 24, 2012.

The activities of significant transnational criminal organizations have reached such scope and gravity that they threaten the stability of international political and economic systems. Such organizations are becoming increasingly sophisticated and dangerous to the United States; they are increasingly entrenched in the operations of foreign governments and the international financial system, thereby weakening democratic institutions, degrading the rule of law, and undermining economic markets. These organizations facilitate and aggravate violent civil conflicts and increasingly facilitate the activities of other dangerous persons.

The activities of significant transnational criminal organizations continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. Therefore, I have determined that it is necessary to continue the national emergency declared in Executive Order 13581 with respect to significant transnational criminal organizations.

BARACK OBAMA.

THE WHITE HOUSE, *July 18, 2012*.

MESSAGE FROM THE HOUSE

At 11:56 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 bill, in which it requests the concurrence of the Senate:

H.R. 6018. An act to authorize appropriations for the Department of State for fiscal year 2013, and for other purposes.

The message also announced that the House has passed the following bills, without amendment:

S. 2009. An act to improve the administration of programs in the insular areas, and for other purposes.

S. 2165. An act to enhance strategic cooperation between the United States and Israel, and for other purposes.

The message further announced that the House has passed the following bill, with amendment, in which it requests the concurrence of the Senate:

S. 1959. An act to require a report on the designation of the Haqqani Network as a foreign terrorist organization and for other purposes.

MEASURES REFERRED

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

H.R. 6018. An act to authorize appropriations for the Department of State for fiscal year 2013, and for other purposes; to the Committee on Foreign Relations.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 3393. A bill to amend the Internal Revenue Code of 1986 to provide tax relief to middle-class families.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 3401. A bill to amend the Internal Revenue Code of 1986 to temporarily extend tax relief provisions enacted in 2001 and 2003, to provide for temporary alternative minimum tax relief, to extend increased expensing limitations, and to provide instructions for tax reform.

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–6866. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Tart Cherries Grown in the States of Michigan, et al.; Increasing the Primary Reserve Capacity and Revising Exemption Requirements'' (Docket No. AMS–FV–11–0092; FV12–930–1 FR) received in the Office of the President of the Senate on July 11, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6867. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Avocados Grown in South Florida; Decreased Assessment Rate'' (Docket No. AMS–FV–11–0094; FV12–915–1 IR) received in the Office of the President of the Senate on July 11, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6868. A communication from the Management Analyst, Forest Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Special Areas; Roadless Area Conservation; Applicability to the National Forests in Colorado'' (RIN0596–AC74) received in the Office of the President of the Senate on July 11, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6869. A communication from the Principal Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of rear admiral in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–6870. A communication from the Surgeon General and Commanding General, U.S. Army Medical Command, Department of the Army, transmitting, pursuant to law, a report relative to incentives for recruitment and retention of Army healthcare professionals; to the Committee on Armed Services.

EC–6871. A communication from the Under Secretary of Defense (Acquisition, Technology, and Logistics), transmitting, pursuant to law, a report relative to the Evolved Expendable Launch Vehicle (EELV) program; to the Committee on Armed Services.

EC–6872. A communication from the Secretary, Division of Trading and Markets, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Brokers or Dealers Engaged in a Retail Forex Business'' (RIN3235–AL19) received in the Office of the President of the Senate on July 12, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–6873. A communication from the Acting Secretary of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of an item not detrimental to the U.S. space launch industry; to the Committee on Foreign Relations.

EC–6874. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12–088); to the Committee on Foreign Relations.

EC–6875. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12–074); to the Committee on Foreign Relations.

EC–6876. A communication from the Chief Human Capital Officer, Equal Employment Opportunity Commission, transmitting, pursuant to law, a report relative to a vacancy in the position of Member, Equal Employment Opportunity Commission; to the Committee on Health, Education, Labor, and Pensions.

EC–6877. A communication from the Director, Office of the Whistleblower Protection Program, Occupational Safety and Health Administration, transmitting, pursuant to law, the report of a rule entitled ''Procedures for the Handling of Retaliation Complaints Under Section 219 of the Consumer Product Safety Improvement Act of 2008'' (RIN1218–AC47) received in the Office of the President of the Senate on July 12, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC–6878. A communication from the Director, Directorate of Standards and Guidance, Occupational Safety and Health Administration, transmitting, pursuant to law, the report of a rule entitled ''Updating OSHA Standards Based on National Consensus Standards; Head Protection'' (RIN1218–AC65) received in the Office of the President of the Senate on July 11, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC–6879. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, ''District of Columbia Agencies' Compliance with Small Business Enterprise Expenditure Goals through the 2nd Quarter of Fiscal Year 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–6880. A communication from the Acting Assistant Secretary, Indian Affairs, Department of the Interior, transmitting, pursuant to law, a report entitled ''Report to the Congress on Shortfall for Contract Support Costs of Self-Determination Contracts Fiscal Year 2011''; to the Committee on Indian Affairs.

EC–6881. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 12–075, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KERRY, from the Committee on Foreign Relations, without amendment:

H.R. 4240. A bill to reauthorize the North Korean Human Rights Act of 2004, and for other purposes.

By Mr. BAUCUS, from the Committee on Finance, without amendment:

S. 3326. A bill to amend the African Growth and Opportunity Act to extend the third-country fabric program and to add South Sudan to the list of countries eligible for designation under that Act, to make technical corrections to the Harmonized Tariff Schedule of the United States relating to the textile and apparel rules of origin for the Dominican Republic-Central America-United States Free Trade Agreement, to approve the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. SESSIONS (for himself and Mr. CARDIN):

S. 3396. A bill to amend the Public Health Service Act to provide for a national campaign to increase public awareness and knowledge of Congenital Diaphragmatic Hernia, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HATCH (for himself, Mr. ROBERTS, Mr. CORNYN, Mr. GRASSLEY, Mr. ENZI, Mr. COBURN, Mr. CRAPO, Mr. THUNE, Mr. BURR, Mr. KYL, and Mr. MCCONNELL):

S. 3397. A bill to prohibit waivers relating to compliance with the work requirements for the program of block grants to States for temporary assistance for needy families, and for other purposes; to the Committee on Finance.

By Mr. BINGAMAN (by request):

S. 3398. A bill to provide for several critical National Park Service authorities, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BINGAMAN (by request):

S. 3399. A bill to authorize studies of certain areas for possible inclusion in the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

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

S. 3400. A bill to designate certain Federal land in the San Juan National Forest in the State of Colorado as wilderness, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HATCH (for himself and Mr. MCCONNELL):

S. 3401. A bill to amend the Internal Revenue Code of 1986 to temporarily extend tax relief provisions enacted in 2001 and 2003, to provide for temporary alternative minimum tax relief, to extend increased expensing limitations, and to provide instructions for tax reform; read the first time.

By Mr. CASEY (for himself and Mr. BROWN of Ohio):

S. 3402. A bill to require the Secretary of Labor to maintain a publicly available list of all employers that relocate a call center overseas, to make such companies ineligible for Federal grants or guaranteed loans, and to require disclosure of the physical location of business agents engaging in customer service communications, and for other purposes; to the Committee on Commerce, Science, and Transportation.

ADDITIONAL COSPONSORS

S. 672

At the request of Mr. ROCKEFELLER, the names of the Senator from Nebraska (Mr. NELSON) and the Senator from Nevada (Mr. HELLER) were added as cosponsors of S. 672, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 722

At the request of Mr. WYDEN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 722, a bill to strengthen and protect Medicare hospice programs.

S. 1039

At the request of Mr. CARDIN, the names of the Senator from Maine (Ms. SNOWE) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of S. 1039, a bill to impose sanctions on persons responsible for the detention, abuse, or death of Sergei Magnitsky, for the conspiracy to defraud the Russian Federation of taxes on corporate profits through fraudulent transactions and lawsuits against Hermitage, and for other gross violations of human rights in the Russian Federation, and for other purposes.

S. 1299

At the request of Mr. MORAN, the names of the Senator from North Dakota (Mr. CONRAD) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of S. 1299, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Lions Clubs International.

S. 1673

At the request of Mr. AKAKA, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 1673, a bill to establish the Office of Agriculture Inspection within the Department of Homeland Security, which shall be headed by the Assistant Commissioner for Agriculture Inspection, and for other purposes.

S. 1728

At the request of Mr. BROWN of Massachusetts, the names of the Senator from South Carolina (Mr. GRAHAM) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of S. 1728, a bill to amend title 18, United States Code, to establish a criminal offense relating to fraudulent claims about military service.

S. 1935

At the request of Mrs. HAGAN, the name of the Senator from South Dakota (Mr. THUNE) 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. 1947

At the request of Mr. BLUMENTHAL, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1947, a bill to prohibit attendance of an animal fighting venture, and for other purposes.

S. 2074

At the request of Mr. CARDIN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 2074, a bill to amend the Internal Revenue Code of 1986 to expand the rehabilitation credit, and for other purposes.

S. 2264

At the request of Mr. HOEVEN, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 2264, a bill to provide liability protection for claims based on the design, manufacture, sale, offer for sale, introduction into commerce, or use of certain fuels and fuel additives, and for other purposes.

S. 2325

At the request of Mr. NELSON of Florida, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 2325, a bill to authorize further assistance to Israel for the Iron Dome anti-missile defense system.

S. 2374

At the request of Mr. BINGAMAN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 2374, a bill to amend the Helium Act to ensure the expedient and responsible draw-down of the Federal Helium Reserve in a manner that protects the interests of private industry, the scientific, medical, and industrial communities, commercial users, and Federal agencies, and for other purposes.

S. 2620

At the request of Mr. SCHUMER, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 2620, a bill to amend title XVIII of the Social Security Act to provide for an extension of the Medicare-dependent hospital (MDH) program and the increased payments under the Medicare low-volume hospital program.

S. 3204

At the request of Mr. JOHANNS, the names of the Senator from Idaho (Mr. RISCH), the Senator from West Virginia (Mr. MANCHIN) and the Senator from Wyoming (Mr. BARRASSO) were added as cosponsors of S. 3204, a bill to address fee disclosure requirements under the Electronic Fund Transfer Act, and for other purposes.

S. 3252

At the request of Mr. PORTMAN, the names of the Senator from North Carolina (Mr. BURR), the Senator from Oklahoma (Mr. INHOFE), the Senator from Texas (Mrs. HUTCHISON), the Senator from Alabama (Mr. SESSIONS), the Senator from Tennessee (Mr. CORKER), the Senator from Tennessee (Mr. ALEXANDER), the Senator from Georgia (Mr. ISAKSON) and the Senator from Arkansas (Mr. PRYOR) were added as cosponsors of S. 3252, a bill to provide for the award of a gold medal on behalf of Congress to Jack Nicklaus, in recognition of his service to the Nation in promoting excellence, good sportsmanship, and philanthropy.

S. 3340

At the request of Mrs. MURRAY, the names of the Senator from Vermont (Mr. SANDERS) and the Senator from West Virginia (Mr. ROCKEFELLER) were added as cosponsors of S. 3340, a bill to improve and enhance the programs and activities of the Department of Defense and the Department of Veterans Affairs regarding suicide prevention and resilience and behavioral health disorders for members of the Armed Forces and veterans, and for other purposes.

S. 3364

At the request of Ms. STABENOW, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of S. 3364, a bill to provide an incentive for businesses to bring jobs back to America.

S. 3394

At the request of Mr. JOHNSON of South Dakota, the names of the Senator from Oregon (Mr. MERKLEY), the Senator from Tennessee (Mr. CORKER) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of S. 3394, a bill to address fee disclosure requirements under the Electronic Fund Transfer Act, to amend the Federal Deposit Insurance Act with respect to information provided to the Bureau of Consumer Financial Protection, and for other purposes.

S. 3395

At the request of Mr. MERKLEY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 3395, a bill to amend the Federal Crop Insurance Act to extend certain supplemental agricultural disaster assistance programs.

S.J. RES. 41

At the request of Mr. GRAHAM, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S.J. Res. 41, a joint resolution expressing the sense of Congress regarding the nuclear program of the Government of the Islamic Republic of Iran.

S. CON. RES. 46

At the request of Mr. WEBB, the names of the Senator from Utah (Mr. LEE) and the Senator from Connecticut

(Mr. LIEBERMAN) were added as cosponsors 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. RES. 428

At the request of Mr. BLUMENTHAL, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. Res. 428, a resolution condemning the Government of Syria for crimes against humanity, and for other purposes.

S. RES. 490

At the request of Mrs. BOXER, the name of the Senator from Virginia (Mr. WEBB) was added as a cosponsor of S. Res. 490, a resolution designating the week of September 16, 2012, as ''Mitochondrial Disease Awareness Week'', reaffirming the importance of an enhanced and coordinated research effort on mitochondrial diseases, and commending the National Institutes of Health for its efforts to improve the understanding of mitochondrial diseases.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SESSIONS (for himself and Mr. CARDIN):

S. 3396. A bill to amend the Public Health Service Act to provide for a national campaign to increase public awareness and knowledge of Congenital Diaphragmatic Hernia, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. SESSIONS. Mr. President, I rise today to introduce legislation, along with my friend and able colleague, Senator BEN CARDIN of Maryland, that would create a national campaign at the Department of Health and Human Services to bring attention to congenital diaphragmatic hernia.

What is CDH? It is a birth defect that occurs when the fetal diaphragm fails to fully develop, allowing abdominal organs to migrate up into the chest.

This invasion of organs—including the bowel, stomach, spleen, and liver—may severely limit the growth of a baby's lungs.

Regrettably, some have recommended terminating the pregnancy when a woman learns that her unborn child has CDH.

This is an important issue, and makes promoting awareness of this birth defect and the positive outcomes of good treatment especially important.

CDH will normally be diagnosed by prenatal ultrasound as early as the 16th week of pregnancy. That is important. If undiagnosed before birth, the baby may be born in a facility that is not equipped to treat its compromised respiratory system because many CDH babies need to be placed on a heart-lung bypass machine, which is not available in many hospitals.

The lungs of a baby with CDH are often too small, biochemically immature, structurally immature, and the flow in the blood vessels may be constricted, resulting in pulmonary hypertension.

As a result, the babies are intubated as soon as they are born, and parents are often unable to hold their babies for weeks or even months at a time.

Most babies are repaired with surgery 1 to 5 days after birth, usually with a GORE-TEX patch. The abdominal organs that have migrated into the chest are put back where they are supposed to be and the hole in the diaphragm is closed, hopefully allowing the affected lungs to expand. However, hospitalization often ranges from 3 to 10 weeks, depending on the severity of the condition.

Survivors often have difficulty feeding, some require a second surgery to control reflux, others require a feeding tube, and a few will reherniate and require additional repair.

Congenital diaphragmatic hernia is a birth defect that occurs in 1 out of every 2,500 babies. Every 10 minutes a baby is born with CDH, adding up to more than 600,000 babies with CDH since just 2000. CDH is a severe, sometimes fatal defect that occurs as often as cystic fibrosis and spina bifida. Yet most people have never heard of CDH.

In my opinion, awareness and early diagnosis and skilled treatment are the keys to a greater survival rate in these babies. Fifty percent of the babies born with CDH do not to survive.

In 2009, my grandson, Jim Beau, now 2½ years old, was diagnosed with CDH during my daughter Mary Abigail's 34th week of pregnancy. Although she had both a 20-week and a 30-week ultrasound, the nurses and doctors did not catch the disease on the baby's heartbeat monitor. Thankfully, when Mary Abigail and her Navy officer husband Paul and daughter Jane Ritchie moved to southeast Georgia, the baby's irregular heartbeat was heard at her first appointment with her new OB.

She was sent to Jacksonville, FL, for a fetal echo. The technician there told her she wasn't going to do the echo because there was something else wrong with the baby. She asked my daughter if she had ever heard of congenital diaphragmatic hernia. Of course, Mary Abigail had not, and at that time our family did not know of this problem or the extent of our grandson's birth defect.

The Navy temporarily allowed my daughter and her family to move to Gainesville, FL on November 16, and Jim Beau was born 2 weeks later on November 30. They heard their son cry out twice after he was born, right before they intubated him, but they were not allowed to hold him.

The doctors let his little lungs get strong before they did the surgery to correct the hernia, when he was 4 days old. As it turned out, the hole in his diaphragm was large, and his intestines, spleen, and one kidney had moved up into his chest cavity. Thankfully, Jim Beau did not have to go on a heart-lung bypass machine, but he was on a ventilator for 12 days and on oxygen for 36. In total, he was in the NICU—the neonatal intensive care unit—for 43 days before he was able to go home, all under the constant watch of his angel mother. I could not have been prouder of her. She and Paul were wonderful during this time.

This country has superb health care—the world's best. Without even our knowledge, this young Navy family had their unborn child diagnosed and sent to a university hospital three hours away the University of Florida's Shands Hospital.

Fortunately for my family, and for thousands of other similar families across the United States, there are a number of physicians doing incredible work to combat CDH. By chance, the University of Florida's Shands Children's Hospital is surely one of the world's best—maybe the best. The CDH survival rate at Shands in Gainesville is unprecedented. The survival rate of CDH babies born at Shands is being reported at 80 to 90 percent, while the nationwide average is 50 percent.

Dr. David Kays, who directs the CDH program and who was the physician for my grandson's surgery, is a magnificent surgeon and physician. He uses gentle ventilation therapy as opposed to hyperventilation. Gentle ventilation therapy, he has discovered over the years, is less aggressive and therefore protects the underdeveloped lungs. Jim Beau, I have to say, is a wonderful little boy, full of energy and enthusiasm. He is active and happy—one of the most happy young children I have ever seen—and so quick to smile.

This weekend, he attended his big sister Jane Ritchie's 5 year birthday party and he was totally happy and running around, climbing over all the playground equipment, with the older children just as though he was one of them. He thought he was in high cotton to be playing with these big boys and girls.

While the challenges are many, so are the successes with this condition. Every year more is learned and there are more successes. My family has been very lucky that Jim Beau's defect was caught before he was born and that he was able to go to the right place—a first-rate place—to seek excellent care for his CDH.

The bill Senator CARDIN and I are introducing today is important because a national campaign for CDH will help bring awareness to this birth defect and save lives, I am convinced of it. Although hundreds of thousands of babies have been diagnosed with this defect, the causes are unknown and more research is needed. The thousands of happy, growing children who have overcome this condition validates what

has been accomplished to date and encourages us to do even more.

I hope my colleagues will join me and my friend and colleague Senator CARDIN in supporting this bill to bring awareness of CDH to the world. I think it will create many more happy and healthy young people in the years to come.

By Mr. HATCH (for himself, Mr. ROBERTS, Mr. CORNYN, Mr. GRASSLEY, Mr. ENZI, Mr. COBURN, Mr. CRAPO, Mr. THUNE, Mr. BURR, Mr. KYL, and Mr. MCCONNELL):

S. 3397. A bill to prohibit waivers relating to compliance with the work requirements for the program of block grants to States for temporary assistance for needy families, and for other purposes; to the Committee on Finance.

Mr. HATCH. Mr. President, today I introduce the Preserving Work Requirements Act of 2012. Chairman CAMP of the House Committee on Ways and Means will introduce a companion measure in the House. This bill halts last week's unprecedented power grab from the Obama administration, whereby unelected bureaucrats unilaterally granted themselves the authority to waive Federal welfare work requirements.

To put this another way, unelected bureaucrats ignored the law passed by Congress, the elected representatives of the American people. They ignored the work requirements intended by Congress and by the Presidents of both parties who signed welfare reform and its subsequent reauthorizations.

Ultimately, they decided they knew better than the American people. The American people, through their representatives, enacted work requirements in welfare reform. These unelected administrators decided they did not like these work requirements, so with the stroke of a pen, they have attempted to eliminate them. Not to put too fine a point on it, but this action is fundamentally illegitimate in a Democratic Republic and is just the latest example of President Obama's administration acting without legal warrant when the law stands in their way.

The Camp-Hatch bill, introduced today, is cosponsored in the Senate by my friends and colleagues, Leader MCCONNELL and Senators GRASSLEY, KYL, CRAPO, ROBERTS, ENZI, CORNYN, COBURN, THUNE, and BURR—valuable and distinguished members of the Senate Finance Committee.

This bill includes dispositive findings clearly demonstrating that the Obama administration acted outside the scope of the law and the clear intent of Congress. I would like to stress the fact that I am introducing this legislation because I believe the Obama administration grossly undermined the constitutional authority of the legislative branch to effect changes and settle the law.

It does not mean I believe the 1996 law is perfect in every way and cannot be improved upon. That could not be further from the truth. A case could be made that due to prolonged inaction the TANF Programs, the Temporary Assistance for Needy Families Programs, have withered on the vine, and now many States see TANF as a funding stream rather than a welfare program.

An exception to this is my State of Utah. Utah runs a gold standard welfare program which focuses, like a laser, on work. By work, I mean real work, as in a paying job; work as most Americans define work, not work as defined in the ''Alice in Wonderland'' world of TANF, where running errands, smoking cessation, and bed rest count as work. Utah would like some relief—I think a lot of other States, in addition to Utah, would like some relief—from a number of administrative procedures in order to focus even more vigorously to moving welfare clients to jobs. This is a very reasonable proposition, especially if combined with a robust evaluation of the success of moving clients into work.

I do not want the introduction of this legislation to prevent the Obama administration from bypassing Congress to imply that when Congress does take up the reauthorization of the TANF Programs, that I will not be open to giving States flexibility in exchange for results. The fact remains that this administration and the Democratically controlled Senate could have made welfare reform a priority for several years. They did not. For the administration to be arguing now that they need to give States flexibility under TANF rules is so urgent the need to bypass Congress right this very minute does not pass the laugh test.

I am going to do everything I can to stop the administration from going forward with its waiver scheme. Then we should roll up our sleeves and take a good, honest look at how welfare reform has been working for the past 16 years.

Domestic social policy is rarely permanently settled. Things change; people change. A law that is more than halfway through its second decade can most assuredly be updated and improved. That is why we have reauthorizations. I do not view the Preserving Work Requirements for Welfare Programs Act of 2012 as the end of the debate on how best to get families out of poverty. In fact, I see it as the beginning of what I hope will be a thoughtful and deliberative discussion of these critical issues.

Finally, some in the press have attempted to characterize this debate, which at its heart is one of Executive overreach as a standoff between me and my own home State of Utah. As they say in the country, that dog just won't hunt. I have consistently supported State flexibility in exchange for measurable outcomes. One of the few pieces of domestic social policy legislation that has actually been enacted during this session of Congress, Public Law 112–34, was authored by Chairman BAUCUS and me to provide States with waivers to improve outcomes in their child welfare systems. Utah has applied for one of these child welfare waivers. As Casey Stengel said: You can look it up.

I worked very hard back in the middle 1990s to get welfare reform passed. We required a work part of that. We said: We are going to help you folks. We are going to subsidize you, we are going to give you help financially, but at the end of a certain period of time, you better have a job. The work clauses of that bill have helped millions of people to get jobs and get the self-esteem that comes from working and supporting themselves. To have this administration unilaterally, and without any congressional authorization, modify that work requirement is just plain wrong.

Frankly, I will be for flexibility in the work requirement, but I don't consider bed rest work. We can list 10 or 15 other things that the administration has been talking about that don't qualify for work either.

This is an important issue. I hope the Congress will stand up for itself and let this administration know there is a limit to what we are going tolerate from an Executive order standpoint.

By Mr. BINGAMAN (by request):

S. 3398. A bill to provide for several critical National Park Service authorities, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. BINGAMAN. Mr. President, last month the Department of the Interior transmitted two draft legislative proposals relating to the National Park Service. Both executive communications were referred to the Committee on Energy and Natural Resources.

The first legislative proposal, the National Park Service Critical Authorities Act of 2012, would address three National Park Service management concerns. The second proposal, the National Park Service Study Act of 2012, would authorize the Park Service to undertake or update fifteen special resource studies to determine the appropriateness of adding the study areas to the National Park System.

I am pleased to introduce these bills, S. 3398 and S. 3399, by request as a courtesy to the Administration. Mr. President, I ask unanimous consent that the transmittal letters from the Secretary of the Interior, including a section-by-section analysis of each bill, be printed in the RECORD.

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

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, DC, June 5, 2012.

Hon. JOSEPH R. BIDEN, Jr.,
President of the Senate,
Washington, DC.

DEAR MR. PRESIDENT: Enclosed is a draft of a bill entitled, ''National Park System Critical Authorities Act of 2012.'' Also enclosed is a section-by-section analysis of the bill.

We recommend that the bill be introduced, referred to the appropriate committee for consideration, and enacted.

This proposal is needed to resolve three specific National Park Service issues that are of critical concern. Enactment of this legislation would promote more effective and efficient government operations. None of the three measures would result in costs to the federal government, other than very nominal costs.

These new authorities address:

District of Columbia Snow Removal: The proposal amends a 1922 law by requiring federal agencies in the District to be responsible for the removal of snow and ice in the public areas associated with their buildings. Although federal agencies have assumed responsibility for snow removal at their respective sites, the language in the 1922 law specifies that the National Park Service is responsible. Enactment of this provision would eliminate a longstanding legal liability burden for the National Park Service.

George Washington Memorial Parkway: The proposal authorizes the Federal Highway Administration (FHA) and the National Park Service to exchange lands along the George Washington Memorial Parkway. Currently, the Service has a written agreement with the FHA permitting public access to the Claude Moore Historical Farm. Land exchange authority would allow for a permanent guarantee of visitor access to the site as well as the ability to increase security at the FHA's Turner-Fairbank Highway Research Center and the Central Intelligence Agency complex adjacent to the farm.

Uniform Penalties for Violations on Park Service Lands: The inclusion of a number of military and historic sites into the National Park System during the 1930's created inconsistencies in the penalties used for violations at various parks. This disparity in penalties undermines fair and effective law enforcement and criminal prosecution. This proposal would eliminate these inconsistencies in federal penalties for crimes committed in certain park units.

The Statutory Pay-As-You-Go Act of 2010 provides that revenue and direct spending legislation cannot, in the aggregate, increase the on-budget deficit. If such legislation increases the on-budget deficit and that increase is not offset by the end of the Congressional session, a sequestration must be ordered. This proposal would affect revenues, but the effects of this proposal would net to zero; therefore, it is in compliance with the Statutory PAYGO Act.

The Office of Management and Budget has advised that there is no objection to the enactment of the attached draft legislation from the standpoint of the Administration's program.

Sincerely,

KEN SALAZAR.

Enclosures.

NATIONAL PARK SYSTEM CRITICAL AUTHORITIES ACT OF 2012 SECTION-BY-SECTION ANALYSIS

Section 1: Provides a short title, ''National Park System Critical Authorities Act of 2012''.

Section 2: Amends ''An Act providing for the removal of snow and ice from the paved sidewalks of the District of Columbia'' by directing federal agencies in the District to be responsible for snow and ice removal in public areas in front of or adjacent to their managed properties.

Section 3: Authorizes an exchange of land between the National Park Service and the Federal Highway Administration. The exchange would allow for permanent access to the Claude Moore Colonial Farm, part of the George Washington Memorial Parkway, and for improved security at the Turner-Fairbank Highway Research Center and the Central Intelligence Agency's Langley Headquarters.

Section 4: Amends the Act of March 2, 1933, to make violations occurring in various park sites consistent with the penalties set out in 16 U.S.C. 3 and 18 U.S.C. 3571.

Section 5: Authorizes appropriations to carry out this Act.

THE SECRETARY OF THE INTERIOR,
Washington, DC, June 22, 2012.

Hon. JOSEPH R. BIDEN, Jr.,
President of the Senate,
Washington, DC.

DEAR MR. PRESIDENT: Enclosed is a draft of a bill entitled. the ''National Park Service Study Act of 2012.'' Also enclosed is a section-by-section analysis of the bill.

We recommend that the bill be introduced, referred to the appropriate committee for consideration, and enacted.

This proposed legislation would authorize the National Park Service to conduct several studies of areas and themes that merit consideration. The studies would include:

Kau Coast—Adjacent to Hawaii Volcanoes National Park, the area includes more than 20,000 acres along 27 miles of the spectacular Kau Coast on the south side of the island of Hawaii. A reconnaissance survey completed in 2006 found the area contains significant natural, geological, and archeological features including both black and green sand beaches as well as a significant number of endangered and threatened species, most notably the endangered hawksbill turtle. It also exhibits some of the best remaining examples of native coastal vegetation in Hawaii.

Rota, Commonwealth of the Northern Mariana Islands—Rota was the only major island in the Mariana Archipelago to be spared the destruction and large-scale land use changes brought about by World War II and its aftermath. The best remaining examples of this island chain's native limestone forest are found on Rota. Rota is also regarded as the cultural home of the indigenous Chamorro people and contains the most striking and well-preserved examples of their three thousand-year old culture.

Aleut Relocation and Confinement—Nine sites in the State of Alaska are associated with the forced relocation of the Aleut people by the United States during World War II. Unlike the internment of Japanese-Americans during the war, the forced evacuation and confinement of Alaska natives is little known but equally poignant and historically significant. Four Unangan villages were left behind in the evacuations and never permanently resettled. Residents of the villages of Biorka, Kashega, and Makushin, all in the Unalaska Island area, were removed and taken to southeast Alaska. Residents of Attu were taken by Japanese soldiers to an internment camp on Hokkaido, Japan for the duration of the war.

Japanese American Relocation Camps—Japanese Americans were forced into 10 internment and relocation camps in the contiguous United States by the U.S. Government during World War II. The special resource study proposed by this legislation would look at seven camps where the extant resources remain without National Park Service protection: Heart Mountain Relocation Center in Wyoming; Gila River and Poston in Arizona; Grenada in Colorado; Jerome and Rohwer in Arkansas; and Topaz in Utah.

American Latino Heritage in the San Luis Valley and Central Sangre de Cristo Mountains—The San Luis Valley represents the northernmost expansion of the Spanish Colonial and Mexican frontiers into North America. Here at the edge of the southern Rocky Mountains, the legacy of this Latino settlement is still clearly evident. A reconnaissance survey conducted in 2011 identified a distinctive and exceptional concentration of historic resources associated with Latino settlement, including Colorado's oldest documented town, only communal pasture, first water right, and oldest church, and called for further study.

Goldfield—Goldfield is a historic mining community in southwestern Nevada. A reconnaissance survey completed in 2009 found the site contained nationally significant resources, and recommended that a special resource study be completed. The study would include extensive public involvement with local landowners, government agencies, area businesses and non-profit organizations. It would examine a wide range of public and private options for the future protection and interpretation of the Goldfield site in relation to the mining history of the United States and the State of Nevada.

Hudson River Valley—The Hudson River Valley in New York is known for its unique natural resources, its archeological remains documenting 6,000 years of human occupation, and its history as the river that revolutionized a new method of waterborne transportation—the steamboat. It also provides recreational opportunities to millions of residents. The area may provide an opportunity to explore a new prototype of landscape scale protection in an urban, suburban and rural setting through the combination of potential unit designation and a Federal, state and local cooperative effort to protect non-federally owned natural and historic resources.

Norman Studios—Norman Studios was a silent movie production house in Jacksonville, Florida during the 1920s specializing in what were then known as ''race films.'' These films used African American writers and actors to create entertainment for an African American audience, portraying African Americans in realistic terms rather than the caricatures and stereotypes commonly found in Hollywood films of that era. On the basis of a reconnaissance survey completed in 2010, the National Park Service concluded that a special resource study of the Norman Studios site is warranted.

Mobile-Tensaw River Delta—This delta, in southern Alabama, is the second largest delta in the United States, after the Mississippi River Delta, and is considered the best remaining delta ecosystem of its kind in the country. At 40 miles long and 6 to 16 miles wide, it contains 300 square miles of flood plains, cypress-gum swamps, tidal marshes, and bottomland forests. The Delta is ecologically rich, supporting 126 species of fish, 46 species of mammals, 99 species of reptiles and amphibians, and over 300 species of birds. It was designated as a national natural landmark in 1974 and has more than 100,000 contiguous acres of Federal and state property.

Galveston Bay—Galveston Bay is the largest, most biologically productive estuary along the Texas Gulf coast. The shallow bay's 600 square miles (384,000 acres) of open water, freshwater and tidal marshes, seagrass meadows, and oyster reefs are surrounded by bottomland forest and prairie wetland and are home to over 1,800 pairs of

endangered brown pelicans. The bay produces more oysters than any other body of water in the United States, and yields about one third of Texas' commercial fishing harvest. Dredged shipping channels cross the bay to the busy port of Houston. The east and west lobes of the bay adjoin the Anahuac and Brazaria National Wildlife Refuges, which together protect over 77,000 acres of habitat.

Peleliu—A special resource study of the World War II Peleliu battlefield was completed in 2003. The study found that the Peleliu battlefield met significance and suitability criteria but the village clans who claim ownership of the lands would consider setting aside only a small portion as a battlefield site. The area was considerably smaller than that identified by the NPS as the minimum area for which a determination of feasibility could be made. There has been a substantial shift in support by the local people for the site becoming a unit of the National Park System and an updated study would allow a reexamination of the feasibility issue.

Vermejo Park Ranch—A special resource study of the Vermejo Park Ranch in New Mexico and Colorado was completed in 1979, and concluded that the ranch possessed nationally significant cultural and natural resources that merited inclusion in the National Park System. Thirty-two years have elapsed since the special resource study and several significant changes to the ranch have occurred during the interim. A recent reconnaissance survey recommended an update of the 1979 study to determine whether this area still meets the criteria for addition to the National Park System.

Buffalo Soldiers in the National Parks—In the early years of the National Parks, the Buffalo Soldiers were the forerunners of today's park rangers, patrolling the backcountry, building trails, and stopping poaching. The study would evaluate the suitability and feasibility of establishing a national historic trail commemorating the route traveled by the Buffalo Soldiers from their post in the Presidio of San Francisco to Sequoia and Yosemite National Parks. It would also identify sites that could be further evaluated for listing on the National Register of Historic Places and for designation as National Historic Landmarks.

Reconstruction Era in the South—A National Historic Landmark theme study would identify sites that are significant to the Reconstruction era in the south. It was a controversial and difficult period in American history characterized by the adoption of new constitutional amendments and laws, the establishment of new institutions, and the occurrence of significant political events all surrounding the efforts to reincorporate the South into the Union and to provide newly freed slaves with political rights and opportunities to improve their lives. The theme study would include recommendations for the nomination of any new National Historic Landmarks, and sites which merit further study for potential inclusion in the National Park System.

Chattahoochee River National Recreation Area—A study of a boundary expansion for the Chattahoochee River National Recreation Area is proposed for an area extending approximately 45 miles from the southern boundary of the existing National Recreation Area south to the junction of Coweta, Heard, and Carroll Counties. These areas along the Chattahoochee River corridor include several state and county parks.

The Office of Management and Budget has advised that there is no objection to the enactment of the attached draft legislation from the standpoint of the Administration's program.

Sincerely,

KEN SALAZAR.

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

S. 3400. A bill to designate certain Federal land in the San Juan National Forest in the State of Colorado as wilderness, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. BENNET. Mr. President, I have come to the floor to talk about Colorado. This summer, most people have been thinking about the wildfires we have had up there. These fires were widespread throughout the State, and it is still just the beginning of fire season. We have already seen a lot of damage, including the destruction of hundreds of homes, and, most sadly, the loss of life.

I wish to say in this Chamber, to all my colleagues, how much I appreciate their kindness. The knowledge that all of you have been thinking about people at home has been very comforting to the people I represent. Thanks to the heroic work of the firefighters, and with a lot of help also from Mother Nature, the fires are under control. So I wish to remind people, as I have been doing now for months, that Colorado is the best place to visit during the summer. It is the best place to bring your family.

In fact, last week—or during the recess—Susan and I loaded up the minivan and drove across the State with our kids. It takes all the fun out of playing the license plate game when you are driving in Colorado because in about 2 hours the kids saw half the license plates representing half the States in the United States—just 2 hours from Denver, CO. So I would say, as I have said time and time again, over the coming months, if you have plans to come to our State, please do.

Today, I wish to focus on one area that illustrates how special our State of Colorado is.

The Hermosa Creek watershed is a beautiful parcel of land just up the road from Durango in the southwest corner of our State.

Over 4 years ago, an incredibly diverse group of local citizens, mountain bikers, fishermen, outfitters, local elected officials, and others got together to talk about the future of this striking land. Everybody involved likes to visit the area for recreation or to do business there. Their discussion was about how to put together a plan from the local level up to manage the area so everyone could enjoy it and benefit, and so that we could protect it for the next generations of Coloradans and the next generations of Americans.

A little over a year ago, the group invited my family and me to take a hike through the watershed and join the discussion. During a tour over the last Memorial Day weekend, we unloaded at the Hermosa Creek trailhead, we tied up our boots, and my youngest daughter Anne made a hiking stick out of a nearby fallen branch. We started up the trail with 40 or so others from the local community.

As we climbed higher and higher, we were all overcome by the beauty. People stopped talking. I stopped talking largely because I was out of breath. But the people I was with were as awestruck as I was by the beauty of this place. It was a particularly settling walk after being cooped up with my children.

There are forested valleys, crystal-clear streams, and unspoiled views. After about an hour, the group pulled off the Forest Service trail into a meadow. And as Anne, Helena, and Caroline Bennet made themselves and their father and mother dandelion necklaces, we started a discussion about what this area means to the people who live there and the people who visit. The sportsmen come to fish for native Colorado cutthroat trout and for back-country elk hunting. The mountain bikers come to enjoy single-track riding on trails known throughout the United States of America, and actually in other countries as well. The local water districts love Hermosa because it provides drinking water for the great city of Durango. Workers in the timber and mining industries stress that some of the watershed could contribute to extractive development in the future. Some might not know that mining has long been an economic driver in that region of our State.

This is a photograph of the group that hiked that day. The upshot of the discussion we had in that meadow was an agreement to work together on a bill, a balanced bill that managed the watershed so it would contribute to the local economy long into the future. After nearly 14 months of discussions and negotiations since that hike, I introduced that bill earlier today.

The Hermosa Creek Watershed Protection Act governs the entire 108,000-acre watershed. It includes provisions to allow for multiple uses, such as timber harvesting for forest health; access and trails for off-road vehicle enthusiasts, and for mountain bikers.

It keeps getting better. The bill also adds nearly 40,000 acres to the National Wilderness Preservation System, lands that provide unique and important opportunities for solitude and reflection, lands that will remain undeveloped forever, so they will always have clear streams of fish and lush forests for a local outfitter to take clients into the wilderness on horseback.

I am proud to report the bill has the unanimous bipartisan backing of the two county commissions involved, the San Juan County Commission and the La Plata County Commission. I ask unanimous consent to have printed in the RECORD a copy of letters of support from both counties.

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

SAN JUAN COUNTY,
Silverton, CO, June 27, 2012.

Sen. MICHAEL F. BENNET,
Russell Senate Office Building,
Washington, DC.

DEAR SENATOR BENNET: San Juan County is supportive of the collaborative community process conducted by the Hermosa Creek Workgroup. This was an open, inclusive process that has brought together local citizens and organizations that are concerned with protecting the special values of the Hermosa Creek Watershed in San Juan and La Plata Counties in southwest Colorado.

For more than two years the Hermosa Creek Workgroup worked within the framework developed by the River Protection Workgroup whose goal is ''Involving the public in protecting the natural values of selected streams while allowing water development to continue.''

As a result of this process, the Hermosa Creek Workgroup determined that ''The Hermosa Creek Area is exceptional because it is a large intact (unfragmented) natural watershed containing diverse ecosystems, including fish, plants and wildlife, over a road elevation range, and supports a variety of multiple uses, including recreation and grazing, in the vicinity of a large town.''

San Juan County supports the proposed Federal Legislation for the Hermosa Creek Watershed Protection Act of 2012 and respectfully requests that your office initiate a legislative process to achieve the goals set forth by the Hermosa Work Group.

Sincerely,

ERNEST F. KUHLMAN,
Chairman,
San Juan County Commissioners.

LA PLATA COUNTY,
Durango, CO, November 3, 2011.

Hon. MICHAEL BENNET,
Hart Senate Office Building,
Washington, DC.

DEAR SENATOR BENNET: You recently released draft legislation to protect the Hermosa Creek area just north of Durango, and we wish to express our strong support for that component of the legislation. We have previously supported the work and recommendations of the Hermosa Creek Workgroup, and believe that this draft accurately reflects those recommendations.

The Board of Commissioners has followed the public process conducted by the Hermosa Creek Workgroup since its beginning over two years ago, and we believe that the process has been open, transparent, and effective. Virtually every group with an interest in the Hermosa watershed participated in the discussions, which were constructive and well-facilitated.

The Hermosa Creek watershed is an invaluable resource for La Plata County for a number of reasons. The recreational opportunities the area offers, from hunting and fishing to hiking, mountain biking, and skiing, are world class, and contribute significantly to the County's recreation and tourism economic base. Local outfitting businesses, hotels, restaurants, gas stations, and gear shops all benefit from a protected Hermosa Creek region.

With its Outstanding Waters designation by the State of Colorado, Hermosa Creek provides a major clean water contribution to the Animas River, which is the water source for many of La Plata County's residents. As a source of clean air and spectacular scenery, Hermosa Creek also plays a key role in maintaining the natural amenities that make La Plata County attractive to new residents and businesses.

The proposal to protect the Hermosa Creek watershed through a special management designation, containing wilderness and unroaded designations for portions of the area, is truly a community-based approach to local land management. We commend you for respecting the hard work of the Hermosa Creek Workgroup by including the group's recommendations in your draft legislation. We support the legislation, and stand ready to help in whatever way to see it enacted into law.

Sincerely,

KELLIE C. HOTTER,
Chair.
ROBERT A. LIEB, JR.,
Vice-Chair.
WALLACE ''WALLY'' WHITE,
Commissioner.

Mr. BENNET. It has the support of the Hermosa Creek Workgroup, ranging from hard-rock miners to wilderness advocates. I am pleased to carry this bill on behalf of the people of Colorado. I am especially proud because this was a community-driven process at its very finest, through and through, from beginning to end. Colorado wrote this bill. This bill wasn't written in Washington, DC. The bill has grown from the grassroots up, Republicans, Democrats, and Independents working together to cement a long-term plan for the community's future.

I also want to thank my senior Senator, Senator UDALL of Colorado, for joining me as a cosponsor of the bill, and to thank Senators BINGAMAN and MURKOWSKI for their past help moving Colorado land bills through their committee. I am confident that as we work on this bill together we will find similar consensus.

To bring this back to the beginning, I don't have to convince most people that Colorado is a special place. Many have visited our State over their lifetimes to ski our mountains, run our rivers, or climb a ''14er.'' The Hermosa Creek watershed represents some of the best Colorado has to offer. It deserves to be protected for our outdoor recreation economy, and for future generations.

I want to thank all of the people who have spent countless hours working together to make sure they could overcome their differences and reach a consensus on this bill. As I have told all of them, it makes my work so much easier when people work in such a constructive way together, and for that, they have my deep appreciation.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2554. Mr. BROWN of Ohio (for himself, Mr. HARKIN, Mr. SANDERS, Mr. WHITEHOUSE, Mr. BLUMENTHAL, Mr. ROCKEFELLER, and Mrs. MCCASKILL) submitted an amendment intended to be proposed by him to the bill S. 3364, to provide an incentive for businesses to bring jobs back to America; which was ordered to lie on the table.

SA 2555. Mrs. MCCASKILL (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed by her to the bill S. 3364, supra; which was ordered to lie on the table.

SA 2556. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill S. 3364, supra; which was ordered to lie on the table.

SA 2557. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill S. 3364, supra; which was ordered to lie on the table.

SA 2558. Mrs. HUTCHISON (for herself and Mr. COBURN) submitted an amendment intended to be proposed by her to the bill S. 3364, supra; which was ordered to lie on the table.

SA 2559. Mr. REID (for Mrs. MURRAY) proposed an amendment to the bill H.R. 1627, to amend title 38, United States Code, to furnish hospital care and medical services to veterans who were stationed at Camp Lejeune, North Carolina, while the water was contaminated at Camp Lejeune, to improve the provision of housing assistance to veterans and their families, and for other purposes.

SA 2560. Mr. REID (for Mrs. MURRAY) proposed an amendment to the bill H.R. 1627, supra.

TEXT OF AMENDMENTS

SA 2554. Mr. BROWN of Ohio (for himself, Mr. HARKIN, Mr. SANDERS, Mr. WHITEHOUSE, Mr. BLUMENTHAL, Mr. ROCKEFELLER, and Mrs. MCCASKILL) submitted an amendment intended to be proposed by him to the bill S. 3364, to provide an incentive for businesses to bring jobs back to America; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ___. REQUIRED DISCLOSURE OF NUMBER OF DOMESTIC AND FOREIGN EMPLOYEES.

Section 13 of the Securities Exchange Act of 1934 (15 U.S.C. 78m) is amended by adding at the end the following new subsection:

''(r) DISCLOSURE OF NUMBER OF DOMESTIC AND FOREIGN EMPLOYEES.—

''(1) IN GENERAL.—Beginning with the first full fiscal year that begins after the date of enactment of this subsection, each issuer required to file reports with the Commission pursuant to subsection (a) shall disclose annually to the Commission and to shareholders—

''(A) the total number of employees, as defined in subsection (d) of section 3121 of title 26 United States Code, or any regulations interpreting such subsection, who are domiciled in the United States and employed by the issuer or any consolidated subsidiary of the issuer;

''(B) the total number of employees, as defined in subsection (d) of section 3121 of title 26 United States Code, or any regulations interpreting such subsection, who are domiciled in any country other than the United States and employed by the issuer or any consolidated subsidiary of the issuer, listed by number in each country; and

''(C) the percentage increase or decrease in the numbers required to be disclosed under subparagraphs (A) and (B) from the previous reporting year.

''(2) EXEMPTIONS.—An issuer shall not be subject to the requirements of paragraph (1) if the issuer is an emerging growth company, as defined in section 3(a).

''(3) REGULATIONS.—The Commission may promulgate such regulations as it considers necessary to implement the requirement under paragraph (1).''.

SA 2555. Mrs. MCCASKILL (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed by her to the bill S. 3364, to provide an incentive for businesses to bring jobs back to America; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE II—TEMPORARY DUTY SUSPENSION PROCESS ACT

SEC. 201. SHORT TITLE.

This title may be cited as the ''Temporary Duty Suspension Process Act of 2012''.

SEC. 202. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives.

(2) COMMISSION.—The term ''Commission'' means the United States International Trade Commission.

(3) DUTY SUSPENSION OR REDUCTION.—The term ''duty suspension or reduction'' means an amendment to subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States—

(A) extending an existing temporary suspension or reduction of duty on an article under that subchapter; or

(B) providing for a new temporary suspension or reduction of duty on an article under that subchapter.

SEC. 203. RECOMMENDATIONS BY UNITED STATES INTERNATIONAL TRADE COMMISSION FOR DUTY SUSPENSIONS AND REDUCTIONS.

(a) ESTABLISHMENT OF REVIEW PROCESS.—Not later than 30 days after the date of the enactment of this Act, the Commission shall complete all actions necessary to establish a process pursuant to which the Commission will—

(1) review each article with respect to which a duty suspension or reduction may be made—

(A) at the initiative of the Commission; or

(B) pursuant to a petition submitted or referred to the Commission under subsection (b); and

(2) submit a draft bill to the appropriate congressional committees under subsection (d).

(b) PETITIONS.—

(1) IN GENERAL.—As part of the process established under subsection (a), the Commission shall establish procedures under which a petition requesting the Commission to review a duty suspension or reduction pursuant to that process may be—

(A) submitted to the Commission by a member of the public; or

(B) referred to the Commission by a Member of Congress.

(2) REQUIREMENTS.—A petition submitted or referred to the Commission under paragraph (1) shall be submitted or referred at such time and in such manner and shall include such information as the Commission may require.

(3) NO PREFERENTIAL TREATMENT FOR MEMBERS OF CONGRESS.—A petition referred to the Commission by a Member of Congress under subparagraph (B) of paragraph (1) shall receive treatment no more favorable than the treatment received by a petition submitted to the Commission by a member of the public under subparagraph (A) of that paragraph.

(c) PUBLIC COMMENTS.—As part of the process established under subsection (a), the Commission shall establish procedures for—

(1) notifying the public when the Commission initiates the process of reviewing articles with respect to which duty suspensions or reductions may be made and distributing information about the process, including by—

(A) posting information about the process on the website of the Commission; and

(B) providing that information to trade associations and other appropriate organizations;

(2) not later than 45 days before submitting a draft bill to the appropriate congressional committees under subsection (d), notifying the public of the duty suspensions and reductions the Commission is considering including in the draft bill; and

(3) providing the public with an opportunity to submit comments with respect to any of those duty suspensions or reductions.

(d) SUBMISSION OF DRAFT BILL.—

(1) IN GENERAL.—The Commission shall submit to the appropriate congressional committees a draft bill that contains each duty suspension or reduction that the Commission determines, pursuant to the process established under subsection (a) and after conducting the consultations required by subsection (e), meets the requirements described in subsection (f), not later than—

(A) the date that is 120 days after the date of the enactment of this Act;

(B) January 1, 2015; and

(C) January 1, 2018.

(2) EFFECTIVE PERIOD OF DUTY SUSPENSIONS AND REDUCTIONS.—Duty suspensions and reductions included in a draft bill submitted under paragraph (1) shall be effective for a period of not less than 3 years.

(3) SPECIAL RULE FOR FIRST SUBMISSION.—In the draft bill required to be submitted under paragraph (1) not later than the date that is 120 days after the date of the enactment of this Act, the Commission shall be required to include only duty suspensions and reductions with respect to which the Commission has sufficient time to make a determination under that paragraph before the draft bill is required to be submitted.

(e) CONSULTATIONS.—In determining whether a duty suspension or reduction meets the requirements described in subsection (f), the Commission shall, not later than 30 days before submitting a draft bill to the appropriate congressional committees under subsection (d), conduct consultations with the Commissioner responsible for U.S. Customs and Border Protection, the Secretary of Commerce, the United States Trade Representative, and the heads of other relevant Federal agencies.

(f) REQUIREMENTS FOR DUTY SUSPENSIONS AND REDUCTIONS.—

(1) IN GENERAL.—A duty suspension or reduction meets the requirements described in this subsection if—

(A) the duty suspension or reduction can be administered by U.S. Customs and Border Protection;

(B) the estimated loss in revenue to the United States from the duty suspension or reduction does not exceed the dollar amount specified in paragraph (2) in a calendar year during which the duty suspension or reduction would be in effect; and

(C) on the date on which the Commission submits a draft bill to the appropriate congressional committees under subsection (d) that includes the duty suspension or reduction, the article to which the duty suspension or reduction would apply is not produced in the United States and is not expected to be produced in the United States during the subsequent 12-month period.

(2) DOLLAR AMOUNT SPECIFIED.—

(A) IN GENERAL.—The dollar amount specified in this paragraph is—

(i) for calendar year 2013, $500,000; and

(ii) for any calendar year after calendar year 2013, an amount equal to $500,000 increased or decreased by an amount equal to—

(I) $500,000, multiplied by

(II) the percentage (if any) of the increase or decrease (as the case may be) in the Consumer Price Index for the preceding calendar year compared to the Consumer Price Index for calendar year 2012.

(B) ROUNDING.—Any increase or decrease under subparagraph (A) of the dollar amount specified in this paragraph shall be rounded to the nearest dollar.

(C) CONSUMER PRICE INDEX FOR ANY CALENDAR YEAR.—For purposes of this paragraph, the Consumer Price Index for any calendar year is the average of the Consumer Price Index as of the close of the 12-month period ending on September 30 of that calendar year.

(D) CONSUMER PRICE INDEX DEFINED.—For purposes of this paragraph, the term ''Consumer Price Index'' means the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.

(3) CONSIDERATION OF RELEVANT INFORMATION.—In determining whether a duty suspension or reduction meets the requirements described in paragraph (1), the Commission may consider any information the Commission considers relevant to the determination.

(4) JUDICIAL REVIEW PRECLUDED.—A determination of the Commission with respect to whether or not a duty suspension or reduction meets the requirements described in paragraph (1) shall not be subject to judicial review.

(g) REPORTS REQUIRED.—

(1) IN GENERAL.—Each time the Commission submits a draft bill under subsection (d), the Commission shall submit to the appropriate congressional committees a report on the duty suspensions and reductions contained in the draft bill that includes—

(A) the views of the head of each agency consulted under subsection (e); and

(B) any objections received by the Commission during consultations conducted under subsection (e) or through public comments submitted under subsection (c), including—

(i) objections with respect to duty suspensions or reductions the Commission included in the draft bill; and

(ii) objections that led to the Commission to determine not to include a duty suspension or reduction in the draft bill.

(2) INITIAL REPORT ON PROCESS.—Not later than 300 days after the date of the enactment of this Act, the Commission shall submit to the appropriate congressional committees a report that includes—

(A) an assessment of the effectiveness of the process established under subsection (a) and the requirements of this section;

(B) to the extent practicable, a description of the effects of duty suspensions and reductions recommended pursuant to that process on the United States economy that includes—

(i) a broad assessment of the economic effects of such duty suspensions and reductions on producers, purchasers, and consumers in the United States; and

(ii) case studies describing such effects by industry or by type of articles, as available data permits;

(C) a comparison of the actual loss in revenue to the United States resulting from duty suspensions and reductions recommended pursuant to that process to the loss in such revenue estimated during that process;

(D) to the extent practicable, information on how broadly or narrowly duty suspensions and reductions recommended pursuant to that process were used by importers; and

(E) any recommendations of the Commission for improving that process and the requirements of this section.

(h) FORM OF DRAFT BILL AND REPORTS.—Each draft bill submitted under subsection (d) and each report required by subsection (g) shall be—

(1) submitted to the appropriate congressional committees in electronic form; and

(2) made available to the public on the website of the Commission.

SEC. 204. REPORTS ON BENEFITS OF DUTY SUSPENSIONS OR REDUCTIONS TO SECTORS OF THE UNITED STATES ECONOMY.

Not later than January 1, 2014, and annually thereafter, the Commission shall submit to the appropriate congressional committees a report that—

(1) makes recommendations with respect to sectors of the United States economy that could benefit from duty suspensions or reductions without causing harm to other domestic interests; and

(2) assesses the feasibility and advisability of suspending or reducing duties on a sectoral basis rather than on individual articles.

SA 2556. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill S. 3364, to provide an incentive for businesses to bring jobs back to America; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ___. PERMANENT EXTENSION OF DEDUCTION FOR STATE AND LOCAL GENERAL SALES TAXES.

(a) IN GENERAL.—Subparagraph (I) of section 164(b)(5) of the Internal Revenue Code of 1986 is amended by striking ''\, and before January 1, 2012''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2011.

SA 2557. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill S. 3364, to provide an incentive for businesses to bring jobs back to America; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. __. REPEAL OF SUNSET ON MARRIAGE PENALTY RELIEF.

Title IX of the Economic Growth and Tax Relief Reconciliation Act of 2001 (relating to sunset of provisions of such Act) shall not apply to sections 301, 302, and 303(a) of such Act (relating to marriage penalty relief).

SA 2558. Mrs. HUTCHISON (for herself and Mr. COBURN) submitted an amendment intended to be proposed by her to the bill S. 3364, to provide an incentive for businesses to bring jobs back to America; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ___. REPEAL OF CERTAIN LIMITATIONS ON HEALTH CARE BENEFITS.

(a) REPEAL OF DISTRIBUTIONS FOR MEDICINE QUALIFIED ONLY IF FOR PRESCRIBED DRUG OR INSULIN.—

(1) HSAS.—Section 223(d)(2)(A) of the Internal Revenue Code of 1986 is amended by striking the last sentence thereof.

(2) ARCHER MSAS.—Section 220(d)(2)(A) of such Code is amended by striking the last sentence thereof.

(3) HEALTH FLEXIBLE SPENDING ARRANGEMENTS AND HEALTH REIMBURSEMENT ARRANGEMENTS.—Section 106 of such Code is amended by striking subsection (f).

(4) EFFECTIVE DATE.—

(A) DISTRIBUTIONS FROM SAVINGS ACCOUNTS.—The amendments made by paragraphs (1) and (2) shall apply to amounts paid with respect to taxable years beginning after December 31, 2011.

(B) REIMBURSEMENTS.—The amendment made by paragraph (3) shall apply to expenses incurred with respect to taxable years beginning after December 31, 2011.

(b) REPEAL OF LIMITATION ON HEALTH FLEXIBLE SPENDING ARRANGEMENTS UNDER CAFETERIA PLANS.—

(1) IN GENERAL.—Section 125 of the Internal Revenue Code of 1986 is amended by striking subsection (i) and by redesignating subsections (j) through (l) as subsections (i) through (k), respectively.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to taxable years beginning after December 31, 2012.

SA 2559. Mr. REID (for Mrs. MURRAY) proposed an amendment to the bill H.R. 1627, to amend title 38, United States Code, to furnish hospital care and medical services to veterans who were stationed at Camp Lejeune, North Carolina, while the water was contaminated at Camp Lejeune, to improve the provision of housing assistance to veterans and their families, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Honoring America's Veterans and Caring for Camp Lejeune Families Act of 2012''.

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

Sec. 1. Short title; table of contents.
Sec. 2. References to title 38, United States Code.
Sec. 3. Scoring of budgetary effects.

TITLE I—HEALTH CARE MATTERS

Sec. 101. Short title.
Sec. 102. Hospital care and medical services for veterans stationed at Camp Lejeune, North Carolina.
Sec. 103. Authority to waive collection of copayments for telehealth and telemedicine visits of veterans.
Sec. 104. Temporary expansion of payments and allowances for beneficiary travel in connection with veterans receiving care from Vet Centers.
Sec. 105. Contracts and agreements for nursing home care.
Sec. 106. Comprehensive policy on reporting and tracking sexual assault incidents and other safety incidents.
Sec. 107. Rehabilitative services for veterans with traumatic brain injury.
Sec. 108. Teleconsultation and telemedicine.
Sec. 109. Use of service dogs on property of the Department of Veterans Affairs.
Sec. 110. Recognition of rural health resource centers in Office of Rural Health.
Sec. 111. Improvements for recovery and collection of amounts for Department of Veterans Affairs Medical Care Collections Fund.
Sec. 112. Extension of authority for copayments.
Sec. 113. Extension of authority for recovery of cost of certain care and services.

TITLE II—HOUSING MATTERS

Sec. 201. Short title.
Sec. 202. Temporary expansion of eligibility for specially adapted housing assistance for certain veterans with disabilities causing difficulty with ambulating.
Sec. 203. Expansion of eligibility for specially adapted housing assistance for veterans with vision impairment.
Sec. 204. Revised limitations on assistance furnished for acquisition and adaptation of housing for disabled veterans.
Sec. 205. Improvements to assistance for disabled veterans residing in housing owned by a family member.
Sec. 206. Department of Veterans Affairs housing loan guarantees for surviving spouses of certain totally disabled veterans.
Sec. 207. Occupancy of property by dependent child of veteran for purposes of meeting occupancy requirement for Department of Veterans Affairs housing loans.
Sec. 208. Making permanent project for guaranteeing of adjustable rate mortgages.
Sec. 209. Making permanent project for insuring hybrid adjustable rate mortgages.
Sec. 210. Waiver of loan fee for individuals with disability ratings issued during pre-discharge programs.
Sec. 211. Modification of authorities for enhanced-use leases of real property.

TITLE III—HOMELESS MATTERS

Sec. 301. Enhancement of comprehensive service programs.
Sec. 302. Modification of authority for provision of treatment and rehabilitation to certain veterans to include provision of treatment and rehabilitation to homeless veterans who are not seriously mentally ill.
Sec. 303. Modification of grant program for homeless veterans with special needs.
Sec. 304. Collaboration in provision of case management services to homeless veterans in supported housing program.
Sec. 305. Extensions of previously fully funded authorities affecting homeless veterans.

TITLE IV—EDUCATION MATTERS

Sec. 401. Aggregate amount of educational assistance available to individuals who receive both survivors' and dependents' educational assistance and other veterans and related educational assistance.
Sec. 402. Annual reports on Post-9/11 Educational Assistance Program and Survivors' and Dependents' Educational Assistance Program.

TITLE V—BENEFITS MATTERS

Sec. 501. Automatic waiver of agency of original jurisdiction review of new evidence.
Sec. 502. Authority for certain persons to sign claims filed with Secretary of Veterans Affairs on behalf of claimants.
Sec. 503. Improvement of process for filing jointly for social security and dependency and indemnity compensation.
Sec. 504. Authorization of use of electronic communication to provide notice to claimants for benefits under laws administered by the Secretary of Veterans Affairs.
Sec. 505. Duty to assist claimants in obtaining private records.
Sec. 506. Authority for retroactive effective date for awards of disability compensation in connection with applications that are fully-developed at submittal.
Sec. 507. Modification of month of death benefit for surviving spouses of veterans who die while entitled to compensation or pension.

Sec. 508. Increase in rate of pension for disabled veterans married to one another and both of whom require regular aid and attendance.
Sec. 509. Exclusion of certain reimbursements of expenses from determination of annual income with respect to pensions for veterans and surviving spouses and children of veterans.

TITLE VI—MEMORIAL, BURIAL, AND CEMETERY MATTERS

Sec. 601. Prohibition on disruptions of funerals of members or former members of the Armed Forces.
Sec. 602. Codification of prohibition against reservation of gravesites at Arlington National Cemetery.
Sec. 603. Expansion of eligibility for presidential memorial certificates to persons who died in the active military, naval, or air service.
Sec. 604. Requirements for the placement of monuments in Arlington National Cemetery.

TITLE VII—OTHER MATTERS

Sec. 701. Assistance to veterans affected by natural disasters.
Sec. 702. Extension of certain expiring provisions of law.
Sec. 703. Requirement for plan for regular assessment of employees of Veterans Benefits Administration who handle processing of claims for compensation and pension.
Sec. 704. Modification of provision relating to reimbursement rate for ambulance services.
Sec. 705. Change in collection and verification of veteran income.
Sec. 706. Department of Veterans Affairs enforcement penalties for misrepresentation of a business concern as a small business concern owned and controlled by veterans or as a small business concern owned and controlled by service-disabled veterans.
Sec. 707. Quarterly reports to Congress on conferences sponsored by the Department.
Sec. 708. Publication of data on employment of certain veterans by Federal contractors.
Sec. 709. VetStar Award Program.
Sec. 710. Extended period of protections for members of uniformed services relating to mortgages, mortgage foreclosure, and eviction.

SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

SEC. 3. SCORING OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

TITLE I—HEALTH CARE MATTERS

SEC. 101. SHORT TITLE.

This title may be cited as the ''Janey Ensminger Act''.

SEC. 102. HOSPITAL CARE AND MEDICAL SERVICES FOR VETERANS STATIONED AT CAMP LEJEUNE, NORTH CAROLINA.

(a) HOSPITAL CARE AND MEDICAL SERVICES FOR VETERANS.—

(1) IN GENERAL.—Paragraph (1) of section 1710(e) is amended by adding at the end the following new subparagraph:

''(F) Subject to paragraph (2), a veteran who served on active duty in the Armed Forces at Camp Lejeune, North Carolina, for not fewer than 30 days during the period beginning on January 1, 1957, and ending on December 31, 1987, is eligible for hospital care and medical services under subsection (a)(2)(F) for any of the following illnesses or conditions, notwithstanding that there is insufficient medical evidence to conclude that such illnesses or conditions are attributable to such service:

''(i) Esophageal cancer.
''(ii) Lung cancer.
''(iii) Breast cancer.
''(iv) Bladder cancer.
''(v) Kidney cancer.
''(vi) Leukemia.
''(vii) Multiple myeloma.
''(viii) Myleodysplasic syndromes.
''(ix) Renal toxicity.
''(x) Hepatic steatosis.
''(xi) Female infertility.
''(xii) Miscarriage.
''(xiii) Scleroderma.
''(xiv) Neurobehavioral effects.
''(xv) Non-Hodgkin's lymphoma.''.

(2) LIMITATION.—Paragraph (2)(B) of such section is amended by striking ''or (E)'' and inserting ''(E), or (F)''.

(b) FAMILY MEMBERS.—

(1) IN GENERAL.—Subchapter VIII of chapter 17 is amended by adding at the end the following new section:

''§ 1787. Health care of family members of veterans stationed at Camp Lejeune, North Carolina

''(a) IN GENERAL.—Subject to subsection (b), a family member of a veteran described in subparagraph (F) of section 1710(e)(1) of this title who resided at Camp Lejeune, North Carolina, for not fewer than 30 days during the period described in such subparagraph or who was in utero during such period while the mother of such family member resided at such location shall be eligible for hospital care and medical services furnished by the Secretary for any of the illnesses or conditions described in such subparagraph, notwithstanding that there is insufficient medical evidence to conclude that such illnesses or conditions are attributable to such residence.

''(b) LIMITATIONS.—(1) The Secretary may only furnish hospital care and medical services under subsection (a) to the extent and in the amount provided in advance in appropriations Acts for such purpose.

''(2) Hospital care and medical services may not be furnished under subsection (a) for an illness or condition of a family member that is found, in accordance with guidelines issued by the Under Secretary for Health, to have resulted from a cause other than the residence of the family member described in that subsection.

''(3) The Secretary may provide reimbursement for hospital care or medical services provided to a family member under this section only after the family member or the provider of such care or services has exhausted without success all claims and remedies reasonably available to the family member or provider against a third party (as defined in section 1725(f) of this title) for payment of such care or services, including with respect to health-plan contracts (as defined in such section).''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1786 the following new item:

''1787. Health care of family members of veterans stationed at Camp Lejeune, North Carolina.''.

(c) ANNUAL REPORTS.—

(1) IN GENERAL.—Not later than December 31 of each of 2013, 2014, and 2015, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the care and services provided under sections 1710(e)(1)(F) and 1787 of title 38, United States Code (as added by subsections (a) and (b)(1), respectively).

(2) ELEMENTS.—Each report under paragraph (1) shall set forth the following:

(A) The number of veterans and family members provided hospital care and medical services under the provisions of law specified in paragraph (1) during the period beginning on October 1, 2012, and ending on the date of such report.

(B) The illnesses, conditions, and disabilities for which care and services have been provided such veterans and family members under such provisions of law during that period.

(C) The number of veterans and family members who applied for care and services under such provisions of law during that period but were denied, including information on the reasons for such denials.

(D) The number of veterans and family members who applied for care and services under such provisions of law and are awaiting a decision from the Secretary on eligibility for such care and services as of the date of such report.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—The provisions of this section and the amendments made by this section shall take effect on the date of the enactment of this Act.

(2) APPLICABILITY.—Subparagraph (F) of section 1710(e)(1) of such title, as added by subsection (a), and section 1787 of title 38, United States Code, as added by subsection (b)(1), shall apply with respect to hospital care and medical services provided on or after the date of the enactment of this Act.

SEC. 103. AUTHORITY TO WAIVE COLLECTION OF COPAYMENTS FOR TELEHEALTH AND TELEMEDICINE VISITS OF VETERANS.

(a) IN GENERAL.—Subchapter III of chapter 17 is amended by inserting after section 1722A the following new section:

''§ 1722B. Copayments: waiver of collection of copayments for telehealth and telemedicine visits of veterans

''The Secretary may waive the imposition or collection of copayments for telehealth and telemedicine visits of veterans under the laws administered by the Secretary.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1722A the following new item:

''1722B. Copayments: waiver of collection of copayments for telehealth and telemedicine visits of veterans.''.

SEC. 104. TEMPORARY EXPANSION OF PAYMENTS AND ALLOWANCES FOR BENEFICIARY TRAVEL IN CONNECTION WITH VETERANS RECEIVING CARE FROM VET CENTERS.

(a) IN GENERAL.—Beginning one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall commence a three-year initiative to assess the feasibility and advisability of paying under section 111(a) of title 38, United States Code, the actual necessary expenses of travel or allowances for travel from a residence located

in an area that is designated by the Secretary as highly rural to the nearest Vet Center and from such Vet Center to such residence.

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the completion of the initiative, the Secretary shall submit to Congress a report on the findings of the Secretary with respect to the initiative required by subsection (a).

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) A description of the individuals who benefitted from payment under the initiative.

(B) A description of any impediments to the Secretary in paying expenses or allowances under the initiative.

(C) A description of any impediments encountered by individuals in receiving such payments.

(D) An assessment of the feasibility and advisability of paying such expenses or allowances.

(E) An assessment of any fraudulent receipt of payment under the initiative and the recommendations of the Secretary for legislative or administrative action to reduce such fraud.

(F) Such recommendations for legislative or administrative action as the Secretary considers appropriate with respect to the payment of expenses or allowances as described in subsection (a).

(c) VET CENTER DEFINED.—In this section, the term ''Vet Center'' means a center for readjustment counseling and related mental health services for veterans under section 1712A of title 38, United States Code.

SEC. 105. CONTRACTS AND AGREEMENTS FOR NURSING HOME CARE.

(a) CONTRACTS.—Section 1745(a) is amended—

(1) in paragraph (1), by striking ''The Secretary shall pay each State home for nursing home care at the rate determined under paragraph (2)'' and inserting ''The Secretary shall enter into a contract (or agreement under section 1720(c)(1) of this title) with each State home for payment by the Secretary for nursing home care provided in the home''; and

(2) by striking paragraph (2) and inserting the following new paragraph (2):

''(2) Payment under each contract (or agreement) between the Secretary and a State home under paragraph (1) shall be based on a methodology, developed by the Secretary in consultation with the State home, to adequately reimburse the State home for the care provided by the State home under the contract (or agreement).''.

(b) AGREEMENTS.—Section 1720(c)(1)(A) is amended—

(1) in clause (i), by striking ''; and'' and inserting a semicolon;

(2) in clause (ii), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new clause:

''(iii) a provider of services eligible to enter into a contract pursuant to section 1745(a) of this title that is not otherwise described in clause (i) or (ii).''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to care provided on or after the date that is 180 days after the date of the enactment of this Act.

(2) MAINTENANCE OF PRIOR METHODOLOGY OF REIMBURSEMENT FOR CERTAIN STATE HOMES.—In the case of a State home that provided nursing home care on the day before the date of the enactment of this Act for which the State home was eligible for pay under section 1745(a)(1) of title 38, United States Code, at the request of any State home, the Secretary shall offer to enter into a contract (or agreement described in such section) with such State home under such section, as amended by subsection (a), for payment for nursing home care provided by such State home under such section that reflects the overall methodology of reimbursement for such care that was in effect for such State home on the day before the date of the enactment of this Act.

SEC. 106. COMPREHENSIVE POLICY ON REPORTING AND TRACKING SEXUAL ASSAULT INCIDENTS AND OTHER SAFETY INCIDENTS.

(a) POLICY.—Subchapter I of chapter 17 is amended by adding at the end the following:

''§ 1709. Comprehensive policy on reporting and tracking sexual assault incidents and other safety incidents

''(a) POLICY REQUIRED.—(1) Not later than September 30, 2012, the Secretary shall develop and implement a centralized and comprehensive policy on the reporting and tracking of sexual assault incidents and other safety incidents that occur at each medical facility of the Department, including—

''(A) suspected, alleged, attempted, or confirmed cases of sexual assault, regardless of whether such assaults lead to prosecution or conviction;

''(B) criminal and purposefully unsafe acts;

''(C) alcohol or substance abuse related acts (including by employees of the Department); and

''(D) any kind of event involving alleged or suspected abuse of a patient.

''(2) In developing and implementing a policy under paragraph (1), the Secretary shall consider the effects of such policy on—

''(A) the use by veterans of mental health care and substance abuse treatments; and

''(B) the ability of the Department to refer veterans to such care or treatment.

''(b) SCOPE.—The policy required by subsection (a) shall cover each of the following:

''(1) For purposes of reporting and tracking sexual assault incidents and other safety incidents, definitions of the terms—

''(A) 'safety incident';

''(B) 'sexual assault'; and

''(C) 'sexual assault incident'.

''(2)(A) The development and use of specific risk-assessment tools to examine any risks related to sexual assault that a veteran may pose while being treated at a medical facility of the Department, including clear and consistent guidance on the collection of information related to—

''(i) the legal history of the veteran; and

''(ii) the medical record of the veteran.

''(B) In developing and using tools under subparagraph (A), the Secretary shall consider the effects of using such tools on the use by veterans of health care furnished by the Department.

''(3) The mandatory training of employees of the Department on security issues, including awareness, preparedness, precautions, and police assistance.

''(4) The mandatory implementation, use, and regular testing of appropriate physical security precautions and equipment, including surveillance camera systems, computer-based panic alarm systems, stationary panic alarms, and electronic portable personal panic alarms.

''(5) Clear, consistent, and comprehensive criteria and guidance with respect to an employee of the Department communicating and reporting sexual assault incidents and other safety incidents to—

''(A) supervisory personnel of the employee at—

''(i) a medical facility of the Department;

''(ii) an office of a Veterans Integrated Service Network; and

''(iii) the central office of the Veterans Health Administration; and

''(B) a law enforcement official of the Department.

''(6) Clear and consistent criteria and guidelines with respect to an employee of the Department referring and reporting to the Office of Inspector General of the Department sexual assault incidents and other safety incidents that meet the regulatory criminal threshold prescribed under sections 901 and 902 of this title.

''(7) An accountable oversight system within the Veterans Health Administration that includes—

''(A) systematic information sharing of reported sexual assault incidents and other safety incidents among officials of the Administration who have programmatic responsibility; and

''(B) a centralized reporting, tracking, and monitoring system for such incidents.

''(8) Consistent procedures and systems for law enforcement officials of the Department with respect to investigating, tracking, and closing reported sexual assault incidents and other safety incidents.

''(9) Clear and consistent guidance for the clinical management of the treatment of sexual assaults that are reported more than 72 hours after the assault.

''(c) UPDATES TO POLICY.—The Secretary shall review and revise the policy required by subsection (a) on a periodic basis as the Secretary considers appropriate and in accordance with best practices.

''(d) ANNUAL REPORT.—(1) Not later than 60 days after the date on which the Secretary develops the policy required by subsection (a) and not later than October 1 of each year thereafter, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the implementation of the policy.

''(2) The report required by paragraph (1) shall include—

''(A) the number and type of sexual assault incidents and other safety incidents reported by each medical facility of the Department;

''(B) a detailed description of the implementation of the policy required by subsection (a), including any revisions made to such policy from the previous year; and

''(C) the effectiveness of such policy on improving the safety and security of the medical facilities of the Department, including the performance measures used to evaluate such effectiveness.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding after the item relating to section 1708 the following new item:

''1709. Comprehensive policy on reporting and tracking sexual assault incidents and other safety incidents.''.

(c) INTERIM REPORT.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the development of the policy required by section 1709 of title 38, United States Code, as added by subsection (a).

SEC. 107. REHABILITATIVE SERVICES FOR VETERANS WITH TRAUMATIC BRAIN INJURY.

(a) REHABILITATION PLANS AND SERVICES.—Section 1710C is amended—

(1) in subsection (a)(1), by inserting before the semicolon the following: ''with the goal of maximizing the individual's independence'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by inserting ''(and sustaining improvement in)'' after ''improving'';

(ii) by inserting ''behavioral,'' after ''cognitive,'';

(B) in paragraph (2), by inserting ''rehabilitative services and'' before ''rehabilitative components''; and

(C) in paragraph (3)—

(i) by striking ''treatments'' the first place it appears and inserting ''services''; and

(ii) by striking ''treatments and'' the second place it appears; and

(3) by adding at the end the following new subsection:

''(h) REHABILITATIVE SERVICES DEFINED.—For purposes of this section, and sections 1710D and 1710E of this title, the term 'rehabilitative services' includes—

''(1) rehabilitative services, as defined in section 1701 of this title;

''(2) treatment and services (which may be of ongoing duration) to sustain, and prevent loss of, functional gains that have been achieved; and

''(3) any other rehabilitative services or supports that may contribute to maximizing an individual's independence.''.

(b) REHABILITATION SERVICES IN COMPREHENSIVE PROGRAM FOR LONG-TERM REHABILITATION.—Section 1710D(a) is amended—

(1) by inserting ''and rehabilitative services (as defined in section 1710C of this title)'' after ''long-term care''; and

(2) by striking ''treatment''.

(c) REHABILITATION SERVICES IN AUTHORITY FOR COOPERATIVE AGREEMENTS FOR USE OF NON-DEPARTMENT FACILITIES FOR REHABILITATION.—Section 1710E(a) is amended by inserting '', including rehabilitative services (as defined in section 1710C of this title),'' after ''medical services''.

(d) TECHNICAL AMENDMENT.—Section 1710C(c)(2)(S) of title 38, United States Code, is amended by striking ''opthamologist'' and inserting ''ophthalmologist''.

SEC. 108. TELECONSULTATION AND TELEMEDICINE.

(a) TELECONSULTATION.—

(1) IN GENERAL.—Subchapter I of chapter 17, as amended by section 106(a), is further amended by adding at the end the following new section:

''§ 1709A. Teleconsultation

''(a) TELECONSULTATION.—(1) The Secretary shall carry out an initiative of teleconsultation for the provision of remote mental health and traumatic brain injury assessments in facilities of the Department that are not otherwise able to provide such assessments without contracting with third-party providers or reimbursing providers through a fee basis system.

''(2) The Secretary shall, in consultation with appropriate professional societies, promulgate technical and clinical care standards for the use of teleconsultation services within facilities of the Department.

''(3) In carrying out an initiative under paragraph (1), the Secretary shall ensure that facilities of the Department are able to provide a mental health or traumatic brain injury assessment to a veteran through contracting with a third-party provider or reimbursing a provider through a fee basis system when—

''(A) such facilities are not able to provide such assessment to the veteran without—

''(i) such contracting or reimbursement; or

''(ii) teleconsultation; and

''(B) providing such assessment with such contracting or reimbursement is more clinically appropriate for the veteran than providing such assessment with teleconsultation.

''(b) TELECONSULTATION DEFINED.—In this section, the term 'teleconsultation' means the use by a health care specialist of telecommunications to assist another health care provider in rendering a diagnosis or treatment.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 is amended by inserting after the item relating to section 1709, as added by section 106(b), the following new item:

''1709A. Teleconsultation.''.

(b) TRAINING IN TELEMEDICINE.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall, to the extent feasible, offer medical residents opportunities in training in telemedicine for medical residency programs. The Secretary shall consult with the Accreditation Council for Graduate Medical Education and with universities with which facilities of the Department have a major affiliation to determine the feasibility and advisability of making telehealth a mandatory component of medical residency programs.

(2) TELEMEDICINE DEFINED.—In this subsection, the term ''telemedicine'' means the use by a health care provider of telecommunications to assist in the diagnosis or treatment of a patient's medical condition.

SEC. 109. USE OF SERVICE DOGS ON PROPERTY OF THE DEPARTMENT OF VETERANS AFFAIRS.

Section 901 is amended by adding at the end the following new subsection:

''(f)(1) The Secretary may not prohibit the use of a covered service dog in any facility or on any property of the Department or in any facility or on any property that receives funding from the Secretary.

''(2) For purposes of this subsection, a covered service dog is a service dog that has been trained by an entity that is accredited by an appropriate accrediting body that evaluates and accredits organizations which train guide or service dogs.''.

SEC. 110. RECOGNITION OF RURAL HEALTH RESOURCE CENTERS IN OFFICE OF RURAL HEALTH.

Section 7308 is amended by adding at the end the following new subsection:

''(d) RURAL HEALTH RESOURCE CENTERS.—(1) There are, in the Office, veterans rural health resource centers that serve as satellite offices for the Office.

''(2) The veterans rural health resource centers have purposes as follows:

''(A) To improve the understanding of the Office of the challenges faced by veterans living in rural areas.

''(B) To identify disparities in the availability of health care to veterans living in rural areas.

''(C) To formulate practices or programs to enhance the delivery of health care to veterans living in rural areas.

''(D) To develop special practices and products for the benefit of veterans living in rural areas and for implementation of such practices and products in the Department systemwide.''.

SEC. 111. IMPROVEMENTS FOR RECOVERY AND COLLECTION OF AMOUNTS FOR DEPARTMENT OF VETERANS AFFAIRS MEDICAL CARE COLLECTIONS FUND.

(a) DEVELOPMENT AND IMPLEMENTATION OF PLAN FOR RECOVERY AND COLLECTION.—

(1) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall develop and implement a plan to ensure the recovery and collection of amounts under the provisions of law described in section 1729A(b) of title 38, United States Code, for deposit in the Department of Veterans Affairs Medical Care Collections Fund.

(2) ELEMENTS.—The plan required by paragraph (1) shall include the following:

(A) An effective process to identify billable fee claims.

(B) Effective and practicable policies and procedures that ensure recovery and collection of amounts described in section 1729A(b) of such title.

(C) The training of employees of the Department, on or before September 30, 2013, who are responsible for the recovery or collection of such amounts to enable such employees to comply with the process required by subparagraph (A) and the policies and procedures required by subparagraph (B).

(D) Fee revenue goals for the Department.

(E) An effective monitoring system to ensure achievement of goals described in subparagraph (D) and compliance with the policies and procedures described in subparagraph (B).

(b) MONITORING OF THIRD-PARTY COLLECTIONS.—The Secretary shall monitor the recovery and collection of amounts from third parties (as defined in section 1729(i) of such title) for deposit in such fund.

SEC. 112. EXTENSION OF AUTHORITY FOR COPAYMENTS.

Section 1710(f)(2)(B) is amended by striking ''September 30, 2012'' and inserting ''September 30, 2013''.

SEC. 113. EXTENSION OF AUTHORITY FOR RECOVERY OF COST OF CERTAIN CARE AND SERVICES.

Section 1729(a)(2)(E) is amended by striking ''October 1, 2012'' and inserting ''October 1, 2013''.

TITLE II—HOUSING MATTERS

SEC. 201. SHORT TITLE.

This title may be cited as the ''Andrew Connelly Veterans Housing Act''.

SEC. 202. TEMPORARY EXPANSION OF ELIGIBILITY FOR SPECIALLY ADAPTED HOUSING ASSISTANCE FOR CERTAIN VETERANS WITH DISABILITIES CAUSING DIFFICULTY WITH AMBULATING.

(a) IN GENERAL.—Paragraph (2) of section 2101(a) is amended to read as follows:

''(2)(A) A veteran is described in this paragraph if the veteran—

''(i) is entitled to compensation under chapter 11 of this title for a permanent and total service-connected disability that meets any of the criteria described in subparagraph (B); or

''(ii) served in the Armed Forces on or after September 11, 2001, and is entitled to compensation under chapter 11 of this title for a permanent service-connected disability that meets the criterion described in subparagraph (C).

''(B) The criteria described in this subparagraph are as follows:

''(i) The disability is due to the loss, or loss of use, of both lower extremities such as to preclude locomotion without the aid of braces, crutches, canes, or a wheelchair.

''(ii) The disability is due to—

''(I) blindness in both eyes, having only light perception, plus (ii) loss or loss of use of one lower extremity.

''(iii) The disability is due to the loss or loss of use of one lower extremity together with—

''(I) residuals of organic disease or injury; or

''(II) the loss or loss of use of one upper extremity,

which so affect the functions of balance or propulsion as to preclude locomotion without the aid of braces, crutches, canes, or a wheelchair.

''(iv) The disability is due to the loss, or loss of use, of both upper extremities such as to preclude use of the arms at or above the elbows.

''(v) The disability is due to a severe burn injury (as determined pursuant to regulations prescribed by the Secretary).

''(C) The criterion described in this subparagraph is that the disability—

''(i) was incurred on or after September 11, 2001; and

''(ii) is due to the loss or loss of use of one or more lower extremities which so affects the functions of balance or propulsion as to preclude ambulating without the aid of braces, crutches, canes, or a wheelchair.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2012.

(c) SUNSET.—Subsection (a) of section 2101 is amended—

(1) in paragraph (1), by striking ''to paragraph (3)'' and inserting ''to paragraphs (3) and (4)''; and

(2) by adding at the end the following new paragraph:

''(4) The Secretary's authority to furnish assistance under paragraph (1) to a disabled veteran described in paragraph (2)(A)(ii) shall apply only with respect to applications for such assistance approved by the Secretary on or before September 30, 2013.''.

SEC. 203. EXPANSION OF ELIGIBILITY FOR SPECIALLY ADAPTED HOUSING ASSISTANCE FOR VETERANS WITH VISION IMPAIRMENT.

(a) IN GENERAL.—Paragraph (2) of section 2101(b) is amended to read as follows:

''(2) A veteran is described in this paragraph if the veteran is entitled to compensation under chapter 11 of this title for a service-connected disability that meets any of the following criteria:

''(A) The disability is due to blindness in both eyes, having central visual acuity of 20/200 or less in the better eye with the use of a standard correcting lens. For the purposes of this subparagraph, an eye with a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees shall be considered as having a central visual acuity of 20/200 or less.

''(B) A permanent and total disability that includes the anatomical loss or loss of use of both hands.

''(C) A permanent and total disability that is due to a severe burn injury (as so determined).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2012.

SEC. 204. REVISED LIMITATIONS ON ASSISTANCE FURNISHED FOR ACQUISITION AND ADAPTATION OF HOUSING FOR DISABLED VETERANS.

(a) IN GENERAL.—Subsection (d) of section 2102 is amended to read as follows:

''(d)(1) The aggregate amount of assistance available to an individual under section 2101(a) of this title shall be limited to $63,780.

''(2) The aggregate amount of assistance available to an individual under section 2101(b) of this title shall be limited to $12,756.

''(3) No veteran may receive more than three grants of assistance under this chapter.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date that is one year after the date of the enactment of this Act and shall apply with respect to assistance provided under sections 2101(a), 2101(b), and 2102A of title 38, United States Code, after such date.

(c) MAINTENANCE OF HIGHER RATES.—The amendment made by subsection (a) shall not be construed to decrease the aggregate amount of assistance available to an individual under the sections described in subsection (b), as most recently increased by the Secretary pursuant to section 2102(e) of such title.

SEC. 205. IMPROVEMENTS TO ASSISTANCE FOR DISABLED VETERANS RESIDING IN HOUSING OWNED BY A FAMILY MEMBER.

(a) INCREASED ASSISTANCE.—Subsection (b) of section 2102A is amended—

(1) in paragraph (1), by striking ''$14,000'' and inserting ''$28,000''; and

(2) in paragraph (2), by striking ''$2,000'' and inserting ''$5,000''.

(b) INDEXING OF LEVELS OF ASSISTANCE.—Such subsection is further amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(2) in the matter before subparagraph (A), as redesignated by paragraph (1), by inserting ''(1)'' before ''The''; and

(3) by adding at the end the following new paragraph (2):

''(2) Effective on October 1 of each year (beginning in 2012), the Secretary shall use the same percentage calculated pursuant to section 2102(e) of this title to increase the amounts described in paragraph (1) of this subsection.''.

(c) EXTENSION OF AUTHORITY FOR ASSISTANCE.—Subsection (e) of such section is amended by striking ''December 31, 2012'' and inserting ''December 31, 2022''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply with respect to assistance furnished in accordance with section 2102A of title 38, United States Code, on or after that date.

SEC. 206. DEPARTMENT OF VETERANS AFFAIRS HOUSING LOAN GUARANTEES FOR SURVIVING SPOUSES OF CERTAIN TOTALLY DISABLED VETERANS.

(a) IN GENERAL.—Section 3701(b) is amended by adding at the end the following new paragraph:

''(6) The term 'veteran' also includes, for purposes of home loans, the surviving spouse of a veteran who died and who was in receipt of or entitled to receive (or but for the receipt of retired or retirement pay was entitled to receive) compensation at the time of death for a service-connected disability rated totally disabling if—

''(A) the disability was continuously rated totally disabling for a period of 10 or more years immediately preceding death;

''(B) the disability was continuously rated totally disabling for a period of not less than five years from the date of such veteran's discharge or other release from active duty; or

''(C) the veteran was a former prisoner of war who died after September 30, 1999, and the disability was continuously rated totally disabling for a period of not less than one year immediately preceding death.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to a loan guaranteed after the date of the enactment of this Act.

(c) CLARIFICATION WITH RESPECT TO CERTAIN FEES.—Fees shall be collected under section 3729 of title 38, United States Code, from a person described in paragraph (6) of section 3701(b) of such title, as added by subsection (a) of this section, in the same manner as such fees are collected from a person described in paragraph (2) of section 3701(b) of such title.

SEC. 207. OCCUPANCY OF PROPERTY BY DEPENDENT CHILD OF VETERAN FOR PURPOSES OF MEETING OCCUPANCY REQUIREMENT FOR DEPARTMENT OF VETERANS AFFAIRS HOUSING LOANS.

Paragraph (2) of section 3704(c) is amended to read as follows:

''(2) In any case in which a veteran is in active-duty status as a member of the Armed Forces and is unable to occupy a property because of such status, the occupancy requirements of this chapter shall be considered to be satisfied if—

''(A) the spouse of the veteran occupies or intends to occupy the property as a home and the spouse makes the certification required by paragraph (1) of this subsection; or

''(B) a dependent child of the veteran occupies or will occupy the property as a home and the veteran's attorney-in-fact or legal guardian of the dependent child makes the certification required by paragraph (1) of this subsection.''.

SEC. 208. MAKING PERMANENT PROJECT FOR GUARANTEEING OF ADJUSTABLE RATE MORTGAGES.

Section 3707(a) is amended by striking ''demonstration project under this section during fiscal years 1993 through 2012'' and inserting ''project under this section''.

SEC. 209. MAKING PERMANENT PROJECT FOR INSURING HYBRID ADJUSTABLE RATE MORTGAGES.

Section 3707A(a) is amended by striking ''demonstration project under this section during fiscal years 2004 through 2012'' and inserting ''project under this section''.

SEC. 210. WAIVER OF LOAN FEE FOR INDIVIDUALS WITH DISABILITY RATINGS ISSUED DURING PRE-DISCHARGE PROGRAMS.

Paragraph (2) of section 3729(c) is amended to read as follows:

''(2)(A) A veteran described in subparagraph (B) shall be treated as receiving compensation for purposes of this subsection as of the date of the rating described in such subparagraph without regard to whether an effective date of the award of compensation is established as of that date.

''(B) A veteran described in this subparagraph is a veteran who is rated eligible to receive compensation—

''(i) as the result of a pre-discharge disability examination and rating; or

''(ii) based on a pre-discharge review of existing medical evidence (including service medical and treatment records) that results in the issuance of a memorandum rating.''.

SEC. 211. MODIFICATION OF AUTHORITIES FOR ENHANCED-USE LEASES OF REAL PROPERTY.

(a) SUPPORTIVE HOUSING DEFINED.—Section 8161 is amended by adding at the end the following new paragraph:

''(3) The term 'supportive housing' means housing that engages tenants in on-site and community-based support services for veterans or their families that are at risk of homelessness or are homeless. Such term may include the following:

''(A) Transitional housing.

''(B) Single-room occupancy.

''(C) Permanent housing.

''(D) Congregate living housing.

''(E) Independent living housing.

''(F) Assisted living housing.

''(G) Other modalities of housing.''.

(b) MODIFICATION OF LIMITATIONS ON ENHANCED USE LEASES.—

(1) IN GENERAL.—Paragraph (2) of section 8162(a) is amended to read as follows:

''(2) The Secretary may enter into an enhanced-use lease only for the provision of supportive housing and the lease is not inconsistent with and will not adversely affect the mission of the Department.''.

(2) EFFECTIVE DATE.—

(A) IN GENERAL.—Paragraph (2) of section 8162(a) of title 38, United States Code, as amended by paragraph (1), shall take effect on January 1, 2012, and shall apply with respect to enhanced-use leases entered into on or after such date.

(B) PREVIOUS LEASES.—Any enhanced-use lease that the Secretary has entered into prior to the date described in subparagraph (A) shall be subject to the provisions of subchapter V of chapter 81 of such title, as in effect on the day before the date of the enactment of this Act.

(c) CONSIDERATION FOR AND TERMS OF ENHANCED-USE LEASES.—

(1) IN GENERAL.—Section 8162(b) is amended—

(A) in paragraph (1), by striking ''(A) If the Secretary'' and all that follows through

''under subparagraph (A).'' and inserting the following: ''If the Secretary has determined that a property should be leased to another party through an enhanced-use lease, the Secretary shall, at the Secretary's discretion, select the party with whom the lease will be entered into using such selection procedures as the Secretary considers appropriate.'';

(B) by amending paragraph (3) to read as follows:

''(3)(A) For any enhanced-use lease entered into by the Secretary, the lease consideration provided to the Secretary shall consist solely of cash at fair value as determined by the Secretary.

''(B) The Secretary shall receive no other type of consideration for an enhanced-use lease besides cash.

''(C) The Secretary may enter into an enhanced-use lease without receiving consideration.'';

(C) in paragraph (4), by striking ''Secretary to'' and all that follows through ''use minor'' and inserting ''Secretary to use minor''; and

(D) by adding at the end the following new paragraphs:

''(5) The terms of an enhanced-use lease may not provide for any acquisition, contract, demonstration, exchange, grant, incentive, procurement, sale, other transaction authority, service agreement, use agreement, lease, or lease-back by the Secretary or Federal Government.

''(6) The Secretary may not enter into an enhanced-use lease without certification in advance in writing by the Director of the Office of Management and Budget that such lease complies with the requirements of this subchapter.''.

(2) EFFECTIVE DATE.—Paragraph (3) of section 8162(b), as amended by paragraph (1)(B) of this subsection, shall take effect on January 1, 2012, and shall apply with respect to enhanced-use leases entered into on or after such date.

(d) PROHIBITED ENHANCED-USE LEASES.—Section 8162(c) is amended—

(1) by striking paragraph (2); and

(2) in paragraph (1), by striking ''(1) Subject to paragraph (2), the'' and inserting ''The''.

(e) DISPOSITION OF LEASED PROPERTY.—Subsection (b) of section 8164 is amended to read as follows:

''(b) A disposition under this section may be made in return for cash at fair value as the Secretary determines is in the best interest of the United States and upon such other terms and conditions as the Secretary considers appropriate.''.

(f) USE OF AMOUNTS RECEIVED FOR DISPOSITION OF LEASED PROPERTY.—Section 8165(a)(2) is amended by striking ''in the Department of Veterans Affairs Capital Asset Fund established under section 8118 of this title'' and inserting ''into the Department of Veterans Affairs Construction, Major Projects account or Construction, Minor Projects account, as the Secretary considers appropriate''.

(g) CONSTRUCTION STANDARDS.—Section 8166 is amended to read as follows:

''§ 8166. Construction standards

''The construction, alteration, repair, remodeling, or improvement of a property that is the subject of an enhanced-use lease shall be carried out so as to comply with all applicable provisions of Federal, State, and local law relating to land use, building standards, permits, and inspections.''.

(h) EXEMPTION FROM STATE AND LOCAL TAXES.—Section 8167 is amended to read as follows:

''§ 8167. Exemption from State and local taxes

''(a) IMPROVEMENTS AND OPERATIONS NOT EXEMPTED.—The improvements and operations on land leased by a person with an enhanced-use lease from the Secretary shall be subject to all applicable provisions of Federal, State, or local law relating to taxation, fees, and assessments.

''(b) UNDERLYING FEE TITLE INTEREST EXEMPTED.—The underlying fee title interest of the United States in any land subject to an enhanced-use lease shall not be subject, directly or indirectly, to any provision of State or local law relating to taxation, fees, or assessments.''.

(i) ANNUAL REPORTS.—

(1) IN GENERAL.—Subchapter V of chapter 81 is amended by inserting after section 8167 the following new section:

''§ 8168. Annual reports

''(a) REPORT ON ADMINISTRATION OF LEASES.—Not later than 120 days after the date of the enactment of the Honoring America's Veterans and Caring for Camp Lejeune Families Act of 2012 and not less frequently than once each year thereafter, the Secretary shall submit to Congress a report identifying the actions taken by the Secretary to implement and administer enhanced-use leases.

''(b) REPORT ON LEASE CONSIDERATION.—Each year, as part of the annual budget submission of the President to Congress under section 1105(a) of title 31, the Secretary shall submit to Congress a detailed report of the consideration received by the Secretary for each enhanced-use lease under this subchapter, along with an overview of how the Secretary is utilizing such consideration to support veterans.''.

(2) ELEMENTS OF INITIAL REPORT.—The first report submitted by the Secretary under section 8168(a) of title 38, United States Code, as added by paragraph (1), shall include a summary of those measures the Secretary is taking to address the following recommendations from the February 9, 2012, audit report of the Department of Veterans Affairs Office of Inspector General on enhanced-use leases under subchapter V of chapter 81 of title 38, United States Code:

(A) Improve standards to ensure complete lease agreements are negotiated in line with strategic goals of the Department of Veterans Affairs.

(B) Institute improved policies and procedures to govern activities such as monitoring enhanced-use lease projects and calculating, classifying, and reporting on enhanced-use lease benefits and expenses.

(C) Recalculate and update enhanced-use lease expenses and benefits reported in the most recent Enhanced-Use Lease Consideration Report of the Department.

(D) Establish improved oversight mechanisms to ensure major enhanced-use lease project decisions are documented and maintained in accordance with policy.

(E) Establish improved criteria to measure timeliness and performance in enhanced-use lease project development and execution.

(F) Establish improved criteria and guidelines for assessing projects to determine whether they are or remain viable candidates for enhanced-use leases.

(3) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 81 is amended by inserting after the item relating to section 8167 the following new item:

''8168. Annual reports.''.

(j) EXPIRATION OF AUTHORITY.—Section 8169 is amended by striking ''December 31, 2011'' and inserting ''December 31, 2023''.

(k) EFFECTIVE DATE.—Except as otherwise provided in this section, the amendments made by this section shall take effect on the date of the enactment of this Act.

TITLE III—HOMELESS MATTERS

SEC. 301. ENHANCEMENT OF COMPREHENSIVE SERVICE PROGRAMS.

(a) ENHANCEMENT OF GRANTS.—Section 2011 is amended—

(1) in subsection (b)(1)(A), by striking ''expansion, remodeling, or alteration of existing buildings, or acquisition of facilities,'' and inserting ''new construction of facilities, expansion, remodeling, or alteration of existing facilities, or acquisition of facilities,''; and

(2) in subsection (c)—

(A) in the first sentence, by striking ''A grant'' and inserting ''(1) A grant'';

(B) in the second sentence of paragraph (1), as designated by subparagraph (A), by striking ''The amount'' and inserting the following:

''(2) The amount''; and

(C) by adding at the end the following new paragraph:

''(3)(A) The Secretary may not deny an application from an entity that seeks a grant under this section to carry out a project described in subsection (b)(1)(A) solely on the basis that the entity proposes to use funding from other private or public sources, if the entity demonstrates that a private nonprofit organization will provide oversight and site control for the project.

''(B) In this paragraph, the term 'private nonprofit organization' means the following:

''(i) An incorporated private institution, organization, or foundation—

''(I) that has received, or has temporary clearance to receive, tax-exempt status under paragraph (2), (3), or (19) of section 501(c) of the Internal Revenue Code of 1986;

''(II) for which no part of the net earnings of the institution, organization, or foundation inures to the benefit of any member, founder, or contributor of the institution, organization, or foundation; and

''(III) that the Secretary determines is financially responsible.

''(ii) A for-profit limited partnership or limited liability company, the sole general partner or manager of which is an organization that is described by subclauses (I) through (III) of clause (i).

''(iii) A corporation wholly owned and controlled by an organization that is described by subclauses (I) through (III) of clause (i).''.

(b) GRANT AND PER DIEM PAYMENTS.—

(1) STUDY AND DEVELOPMENT OF FISCAL CONTROLS AND PAYMENT METHOD.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall—

(A) complete a study of all matters relating to the method used by the Secretary to make per diem payments under section 2012(a) of title 38, United States Code, including changes anticipated by the Secretary in the cost of furnishing services to homeless veterans and accounting for costs of providing such services in various geographic areas;

(B) develop more effective and efficient procedures for fiscal control and fund accounting by recipients of grants under sections 2011, 2012, and 2061 of such title; and

(C) develop a more effective and efficient method for adequately reimbursing recipients of grants under section 2011 of such title for services furnished to homeless veterans.

(2) CONSIDERATION.—In developing the method required by paragraph (1)(C), the Secretary may consider payments and grants received by recipients of grants described in such paragraph from other departments and agencies of Federal and local governments and from private entities.

(3) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to Congress a report on—

(A) the findings of the Secretary with respect to the study required by subparagraph (A) of paragraph (1);

(B) the methods developed under subparagraphs (B) and (C) of such paragraph; and

(C) any recommendations of the Secretary for revising the method described in subparagraph (A) of such paragraph and any legislative action the Secretary considers necessary to implement such method.

SEC. 302. MODIFICATION OF AUTHORITY FOR PROVISION OF TREATMENT AND REHABILITATION TO CERTAIN VETERANS TO INCLUDE PROVISION OF TREATMENT AND REHABILITATION TO HOMELESS VETERANS WHO ARE NOT SERIOUSLY MENTALLY ILL.

Section 2031(a) is amended in the matter before paragraph (1) by striking '', including'' and inserting ''and to''.

SEC. 303. MODIFICATION OF GRANT PROGRAM FOR HOMELESS VETERANS WITH SPECIAL NEEDS.

(a) INCLUSION OF ENTITIES ELIGIBLE FOR COMPREHENSIVE SERVICE PROGRAM GRANTS AND PER DIEM PAYMENTS FOR SERVICES TO HOMELESS VETERANS.—Subsection (a) of section 2061 is amended—

(1) by striking ''to grant and per diem providers'' and inserting ''to entities eligible for grants and per diem payments under sections 2011 and 2012 of this title''; and

(2) by striking ''by those facilities and providers'' and inserting ''by those facilities and entities''.

(b) INCLUSION OF MALE HOMELESS VETERANS WITH MINOR DEPENDENTS.—Subsection (b) of such section is amended—

(1) in paragraph (1), by striking '', including women who have care of minor dependents'';

(2) in paragraph (3), by striking ''or'';

(3) in paragraph (4), by striking the period at the end and inserting ''; or''; and

(4) by adding at the end the following new paragraph:

''(5) individuals who have care of minor dependents.''.

(c) AUTHORIZATION OF PROVISION OF SERVICES TO DEPENDENTS.—Such section is further amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection (c):

''(c) PROVISION OF SERVICES TO DEPENDENTS.—A recipient of a grant under subsection (a) may use amounts under the grant to provide services directly to a dependent of a homeless veteran with special needs who is under the care of such homeless veteran while such homeless veteran receives services from the grant recipient under this section.''.

SEC. 304. COLLABORATION IN PROVISION OF CASE MANAGEMENT SERVICES TO HOMELESS VETERANS IN SUPPORTED HOUSING PROGRAM.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall consider entering into contracts or agreements, under sections 513 and 8153 of title 38, United States Code, with eligible entities to collaborate with the Secretary in the provision of case management services to covered veterans as part of the supported housing program carried out under section 8(o)(19) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)) to ensure that the homeless veterans facing the most significant difficulties in obtaining suitable housing receive the assistance they require to obtain such housing.

(b) COVERED VETERANS.—For purposes of this section, a covered veteran is any veteran who, at the time of receipt of a housing voucher under such section 8(o)(19)—

(1) requires the assistance of a case manager in obtaining suitable housing with such voucher; and

(2) is having difficulty obtaining the amount of such assistance the veteran requires, including because—

(A) the veteran resides in an area that has a shortage of low-income housing and because of such shortage the veteran requires more assistance from a case manager than the Secretary otherwise provides;

(B) the location in which the veteran resides is located at such distance from facilities of the Department of Veterans Affairs as makes the provision of case management services by the Secretary to such veteran impractical; or

(C) the veteran resides in an area where veterans who receive case management services from the Secretary under such section have a significantly lower average rate of successfully obtaining suitable housing than the average rate of successfully obtaining suitable housing for all veterans receiving such services.

(c) ELIGIBLE ENTITIES.—For purposes of this section, an eligible entity is any State or local government agency, tribal organization (as such term is defined in section 4 of the Indian Self Determination and Education Assistance Act (25 U.S.C. 450b)), or nonprofit organization that—

(1) under a contract or agreement described in subsection (a), agrees—

(A) to ensure access to case management services by covered veterans on an as-needed basis;

(B) to maintain referral networks for covered veterans for purposes of assisting covered veterans in demonstrating eligibility for assistance and additional services under entitlement and assistance programs available for covered veterans, and to otherwise aid covered veterans in obtaining such assistance and services;

(C) to ensure the confidentiality of records maintained by the entity on covered veterans receiving services through the supported housing program described in subsection (a);

(D) to establish such procedures for fiscal control and fund accounting as the Secretary of Veterans Affairs considers appropriate to ensure proper disbursement and accounting of funds under a contract or agreement entered into by the entity as described in subsection (a);

(E) to submit to the Secretary each year, in such form and such manner as the Secretary may require, a report on the collaboration undertaken by the entity under a contract or agreement described in such subsection during the most recent fiscal year, including a description of, for the year covered by the report—

(i) the services and assistance provided to covered veterans as part of such collaboration;

(ii) the process by which covered veterans were referred to the entity for such services and assistance;

(iii) the specific goals jointly set by the entity and the Secretary for the provision of such services and assistance and whether the entity achieved such goals; and

(iv) the average length of time taken by a covered veteran who received such services and assistance to successfully obtain suitable housing and the average retention rate of such a veteran in such housing; and

(F) to meet such other requirements as the Secretary considers appropriate for purposes of providing assistance to covered veterans in obtaining suitable housing; and

(2) has demonstrated experience in—

(A) identifying and serving homeless veterans, especially those who have the greatest difficulty obtaining suitable housing;

(B) working collaboratively with the Department of Veterans Affairs or the Department of Housing and Urban Development;

(C) conducting outreach to, and maintaining relationships with, landlords to encourage and facilitate participation by landlords in supported housing programs similar to the supported housing program described in subsection (a);

(D) mediating disputes between landlords and veterans receiving assistance under such supported housing program; and

(E) carrying out such other activities as the Secretary of Veterans Affairs considers appropriate.

(d) CONSULTATION.—In considering entering into contracts or agreements as described in subsection (a), the Secretary of Veterans Affairs shall consult with—

(1) the Secretary of Housing and Urban Development; and

(2) third parties that provide services as part of the Department of Housing and Urban Development continuum of care.

(e) TECHNICAL ASSISTANCE FOR COLLABORATING ENTITIES.—

(1) IN GENERAL.—The Secretary may provide training and technical assistance to entities with whom the Secretary collaborates in the provision of case management services to veterans as part of the supported housing program described in subsection (a).

(2) GRANTS.—The Secretary may provide training and technical assistance under paragraph (1) through the award of grants or contracts to appropriate public and nonprofit private entities.

(3) FUNDING.—From amounts appropriated or otherwise made available to the Secretary in the Medical Services account in a year, $500,000 shall be available to the Secretary in that year to carry out this subsection.

(f) ANNUAL REPORT.—

(1) IN GENERAL.—Not later than 545 days after the date of the enactment of this Act and not less frequently than once each year thereafter, the Secretary of Veterans Affairs shall submit to Congress a report on the collaboration between the Secretary and eligible entities in the provision of case management services as described in subsection (a) during the most recently completed fiscal year.

(2) ELEMENTS.—Each report required by paragraph (1) shall include, for the period covered by the report, the following:

(A) A discussion of each case in which a contract or agreement described in subsection (a) was considered by the Secretary, including a description of whether or not and why the Secretary chose or did not choose to enter into such contract or agreement.

(B) The number and types of eligible entities with whom the Secretary has entered into a contract or agreement as described in subsection (a).

(C) A description of the geographic regions in which such entities provide case management services as described in such subsection.

(D) A description of the number and types of covered veterans who received case management services from such entities under such contracts or agreements.

(E) An assessment of the performance of each eligible entity with whom the Secretary entered into a contract or agreement as described in subsection (a).

(F) An assessment of the benefits to covered veterans of such contracts and agreements.

(G) A discussion of the benefits of increasing the ratio of case managers to recipients of vouchers under the supported housing program described in such subsection to veterans who reside in rural areas.

(H) Such recommendations for legislative or administrative action as the Secretary considers appropriate for the improvement of collaboration in the provision of case

management services under such supported housing program.

SEC. 305. EXTENSIONS OF PREVIOUSLY FULLY FUNDED AUTHORITIES AFFECTING HOMELESS VETERANS.

(a) COMPREHENSIVE SERVICE PROGRAMS.—Section 2013 is amended by striking paragraph (5) and inserting the following new paragraphs:

''(5) $250,000,000 for fiscal year 2013.

''(6) $150,000,000 for fiscal year 2014 and each subsequent fiscal year.''.

(b) HOMELESS VETERANS REINTEGRATION PROGRAMS.—Section 2021(e)(1)(F) is amended by striking ''2012'' and inserting ''2013''.

(c) FINANCIAL ASSISTANCE FOR SUPPORTIVE SERVICES FOR VERY LOW-INCOME VETERAN FAMILIES IN PERMANENT HOUSING.—Section 2044(e)(1) is amended by adding at the end the following new subparagraph:

''(E) $300,000,000 for fiscal year 2013.''.

(d) GRANT PROGRAM FOR HOMELESS VETERANS WITH SPECIAL NEEDS.—Section 2061(c)(1) is amended by striking ''through 2012'' and inserting ''through 2013''.

TITLE IV—EDUCATION MATTERS

SEC. 401. AGGREGATE AMOUNT OF EDUCATIONAL ASSISTANCE AVAILABLE TO INDIVIDUALS WHO RECEIVE BOTH SURVIVORS' AND DEPENDENTS' EDUCATIONAL ASSISTANCE AND OTHER VETERANS AND RELATED EDUCATIONAL ASSISTANCE.

(a) AGGREGATE AMOUNT AVAILABLE.—Section 3695 is amended—

(1) in subsection (a)(4), by striking ''35,''; and

(2) by adding at the end the following new subsection:

''(c) The aggregate period for which any person may receive assistance under chapter 35 of this title, on the one hand, and any of the provisions of law referred to in subsection (a), on the other hand, may not exceed 81 months (or the part-time equivalent thereof).''.

(b) APPLICABILITY.—The amendment made by subsection (a) shall take effect on October 1, 2013, and shall not operate to revive any entitlement to assistance under chapter 35 of title 38, United States Code, or the provisions of law referred to in section 3695(a) of such title, as in effect on the day before such date, that was terminated by reason of the operation of section 3695(a) of such title, as so in effect, before such date.

(c) REVIVAL OF ENTITLEMENT REDUCED BY PRIOR UTILIZATION OF CHAPTER 35 ASSISTANCE.—

(1) IN GENERAL.—Subject to paragraph (2), in the case of an individual whose period of entitlement to assistance under a provision of law referred to in section 3695(a) of title 38, United States Code (other than chapter 35 of such title), as in effect on September 30, 2013, was reduced under such section 3695(a), as so in effect, by reason of the utilization of entitlement to assistance under chapter 35 of such title before October 1, 2013, the period of entitlement to assistance of such individual under such provision shall be determined without regard to any entitlement so utilized by the individual under chapter 35 of such title.

(2) LIMITATION.—The maximum period of entitlement to assistance of an individual under paragraph (1) may not exceed 81 months.

SEC. 402. ANNUAL REPORTS ON POST-9/11 EDUCATIONAL ASSISTANCE PROGRAM AND SURVIVORS' AND DEPENDENTS' EDUCATIONAL ASSISTANCE PROGRAM.

(a) REPORTS REQUIRED.—

(1) IN GENERAL.—Subchapter III of chapter 33 is amended by adding at the end the following new section:

''§ 3325. Reporting requirement

''(a) IN GENERAL.—For each academic year—

''(1) the Secretary of Defense shall submit to Congress a report on the operation of the program provided for in this chapter; and

''(2) the Secretary shall submit to Congress a report on the operation of the program provided for in this chapter and the program provided for under chapter 35 of this title.

''(b) CONTENTS OF SECRETARY OF DEFENSE REPORTS.—The Secretary of Defense shall include in each report submitted under this section—

''(1) information—

''(A) indicating the extent to which the benefit levels provided under this chapter are adequate to achieve the purposes of inducing individuals to enter and remain in the Armed Forces and of providing an adequate level of financial assistance to help meet the cost of pursuing a program of education;

''(B) indicating whether it is necessary for the purposes of maintaining adequate levels of well-qualified active-duty personnel in the Armed Forces to continue to offer the opportunity for educational assistance under this chapter to individuals who have not yet entered active-duty service; and

''(C) describing the efforts under section 3323(b) of this title to inform members of the Armed Forces of the active duty service requirements for entitlement to educational assistance under this chapter and the results from such efforts; and

''(2) such recommendations for administrative and legislative changes regarding the provision of educational assistance to members of the Armed Forces and veterans, and their dependents, as the Secretary of Defense considers appropriate.

''(c) CONTENTS OF SECRETARY OF VETERANS AFFAIRS REPORTS.—The Secretary shall include in each report submitted under this section—

''(1) information concerning the level of utilization of educational assistance and of expenditures under this chapter and under chapter 35 of this title;

''(2) appropriate student outcome measures, such as the number of credit hours, certificates, degrees, and other qualifications earned by beneficiaries under this chapter and chapter 35 of this title during the academic year covered by the report; and

''(3) such recommendations for administrative and legislative changes regarding the provision of educational assistance to members of the Armed Forces and veterans, and their dependents, as the Secretary considers appropriate.

''(d) TERMINATION.—No report shall be required under this section after January 1, 2021.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 3324 the following new item:

''3325. Reporting requirement.''.

(3) DEADLINE FOR SUBMITTAL OF FIRST REPORT.—The first reports required under section 3325 of title 38, United States Code, as added by paragraph (1), shall be submitted by not later than November 1, 2013.

(b) REPEAL OF REPORT ON ALL VOLUNTEER-FORCE EDUCATIONAL ASSISTANCE PROGRAM.—

(1) IN GENERAL.—Chapter 30 is amended by striking section 3036.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by striking the item relating to section 3036.

TITLE V—BENEFITS MATTERS

SEC. 501. AUTOMATIC WAIVER OF AGENCY OF ORIGINAL JURISDICTION REVIEW OF NEW EVIDENCE.

(a) IN GENERAL.—Section 7105 is amended by adding at the end the following new subsection:

''(e)(1) If, either at the time or after the agency of original jurisdiction receives a substantive appeal, the claimant or the claimant's representative, if any, submits evidence to either the agency of original jurisdiction or the Board of Veterans' Appeals for consideration in connection with the issue or issues with which disagreement has been expressed, such evidence shall be subject to initial review by the Board unless the claimant or the claimant's representative, as the case may be, requests in writing that the agency of original jurisdiction initially review such evidence.

''(2) A request for review of evidence under paragraph (1) shall accompany the submittal of the evidence.''.

(b) EFFECTIVE DATE.—Subsection (e) of such section, as added by subsection (a), shall take effect on the date that is 180 days after the date of the enactment of this Act, and shall apply with respect to claims for which a substantive appeal is filed on or after the date that is 180 days after the date of the enactment of this Act.

SEC. 502. AUTHORITY FOR CERTAIN PERSONS TO SIGN CLAIMS FILED WITH SECRETARY OF VETERANS AFFAIRS ON BEHALF OF CLAIMANTS.

(a) IN GENERAL.—Section 5101 is amended—

(1) in subsection (a)—

(A) by striking ''A specific'' and inserting ''(1) A specific''; and

(B) by adding at the end the following new paragraph:

''(2) If an individual has not attained the age of 18 years, is mentally incompetent, or is physically unable to sign a form, a form filed under paragraph (1) for the individual may be signed by a court-appointed representative, a person who is responsible for the care of the individual, including a spouse or other relative, or an attorney in fact or agent authorized to act on behalf of the individual under a durable power of attorney. If the individual is in the care of an institution, the manager or principal officer of the institution may sign the form.'';

(2) in subsection (c)—

(A) in paragraph (1)—

(i) by inserting '', signs a form on behalf of an individual to apply for,'' after ''who applies for'';

(ii) by inserting '', or TIN in the case that the person is not an individual,'' after ''of such person''; and

(iii) by striking ''dependent'' and inserting ''claimant, dependent,''; and

(B) in paragraph (2), by inserting ''or TIN'' after ''social security number'' each place it appears; and

(3) by adding at the end the following new subsection:

''(d) In this section:

''(1) The term 'mentally incompetent' with respect to an individual means that the individual lacks the mental capacity—

''(A) to provide substantially accurate information needed to complete a form; or

''(B) to certify that the statements made on a form are true and complete.

''(2) The term 'TIN' has the meaning given the term in section 7701(a)(41) of the Internal Revenue Code of 1986.''.

(b) APPLICABILITY.—The amendments made by subsection (a) shall apply with respect to claims filed on or after the date of the enactment of this Act.

SEC. 503. IMPROVEMENT OF PROCESS FOR FILING JOINTLY FOR SOCIAL SECURITY AND DEPENDENCY AND INDEMNITY COMPENSATION.

Section 5105 is amended—

(1) in subsection (a)—

(A) by striking ''shall'' the first place it appears and inserting ''may''; and

(B) by striking ''Each such form'' and inserting ''Such forms''; and

(2) in subsection (b), by striking ''on such a form'' and inserting ''on any document indicating an intent to apply for survivor benefits''.

SEC. 504. AUTHORIZATION OF USE OF ELECTRONIC COMMUNICATION TO PROVIDE NOTICE TO CLAIMANTS FOR BENEFITS UNDER LAWS ADMINISTERED BY THE SECRETARY OF VETERANS AFFAIRS.

(a) IN GENERAL.—Section 5103 is amended—

(1) in subsection (a)(1)—

(A) by striking ''Upon receipt of a complete or substantially complete application, the'' and inserting ''The'';

(B) by striking ''notify'' and inserting ''provide to''; and

(C) by inserting ''by the most effective means available, including electronic communication or notification in writing, notice'' before ''of any information''; and

(2) in subsection (b), by adding at the end the following new paragraphs:

''(4) Nothing in this section shall require the Secretary to provide notice for a subsequent claim that is filed while a previous claim is pending if the notice previously provided for such pending claim—

''(A) provides sufficient notice of the information and evidence necessary to substantiate such subsequent claim; and

''(B) was sent within one year of the date on which the subsequent claim was filed.

''(5)(A) This section shall not apply to any claim or issue where the Secretary may award the maximum benefit in accordance with this title based on the evidence of record.

''(B) For purposes of this paragraph, the term 'maximum benefit' means the highest evaluation assignable in accordance with the evidence of record, as long as such evidence is adequate for rating purposes and sufficient to grant the earliest possible effective date in accordance with section 5110 of this title.''.

(b) CONSTRUCTION.—Nothing in the amendments made by subsection (a) shall be construed as eliminating any requirement with respect to the contents of a notice under section 5103 of title 38, United States Code, that is required under regulations prescribed pursuant to subsection (a)(2) of such section as of the date of the enactment of this Act.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by subsection (a) shall take effect on the date that is 180 days after the date of the enactment of this Act and shall apply with respect to notification obligations of the Secretary of Veterans Affairs on or after such date.

(2) CONSTRUCTION REGARDING APPLICABILITY.—Nothing in this section or the amendments made by this section shall be construed to require the Secretary to carry out notification procedures in accordance with requirements of section 5103 of title 38, United States Code, as in effect on the day before the effective date established in paragraph (1) on or after such effective date.

SEC. 505. DUTY TO ASSIST CLAIMANTS IN OBTAINING PRIVATE RECORDS.

(a) IN GENERAL.—Subsection (b) of section 5103A is amended to read as follows:

''(b) ASSISTANCE IN OBTAINING PRIVATE RECORDS.—(1) As part of the assistance provided under subsection (a), the Secretary shall make reasonable efforts to obtain relevant private records that the claimant adequately identifies to the Secretary.

''(2)(A) Whenever the Secretary, after making such reasonable efforts, is unable to obtain all of the relevant records sought, the Secretary shall notify the claimant that the Secretary is unable to obtain records with respect to the claim. Such a notification shall—

''(i) identify the records the Secretary is unable to obtain;

''(ii) briefly explain the efforts that the Secretary made to obtain such records; and

''(iii) explain that the Secretary will decide the claim based on the evidence of record but that this section does not prohibit the submission of records at a later date if such submission is otherwise allowed.

''(B) The Secretary shall make not less than two requests to a custodian of a private record in order for an effort to obtain relevant private records to be treated as reasonable under this section, unless it is made evident by the first request that a second request would be futile in obtaining such records.

''(3)(A) This section shall not apply if the evidence of record allows for the Secretary to award the maximum benefit in accordance with this title based on the evidence of record.

''(B) For purposes of this paragraph, the term 'maximum benefit' means the highest evaluation assignable in accordance with the evidence of record, as long as such evidence is adequate for rating purposes and sufficient to grant the earliest possible effective date in accordance with section 5110 of this title.

''(4) Under regulations prescribed by the Secretary, the Secretary—

''(A) shall encourage claimants to submit relevant private medical records of the claimant to the Secretary if such submission does not burden the claimant; and

''(B) in obtaining relevant private records under paragraph (1), may require the claimant to authorize the Secretary to obtain such records if such authorization is required to comply with Federal, State, or local law.''.

(b) PUBLIC RECORDS.—Subsection (c) of such section is amended to read as follows:

''(c) OBTAINING RECORDS FOR COMPENSATION CLAIMS.—(1) In the case of a claim for disability compensation, the assistance provided by the Secretary under this section shall include obtaining the following records if relevant to the claim:

''(A) The claimant's service medical records and, if the claimant has furnished the Secretary information sufficient to locate such records, other relevant records pertaining to the claimant's active military, naval, or air service that are held or maintained by a governmental entity.

''(B) Records of relevant medical treatment or examination of the claimant at Department health-care facilities or at the expense of the Department, if the claimant furnishes information sufficient to locate those records.

''(C) Any other relevant records held by any Federal department or agency that the claimant adequately identifies and authorizes the Secretary to obtain.

''(2) Whenever the Secretary attempts to obtain records from a Federal department or agency under this subsection, the efforts to obtain those records shall continue until the records are obtained unless it is reasonably certain that such records do not exist or that further efforts to obtain those records would be futile.''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by subsections (a) and (b) shall take effect on the date that is 180 days after the date of the enactment of this Act and shall apply with respect to assistance obligations of the Secretary of Veterans Affairs on or after such date.

(2) CONSTRUCTION.—Nothing in this section or the amendments made by this section shall be construed to require the Secretary to carry out assistance in accordance with requirements of section 5103A of title 38, United States Code, as in effect on the day before the effective date established in paragraph (1) on or after such effective date.

SEC. 506. AUTHORITY FOR RETROACTIVE EFFECTIVE DATE FOR AWARDS OF DISABILITY COMPENSATION IN CONNECTION WITH APPLICATIONS THAT ARE FULLY-DEVELOPED AT SUBMITTAL.

Section 5110(b) is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(2) by inserting after paragraph (1) the following new paragraph (2):

''(2)(A) The effective date of an award of disability compensation to a veteran who submits an application therefor that sets forth an original claim that is fully-developed (as determined by the Secretary) as of the date of submittal shall be fixed in accordance with the facts found, but shall not be earlier than the date that is one year before the date of receipt of the application.

''(B) For purposes of this paragraph, an original claim is an initial claim filed by a veteran for disability compensation.

''(C) This paragraph shall take effect on the date that is one year after the date of the enactment of the Honoring America's Veterans and Caring for Camp Lejeune Families Act of 2012 and shall not apply with respect to claims filed after the date that is three years after the date of the enactment of such Act.''.

SEC. 507. MODIFICATION OF MONTH OF DEATH BENEFIT FOR SURVIVING SPOUSES OF VETERANS WHO DIE WHILE ENTITLED TO COMPENSATION OR PENSION.

(a) SURVIVING SPOUSE BENEFIT FOR MONTH OF VETERAN'S DEATH.—Subsections (a) and (b) of section 5310 are amended to read as follows:

''(a) IN GENERAL.—(1) A surviving spouse of a veteran is entitled to a benefit for the month of the veteran's death if—

''(A) at the time of the veteran's death, the veteran was receiving compensation or pension under chapter 11 or 15 of this title; or

''(B) the veteran is determined for purposes of section 5121 or 5121A of this title as having been entitled to receive compensation or pension under chapter 11 or 15 of this title for the month of the veteran's death.

''(2) The amount of the benefit under paragraph (1) is the amount that the veteran would have received under chapter 11 or 15 of this title, as the case may be, for the month of the veteran's death had the veteran not died.

''(b) CLAIMS PENDING ADJUDICATION.—If a claim for entitlement to compensation or additional compensation under chapter 11 of this title or pension or additional pension under chapter 15 of this title is pending at the time of a veteran's death and the check or other payment issued to the veteran's surviving spouse under subsection (a) is less than the amount of the benefit the veteran would have been entitled to for the month of death pursuant to the adjudication of the pending claim, an amount equal to the difference between the amount to which the veteran would have been entitled to receive under chapter 11 or 15 of this title for the month of the veteran's death had the veteran not died and the amount of the check or other payment issued to the surviving spouse shall be treated in the same manner as an accrued benefit under section 5121 of this title.''.

(b) MONTH OF DEATH BENEFIT EXEMPT FROM DELAYED COMMENCEMENT OF PAYMENT.—Section 5111(c)(1) is amended by striking ''apply to'' and all that follows through ''death occurred'' and inserting the following: ''not

apply to payments made pursuant to section 5310 of this title''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act, and shall apply with respect to deaths that occur on or after that date.

SEC. 508. INCREASE IN RATE OF PENSION FOR DISABLED VETERANS MARRIED TO ONE ANOTHER AND BOTH OF WHOM REQUIRE REGULAR AID AND ATTENDANCE.

(a) IN GENERAL.—Section 1521(f)(2) is amended by striking ''$30,480'' and inserting ''$32,433''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act.

SEC. 509. EXCLUSION OF CERTAIN REIMBURSEMENTS OF EXPENSES FROM DETERMINATION OF ANNUAL INCOME WITH RESPECT TO PENSIONS FOR VETERANS AND SURVIVING SPOUSES AND CHILDREN OF VETERANS.

(a) IN GENERAL.—Paragraph (5) of section 1503(a) of title 38, United States Code, is amended to read as follows:

''(5) payments regarding reimbursements of any kind (including insurance settlement payments) for expenses related to the repayment, replacement, or repair of equipment, vehicles, items, money, or property resulting from—

''(A) any accident (as defined by the Secretary), but the amount excluded under this subclause shall not exceed the greater of the fair market value or reasonable replacement value of the equipment or vehicle involved at the time immediately preceding the accident;

''(B) any theft or loss (as defined by the Secretary), but the amount excluded under this subclause shall not exceed the greater of the fair market value or reasonable replacement value of the item or the amount of the money (including legal tender of the United States or of a foreign country) involved at the time immediately preceding the theft or loss; or

''(C) any casualty loss (as defined by the Secretary), but the amount excluded under this subclause shall not exceed the greater of the fair market value or reasonable replacement value of the property involved at the time immediately preceding the casualty loss;''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date that is 180 days after the date of the enactment of this Act.

TITLE VI—MEMORIAL, BURIAL, AND CEMETERY MATTERS

SEC. 601. PROHIBITION ON DISRUPTIONS OF FUNERALS OF MEMBERS OR FORMER MEMBERS OF THE ARMED FORCES.

(a) PURPOSE AND AUTHORITY.—

(1) PURPOSE.—The purpose of this section is to provide necessary and proper support for the recruitment and retention of the Armed Forces and militia employed in the service of the United States by protecting the dignity of the service of the members of such Forces and militia, and by protecting the privacy of their immediate family members and other attendees during funeral services for such members.

(2) CONSTITUTIONAL AUTHORITY.—Congress finds that this section is a necessary and proper exercise of its powers under the Constitution, article I, section 8, paragraphs 1, 12, 13, 14, 16, and 18, to provide for the common defense, raise and support armies, provide and maintain a navy, make rules for the government and regulation of the land and naval forces, and provide for organizing and governing such part of the militia as may be employed in the service of the United States.

(b) AMENDMENT TO TITLE 18.—Section 1388 of title 18, United States Code, is amended to read as follows:

''§ 1388. Prohibition on disruptions of funerals of members or former members of the Armed Forces

''(a) PROHIBITION.—For any funeral of a member or former member of the Armed Forces that is not located at a cemetery under the control of the National Cemetery Administration or part of Arlington National Cemetery, it shall be unlawful for any person to engage in an activity during the period beginning 120 minutes before and ending 120 minutes after such funeral, any part of which activity—

''(1)(A) takes place within the boundaries of the location of such funeral or takes place within 300 feet of the point of the intersection between—

''(i) the boundary of the location of such funeral; and

''(ii) a road, pathway, or other route of ingress to or egress from the location of such funeral; and

''(B) includes any individual willfully making or assisting in the making of any noise or diversion—

''(i) that is not part of such funeral and that disturbs or tends to disturb the peace or good order of such funeral; and

''(ii) with the intent of disturbing the peace or good order of such funeral;

''(2)(A) is within 500 feet of the boundary of the location of such funeral; and

''(B) includes any individual—

''(i) willfully and without proper authorization impeding or tending to impede the access to or egress from such location; and

''(ii) with the intent to impede the access to or egress from such location; or

''(3) is on or near the boundary of the residence, home, or domicile of any surviving member of the deceased person's immediate family and includes any individual willfully making or assisting in the making of any noise or diversion—

''(A) that disturbs or tends to disturb the peace of the persons located at such location; and

''(B) with the intent of disturbing such peace.

''(b) PENALTY.—Any person who violates subsection (a) shall be fined under this title or imprisoned for not more than 1 year, or both.

''(c) CIVIL REMEDIES.—

''(1) DISTRICT COURTS.—The district courts of the United States shall have jurisdiction—

''(A) to prevent and restrain violations of this section; and

''(B) for the adjudication of any claims for relief under this section.

''(2) ATTORNEY GENERAL.—The Attorney General may institute proceedings under this section.

''(3) CLAIMS.—Any person, including a surviving member of the deceased person's immediate family, who suffers injury as a result of conduct that violates this section may—

''(A) sue therefor in any appropriate United States district court or in any court of competent jurisdiction; and

''(B) recover damages as provided in subsection (d) and the cost of the suit, including reasonable attorneys' fees.

''(4) ESTOPPEL.—A final judgment or decree rendered in favor of the United States in any criminal proceeding brought by the United States under this section shall estop the defendant from denying the essential allegations of the criminal offense in any subsequent civil proceeding brought by a person or by the United States.

''(d) ACTUAL AND STATUTORY DAMAGES.—

''(1) IN GENERAL.—In addition to any penalty imposed under subsection (b), a violator of this section is liable in an action under subsection (c) for actual or statutory damages as provided in this subsection.

''(2) ACTIONS BY PRIVATE PERSONS.—A person bringing an action under subsection (c)(3) may elect, at any time before final judgment is rendered, to recover the actual damages suffered by him or her as a result of the violation or, instead of actual damages, an award of statutory damages for each violation involved in the action.

''(3) ACTIONS BY ATTORNEY GENERAL.—In any action under subsection (c)(2), the Attorney General is entitled to recover an award of statutory damages for each violation involved in the action notwithstanding any recovery under subsection (c)(3).

''(4) STATUTORY DAMAGES.—A court may award, as the court considers just, statutory damages in a sum of not less than $25,000 or more than $50,000 per violation.

''(e) REBUTTABLE PRESUMPTION.—It shall be a rebuttable presumption that the violation was committed willfully for purposes of determining relief under this section if the violator, or a person acting in concert with the violator, did not have reasonable grounds to believe, either from the attention or publicity sought by the violator or other circumstance, that the conduct of such violator or person would not disturb or tend to disturb the peace or good order of such funeral, impede or tend to impede the access to or egress from such funeral, or disturb or tend to disturb the peace of any surviving member of the deceased person's immediate family who may be found on or near the residence, home, or domicile of the deceased person's immediate family on the date of the service or ceremony.

''(f) DEFINITIONS.—In this section—

''(1) the term 'Armed Forces' has the meaning given the term in section 101 of title 10 and includes members and former members of the National Guard who were employed in the service of the United States; and

''(2) the term 'immediate family' means, with respect to a person, the immediate family members of such person, as such term is defined in section 115 of this title.''.

(c) AMENDMENT TO TITLE 38.—

(1) IN GENERAL.—Section 2413 is amended to read as follows:

''§ 2413. Prohibition on certain demonstrations and disruptions at cemeteries under control of the National Cemetery Administration and at Arlington National Cemetery

''(a) PROHIBITION.—It shall be unlawful for any person—

''(1) to carry out a demonstration on the property of a cemetery under the control of the National Cemetery Administration or on the property of Arlington National Cemetery unless the demonstration has been approved by the cemetery superintendent or the director of the property on which the cemetery is located; or

''(2) with respect to such a cemetery, to engage in a demonstration during the period beginning 120 minutes before and ending 120 minutes after a funeral, memorial service, or ceremony is held, any part of which demonstration—

''(A)(i) takes place within the boundaries of such cemetery or takes place within 300 feet of the point of the intersection between—

''(I) the boundary of such cemetery; and

''(II) a road, pathway, or other route of ingress to or egress from such cemetery; and

''(ii) includes any individual willfully making or assisting in the making of any noise or diversion—

''(I) that is not part of such funeral, memorial service, or ceremony and that disturbs or tends to disturb the peace or good order of

such funeral, memorial service, or ceremony; and

''(II) with the intent of disturbing the peace or good order of such funeral, memorial service, or ceremony; or

''(B)(i) is within 500 feet of the boundary of such cemetery; and

''(ii) includes any individual—

''(I) willfully and without proper authorization impeding or tending to impede the access to or egress from such cemetery; and

''(II) with the intent to impede the access to or egress from such cemetery.

''(b) PENALTY.—Any person who violates subsection (a) shall be fined under title 18 or imprisoned for not more than one year, or both.

''(c) CIVIL REMEDIES.—(1) The district courts of the United States shall have jurisdiction—

''(A) to prevent and restrain violations of this section; and

''(B) for the adjudication of any claims for relief under this section.

''(2) The Attorney General of the United States may institute proceedings under this section.

''(3) Any person, including a surviving member of the deceased person's immediate family, who suffers injury as a result of conduct that violates this section may—

''(A) sue therefor in any appropriate United States district court or in any court of competent jurisdiction; and

''(B) recover damages as provided in subsection (d) and the cost of the suit, including reasonable attorneys' fees.

''(4) A final judgment or decree rendered in favor of the United States in any criminal proceeding brought by the United States under this section shall estop the defendant from denying the essential allegations of the criminal offense in any subsequent civil proceeding brought by a person or by the United States.

''(d) ACTUAL AND STATUTORY DAMAGES.—(1) In addition to any penalty imposed under subsection (b), a violator of this section is liable in an action under subsection (c) for actual or statutory damages as provided in this subsection.

''(2) A person bringing an action under subsection (c)(3) may elect, at any time before final judgment is rendered, to recover the actual damages suffered by him or her as a result of the violation or, instead of actual damages, an award of statutory damages for each violation involved in the action.

''(3) In any action brought under subsection (c)(2), the Attorney General is entitled to recover an award of statutory damages for each violation involved in the action notwithstanding any recovery under subsection (c)(3).

''(4) A court may award, as the court considers just, statutory damages in a sum of not less than $25,000 or more than $50,000 per violation.

''(e) REBUTTABLE PRESUMPTION.—It shall be a rebuttable presumption that the violation of subsection (a) was committed willfully for purposes of determining relief under this section if the violator, or a person acting in concert with the violator, did not have reasonable grounds to believe, either from the attention or publicity sought by the violator or other circumstance, that the conduct of such violator or person would not—

''(1) disturb or tend to disturb the peace or good order of such funeral, memorial service, or ceremony; or

''(2) impede or tend to impede the access to or egress from such funeral, memorial service, or ceremony.

''(f) DEFINITIONS.—In this section—

''(1) the term 'demonstration' includes—

''(A) any picketing or similar conduct;

''(B) any oration, speech, use of sound amplification equipment or device, or similar conduct that is not part of a funeral, memorial service, or ceremony;

''(C) the display of any placard, banner, flag, or similar device, unless such a display is part of a funeral, memorial service, or ceremony; and

''(D) the distribution of any handbill, pamphlet, leaflet, or other written or printed matter other than a program distributed as part of a funeral, memorial service, or ceremony; and

''(2) the term 'immediate family' means, with respect to a person, the immediate family members of such person, as such term is defined in section 115 of title 18.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 24 is amended by striking the item relating to section 2413 and inserting the following new item:

''2413. Prohibition on certain demonstrations and disruptions at cemeteries under control of the National Cemetery Administration and at Arlington National Cemetery.''.

SEC. 602. CODIFICATION OF PROHIBITION AGAINST RESERVATION OF GRAVESITES AT ARLINGTON NATIONAL CEMETERY.

(a) IN GENERAL.—Chapter 24 is amended by inserting after section 2410 the following new section:

''§ 2410A. Arlington National Cemetery: other administrative matters

''(a) ONE GRAVESITE.—(1) Not more than one gravesite may be provided at Arlington National Cemetery to a veteran or member of the Armed Forces who is eligible for interment or inurnment at such cemetery.

''(2) The Secretary of the Army may waive the prohibition in paragraph (1) as the Secretary of the Army considers appropriate.

''(b) PROHIBITION AGAINST RESERVATION OF GRAVESITES.—(1) A gravesite at Arlington National Cemetery may not be reserved for an individual before the death of such individual.

''(2)(A) The President may waive the prohibition in paragraph (1) as the President considers appropriate.

''(B) Upon waiving the prohibition in paragraph (1), the President shall submit notice of such waiver to—

''(i) the Committee on Veterans' Affairs and the Committee on Armed Services of the Senate; and

''(ii) the Committee on Veterans' Affairs and the Committee on Armed Services of the House of Representatives.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2410 the following new item:

''2410A. Arlington National Cemetery: other administrative matters.''.

(c) APPLICABILITY.—

(1) IN GENERAL.—Except as provided in paragraph (2), section 2410A of title 38, United States Code, as added by subsection (a), shall apply with respect to all interments at Arlington National Cemetery after the date of the enactment of this Act.

(2) EXCEPTION.—Subsection (b) of such section, as so added, shall not apply with respect to the interment of an individual for whom a request for a reserved gravesite was approved by the Secretary of the Army before January 1, 1962.

(d) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army shall submit to Congress a report on reservations made for interment at Arlington National Cemetery.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) The number of requests for reservation of a gravesite at Arlington National Cemetery that were submitted to the Secretary of the Army before January 1, 1962.

(B) The number of gravesites at such cemetery that, on the day before the date of the enactment of this Act, were reserved in response to such requests.

(C) The number of such gravesites that, on the day before the date of the enactment of this Act, were unoccupied.

(D) A list of all reservations for gravesites at such cemetery that were extended by individuals responsible for management of such cemetery in response to requests for such reservations made on or after January 1, 1962.

(E) A description of the measures that the Secretary is taking to improve the accountability and transparency of the management of gravesite reservations at Arlington National Cemetery.

(F) Such recommendations as the Secretary may have for legislative action as the Secretary considers necessary to improve such accountability and transparency.

SEC. 603. EXPANSION OF ELIGIBILITY FOR PRESIDENTIAL MEMORIAL CERTIFICATES TO PERSONS WHO DIED IN THE ACTIVE MILITARY, NAVAL, OR AIR SERVICE.

Section 112(a) is amended—

(1) by inserting ''and persons who died in the active military, naval, or air service,'' after ''under honorable conditions,''; and

(2) by striking ''veteran's'' and inserting ''deceased individual's''.

SEC. 604. REQUIREMENTS FOR THE PLACEMENT OF MONUMENTS IN ARLINGTON NATIONAL CEMETERY.

Section 2409(b) is amended—

(1) by striking ''Under'' and inserting ''(1) Under'';

(2) by inserting after ''Secretary of the Army'' the following: ''and subject to paragraph (2)''; and

(3) by adding at the end the following new paragraphs:

''(2)(A) Except for a monument containing or marking interred remains, no monument (or similar structure, as determined by the Secretary of the Army in regulations) may be placed in Arlington National Cemetery except pursuant to the provisions of this subsection.

''(B) A monument may be placed in Arlington National Cemetery if the monument commemorates—

''(i) the service in the Armed Forces of the individual, or group of individuals, whose memory is to be honored by the monument; or

''(ii) a particular military event.

''(C) No monument may be placed in Arlington National Cemetery until the end of the 25-year period beginning—

''(i) in the case of the commemoration of service under subparagraph (B)(i), on the last day of the period of service so commemorated; and

''(ii) in the case of the commemoration of a particular military event under subparagraph (B)(ii), on the last day of the period of the event.

''(D) A monument may be placed only in those sections of Arlington National Cemetery designated by the Secretary of the Army for such placement and only on land the Secretary determines is not suitable for burial.

''(E) A monument may only be placed in Arlington National Cemetery if an appropriate nongovernmental entity has agreed to act as a sponsoring organization to coordinate the placement of the monument and—

''(i) the construction and placement of the monument are paid for only using funds from private sources;

''(ii) the Secretary of the Army consults with the Commission of Fine Arts and the Advisory Committee on Arlington National Cemetery before approving the design of the monument; and

''(iii) the sponsoring organization provides for an independent study on the availability and suitability of alternative locations for the proposed monument outside of Arlington National Cemetery.

''(3)(A) The Secretary of the Army may waive the requirement under paragraph (2)(C) in a case in which the monument would commemorate a group of individuals who the Secretary determines—

''(i) has made valuable contributions to the Armed Forces that have been ongoing and perpetual for longer than 25 years and are expected to continue on indefinitely; and

''(ii) has provided service that is of such a character that the failure to place a monument to the group in Arlington National Cemetery would present a manifest injustice.

''(B) If the Secretary waives such requirement under subparagraph (A), the Secretary shall—

''(i) make available on an Internet website notification of the waiver and the rationale for the waiver; and

''(ii) submit to the Committee on Veterans' Affairs and the Committee on Armed Services of the Senate and the Committee on Veterans' Affairs and the Committee on Armed Services of the House of Representatives written notice of the waiver and the rationale for the waiver.

''(4) The Secretary of the Army shall provide notice to the Committee on Veterans' Affairs and the Committee on Armed Services of the Senate and the Committee on Veterans' Affairs and the Committee on Armed Services of the House of Representatives of any monument proposed to be placed in Arlington National Cemetery. During the 60-day period beginning on the date on which such notice is received, Congress may pass a joint resolution of disapproval of the placement of the monument. The proposed monument may not be placed in Arlington National Cemetery until the later of—

''(A) if Congress does not pass a joint resolution of disapproval of the placement of the monument, the date that is 60 days after the date on which notice is received under this paragraph; or

''(B) if Congress passes a joint resolution of disapproval of the placement of the monument, and the President signs a veto of such resolution, the earlier of—

''(i) the date on which either House of Congress votes and fails to override the veto of the President; or

''(ii) the date that is 30 session days after the date on which Congress received the veto and objections of the President.''.

TITLE VII—OTHER MATTERS

SEC. 701. ASSISTANCE TO VETERANS AFFECTED BY NATURAL DISASTERS.

(a) ADDITIONAL GRANTS FOR DISABLED VETERANS FOR SPECIALLY ADAPTED HOUSING.—

(1) IN GENERAL.—Chapter 21 is amended by adding at the end the following new section:

''§ 2109. Specially adapted housing destroyed or damaged by natural disasters

''(a) IN GENERAL.—Notwithstanding the provisions of section 2102 and 2102A of this title, the Secretary may provide assistance to a veteran whose home was previously adapted with assistance of a grant under this chapter in the event the adapted home which was being used and occupied by the veteran was destroyed or substantially damaged in a natural or other disaster, as determined by the Secretary.

''(b) USE OF FUNDS.—Subject to subsection (c), assistance provided under subsection (a) shall—

''(1) be available to acquire a suitable housing unit with special fixtures or moveable facilities made necessary by the veteran's disability, and necessary land therefor;

''(2) be available to a veteran to the same extent as if the veteran had not previously received assistance under this chapter; and

''(3) not be deducted from the maximum uses or from the maximum amount of assistance available under this chapter.

''(c) LIMITATIONS.—The amount of the assistance provided under subsection (a) may not exceed the lesser of—

''(1) the reasonable cost, as determined by the Secretary, of repairing or replacing the damaged or destroyed home in excess of the available insurance coverage on such home; or

''(2) the maximum amount of assistance to which the veteran would have been entitled under sections 2101(a), 2101(b), and 2102A of this title had the veteran not obtained previous assistance under this chapter.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2108 the following new item:

''2109. Specially adapted housing destroyed or damaged by natural disasters.''.

(b) EXTENSION OF SUBSISTENCE ALLOWANCE FOR VETERANS COMPLETING VOCATIONAL REHABILITATION PROGRAM.—Section 3108(a)(2) is amended—

(1) by inserting ''(A)'' before ''In''; and

(2) by adding at the end the following new subparagraph:

''(B) In any case in which the Secretary determines that a veteran described in subparagraph (A) has been displaced as the result of a natural or other disaster while being paid a subsistence allowance under that subparagraph, as determined by the Secretary, the Secretary may extend the payment of a subsistence allowance under such subparagraph for up to an additional two months while the veteran is satisfactorily following a program of employment services described in such subparagraph.''.

(c) WAIVER OF LIMITATION ON PROGRAM OF INDEPENDENT LIVING SERVICES AND ASSISTANCE.—Section 3120(e) is amended—

(1) by inserting ''(1)'' before ''Programs''; and

(2) by adding at the end the following new paragraph:

''(2) The limitation in paragraph (1) shall not apply in any case in which the Secretary determines that a veteran described in subsection (b) has been displaced as the result of, or has otherwise been adversely affected in the areas covered by, a natural or other disaster, as determined by the Secretary.''.

(d) COVENANTS AND LIENS CREATED BY PUBLIC ENTITIES IN RESPONSE TO DISASTER-RELIEF ASSISTANCE.—Paragraph (3) of section 3703(d) is amended to read as follows:

''(3)(A) Any real estate housing loan (other than for repairs, alterations, or improvements) shall be secured by a first lien on the realty. In determining whether a loan is so secured, the Secretary may either disregard or allow for subordination to a superior lien created by a duly recorded covenant running with the realty in favor of either of the following:

''(i) A public entity that has provided or will provide assistance in response to a major disaster as determined by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

''(ii) A private entity to secure an obligation to such entity for the homeowner's share of the costs of the management, operation, or maintenance of property, services, or programs within and for the benefit of the development or community in which the veteran's realty is located, if the Secretary determines that the interests of the veteran borrower and of the Government will not be prejudiced by the operation of such covenant.

''(B) With respect to any superior lien described in subparagraph (A) created after June 6, 1969, the Secretary's determination under clause (ii) of such subparagraph shall have been made prior to the recordation of the covenant.''.

(e) AUTOMOBILES AND OTHER CONVEYANCES FOR CERTAIN DISABLED VETERANS AND MEMBERS OF THE ARMED FORCES.—Section 3903(a) is amended—

(1) by striking ''No'' and inserting ''(1) Except as provided in paragraph (2), no''; and

(2) by adding at the end the following new paragraph:

''(2) The Secretary may provide or assist in providing an eligible person with a second automobile or other conveyance under this chapter if—

''(A) the Secretary receives satisfactory evidence that the automobile or other conveyance previously purchased with assistance under this chapter was destroyed—

''(i) as a result of a natural or other disaster, as determined by the Secretary; and

''(ii) through no fault of the eligible person; and

''(B) the eligible person does not otherwise receive from a property insurer compensation for the loss.''.

(f) ANNUAL REPORT.—

(1) IN GENERAL.—Each year, the Secretary of Veterans Affairs shall submit to Congress a report on the assistance provided or action taken by the Secretary in the last fiscal year pursuant to the authorities added by the amendments made by this section.

(2) ELEMENTS.—Each report submitted under paragraph (1) shall include the following for the fiscal year covered by the report:

(A) A description of each natural disaster for which assistance was provided or action was taken as described in paragraph (1).

(B) The number of cases or individuals, as the case may be, in which or to whom the Secretary provided assistance or took action as described in paragraph (1).

(C) For each such case or individual, a description of the type or amount of assistance or action taken, as the case may be.

(g) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 702. EXTENSION OF CERTAIN EXPIRING PROVISIONS OF LAW.

(a) POOL OF MORTGAGE LOANS.—Section 3720(h)(2) is amended by striking ''December 31, 2011'' and inserting ''December 31, 2016''.

(b) LOAN FEES.—Section 3729(b)(2) is amended—

(1) in subparagraph (A)—

(A) in clause (iii), by striking ''October 1, 2016'' and inserting ''October 1, 2017''; and

(B) in clause (iv), by striking ''October 1, 2016'' and inserting ''October 1, 2017'';

(2) in subparagraph (B)—

(A) in clause (i), by striking ''October 1, 2016'' and inserting ''October 1, 2017''; and

(B) in clause (ii), by striking ''October 1, 2016'' and inserting ''October 1, 2017'';

(3) in subparagraph (C)—

(A) in clause (i), by striking ''October 1, 2016'' and inserting ''October 1, 2017''; and

(B) in clause (ii), by striking ''October 1, 2016'' and inserting ''October 1, 2017''; and

(4) in subparagraph (D)—

(A) in clause (i), by striking ''October 1, 2016'' and inserting ''October 1, 2017''; and

(B) in clause (ii), by striking ''October 1, 2016'' and inserting ''October 1, 2017''.

(c) TEMPORARY ADJUSTMENT OF MAXIMUM HOME LOAN GUARANTY AMOUNT.—Section 501

of the Veterans' Benefits Improvement Act of 2008 (Public Law 110–389; 122 Stat. 4175; 38 U.S.C. 3703 note) is amended by striking ''December 31, 2011'' and inserting ''December 31, 2014''.

SEC. 703. REQUIREMENT FOR PLAN FOR REGULAR ASSESSMENT OF EMPLOYEES OF VETERANS BENEFITS ADMINISTRATION WHO HANDLE PROCESSING OF CLAIMS FOR COMPENSATION AND PENSION.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a plan that describes how the Secretary will—

(1) regularly assess the skills and competencies of appropriate employees and managers of the Veterans Benefits Administration who are responsible for processing claims for compensation and pension benefits administered by the Secretary;

(2) provide training to those employees whose skills and competencies are assessed as unsatisfactory by the regular assessment described in paragraph (1), to remediate deficiencies in such skills and competencies;

(3) reassess the skills and competencies of employees who receive training as described in paragraph (2); and

(4) take appropriate personnel action if, following training and reassessment as described in paragraphs (2) and (3), respectively, skills and competencies remain unsatisfactory.

SEC. 704. MODIFICATION OF PROVISION RELATING TO REIMBURSEMENT RATE FOR AMBULANCE SERVICES.

Section 111(b)(3)(C) is amended by striking ''under subparagraph (B)'' and inserting ''to or from a Department facility''.

SEC. 705. CHANGE IN COLLECTION AND VERIFICATION OF VETERAN INCOME.

Section 1722(f)(1) is amended by striking ''the previous year'' and inserting ''the most recent year for which information is available''.

SEC. 706. DEPARTMENT OF VETERANS AFFAIRS ENFORCEMENT PENALTIES FOR MISREPRESENTATION OF A BUSINESS CONCERN AS A SMALL BUSINESS CONCERN OWNED AND CONTROLLED BY VETERANS OR AS A SMALL BUSINESS CONCERN OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS.

Subsection (g) of section 8127 is amended—

(1) by striking ''Any business'' and inserting ''(1) Any business'';

(2) in paragraph (1), as so designated—

(A) by inserting ''willfully and intentionally'' before ''misrepresented''; and

(B) by striking ''a reasonable period of time, as determined by the Secretary'' and inserting ''a period of not less than five years''; and

(3) by adding at the end the following new paragraphs:

''(2) In the case of a debarment under paragraph (1), the Secretary shall commence debarment action against the business concern by not later than 30 days after determining that the concern willfully and intentionally misrepresented the status of the concern as described in paragraph (1) and shall complete debarment actions against such concern by not later than 90 days after such determination.

''(3) The debarment of a business concern under paragraph (1) includes the debarment of all principals in the business concern for a period of not less than five years.''.

SEC. 707. QUARTERLY REPORTS TO CONGRESS ON CONFERENCES SPONSORED BY THE DEPARTMENT.

(a) IN GENERAL.—Subchapter I of chapter 5 is amended by adding at the end the following new section:

''§ 517. Quarterly reports to Congress on conferences sponsored by the Department

''(a) QUARTERLY REPORTS REQUIRED.—Not later than 30 days after the end of each fiscal quarter, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on covered conferences.

''(b) MATTERS INCLUDED.—Each report under subsection (a) shall include the following:

''(1) An accounting of the final costs to the Department of each covered conference occurring during the fiscal quarter preceding the date on which the report is submitted, including the costs related to—

''(A) transportation and parking;

''(B) per diem payments;

''(C) lodging;

''(D) rental of halls, auditoriums, or other spaces;

''(E) rental of equipment;

''(F) refreshments;

''(G) entertainment;

''(H) contractors; and

''(I) brochures or other printed media.

''(2) The total estimated costs to the Department for covered conferences occurring during the fiscal quarter in which the report is submitted.

''(c) COVERED CONFERENCE DEFINED.—In this section, the term 'covered conference' means a conference, meeting, or other similar forum that is sponsored or co-sponsored by the Department and is—

''(1) attended by 50 or more individuals, including one or more employees of the Department; or

''(2) estimated to cost the Department at least $20,000.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding after the item relating to section 516 the following:

''517. Quarterly reports to Congress on conferences sponsored by the Department.''.

(c) EFFECTIVE DATE.—Section 517 of title 38, United States Code, as added by subsection (a), shall take effect on October 1, 2012, and shall apply with respect to the first quarter of fiscal year 2013 and each quarter thereafter.

SEC. 708. PUBLICATION OF DATA ON EMPLOYMENT OF CERTAIN VETERANS BY FEDERAL CONTRACTORS.

Section 4212(d) is amended by adding at the end the following new paragraph:

''(3) The Secretary of Labor shall establish and maintain an Internet website on which the Secretary of Labor shall publicly disclose the information reported to the Secretary of Labor by contractors under paragraph (1).''.

SEC. 709. VETSTAR AWARD PROGRAM.

(a) IN GENERAL.—Section 532 is amended—

(1) by striking ''The Secretary may'' and inserting '' (a) ADVERTISING IN NATIONAL MEDIA.—The Secretary may''; and

(2) by adding at the end the following new subsection:

''(b) VETSTAR AWARD PROGRAM.—(1) The Secretary shall establish an award program, to be known as the 'VetStar Award Program', to recognize annually businesses for their contributions to veterans' employment.

''(2) The Secretary shall establish a process for the administration of the award program, including criteria for—

''(A) categories and sectors of businesses eligible for recognition each year; and

''(B) objective measures to be used in selecting businesses to receive the award.''.

(b) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended by adding at the end the following: ''**; VetStar Award Program**''.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 5 is amended by striking the item relating to section 532 and inserting the following new item:

''532. Authority to advertise in national media; VetStar Award Program.''.

SEC. 710. EXTENDED PERIOD OF PROTECTIONS FOR MEMBERS OF UNIFORMED SERVICES RELATING TO MORTGAGES, MORTGAGE FORECLOSURE, AND EVICTION.

(a) STAY OF PROCEEDINGS AND PERIOD OF ADJUSTMENT OF OBLIGATIONS RELATING TO REAL OR PERSONAL PROPERTY.—Section 303(b) of the Servicemembers Civil Relief Act (50 U.S.C. App. 533(b)) is amended by striking ''within 9 months'' and inserting ''within one year''.

(b) PERIOD OF RELIEF FROM SALE, FORECLOSURE, OR SEIZURE.—Section 303(c) of such Act (50 U.S.C. App. 533(c)) is amended by striking ''within 9 months'' and inserting ''within one year''.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on the date that is 180 days after the date of the enactment of this Act.

(d) EXTENSION OF SUNSET.—

(1) IN GENERAL.—The amendments made by subsections (a) and (b) shall expire on December 31, 2014.

(2) CONFORMING AMENDMENT.—Subsection (c) of section 2203 of the Housing and Economic Recovery Act of 2008 (Public Law 110–289; 50 U.S.C. App. 533 note) is amended to read as follows:

''(c) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act.''.

(3) REVIVAL.—Effective January 1, 2015, the provisions of subsections (b) and (c) of section 303 of the Servicemembers Civil Relief Act (50 U.S.C. App. 533), as in effect on July 29, 2008, are hereby revived.

(e) REPORT.—

(1) IN GENERAL.—Not later than 540 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the protections provided under section 303 of such Act (50 U.S.C. App 533) during the five-year period ending on the date of the enactment of this Act.

(2) ELEMENTS.—The report required by paragraph (1) shall include, for the period described in such paragraph, the following:

(A) An assessment of the effects of such section on the long-term financial well-being of servicemembers and their families.

(B) The number of servicemembers who faced foreclosure during a 90-day period, 270-day period, or 365-day period beginning on the date on which the servicemembers completed a period of military service.

(C) The number of servicemembers who applied for a stay or adjustment under subsection (b) of such section.

(D) A description and assessment of the effect of applying for a stay or adjustment under such subsection on the financial well-being of the servicemembers who applied for such a stay or adjustment.

(E) An assessment of the Secretary of Defense's partnerships with public and private sector entities and recommendations on how the Secretary should modify such partnerships to improve financial education and counseling for servicemembers in order to assist them in achieving long-term financial stability.

(3) PERIOD OF MILITARY SERVICE AND SERVICEMEMBER DEFINED.—In this subsection, the terms ''period of military service'' and ''servicemember'' have the meanings given such terms in section 101 of such Act (50 U.S.C. App. 511).

SA 2560 Mr. REID (for Mrs. MURRAY) proposed an amendment to the bill H.R. 1627, to amend title 38, United states Code, to furnish hospital care and medical services to veterans who were stationed at Camp Lejeune, North Carolina, while the water was contaminated at Camp Lejeune, to improve the provision of housing assistance to veterans and their families, and for other purposes; as follows:

Amend the title so as to read: ''A bill to amend title 38, United States Code, to furnish hospital care and medical services to veterans who were stationed at Camp Lejeune, North Carolina, while the water was contaminated at Camp Lejeune, to improve the provision of housing assistance to veterans and their families, an for other purposes.''.

NOTICE OF HEARING

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Thursday, July 19, 2012, at 10 a.m. in room 430 of the Dirksen Senate Office Building to conduct a hearing entitled ''Making College Affordability a Priority: Promising Practices and Strategies.''

For further information regarding this meeting, please contact Spiros Protopsaltis of the committee staff on (202) 224–5501.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FINANCE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on July 18, 2012, at 9:30 a.m., in room 215 of the Dirksen Senate Office Building.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on July 18, 2012 at 2:30 p.m.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. DURBIN. 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 July 18, 2012, at 9:30 a.m. to conduct a hearing entitled ''Show Me the Money: Improving the Transparency of Federal Spending.''

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

COMMITTEE ON THE JUDICIARY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on July 18, 2012, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Improving Forensic Science in the Criminal Justice System.''

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

COMMITTEE ON VETERANS' AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session on July 18, 2012. The Committee will meet in room 418 of the Senate Russell Office Building, beginning at 10 a.m.

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

SPECIAL COMMITTEE ON AGING

Mr. DURBIN. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on July 18, 2012, at 2 p.m., in room 216 of the Hart Senate Office Building to conduct a hearing entitled ''Examining Medicare and Medicaid Coordination for Dual-Eligibles.''

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

SUBCOMMITTEE ON AVIATION OPERATIONS, SAFETY, AND SECURITY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Subcommittee on Aviation Operations, Safety, and Security of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on July 18, 2012, at 3 p.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, ''The Global Competitiveness of the U.S. Aviation Industry: Addressing Competition Issues to Main U.S. Leadership in the Aerospace Market.''

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

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, FEDERAL SERVICES, AND INTERNATIONAL SECURITY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security be authorized to meet during the session of the Senate on July 18, 2012, at 2:30 p.m. to conduct a hearing entitled, ''Census: Planning Ahead for 2020.''

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

SUBCOMMITTEE ON PRIVACY, TECHNOLOGY, AND THE LAW

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Privacy, Technology, and the Law, be authorized to meet during the session of the Senate, on July 18, 2012, at 2:30 p.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''What Facial Recognition Technology Means for Privacy and Civil Liberties.''

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

PRIVILEGES OF THE FLOOR

Mr. WICKER. Mr. President, I ask unanimous consent that LCDR Brian Amador, a Navy fellow in my Senate office, be granted floor privileges for the remainder of the time.

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

Mr. DURBIN. Mr. President, I ask unanimous consent that the following staff of the Finance Committee be allowed on the Senate floor for the remainder of the 112th Congress: Avital Barnea, Amanda Bartmann, Harun Dogo, Farrah Freis, Neil Pinney, and Christopher Tausanovitch.

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

Mr. SESSIONS. Mr. President, I ask unanimous consent that my Defense fellow, CDR Jeff Bennett, be granted the privilege of the floor for debate on sequestration and consideration of the Defense authorization bill and the Defense appropriations bill.

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

Mr. SANDERS. Mr. President, before I begin, on behalf of Senator MERKLEY, I ask unanimous consent that privileges of the floor be granted to the following member of my staff for the balance of the day, Maya Arrieta Walden.

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

HONORING AMERICA'S VETERANS AND CARING FOR CAMP LEJEUNE FAMILIES ACT OF 2012

Mr. REID. Mr. President, I ask unanimous consent that the Veterans Affairs Committee be discharged from further consideration of H.R. 1627.

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

The clerk will report the bill by title.

The assistant bill clerk read as follows:

A bill (H.R. 1627) to amend title 38, United States Code, to provide for certain requirements for the placement of monuments in Arlington National Cemetery, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mrs. MURRAY. Mr. President, as chairman of the Committee on Veterans' Affairs, I am pleased to speak in support of the Honoring America's Veterans and Caring for Camp Lejeune Families Act of 2012.

I thank my colleagues from the Veterans' Committee for their continuous support of our Nation's veterans—especially my ranking member Senator

BURR of North Carolina, for his steadfast advocacy of the government's responsibility to provide health care for the veterans and family members stationed at Camp Lejeune.

In addition, I thank Representatives JEFF MILLER and BOB FILNER, the chairman and ranking Member of the House Committee on Veterans' Affairs, for their hard work in developing this bipartisan, bicameral, and fully paid-for legislation.

With the passage of the Honoring America's Veterans and Caring for Camp Lejeune Families Act of 2012, military families affected by contaminated water at Camp Lejeune, NC, would have the health care they need.

These families have waited for decades to get the assistance they need, and they should not be forced to wait any longer.

The legislation would also allow the VA to continue a number of programs that are so critical to helping veterans who have no place to call home.

Currently, the VA can only provide emergency shelter to veterans who are diagnosed with a serious mental illness. But we all know not all homeless veterans are mentally ill. Yet the VA is currently prevented from offering these critical services to all our veterans.

The Honoring America's Veterans and Caring for Camp Lejeune Families Act of 2012 would also make much needed improvements to the VA's housing programs by expanding the eligibility for the VA's specially adapted housing assistance grants.

These are some of the most disabled veterans in our Nation, and they deserve to be able to move about in their homes freely and safely.

This bill will also help more veterans use telehealth and telemedicine and allow veterans to receive travel assistance for visits to our vet centers. These provisions will especially help our veterans in rural and highly rural areas to access care from the VA.

It will also improve the way the VA reimburses State veterans homes for the care of elderly, seriously disabled veterans.

I know every Member of the Senate has at least one State veterans home in their State. Without this change, some of these homes may have to lay off staffers or be unable to accept more veterans, so it is a very important provision of the bill.

This legislation will also require important policy changes to protect veterans from sexual assault and other threats in the VA's inpatient mental health units and homeless programs.

Finally, we all know veterans continue to find themselves waiting entirely too long for a decision on their claims. This legislation will address the claims backlog by providing the VA with the ability to process appeals much more quickly and by supporting the VA's transformation to a paperless system. It will also make other needed improvements to the claims system, such as ensuring surviving spouses receive proper and timely benefit payments.

Above all, this bill fulfill's the responsibility this Nation has to provide care and service to our veterans and their families. In the case of those families who spent time at Camp Lejeune, this bill gives sick veterans and their families the benefit of the doubt their illness or condition was caused by the water at Camp Lejeune so they can finally get the health care they need.

This is something Congress has done before. When an illness or condition comes about after a veteran's service and any relationship between the veteran's current illness and their service is not readily apparent, the burden of proving the illness is a result of one's service can be insurmountable. In such circumstances, we have presumed a veteran's exposure caused their current condition and got them the help they needed. We have lived up to the responsibility we owed them, which is in the core of this bill.

Many veterans and their families are waiting for the passage of this bill. Our House colleagues are ready and willing to move this forward quickly as well. We did have one concern from the Senator from South Carolina, Mr. DEMINT. We had a very productive conversation, and we now have that language resolved and have had a gentleman's agreement to move the bill forward today.

I wish to thank the Senator from South Carolina for his work and effort to get this bill passed. I know our veterans and families across the Nation are waiting.

I thank all our colleagues who have worked so hard on this very critical piece of legislation.

I ask unanimous consent to have printed in the RECORD the Joint Explanatory Statement in relation to this bill.

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

JOINT EXPLANATORY STATEMENT FOR CERTAIN PROVISIONS CONTAINED IN THE AMENDMENT TO H.R. 1627, AS AMENDED

The Amendment to H.R. 1627, as passed by the House on May 23, 2011, reflects a Compromise Agreement reached by the House and Senate Committees on Veterans' Affairs (hereinafter, ''the Committees'') on provisions within the following bills reported during the 112th Congress: H.R. 1627; S. 277; S. 914; S. 951; H.R. 802; H.R. 1484; H.R. 2074; H.R. 2302; H.R. 2349; H.R. 2433; H.R. 4299; and several free-standing provisions.

S. 277, as amended, was reported favorably out of the Senate Committee on August 1, 2011; S. 914, as amended, was reported favorably out of the Senate Committee on October 11, 2011; and S. 951, as amended, was reported favorably out of the Senate Committee on July 18, 2011 (hereinafter, ''Senate Bills''). H.R. 802, as amended, passed the House on June 1, 2011; H.R. 1484, as amended, passed the House on May 31, 2011; H.R. 2074, as amended, passed the House on October 11, 2011; H.R. 2302, as amended, passed the House on October 11, 2011; H.R. 2349, as amended, passed the House on October 11, 2011; and H.R. 2433, as amended, passed the House on October 12, 2011 (hereinafter, ''House Bills'').

The Committees have prepared the following explanation of certain provisions contained in the amendment to H.R. 1627, as amended, to reflect a Compromise Agreement between the Committees. Differences between the provisions contained in the Compromise Agreement and the related provisions of the House Bills and the Senate Bills are noted in this document, except for clerical corrections, conforming changes made necessary by the Compromise Agreement, and minor drafting, technical, and clarifying changes.

TITLE I—HEALTH CARE MATTERS

HOSPITAL CARE AND MEDICAL SERVICES FOR VETERANS STATIONED AT CAMP LEJEUNE, NORTH CAROLINA

Current Law

In a few specific instances, Congress has acted to provide benefits and health care to veterans who may have been exposed to environmental hazards during their military service. On a few occasions, Congress has extended health care and benefits to the children of servicemembers and veterans based on a concern that they were born more susceptible to certain diseases or conditions because of a parent's exposure to an in-service environmental hazard.

Senate Bill

S. 277, as amended, would provide health care benefits through the Department of Veterans Affairs (hereinafter, ''VA'' or ''the Department''), starting in fiscal year (hereinafter, ''FY'') 2013, to certain veterans for any illness that is attributable to the contaminated drinking water on Camp Lejeune. The bill would provide health care benefits to spouses and dependents of veterans for conditions associated with exposure to the contaminated drinking water on Camp Lejeune. The bill would also direct the Secretary of the Department of Defense (hereinafter, ''DOD'') to transfer funds to VA to cover the costs of the health care provided to these veterans and their families. In order to pay for the increase in funding for providing health care to veterans and their families, the bill would decrease DOD spending by consolidating its commissaries and exchanges.

House Bill

The House Bills contain no similar provision.

Compromise Agreement

Section 102 of the Compromise Agreement would provide health care benefits through VA to certain veterans and family members who lived aboard Camp Lejeune during the period the drinking water was contaminated and have certain illnesses or conditions. VA would reimburse family members for health care services provided under this section as a final payer to other third party health care plans. Similar to the treatment, under current law, of other exposures, such as Agent Orange and toxins from the Gulf War, the Compromise Agreement includes language that health care may not be provided to veterans or family members if that illness or condition is found by VA to have resulted from a reason other than residence of the family aboard Camp Lejeune. The Compromise Agreement directs VA to report annually on the number of veterans and family members who were provided hospital care and medical services under the Compromise Agreement; the illnesses, conditions, and disabilities for which care and services were provided under the Compromise Agreement; the number of veterans and family members who applied for care and services under the Compromise Agreement but were subsequently denied (including information on the

reasons for denial); and the number of veterans and family members who applied for care and services and are awaiting a decision from VA.

The Committees understand that it may take VA some time to implement this section; however, the Committees anticipate the process should be executed as expeditiously as possible to enable eligible veterans and their family members to receive needed care and medical services.

AUTHORITY TO WAIVE COLLECTION OF COPAYMENTS FOR TELEHEALTH AND TELEMEDICINE VISITS OF VETERANS

Current Law

Pursuant to section 1710(g) of title 38, United States Code (hereinafter, ''U.S.C.''), VA is required to collect copayments from veterans, who are not otherwise exempted from such copayments under section 1710(a) of title 38, U.S.C., for medical services provided by VA.

Senate Bill

Section 101 of S. 914, as reported, would amend subchapter III of chapter 17 of title 38, U.S.C., by adding a new section 1722B. The new section would authorize VA to waive collections of copayments from veterans for the utilization of telehealth or telemedicine.

House Bill

The House Bills contain no similar provision.

Compromise Agreement

Section 103 of the Compromise Agreement reflects the Senate Bill. The Committees expect that, despite the loss of copayments, the resulting reduction in hospitalizations and in the length of stay per hospitalization will allow VA to deliver health care to veterans in a substantially more efficient and cost-effective manner. In addition to this cost avoidance, veterans' quality of life should increase through more effective management of chronic medical conditions and reduced time spent in medical facilities.

TEMPORARY EXPANSION OF PAYMENTS AND ALLOWANCES FOR BENEFICIARY TRAVEL IN CONNECTION WITH VETERANS RECEIVING CARE FROM VET CENTERS

Current Law

Section 111 of title 38, U.S.C., authorizes VA to reimburse beneficiaries for travel to VA facilities in connection with care, subject to certain restrictions, at a rate of 41.5 cents per mile.

Senate Bill

Section 103 of S. 914, as reported, would clarify that VA is authorized to pay travel benefits to veterans receiving care at Vet Centers pursuant to existing authority under section 111(a) of title 38, U.S.C. It would also require VA to submit a report to Congress, no later than one year after the enactment of the Senate Bill, on the feasibility and advisability of paying travel benefits to veterans receiving care at Vet Centers. Finally, this section of the Senate Bill would authorize such sums as may be necessary be appropriated for the Department to pay such expenses and allowances for the one-year period following the enactment of the Senate Bill.

House Bill

The House Bills contain no similar provision.

Compromise Agreement

Section 104 of the Compromise Agreement reflects the Senate Bill with a modification to limit the authority to a temporary three-year expansion, and a modification that would limit eligibility for reimbursement under the temporary expansion to only veterans who live in highly rural areas. The Committees note that Vet Centers offer valuable services to veterans but those services are inaccessible to some veterans living in highly rural areas. For instance, an eligible individual living in Glasgow, Montana has to travel five hours each way to receive care at the nearest Vet Center, which is located in Billings, Montana. Another example is an eligible individual living in Liberal, Kansas has to travel four hours each way to receive care at the nearest Vet Center, which is located in Wichita, Kansas.

CONTRACTS AND AGREEMENTS FOR NURSING HOME CARE

Current Law

Section 1745(a)(1) of title 38, U.S.C., requires VA to pay the cost of nursing home care in a State home to veterans in need of such care due to a service-connected disability or with a service-connected disability rated at 70 percent or greater. Section 1745(a)(2) establishes such cost as the lesser of either a prevailing rate determined by VA or the actual cost of care in a State home. Section 1745(a)(3) establishes that such payment shall constitute payment in full.

Senate Bill

Section 109 of S. 914, as reported, would require VA to enter into contracts or agreements with State homes, based on a methodology developed in consultation with State homes, to pay for nursing home care provided to certain veterans with service-connected disabilities, and would apply to care provided on or after January 1, 2012.

House Bill

Section 3 of H.R. 2074, as amended, contains a similar provision.

Compromise Agreement

Section 105 of the Compromise Agreement generally reflects this provision except the Compromise Agreement adjusts the effective date from January 1, 2012, to the date 180 days after the date of enactment. The Compromise Agreement also includes a provision that would require VA, at the request of a State home, to offer to enter into a contract or agreement that replicates the reimbursement methodology that was in effect on the day before enactment.

The Committees note that State homes are significantly under compensated by the current reimbursement framework. VA has been aware of and actively assisting with the development of these provisions. The Committees expect VA to make the negotiation and execution of these contracts a top priority—and further expect that no State home will be without a contract on the date that this provision goes into effect. This includes the immediate development of the contract language required under subsection (c)(2) of this section of the Compromise Agreement.

The Committees further expect that VA and the State homes will negotiate equitably and agree upon several elements of all contracts or agreements under this section. First, that reimbursement will be not only adequate but will also reflect the reasonable cost of care provided. Second, that the services for which VA will make reimbursement will be mutually acceptable. Finally, that the contracts will provide appropriately for updating, revising, or renegotiating the contracts as payment rates or other circumstances change.

COMPREHENSIVE POLICY ON REPORTING AND TRACKING SEXUAL ASSAULT INCIDENTS AND OTHER SAFETY INCIDENTS

Current Law

There is no similar provision in current law.

Senate Bill

The Senate Bills contain no similar provision.

House Bill

Section 2 of H.R. 2074, as amended, would amend chapter 17 of title 38, U.S.C., to require VA to develop, by March 1, 2012, a comprehensive policy on sexual assault and other safety incidents to include the: (1) development of clear and comprehensive criteria with respect to the reporting of sexual assault incidents and other safety incidents for both clinical personnel and law enforcement personnel; (2) establishment of an accountable oversight system within VA to report and track sexual assault incidents for all alleged or suspected forms of abuse and unsafe acts; (3) systematic information sharing of reported sexual assault incidents, and a centralized reporting, tracking, and monitoring system to ensure each case is fully investigated and victims receive appropriate treatment; (4) use of specific ''risk assessment tools'' to examine any danger related to sexual assault that a veteran may pose while being treated, including clear guidance on the collection of information relating to the legal history of the veteran; (5) mandatory training of employees on safety awareness and security; and (6) establishment of physical security precautions including appropriate surveillance and panic alarm systems that are operable and regularly tested. This section of the House Bill would also require VA to report to the Committees on the development of the policy not later than 30 days after enactment, and to report on the implementation of such policy not later than 60 days after it is put in place and not later than October 1 of each subsequent year.

Compromise Agreement

Section 106 of the Compromise Agreement generally reflects the House Bill but it modifies the date the comprehensive policy is required to be in place from March 1, 2012, to September 30, 2012. The Compromise Agreement also requires VA, in developing the comprehensive policy and risk assessment tools, to consider the effects on veterans' use of mental health and substance abuse treatments, and the ability of VA to refer veterans to such services.

REHABILITATIVE SERVICES FOR VETERANS WITH TRAUMATIC BRAIN INJURY

Current Law

Sections 1710C and 1710D of title 38, U.S.C., direct VA to provide comprehensive care in accordance with individualized rehabilitation plans to veterans with traumatic brain injury (hereinafter, ''TBI''). Although these sections of law do not provide a definition of the word ''rehabilitation,'' the phrase ''rehabilitative services'' is defined in section 1701(8) of title 38, U.S.C., for VA health-care purposes as professional, counseling, and guidance services and treatment programs that are necessary to restore, to the maximum extent possible, the physical, mental, and psychological functioning of an ill or disabled person.

Senate Bill

Section 105 of S. 914, as reported, would amend section 1710C of title 38, U.S.C., to include (1) the goal of maximizing the individual's independence, and (2) improving such veteran's behavioral functioning. Section 105 would also require the inclusion of rehabilitative services in (1) a VA comprehensive program of long-term care for veterans with TBI, and (2) cooperative agreements for the use of non-VA facilities for veterans' rehabilitation from TBI within a program of individualized rehabilitation and reintegration plans for veterans with TBI.

House Bill

Section 4 of H.R. 2074, as amended, contains a similar provision.

Compromise Agreement

Section 107 of the Compromise Agreement contains this provision.

TELECONSULTATION AND TELEMEDICINE

Current Law

There is no similar provision in current law.

Senate Bill

Section 102(a) of S. 914, as reported, would amend subchapter I of chapter 17 of title 38, U.S.C., by adding a new section 1709, which would require VA to create a system for consultation and assessment of mental health, TBI, and other conditions through teleconsultation when a VA medical facility is unable to do so independently.

Section 102(b) of the Senate Bill would require VA to offer opportunities for training in telemedicine to medical residents in facilities that have and utilize telemedicine, consistent with medical residency program standards established by the Accreditation Council for Graduate Medical Education.

Section 102(c) of the Senate Bill would require VA to modify the Veterans Equitable Resource Allocation (hereinafter, ''VERA'') system to include teleconsultation, teleretinal imaging, telemedicine, and telehealth coordination services. VA would also be required to assess, within one year of modifying the VERA system, the effect on the utilization of telehealth technologies and determine whether additional incentives are necessary to promote their utilization. VA would also be required to include telemedicine visits when calculating facility workload.

House Bill

The House Bills contain no comparable provision.

Compromise Agreement

Section 108 of the Compromise Agreement reflects subsections (a) and (b) of the Senate Bill with a modification to specify that the implementation of the teleconsultation program does not preclude the referral of veterans to third-party providers under VA's existing fee-basis or contracting authority.

USE OF SERVICE DOGS ON PROPERTY OF THE DEPARTMENT OF VETERANS AFFAIRS

Current Law

Section 901 of title 38 authorizes VA to prescribe rules to govern conduct on Department property, which is defined as land and buildings under the Department's jurisdiction and not under the control of the Administrator of General Services. Section 1714(c) of title 38, U.S.C., authorizes VA to provide service dogs to veterans who, in order of precedence, are hearing impaired, have spinal cord injuries, or are mentally ill.

Senate Bill

Section 104 of S. 914, as reported, would amend section 1714 of title 38, U.S.C., by adding a new subsection (e), which would require VA to admit full access to all service animals accompanying individuals at every VA facility according to the same regulations that govern the admission of the public to such facilities. The provision would apply not only to service dogs as provided for in section 1714(c) of title 38, U.S.C., but would also include trained service animals that accompany individuals with disabilities not specified by that subsection. Further, VA would be authorized to prohibit service animals from roaming or running free and to require the animals to wear harnesses or leashes and be under the control of an individual at all times while at a Department owned or funded facility.

House Bill

Section 5 of H.R. 2074, as amended, would amend section 901 of title 38, U.S.C., by adding a new subsection (f), which would prohibit VA from refusing to allow the use of service dogs in any facility or on any property owned or funded by the Department.

Compromise Agreement

Section 109 of the Compromise Agreement reflects the House Bill with a modification to specify that the provision applies only to service dogs that have been trained by entities that have been accredited for such work by an appropriate accrediting entity.

RECOGNITION OF RURAL HEALTH RESOURCE CENTERS IN OFFICE OF RURAL HEALTH

Current Law

Section 7308 of title 38, U.S.C., establishes the Office of Rural Health within the Office of the Under Secretary for Health and sets the functions of such Office as: conducting, coordinating, promoting, and disseminating research into issues affecting rural veterans; working with all Department personnel and offices to develop, refine, and promulgate policies, best practices, lessons learned, and successful programs to improve care and services for rural veterans; designating a rural health coordinator within each Veterans Integrated Service Network; and performing other duties as appropriate.

Senate Bill

Section 106(a) of S. 914, as reported, would create a new section 7330B in title 38, U.S.C., which would require VA, acting through the Director of the Office of Rural Health, to establish and operate centers of excellence for rural health research, education, and clinical activities.

Those centers would be required to perform one or more of the following functions: collaborate with the Veterans Health Administration's Office of Research and Development on rural health research; develop specific models for the Department to furnish care to rural veterans; develop innovative clinical activities and systems of care for rural veterans; and provide education and training on rural health issues for health care professionals.

Section 106(b) of the Senate Bill would further amend title 38, U.S.C., by adding a new subsection (d) to section 7308, which would codify the existence and describe the purposes of rural health resource centers. Rural health resource centers would be required to work to improve the Office of Rural Health's understanding of challenges faced by rural veterans, identify disparities in the availability of health care to rural veterans, create programs to enhance the delivery of health care to rural veterans, and develop best practices and products for VA to use in providing services to rural veterans.

Finally, section 106(c) of the Senate Bill would designate the VA Medical Center (hereinafter, ''VAMC'') in Fargo, North Dakota, as a center of excellence for rural health research, education, and clinical activities.

House Bill

The House Bills contain no similar provision.

Compromise Agreement

Section 110 of the Compromise Agreement reflects section 106(b) of the Senate Bill.

IMPROVEMENTS FOR RECOVERY AND COLLECTION OF AMOUNTS FOR DEPARTMENT OF VETERANS AFFAIRS MEDICAL CARE COLLECTIONS FUND

Current Law

Section 1729A of title 38, U.S.C., creates within the Treasury the VA Medical Care Collections Fund (hereinafter, ''MCCF'') in which amounts recovered or collected under several VA collections authorities are to be deposited.

Senate Bill

Section 111 of S. 914, as reported, would require VA to develop and implement, within 180 days of enactment of the Senate Bill, a plan to ensure accurate and full collections by the VA health care system, pursuant to existing authorities for billing and collections. The amounts collected would be required to be deposited in the MCCF. This provision would further require the following elements to be included in the plan: an effective process to identify billable fee claims, effective and practicable policies and procedures to ensure billing and collection using current authorities, training of employees responsible for billing or collection of funds to enable them to comply with the provisions of this section, fee revenue goals for the Department, and an effective monitoring system to ensure the Department meets fee revenue goals and complies with such policies and procedures.

House Bill

The House Bills contain no similar provision.

Compromise Agreement

Section 111 of the Compromise Agreement reflects the Senate Bill.

EXTENSION OF AUTHORITY FOR COPAYMENTS

Current Law

In relevant part, section 1710(f)(2) of title 38, U.S.C., states that a veteran who is furnished hospital care or nursing home care under this section and who is required to agree to pay a designated amount to the United States in order to be furnished such care, shall be liable to the United States for an amount equal to the lesser of the cost of furnishing such care, the amount determined under paragraph (3) of the section, or $10 for every day the veteran receives hospital care and $5 for every day the veteran receives nursing home care, before September 30, 2012.

Senate Bill

The Senate Bills contain no similar provision.

House Bill

The House Bills contain no similar provision.

Compromise Agreement

The Compromise Agreement amends section 1710(f)(2)(B) of title 38, U.S.C., by extending the date of liability from before September 30, 2012, to before September 30, 2013.

EXTENSION OF AUTHORITY FOR RECOVERY OF COST OF CERTAIN CARE AND SERVICES

Current Law

In relevant part, section 1729(a)(2)(E) of title 38, U.S.C., provides that, in any case in which a veteran is furnished care or services under chapter 17 of such title for a non-service-connected disability, the United States has the right to recover or collect reasonable charges for such care or services (as determined by VA) from a third party to the extent that the veteran (or the provider of the care or services) would be eligible to receive payment for such care or services furnished before October 1, 2012, from such third party if the care or services had not been furnished by a department or agency of the United States.

Senate Bill

The Senate Bills contain no similar provision.

House Bill

The House Bills contain no similar provision.

Compromise Agreement

Section 113 of the Compromise Agreement amends section 1729(a)(2)(E) of title 38, U.S.C., by extending the date of liability from before October 1, 2012, to before October 1, 2013.

TITLE II—HOUSING MATTERS

TEMPORARY EXPANSION OF ELIGIBILITY FOR SPECIALLY ADAPTED HOUSING ASSISTANCE FOR CERTAIN VETERANS WITH DISABILITIES CAUSING DIFFICULTY WITH AMBULATING

Current Law

Section 2101(a) of title 38, U.S.C., provides VA with the authority to assist disabled veterans in acquiring suitable housing with special fixtures or movable facilities made necessary by the veteran's disability.

Under section 2101(a)(2), a permanently and totally disabled veteran who has A) loss, or loss of use, of both lower extremities to the degree that locomotion without the aid of braces, crutches, canes or a wheelchair is precluded; or B) a disability due to blindness in both eyes, having light perception plus the loss, or loss of use, of one lower extremity; or C) a disability due to loss, or loss of use, of one lower extremity with residuals of organic disease or the loss, or loss of use, of one upper extremity that affects balance or propulsion to preclude locomotion without the aid of braces, crutches, canes or a wheelchair; or D) a disability due to the loss, or loss of use, of both upper extremities such as to preclude use of the arms at or above the elbows; or E) a disability due to a severe burn injury, is entitled to grant assistance for housing adaptations.

Senate Bill

The Senate Bills contain no comparable provision.

House Bill

The House Bills contain no similar provision.

Compromise Agreement

Section 201 of the Compromise Agreement would temporarily add certain severe injuries and dismemberment disabilities that affect ambulation to the eligibility criteria for the specially adapted housing program under section 2101(a) of title 38, U.S.C., for those veterans 1) who served on or after September 11, 2001, and 2) became permanently disabled on or after that same date. This expansion of authority would expire on September 30, 2013, and require that VA receive grant applications prior to that date in order to receive consideration.

Because of advances in medical technology, many individuals are surviving traumatic events which past generations of military personnel were not able to survive. However, as a result of these traumatic events, these individuals are left with specific types of physical losses and injuries which often affect their ability to ambulate without assistance. For example, some individuals are returning from the current conflicts with varying degrees of impairment that impact mobility due to the loss or loss of use of one limb, such as a single above the knee amputation.

The Committee intends that this provision assist those individuals with balance problems resulting from traumatic injuries that affect their ability to ambulate. The Committees believe that there are numerous home adaptations available which would maximize physical abilities and enhance the quality of life for individuals with these types of injuries. While these individuals would clearly benefit from home adaptations, VA cannot assist these individuals with home modifications because of existing statutory limitations. Changes to these provisions are necessary in order for VA to be responsive to the growing numbers of these different types of injuries.

Some of these adaptations include: adding a new bathroom or adapting existing bathroom fixtures with features such as grab bars, bath transfer benches, or high-rise toilets; providing non-slip flooring for balance-related issues; and installing special kitchen and laundry appliances (with locations and controls in optimal reach zone) to address safety issues.

EXPANSION OF ELIGIBILITY FOR SPECIALLY ADAPTED HOUSING ASSISTANCE FOR VETERANS WITH VISION IMPAIRMENT

Current Law

Under current law, section 2101(b) of title 38, U.S.C., a veteran with a permanent and total service-connected disability due to blindness in both eyes has to have visual acuity of 5/200 or less in order to qualify for certain adaptive housing assistance grants.

According to the National Eye Institute, visual acuity is defined as the eye's ability to distinguish object details and shape with good contrast, using the smallest identifiable object that can be seen at a specified distance. It is measured by use of an eye chart and recorded as test distance/target size. Visual acuity of 5/200 means that an individual must be 5 feet away from an eye chart to see a letter that an individual with normal vision could see from 200 feet.

While VA had used the 5/200 or less standard of visual acuity for blindness over the last several decades, a consensus definition of what constitutes ''legal blindness'' has emerged.

This consensus definition is the statutory definition used for the Social Security disability insurance program and the Supplemental Security Income program and is less stringent than VA's standard, encompassing individuals with lesser degrees of vision impairment. The American Medical Association has espoused this definition since 1934 and defines blindness as a ''central visual acuity of 20/200 or less in the better eye with corrective glasses, or central visual acuity of more than 20/200 if there is a visual field defect in which the peripheral field is contracted to such an extent that the widest diameter of the visual field subtends an angular distance no greater than 20 degrees in the better eye.''

Recognizing this consensus definition, Public Law (hereinafter, ''P.L.'') 110–157, the Dr. James Allen Veteran Vision Equity Act of 2007, amended the criteria for receiving special monthly compensation to allow veterans who are very severely disabled as the result of blindness, and other severe disabilities, to be eligible to receive a higher rate of disability compensation if their visual acuity in both eyes is 20/200 or less.

Senate Bill

Section 306 of S. 914, as reported, would amend section 2101(b) of title 38, U.S.C., by requiring central visual acuity of 20/200 or less in the better eye with the use of a standard correcting lens. It also provides that an eye with a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees shall be considered as having a central visual acuity of 20/200 or less.

House Bill

The House Bills contain no similar provision.

Compromise Agreement

Section 202 of the Compromise Agreement reflects the Senate Bill.

REVISED LIMITATIONS ON ASSISTANCE FURNISHED FOR ACQUISITION AND ADAPTATION OF HOUSING FOR DISABLED VETERANS

Current Law

Since 1948, VA has provided adaptive housing assistance grants to eligible individuals who have certain service-connected disabilities to construct an adapted home or modify an existing home to accommodate their disabilities. Today, VA provides adaptive housing assistance primarily through two programs—Specially Adapted Housing (hereinafter, ''SAH'') and Special Home Adaptation (hereinafter, ''SHA''). Both programs are codified under chapter 21 of title 38, U.S.C.

The SAH grant program provides financial assistance to veterans and servicemembers who are entitled to compensation for permanent and total service-connected disability due to the loss or loss of use of multiple limbs, blindness and limb loss, or a severe burn injury. Eligible individuals may receive up to three SAH grants totaling no more than 50 percent of the cost of a specially adapted house, up to the aggregate maximum amount for FY 2011 of $63,780. This amount is adjusted annually based on a cost-of-construction index. Grants may be used to construct a house or remodel an existing house, or they may be applied against the unpaid principal mortgage balance of a specially adapted house. The SHA grant program, which is similar to SAH but is for individuals with other disabilities, may be used for slightly different purposes and cannot exceed $12,756 during FY 2011. This amount is also adjusted annually based on a cost-of-construction index.

P.L. 109–233, the Veterans' Housing Opportunity and Benefits Improvement Act of 2006, authorized VA to expand its previously existing adaptive housing assistance grants to include eligible individuals temporarily living in a home owned by a family member. The Temporary Residence Adaptation (hereinafter, ''TRA'') benefit, codified at section 2102A of title 38, U.S.C., allows veterans to apply for a grant to adapt the home of a family member with whom they are temporarily residing. The benefit was extended to active duty servicemembers with the passage of P.L. 110–289, the Housing and Economic Recovery Act of 2008. The TRA grant program enables veterans and servicemembers eligible under the SAH and SHA programs to use up to $14,000 and $2,000, respectively, to modify a family member's home.

Under current law, section 2102(d) of title 38, U.S.C., each TRA grant counts as one of the three grants allowed under either SAH or SHA. TRA grants also count toward the maximum allowable FY 2011 amount of $63,780 under SAH and $12,756 under SHA.

The Government Accountability Office's (hereinafter, ''GAO'') congressionally mandated reports on the TRA grant program noted the limited participation in the TRA program. GAO found that one of the reasons for the low usage was that veterans often choose to wait to take advantage of benefits to adapt their own home because the TRA grant amount counts against the overall amount available to an individual under the SAH or SHA grant programs. One potential solution GAO identified would be no longer counting TRA grants against the maximum funds available under SAH and SHA.

Senate Bill

Section 307 of S. 914, as reported, would amend section 2102(d) of title 38 to exclude the TRA grant from the aggregate limitations on assistance furnished to an eligible veteran or servicemember pursuant to section 2102 of title 38, U.S.C. TRA grants would no longer be counted against the maximum funds available under SAH and SHA grants.

House Bill

The House Bills contain no similar provision.

Compromise Agreement

Section 203 of the Compromise Agreement reflects the Senate Bill. The Committees believe this change would increase participation in the TRA grant program.

IMPROVEMENTS TO ASSISTANCE FOR DISABLED VETERANS RESIDING IN HOUSING OWNED BY A FAMILY MEMBER

Current Law

P.L. 109–233, the Veterans' Housing Opportunity and Benefits Improvement Act of 2006, authorized VA to expand its previously existing adaptive housing assistance grants, known as TRA grants, to include eligible individuals temporarily living in a home owned by a family member. The benefit was extended to active duty servicemembers with the passage of P.L. 110–289, the Housing and Economic Recovery Act of 2008.

Under current law, section 2102A of title 38, U.S.C., the TRA grant program allows veterans and servicemembers eligible under the SAH and SHA programs to use up to $14,000 and $2,000, respectively, to modify a family member's home. The TRA grant program is scheduled to expire on December 31, 2012.

Section 101 of P.L. 109–233 also required the GAO to submit a report to Congress on VA's implementation of the TRA grant program. The interim report, ''Veterans Affairs: Implementation of Temporary Residence Adaptation Grants'' (GAO–09–637R), and the final report, ''Opportunities Exist to Improve Potential Recipients' Awareness of the Temporary Residence Adaptation Grant'' (GAO–10–786) (hereinafter, ''GAO Reports''), both noted limited participation in the TRA program. The interim report examined a number of reasons for the low usage, and noted that veterans often choose to wait to take advantage of benefits to adapt their own home because the TRA grant counts against the overall amount available to an individual under the SAH or SHA grant program. One of the potential solutions GAO identified was to increase the maximum benefit available under SAH and SHA.

Senate Bill

Section 305 of S. 914, as reported, would amend section 2102A of title 38, U.S.C., by increasing the amount of assistance available for individuals with permanent and total service-connected disabilities that meet the criteria of section 2101(a)(2) of title 38, U.S.C., from $14,000 to $28,000. It would increase the amount of assistance available for individuals with permanent and total service-connected disabilities that meet the criteria of section 2101(b)(2) of title 38, U.S.C., from $2,000 to $5,000.

It would add a new paragraph to section 2102A that would provide for automatic annual adjustments to the maximum grant amounts, based on a cost-of-construction index already in effect for other SAH and SHA grants authorized under chapter 21 of title 38, U.S.C. Finally, the Senate bill would amend section 2102A of title 38, U.S.C., by extending VA's authority to provide assistance under the TRA grant program until December 31, 2021.

House Bill

Section 2 of H.R. 4299 would amend section 2102A of title 38, U.S.C., by striking ''December 31, 2012'' and inserting ''December 31, 2014.''

Compromise Agreement

Section 204 of the Compromise Agreement generally follows the Senate Bill except the authority to provide TRA grants is extended to 2022.

DEPARTMENT OF VETERANS AFFAIRS HOUSING LOAN GUARANTEES FOR SURVIVING SPOUSES OF CERTAIN TOTALLY DISABLED VETERANS

Current Law

VA currently provides that surviving spouses of veterans whose deaths were not service-connected, but who had service-connected disabilities that were permanent and total for at least 10 years immediately preceding their deaths, are eligible to receive a monthly dependency and indemnity compensation (hereinafter, ''DIC'') payment from VA. However, surviving spouses of such veterans are not eligible for the VA home loan guaranty benefit administered by VA.

Senate Bill

The Senate Bills contain no similar provision.

House Bill

Section 502 of H.R. 2433, as amended, would amend section 3701(b) of title 38, U.S.C., to extend eligibility for the VA Home Loan guaranty benefit to surviving spouses of veterans whose deaths were not service-connected, but who had service-connected disabilities that were permanent and total for at least 10 years immediately preceding their deaths.

Compromise Agreement

Section 205 of the Compromise Agreement reflects the House Bill.

OCCUPANCY OF PROPERTY BY DEPENDENT CHILD OF VETERAN FOR PURPOSES OF MEETING OCCUPANCY REQUIREMENT FOR DEPARTMENT OF VETERANS AFFAIRS HOUSING LOANS

Current Law

Current law, section 3704(c)(2) of title 38, U.S.C., states that, ''[i]n any case in which a veteran is in active-duty status as a member of the Armed Forces and is unable to occupy a property because of such status, the occupancy requirements [for purposes of obtaining a VA-backed home loan] shall be considered to be satisfied if the spouse of the veteran occupies the property . . . and the spouse makes the certification required by paragraph (1) of this subsection.'' Under current law, a single veteran with a dependent child is disqualified from obtaining a VA-backed home loan if he or she is on active-duty status, because he or she does not have a spouse to satisfy occupancy requirements.

Senate Bill

Section 303 of S. 914, as reported, would add to section 3704(c)(2) a provision allowing a veteran's dependent child who occupies, or will occupy, the property as a home to satisfy the occupancy requirements. To qualify them for a VA-backed home loan, the veteran's attorney-in-fact or a legal guardian of the veteran's dependent child must make the certification required by section 3704(c)(1) of title 38.

House Bill

The House Bills contain no similar provision.

Compromise Agreement

Section 206 of the Compromise Agreement reflects the Senate Bill. The Committees believe this provision would allow single-parent veterans performing active-duty service to obtain a VA-guaranteed home loan in situations where a veteran's dependent child will be occupying the home with an approved guardian. The Committees also intend that this provision apply to situations where veterans, married to each other, are both deployed.

MAKING PERMANENT PROJECT FOR GUARANTEEING OF ADJUSTABLE RATE MORTGAGES

Current law

Section 3707(a) of title 38, U.S.C., authorizes the guaranty of adjustable rate mortgages for veterans. The authority for VA to guaranty such mortgages is set to expire at the end of FY 2012.

House Bill

Section 501 of H.R. 2433, as amended, would amend section 3707(a) to reauthorize the adjustable rate mortgages until the end of FY 2014.

Senate Bill

The Senate Bills contain no similar provision.

Compromise Agreement

Section 207 of the Compromise Agreement would make this authority permanent.

MAKING PERMANENT PROJECT FOR INSURING HYBRID ADJUSTABLE RATE MORTGAGES

Current law

Section 3707A(a) of title 38, U.S.C., authorizes the guaranty of hybrid adjustable rate mortgages for veterans. The authority for VA to guaranty such mortgages is set to expire at the end of FY 2012.

House Bill

Section 501 of H.R. 2433, as amended, would amend section 3707A(a) to reauthorize hybrid adjustable rate mortgages until the end of FY 2014.

Senate Bill

The Senate Bills contain no similar provision.

Compromise Agreement

Section 208 of the Compromise Agreement would make this authority permanent.

WAIVER OF LOAN FEE FOR INDIVIDUALS WITH DISABILITY RATINGS ISSUED DURING PRE-DISCHARGE PROGRAMS

Current Law

Under current law, section 3729(c) of title 38, U.S.C., a housing loan fee may not be collected if a veteran is rated eligible to receive compensation as a result of a pre-discharge VA disability examination and rating. The time period between pre-discharge ratings and release from active-duty service can be quite long. During that time, many disabled servicemembers utilize their VA home loan benefit. Under current law, servicemembers who are rated eligible to receive compensation solely as the result of a pre-discharge review of existing medical evidence and not as the result of a VA examination are required to pay the housing loan fees until they have been discharged or released from active duty.

Senate Bill

Section 304 of S. 914, as reported, would amend section 3729(c) of title 38, U.S.C., by adding a provision that waives the collection of housing loan fees from a servicemember rated eligible to receive compensation based on a pre-discharge review of existing medical evidence that results in the issuance of a memorandum rating.

House Bill

The House Bills contain no similar provision.

Compromise Agreement

Section 209 of the Compromise Agreement reflects the Senate Bill. The Committees believe this provision would ensure that all servicemembers eligible to receive compensation as the result of a pre-discharge program are eligible for the housing loan fee waiver, regardless of whether the eligibility was the result of an examination or a review of existing evidence.

MODIFICATION OF AUTHORITIES FOR ENHANCED-USE LEASES OF REAL PROPERTY

Current Law

Subchapter V of chapter 81 of title 38, U.S.C., provides VA with authority to enter into enhanced-use leases (hereinafter, ''EULs''). EULs allow VA to lease underutilized real property to third-parties, so long as it will be used for a purpose that complements the mission of VA. VA was permitted to accept monetary or in-kind consideration for EULs and to spend any money collected on medical care via the MCCF. This authority expired on December 31, 2011.

Senate Bill

The Senate Bills contain no similar provision.

House Bill

The House Bills contain no similar provision.

Compromise Agreement

Section 210 of the Compromise Agreement would reauthorize VA's EUL authority until December 31, 2023. The Compromise Agreement also would make several changes to VA's authority, including permitting EULs only for the purpose of creating programs to assist veterans who are homeless or at risk of homelessness, requiring VA to receive approval for future EULs from the Office of Management and Budget, prohibiting VA from receiving any type of in-kind consideration for leased property, and forbidding federal entities from leasing property from a lessee when that property is already subject to an EUL.

The Compromise Agreement also would require a report to Congress 120 days after enactment and annually thereafter, and include the key changes made to the administration of the program to address deficiencies identified by VA's Office of Inspector General in a February 29, 2012, report titled ''Audit of the Enhanced-Use Lease Program.'' The Committees note, with significant concern, the findings of the Office of Inspector General and expect VA to ensure substantial improvements are made to the management of the EUL program.

TITLE III—HOMELESS MATTERS

ENHANCEMENT OF COMPREHENSIVE SERVICE PROGRAMS

Current Law

Section 2011 of title 38, U.S.C., sets forth the authority, criteria, and requirements for VA's grant program. The law requires VA to establish criteria and requirements for grants awarded under this section. Eligible entities for these grants are restricted to public or nonprofit private entities with the capacity to administer these grants effectively who demonstrate that adequate financial support will be available to carry out the project for which the grant is sought consistent with the plans, specifications, and schedule submitted by the applicant. An eligible entity must also agree to meet, as well as have the capacity to meet, the applicable criteria and requirements established by VA. Subsection (b) specifies the kinds of projects for which the grants are available, including the expansion, remodeling, and alteration of existing buildings. Subsection (c) of this section stipulates that funds may not be used to support operation costs and may not exceed 65 percent of the estimated cost of the project concerned. In addition, the grants may not be used to support operational costs and the amount of the grant may not exceed 65 percent of the estimated cost of the project concerned.

Section 2012 of title 38, U.S.C., sets forth the authority for VA's per diem program. The law requires VA to provide to recipients of grants under section 2011 of title 38, U.S.C., per diem payments for services furnished to any homeless veteran whom VA has referred to the grant recipient or authorized the provision of services. The per diem rate is defined as the estimated daily cost of care, not in excess of the per diem rate for VA's State Home Per Diem Program.

Senate Bill

Section 201 of S. 914, as reported, would authorize grant funds to be used for new construction and stipulates that the Department cannot deny a grant on the basis that the entity proposes to use funding from other public or private sources, including entities that are Low-Income Housing Tax Credit recipients controlled by eligible nonprofits. This provision also would require VA, a year after enactment, to complete a study on grant and per diem payment methods within the comprehensive service grant and per diem programs, and issue a report to Congress on the findings therein.

House Bill

The House Bills contain no similar provision.

Compromise Agreement

Section 301 of the Compromise Agreement reflects the Senate Bill.

MODIFICATION OF AUTHORITY FOR PROVISION OF TREATMENT AND REHABILITATION TO CERTAIN VETERANS TO INCLUDE PROVISION OF TREATMENT AND REHABILITATION TO HOMELESS VETERANS WHO ARE NOT SERIOUSLY MENTALLY ILL

Current Law

Section 2031 of title 38, U.S.C., authorizes VA to provide outreach services, care, treatment, rehabilitative services, and certain therapeutic transitional housing assistance to veterans suffering from serious mental illness, including such veterans who are also homeless.

Senate Bill

Section 203 of S. 914, as reported, would modify the authority for the provision of treatment, rehabilitation, and other services to certain veterans to include the provision of such services to homeless veterans who are not seriously mentally ill.

House Bill

The House Bills contain no similar provision.

Compromise Agreement

Section 302 of the Compromise Agreement reflects the Senate Bill.

MODIFICATION OF GRANT PROGRAM FOR HOMELESS VETERANS WITH SPECIAL NEEDS

Current Law

Section 2061 of title 38, U.S.C., authorizes VA to operate a grant program for homeless veterans with special needs. Section 2061(b) defines homeless veterans with special needs as: 1) women, including women who have care of minor dependents; 2) frail elderly; 3) terminally ill; or 4) chronically mentally ill.

Senate Bill

Section 202 of S. 914, as reported, would include male homeless veterans with minor dependents as an additional population with special needs for the purpose of receiving per diem payments to provide services. It would also authorize recipients of special needs grants to provide services directly to a dependent of a homeless veteran with special needs who is under the care of such veteran while receiving services from the grant recipient. Section 202 also authorizes the provision of grants to entities that are eligible for, but not currently in receipt of, funding under VA's Comprehensive Service Programs.

House Bill

The House Bills contain no similar provision.

Compromise Agreement

Section 303 of the Compromise Agreement reflects the Senate Bill.

COLLABORATON IN PROVISION OF CASE MANAGEMENT SERVICES TO HOMELESS VETERANS IN SUPPORTED HOUSING PROGRAM

Current Law

The Housing and Urban Development-Veterans Affairs Supportive Housing Program (hereinafter, ''HUD–VASH'') is a cooperative partnership between HUD and VA that provides long-term case management, supportive services, and permanent housing support for eligible homeless veterans. Section 2003(b) of title 38, U.S.C., requires VA to ensure that there are adequate case managers available for veterans who receive section 8 vouchers under the HUD–VASH program.

Senate Bill

Section 209 of S. 914, as reported, would require VA to consider entering into contracts or agreements with State or local governments, tribal organizations, or nonprofit organizations to collaborate in the provision of case management services to veterans in the supported housing program.

Section 209 of S. 914, as reported, also would require a report to Congress 545 days after enactment and not less frequently than once each year thereafter. This report would include, but would not be limited to, a description of any consideration to contract for case management; a description of the entities with whom VA entered into contracts; a description of the veterans served via contract; an assessment of contract performance; and recommendations for legislative or administrative action for the improvement of collaboration in the provision of case management services under the HUD–VASH program.

House Bill

The House Bills contain no similar provision.

Compromise Agreement

Section 304 of the Compromise Agreement generally reflects the Senate Bill with the addition of technical changes in subsection (b) that ensure veterans who meet eligibility criteria when entering the program and who are receiving case management from a contract provider can continue to receive case management from that same entity after they are placed into housing.

EXTENSIONS OF PREVIOUSLY FULLY-FUNDED AUTHORITIES AFFECTING HOMELESS VETERANS

Current Law

Under section 2013 of title 38, U.S.C., funds are authorized to be appropriated for comprehensive service programs for homeless veterans. $250 million is authorized to be appropriated for the program in FY 2012, but only $150 million is authorized to be appropriated for FY 2013.

Under section 2021 of title 38, U.S.C., $50 million is authorized to be appropriated for the Homeless Veterans Reintegration Program (hereinafter, ''HVRP'') for FY 2012. There are no funds authorized to be appropriated for this program in FY 2013.

Under section 2044 of title 38, U.S.C., $100 million is authorized to be appropriated in FY 2012 for financial assistance for supportive services for very low-income veteran families in permanent housing. There are no funds authorized to be appropriated for this program in FY 2013.

Under section 2061 of title 38, U.S.C., $5 million is authorized to be appropriated annually for the grant program for homeless veterans with special needs between FY 2007 and FY 2012. There are no funds authorized to be appropriated for this program in FY 2013.

Senate Bill

Section 201 of S. 914, as reported, would increase the authorization of appropriations to $250 million for the comprehensive service programs for homeless veterans in FY 2012.

Section 206 of S. 914, as reported, would extend through FY 2012 the existing $50 million authorization of appropriations for HVRP.

Section 207 of S. 914, as reported, would authorize the appropriation of $100 million for financial assistance for supportive services for very low-income veteran families in permanent housing in FY 2012.

Section 208 of S. 914, as reported, would authorize the appropriation of $5 million for

the grant program for homeless veterans with special needs in FY 2012.

House Bill

The House Bills contain no similar provision.

Compromise Agreement

Section 305 of the Compromise Agreement would increase the authorization of appropriations to $250 million for comprehensive service programs for homeless veterans in FY 2013 and $150 million for every fiscal year after and including FY 2014.

Section 305 of the Compromise Agreement would extend through FY 2013 the existing $50 million authorization of appropriations for HVRP.

Section 305 of the Compromise Agreement would authorize the appropriation of $300 million for financial assistance for supportive services for very low-income veteran families in permanent housing in FY 2013.

Section 305 of the Compromise Agreement would authorize the appropriation of $5 million for the grant program for homeless veterans with special needs in FY 2013.

TITLE IV—EDUCATION MATTERS

AGGREGATE AMOUNT OF EDUCATIONAL ASSISTANCE AVAILABLE TO INDIVIDUALS WHO RECEIVE BOTH SURVIVORS' AND DEPENDENTS' EDUCATIONAL ASSISTANCE AND OTHER VETERANS AND RELATED EDUCATIONAL ASSISTANCE

Current Law

Under chapter 35 of title 38, U.S.C., certain survivors and dependents of individuals who die or are disabled while on active duty are eligible for educational assistance benefits. Section 3511(a)(1) provides that each eligible person is entitled to the equivalent of 45 months of full-time benefits.

P.L. 110–252, the Post–9/11 Veterans Educational Assistance Act of 2008, codified at chapter 33 of title 38, established a new program of educational assistance for individuals who served on active duty after September 11, 2001. This Act established a program of educational assistance in which individuals may earn up to a maximum of 36 months of full-time benefits.

Further, under section 3695 of title 38, U.S.C., an individual who is eligible for assistance under two or more specific educational programs may not receive in excess of the equivalent of 48 months of full-time benefits. This means that an eligible survivor or dependent who is entitled to receive education benefits under the chapter 35 program, who uses all 45 months of those benefits to obtain a college education, and who subsequently decides to enter the military, would only be able to earn the equivalent of three months of benefits under P.L. 110–252.

Senate Bill

Section 702 of S. 914, as reported, would amend section 3695 of title 38, U.S.C., to provide that an individual entitled to benefits under chapter 35 will not be subject to the 48–month limitation. However, the maximum aggregate period of benefits an individual may receive under chapter 35 and certain other educational assistance programs listed at section 3695 of title 38, U.S.C., would be capped at 81 months.

Section 702 would also revive a period of entitlement to education benefits in situations where such benefits were reduced by the 48–month limitation. The maximum period of assistance for individuals with revived benefits would also be capped at 81 months.

House Bill

The House Bills contain no similar provision.

Compromise Agreement

Section 401 of the Compromise Agreement reflects the Senate Bill.

ANNUAL REPORTS ON POST–9/11 EDUCATIONAL ASSISTANCE PROGRAM AND SURVIVORS' AND DEPENDENTS' EDUCATIONAL ASSISTANCE PROGRAM

Current Law

Under section 3036 of title 38, U.S.C., DOD and VA, both bi-annually report to Congress on the effectiveness of the Montgomery GI Bill (hereinafter, ''MGIB'') Program in meeting the statutory objectives of the program.

Senate Bill

The Senate Bills contain no similar provision.

House Bill

Section 504 of H.R. 2433, as amended, would require DOD and VA to annually submit to Congress reports on the effectiveness of the Post–9/11 GI Bill. The section would require DOD's report to measure what effect the level of GI Bill benefits has on DOD's ability to recruit and maintain qualified active-duty personnel. This section would also require VA to report on the level of utilization of benefits under all education programs administered by VA, the number of credit hours, certificates, degrees, and other qualifications earned by students under the GI Bill, and VA's recommendations on ways to improve the benefit for servicemembers, veterans, and their dependents. This section also repeals section 3036 of title 38, U.S.C., which requires the current biennially report on the MGIB program.

Compromise Agreement

Section 402 of the Compromise Agreement generally reflects the House Bill with some minor modifications. With the advent of the Post–9/11 GI Bill, and the resulting reduction in the participation in the MGIB, the Committees believe it is time to refocus this report on the Post–9/11 GI Bill.

The Compromise Agreement provides VA increased flexibility in determining what additional type of data on student outcomes can be included in the report and specifies that the first reports are due by November 1, 2013.

The Committees believe that, with the significant investment, estimated to be as much as $60 to $80 billion over the first 10 years, Congress needs to be able to determine whether provisions of the Post–9/11 GI Bill are meeting their intended outcomes.

TITLE V—BENEFITS MATTERS

AUTOMATIC WAIVER OF AGENCY OF ORIGINAL JURISDICTION REVIEW OF NEW EVIDENCE

Current Law

Current law precludes the Board of Veterans' Appeals (hereinafter, ''Board'') initial consideration of evidence submitted in connection with a claim, unless the claimant waives the right to initial consideration by the Agency of Original Jurisdiction (hereinafter, ''AOJ''). Evidence first must be considered by the AOJ in order to preserve a claimant's statutory right under section 7104 of title 38, U.S.C., to one review on appeal.

Senate Bill

Section 404 of S. 914, as reported, would amend section 7105 of title 38, U.S.C., by creating a new subsection, (e), to incorporate an automatic waiver of the right to initial consideration of certain evidence by the AOJ. The evidence subject to the waiver is evidence in connection with the issue or issues with which disagreement has been expressed, and which is submitted by the claimant, or his or her representative, to the AOJ or the Board concurrently with or after the filing of a substantive appeal. Such evidence would be subject to initial consideration by the Board, unless the appellant or his or her representative requests, in writing, that the AOJ initially consider the evidence. The request would be required to be submitted with the evidence. These changes would take effect 180 days after enactment and apply with respect to claims for which a substantive appeal is filed on or after that date.

House Bill

Section 2 of H.R. 1484 would direct the Board to consider evidence submitted by a claimant after a substantive appeal has been filed unless the claimant elects to have the evidence considered first by the AOJ.

Compromise Agreement

Section 501 of the Compromise Agreement reflects the language of the Senate Bill.

AUTHORITY FOR CERTAIN PERSONS TO SIGN CLAIMS FILED WITH SECRETARY OF VETERANS AFFAIRS ON BEHALF OF CLAIMANTS

Current Law

Under current law, section 5101 of title 38, U.S.C., VA lacks specific authority to authorize a court-appointed representative or caregiver to sign an application form allowing the adjudication of the claim to proceed.

Senate Bill

Section 704 of S. 914, as reported, would authorize certain individuals to sign claims filed with VA on behalf of claimants who are under age 18, are mentally incompetent, or are physically unable to sign a form.

House Bill

The House Bills contain no similar provision.

Compromise Agreement

Section 502 of the Compromise Agreement generally follows the Senate Bill but with the addition of a new section, 502(a)(2)(A)(iii), in order to clarify that if a person signs a form on behalf of a claimant, the claimant's social security number must be submitted in addition to the social security number or tax identification number of the individual signing the form on behalf of the claimant.

IMPROVEMENT OF PROCESS FOR FILING JOINTLY FOR SOCIAL SECURITY AND DEPENDENCY AND INDEMNITY COMPENSATION

Current Law

Under current law, section 5105 of title 38, U.S.C., VA and the Social Security Administration (hereinafter, ''SSA'') are required to develop and use joint applications for survivors who apply for both dependency and indemnity compensation DIC and Social Security survivor benefits. Section 5105 further provides that, if such a joint application form is filed with either VA or SSA, it will be deemed an application for both DIC and Social Security benefits.

Senate Bill

Section 705 of S. 914, as reported, would amend section 5105 of title 38, U.S.C., to permit—but not require—the development of a joint form for SSA and VA survivor benefits. This provision also would amend section 5105 so that any form indicating an intent to apply for survivor benefits would be deemed an application for both DIC and Social Security benefits. This is intended to codify VA's practice under which any indication of intent to apply for Social Security survivor benefits also is treated as an application for VA DIC benefits.

House Bill

The House Bills contain no similar provision.

Compromise Agreement

Section 503 of the Compromise Agreement reflects the Senate Bill.

AUTHORIZATION OF USE OF ELECTRONIC COMMUNICATION TO PROVIDE NOTICE TO CLAIMANTS FOR BENEFITS UNDER LAWS ADMINISTERED BY THE SECRETARY OF VETERANS AFFAIRS

Current Law

Section 5103 of title 38, U.S.C., requires VA to issue a notice to claimants of further evidence needed to substantiate a claim, referred to as a VCAA notice because of its requirement under the Veterans Claims Assistance Act of 2000. Section 5103 further requires VA to issue a separate written notice to claimants upon receipt of any subsequent claim, regardless of whether the information contained is different from any prior notices issued. The VCAA notice also outlines VA's duty to assist the claimant in obtaining evidence, including what steps VA will take, and explains the role the claimant can play to ensure all relevant evidence is submitted for consideration. The VCAA notice explains how a disability rating and effective date will be determined, and each VCAA notice contains a VCAA Notice Response Form, which identifies the date of claim and provides a brief explanation regarding the submission of any additional information or evidence.

Senate Bill

The Senate Bills contain no similar provision.

House Bill

Section 4 of H.R. 2349, as amended, would remove the requirement that the VCAA notice be sent only after receipt of a claim, thereby allowing VA to put notice on claims application forms as is currently done with the Department's 526–EZ form for Fully Developed Claims (hereinafter, ''FDCs''). VA must ensure that veterans are adequately informed about their right to submit an informal claim for the purpose of establishing an earlier effective date in rewriting new application forms. Such information is currently included on the 526–EZ form for those filing under the FDC program, and it should similarly be included for those submitting standard non-FDC forms to ensure that veterans do not lose any benefit.

Section 4 of H.R. 2349, as amended, authorizes VA to use the most effective means available for communication, including electronic or written communication, and removes the requirement that VA send a notice for a subsequent claim if the issue is already covered under a previous claim and notice. However, under this section, VA must still send a notice if over one year has passed since any notice was last sent to the claimant. According to VA, the subsequent reduction in claims processing times by this section can range from 30 to 40 days, which provides a positive step toward reducing the claims backlog.

The requirement that VA issue a separate written VCAA notice upon receipt of any subsequent claim presents two issues that contribute to the claims backlog. The first is that, in many cases, VA is forced to take a redundant step of producing the exact same notice it has already provided to the veteran, which increases the processing time without affecting the outcome of the claim. The second issue is that the notices provided by VA must be in writing and mailed through the postal system. Because it is not authorized to do so, VA cannot utilize the speed and efficiency provided by electronic mail, even if that were the claimant's preferred method of communication regarding the claim. This restriction of VA's means of communication prevents it from utilizing a widely-used and accepted form of efficient and timely correspondence. Section 4 of H.R. 2349, as amended, directly addresses those inefficiencies.

Section 4 of H.R. 2349, as amended, also authorizes VA to waive the requirements for issuing a VCAA notice when ''the Secretary may award the maximum benefit in accordance with this title based on the evidence of record.'' This provision will eliminate delays that occur when a VCAA notice would be sent in connection with claims for which VA will award a benefit, and when such notice has little likelihood of leading to a higher level of benefit. This section contains no requirement limiting correspondence to electronic mail.

Compromise Agreement

Section 504 of the Compromise Agreement generally follows the House's position with a minor change in the language of paragraph (5)(B) of H.R. 2349. The House-passed language in paragraph (5)(B) reads ''For purposes of this paragraph, the term 'maximum benefit' means the highest evaluation assignable in accordance with the evidence of record, as long as such evaluation is supported by such evidence of record at the time the decision is rendered.'' Per the Compromise Agreement, this language is changed to ''For purposes of this paragraph, the term 'maximum benefit' means the highest evaluation assignable in accordance with the evidence of record, as long as such evidence is adequate for rating purposes and sufficient to grant the earliest possible effective date in accordance with section 5110 of this title.'' This revised definition of ''maximum benefit'' clarifies that VA must have evidence that is sufficient to meet all aspects of the rating schedule for each condition.

DUTY TO ASSIST CLAIMANTS IN OBTAINING PRIVATE RECORDS

Current Law

Section 5103A of title 38, U.S.C., outlines VA's duty to assist claimants in obtaining evidence needed to substantiate a claim. Under current law, VA must make ''reasonable efforts'' to obtain private medical records on behalf of a claimant who adequately identifies and authorizes VA to obtain them. What constitutes a ''reasonable effort'' by VA to obtain private medical records on behalf of a claimant is undefined.

Senate Bill

The Senate Bills contain no similar provision.

House Bill

Section 5 of H.R. 2349, as amended, authorizes VA to waive its duty to assist requirement when ''the Secretary may award the maximum benefit in accordance with this title based on the evidence of record.'' The effect of this provision would prevent both the claimant and VA from having to collect further evidence that would have no impact on the claim. Under the revised definition of ''maximum'' benefit, it is clear that before VA can make such an award, it must have evidence that is sufficient to meet all aspects of the rating schedule for each condition.

Section 5 of H.R. 2349, as amended, also adds a provision to encourage claimants to take a proactive role in the claims process. By encouraging ''claimants to submit relevant private medical records of the claimant to the Secretary if such submission does not burden the claimant,'' the collection of evidence necessary to render a decision can be greatly facilitated.

Section 5 of H.R. 2349, as amended, is intended to reduce the number of situations wherein VA spends unnecessary time and resources to pursue private medical records that may already have been submitted in the claimant's file, may not exist, may not be obtainable, are not relevant to the claim, or even if obtained, are highly unlikely to change the rating that would otherwise be assigned based on the evidence of record. VA would continue to have an obligation to obtain or assist veterans in obtaining relevant medical records, both public and private; however, this provision clarifies that the purpose of the duty to assist should be limited to situations where it will actually assist veterans in substantiating their claims. In addition, a claimant's knowledge of where certain medical records may be located is invaluable to claim development. In many cases a claimant can identify, obtain, and submit that evidence more quickly than if the Department received a claim and subsequently had to locate and request those same records.

Compromise Agreement

Section 505 of the Compromise Agreement generally follows the House's position with a minor change in the language of paragraph (2)(B) of H.R. 2349. The House-passed language in paragraph (2)(B) reads ''For purposes of this paragraph, the term 'maximum benefit' means the highest evaluation assignable in accordance with the evidence of record, as long as such evaluation is supported by such evidence of record at the time the decision is rendered.'' Per the Compromise Agreement, this language is changed to ''For purposes of this paragraph, the term 'maximum benefit' means the highest evaluation assignable in accordance with the evidence of record, as long as such evidence is adequate for rating purposes and sufficient to grant the earliest possible effective date in accordance with section 5110 of this title.'' This revised definition of ''maximum benefit'' clarifies that VA must have evidence that is sufficient to meet all aspects of the rating schedule for each condition.

AUTHORITY FOR RETROACTIVE EFFECTIVE DATE FOR AWARDS OF DISABILITY COMPENSATION IN CONNECTION WITH APPLICATIONS THAT ARE FULLY-DEVELOPED AT SUBMITTAL

Current Law

Under section 221 of Public Law 110–389, the Veterans' Benefits Improvement Act of 2008, VA was required to conduct a pilot project to test ''the feasibility and advisability of providing expeditious treatment of fully developed compensation or pension claims.'' After carrying out that pilot at 10 VA regional offices, VA expanded the FDC process to all VA regional offices. Under section 5110(a) of title 38, U.S.C., the effective date of an award of disability compensation generally is the date on which VA received the application for those benefits. Although there are exceptions to that general rule, none of the exceptions would allow a retroactive effective date for veterans who file FDCs.

Senate Bill

Section 402 of S. 914, as reported, would amend section 5110 of title 38, U.S.C., to provide that the effective date of an award of disability compensation to a veteran who submitted an FDC would be based on the facts found, but would not be earlier than 1 year before the date on which VA received the veteran's application. That change would take effect on the date of enactment and would not be applied to claims filed after September 30, 2012.

House Bill

The House Bills contain no comparable provision.

Compromise Agreement

Section 506 of the Compromise Agreement generally follows the Senate bill. However, a retroactive effective date will only be available for original claims that are fully-developed upon submittal. The changes will be effective 1 year after the date of enactment, and the changes will not apply with respect

to claims filed after the date that is three years after the date of enactment.

MODIFICATION OF MONTH OF DEATH BENEFIT FOR SURVIVING SPOUSES OF VETERANS WHO DIE WHILE ENTITLED TO COMPENSATION OR PENSION

Current Law

Under current law, veterans' benefits for a specific month are paid in the month following the month to which they are attributable. No benefits are owed to a veteran for the month in which a veteran dies. However, if the veteran had a surviving spouse, the month of death provision in current law, section 5310 of title 38, U.S.C., provides that the amount of benefits that the veteran would have received had the veteran not died, is payable to the surviving spouse.

Section 5310 also provides that, if the benefit payable to a surviving spouse as death compensation, DIC, or death pension is less than the amount that the veteran would have received for that month but for the veteran's death, the greater benefit would be paid for the month of death.

Senate Bill

Section 403 of S. 914, as reported, would amend current law in order to clarify that a surviving spouse of a veteran who is receiving compensation or pension from VA, is due the amount of benefits the veteran would have received for the entire month of the veteran's death, regardless of whether the surviving spouse is otherwise entitled to survivor benefits. Also, if at the time of death, the veteran had a claim pending for compensation or pension that was subsequently granted, the surviving spouse would be eligible for any benefits or additional benefits due as accrued benefits for the month of death.

House Bill

The House Bills contain no similar provision.

Compromise Agreement

Section 507 of the Compromise Agreement reflects the Senate Bill.

INCREASE IN RATE OF PENSION FOR DISABLED VETERANS MARRIED TO ONE ANOTHER AND BOTH OF WHOM REQUIRE REGULAR AID AND ATTENDANCE

Current Law

Veterans of a period of war who meet income, net worth, and other eligibility criteria are eligible to receive a pension based upon need. The pension amount is based upon the number of veteran dependents. Additional benefits are paid if the veteran has a disability which results in housebound status or a need for aid and attendance. In general, when a veteran is married to another veteran, the pension benefits paid are the same as for a veteran who is married to a non-veteran. However, in cases where one or both members of a veteran couple is housebound and/or in need of aid and attendance, the additional amounts paid are computed separately for each veteran and then added to the basic grant.

In 1998, section 8206 of P.L. 105–178, the Transportation Equity Act for the 21st Century, increased the benefit for a veteran who requires aid and attendance by $600 per year. Because of the way the bill was drafted, the benefit was increased for only one of the veterans in the rare case that a veteran is married to a veteran and both require aid and attendance. The legislative history does not indicate any intent to treat these spouses differently. Therefore, under current law, a veteran who is married to a veteran where both veterans qualify for aid and attendance benefits, the benefit amount for one of the spouses is lower than for the other spouse.

Senate Bill

Section 401 of S. 914, as reported, would increase the benefit paid to married couples where both members of the couple are veterans and both qualify for aid and attendance, so that each member of the married couple receives the full aid and attendance amount.

House Bill

The House Bills contain no similar provision.

Compromise Agreement

Section 508 of the Compromise Agreement generally follows the Senate Bill, but with a slight increase in the amount of the benefit paid to married couples where both members of the couple are veterans, and both qualify for aid and attendance. This increased amount of $32,433 reflects the current rate needed to equalize the benefit provided to each veteran spouse as a result of the 2012 cost-of-living adjustment applied to the previous shortfall remedy of $825. This increase was necessary to ensure that the Compromise Agreement adequately reflected the amount necessary to correct the benefit level for each spouse to the amount intended by P.L. 105–178.

EXCLUSION OF CERTAIN REIMBURSEMENTS OF EXPENSES FROM DETERMINATION OF ANNUAL INCOME WITH RESPECT TO PENSIONS FOR VETERANS AND SURVIVING SPOUSES AND CHILDREN OF VETERANS

Current Law

Veterans of a period of war who meet income, net worth, and other eligibility criteria are eligible to receive a pension based upon need. Under current law, section 1503 of title 38, U.S.C., reimbursements for any kind of casualty loss are exempt from income determinations for purposes of determining pension eligibility.

Senate Bill

The Senate Bill contains no similar provision.

House Bill

Section 3 of H.R. 2349, as amended, would prevent the offset of pension benefits for veterans, surviving spouses, and children of veterans due to the receipt of payments by insurance, court award, settlement or other means to reimburse expenses incurred after an accident, theft, ordinary loss or casualty loss. Section 3 would also exempt pain and suffering income from pension calculations, but only amounts determined by VA on a case-by-case basis. The House Bill would also extend the authority of VA to verify income information with the Internal Revenue Service (hereinafter, ''IRS'') to November 18, 2013.

Compromise Agreement

Section 509 of the Compromise Agreement generally follows the House Bill except it does not exclude payments for medical expenses resulting from any accident, theft, loss, or casualty loss or payments for pain and suffering related to an accident, theft, loss, or casualty loss. The Committees believe payments received for pain and suffering should not be excluded from countable income because such payments are not a reimbursement for expenses and such an exclusion would be inconsistent with a needs based program.

The Compromise Agreement does not extend the authority of VA to verify income information with the IRS. This authority was extended until September 30, 2016, by P.L. 112–56.

TITLE VI—MEMORIAL, BURIAL & CEMETERY MATTERS

PROHIBITION ON DISRUPTIONS OF FUNERALS OF MEMBERS OR FORMER MEMBERS OF THE ARMED FORCES

Current Law

Section 2413 of title 38, U.S.C., restricts the time, place, and manner of demonstrations at funerals for servicemembers or former servicemembers at National Cemetery Administration (hereinafter, ''NCA'') facilities and Arlington National Cemetery (hereinafter, ''ANC'').

Section 1388 of title 18, U.S.C., restricts the time, place, and manner of demonstrations at funerals for servicemembers or former servicemembers that take place in cemeteries other than NCA facilities or ANC.

Senate Bill

Section 501 of S. 914, as reported, increases the space and time restrictions, and liability for those protesting at funerals of servicemembers and former servicemembers in both section 2413 of title 38 and section 1388 of title 18, U.S.C. For a full explanation of section 501 of S. 914 please see Senate Report 112–088, the Veterans Programs Improvement Act of 2011.

House Bill

The House Bills contain no similar provision.

Compromise Agreement

Section 601 of the Compromise Agreement reflects the Senate Bill.

CODIFICATION OF PROHIBITION AGAINST RESERVATION OF GRAVESITES AT ARLINGTON NATIONAL CEMETERY

Current Law

Army Regulation 290–5, Paragraph 2–5, states that ANC selection of specific gravesites or sections is not authorized. Despite a stated policy against preferential treatment and the reservation of gravesites, the Washington Post reported that in recent years ANC had repeatedly provided preferential treatment to VIPs by setting aside select and prestigious gravesites for their future use. An article dated March 20, 2011, titled ''Arlington Cemetery struggles with old reservations,'' is excerpted in relevant part:

''Although [ANC] stopped formally taking reservations in 1962, the practice of reserving choice grave sites continued, if unofficially, under Raymond J. Costanzo, who was superintendent from 1972 to 1990. [John C. Metzler, Jr.], his successor, who ran the cemetery until he was forced to retire last year, also apparently allowed people to pick areas of the cemetery where they wanted to be buried, Army officials said.

The Army, which investigated the matter two decades ago and is looking into it again, has a list from 1990 with 'senior officials' who have plots that 'were de facto reserved in violation of Army policy,' according to a memo obtained by The Post under the Freedom of Information Act. Some of these officials were driven around the cemetery by Costanzo, who told investigators that he had allowed them to pick their spots.

'I take the position that if there is anything I can do positively for a person, I will try to do that as long as it is not a serious violation of any rule, regulation, or law,' he told investigators at the time.''

Media reports regarding preferential treatment of and reservations for certain people, coupled with a 2010 investigation of ANC by the Army Inspector General, reflect a series of problems with the previous management of ANC. As ANC works to build accountability and transparency in its management and operations, the issue of gravesite reservations remains a paramount concern.

Senate Bill

Section 502 of S. 914, as reported, would codify the Army regulations that ban reserving gravesites and would provide accountability and transparency. The section would amend chapter 24 of title 38, U.S.C., by requiring that not more than one gravesite at ANC be provided to eligible veterans or members of the Armed Forces, unless a waiver is made by the Secretary of the Army as

considered appropriate. This requirement would apply with respect to all interments at ANC after the date of the enactment of this section.

Section 502 would also prohibit the reservation of gravesites at ANC for individuals not yet deceased. This prohibition would not apply with respect to the interment of an individual for whom a request for a reserved gravesite was approved by the Secretary of the Army before January 1, 1962, when ANC formally stopped accepting reservations.

A reporting requirement would also be imposed by the section. Not later than 180 days after the enactment of this section, the Army would be required to submit to Congress a report on reservations made for interment at ANC. The report would describe the number of requests for reservations at ANC that were submitted to the Secretary of the Army before January 1, 1962. The report would also describe the number of gravesites at ANC that, on the day before the date of the enactment of this section, were reserved in response to such requests. The number of such gravesites that, on the day before the enactment of this section, were unoccupied would also be included in the report. Additionally, the report would list all reservations for gravesites at ANC that were extended by individuals responsible for the management of ANC in response to requests for such reservations made on or after January 1, 1962.

House Bill

Section 3 of H.R. 1627 contains a similar provision on burial reservations.

Compromise Agreement

Section 602 of the Compromise Agreement reflects the Senate and House Bills. The Committees believe that the inclusion of this provision is necessary to ensure that qualified servicemembers and veterans are honored at ANC without regard to rank or status. In light of the extraordinary sacrifices made by America's men and women in uniform, it is paramount that their burials at ANC occur with integrity, in a manner befitting such sacrifice, and in accordance with Army policy and regulation.

The Compromise Agreement also permits the President to waive the prohibition on burial reservations at Arlington National Cemetery as the President considers appropriate, and requires the President to notify the Committees and the Senate and House Armed Services Committees of any such waiver decision. The Committees expect that decisions to waive the prohibition will be done only under extraordinary circumstances, i.e., for a Medal of Honor recipient, former President, etc.

EXPANSION OF ELIGIBILITY FOR PRESIDENTIAL MEMORIAL CERTIFICATES TO PERSONS WHO DIED IN THE ACTIVE MILITARY, NAVAL, OR AIR SERVICE

Current Law

Under current law, section 112 of title 38, U.S.C., eligibility for presidential memorial certificates is limited to survivors of veterans who were discharged from service under honorable conditions. For purposes of this section, under the section 101, title 38, U.S.C., definition of ''veteran,'' an individual who died in active service, including an individual killed in action, technically is not a veteran because the individual was not ''discharged or released'' from service. Therefore, under current law, the survivors of such an individual are not eligible for a presidential memorial certificate honoring the memory of the deceased.

Senate Bill

Section 503 of S. 914, as reported, would amend section 112 of title 38 by allowing VA to provide presidential memorial certificates to the next of kin, relatives, or friends of a servicemember who died in active military, naval, or air service.

House Bill

The House Bills contain no similar provision.

Compromise Agreement

Section 603 of the Compromise Agreement reflects the Senate Bill.

REQUIREMENTS FOR THE PLACEMENT OF MONUMENTS IN ARLINGTON NATIONAL CEMETERY

Current Law

Section 2409 of title 38, U.S.C., allows the Secretary of the Army to set aside areas in ANC to honor military personnel and veterans who are missing in action or whose remains were not available for various other reasons. Section (b) provides for the erection of appropriate memorials or markers to honor such individuals.

Senate Bill

The Senate Bills contain no similar provision.

House Bill

Section 2 of H.R. 1627, as amended, would establish clear and objective criteria for the Secretary of the Army in considering and approving monument requests. It would do this by putting in place a requirement that monuments commemorate the military service of an individual, a group of individuals, or a military event that is at least 25 years old. The purpose of the 25–year requirement would be to ensure that a permanent monument truly stands the test of time and is not commemorating events based on the passions of a moment. H.R. 1627, as amended, would also require that monuments be placed in sections of ANC designated by the Secretary of the Army for that explicit purpose and only on land that is not suitable for burial. The bill would further require that monument construction and placement must be funded by a non-governmental entity using funds from private sources. The Secretary of the Army would be required to consult with the U.S. Commission on Fine Arts before approving the monument design, and the sponsoring entity must issue a study on the suitability and availability of other sites (outside of ANC) where the monument could be placed.

Recognizing the need for flexibility in monument determinations, H.R. 1627, as amended, would permit the Secretary of the Army to waive the 25–year rule (noted above) in the event a monument proposes to commemorate a group of individuals who have made valuable contributions to the Armed Forces for longer than 25 years and those contributions continue, and are expected to continue indefinitely, and such groups have provided service of such a character that it would present a manifest injustice if approval of the monument was not permitted.

Finally, H.R. 1627, as amended, would retain ultimate Congressional oversight of monument placement at ANC by requiring the Secretary of the Army to notify Congress of any decision to approve a monument, along with the stated rationale, before a monument may be placed. Congress would have 60 days to review the decision and, if it chooses, pass a disapproval resolution in order to halt the monument from going forward. If Congress takes no action, the monument would be deemed approved after the 60-day period lapses.

H.R. 1627, as amended, therefore, retains elements of the Department of the Army's existing regulatory framework with respect to monument placement at ANC and builds upon that framework by establishing an objective, transparent, rigorous, and flexible criteria for future monument placement.

Compromise Agreement

Section 604 of the Compromise Agreement generally follows the House Bill except that it requires that the Advisory Committee on Arlington National Cemetery also be consulted prior to a monument being placed in the Cemetery.

TITLE VII—OTHER MATTERS

ASSISTANCE TO VETERANS AFFECTED BY NATURAL DISASTERS

Current Law

Laws such as P.L. 93–288, the Robert T. Stafford Disaster Relief and Emergency Assistance Act, provide federal assistance to individuals and families affected by natural disasters. However, current law is not specifically tailored to the needs of veterans, particularly veterans with service-connected disabilities affected by such disasters. This means that under current law, targeted assistance is unavailable to those veterans who are particularly vulnerable and most in need of assistance in the event of a natural disaster.

For example, VA adaptive housing assistance grants are available to eligible individuals who have certain service-connected disabilities, to construct an adapted home or to modify an existing home to accommodate their disabilities. However, limitations such as caps on the total amount of assistance available under SAH or SHA grants, may prevent a veteran from receiving additional assistance from VA to repair an adapted home damaged by a natural disaster.

Similarly, under current law, section 3903 of title 38, U.S.C., a veteran may receive a grant for the purchase of an automobile. If that vehicle has been destroyed by a natural or other disaster, current statutory limitations would prevent VA from providing another grant to repair or replace the damaged vehicle.

Senate Bill

Section 701 of S. 914, as reported, would provide certain types of assistance to eligible veterans affected by a natural or other disaster.

Section 701 of S. 914, as reported, would amend chapter 21 of title 38, U.S.C., by adding a new section which would provide assistance to a veteran whose home is destroyed or substantially damaged in a natural or other disaster, and that was previously adapted with assistance through the SAH or SHA grant program. Such assistance would not be subject to the limitations on assistance under section 2102. However, under this section a grant award would not exceed the lesser of the reasonable cost of repairing or replacing the damaged or destroyed home in excess of the available insurance coverage on such home, or the maximum grant amount to which the veteran would have been entitled under the SAH or SHA grant programs had the veteran not obtained the prior grant.

Section 701 would amend section 3108 of title 38, U.S.C., by authorizing VA to extend the payment of a subsistence allowance to qualifying veterans participating in a rehabilitation program under chapter 31 of title 38. The extension would be authorized if the veteran has been displaced as a result of a natural or other disaster while being paid a subsistence allowance. If such circumstances are met, VA would be permitted to extend the payment of a subsistence allowance for up to an additional two months while the veteran is satisfactorily following a program of employment services.

Section 701 also would amend section 3120 of title 38, U.S.C., by waiving the limitation on the number of veterans eligible to receive programs of independent living services and assistance, in any case in which VA determines that an eligible veteran has been displaced as the result of, or has otherwise been

adversely affected in the areas covered by, a storm or other disaster.

Section 701 would amend section 3703 of title 38, U.S.C., to allow VA to guarantee a loan, regardless of whether such loan is subordinate to a superior lien created by a public entity that has provided, or will provide, assistance in response to a major disaster.

Additionally, section 701 would amend section 3903, of title 38, U.S.C., by authorizing VA to provide, or to assist in providing, an eligible person receiving assistance through the Automobile Assistance Program with a second automobile. This assistance would be permitted only if VA receives satisfactory evidence that the automobile, previously purchased with assistance through this program, was destroyed as a result of a natural or other disaster, the eligible person bore no fault, and the person would not receive compensation for the loss from a property insurer.

Finally, section 701 would require VA to submit an annual report to Congress detailing the assistance provided or action taken by VA during the last fiscal year pursuant to the authority of this section. Required report provisions would include: a description for each natural disaster for which assistance was provided, the number of cases or individuals in which, or to whom, VA provided assistance, and for each such case or individual, a description of the assistance provided.

House Bill

The House Bills contain no similar provisions.

Compromise Agreement

Section 701 of the Compromise Agreement follows the Senate Bill.

EXTENSION OF CERTAIN EXPIRING PROVISIONS OF LAW

Current Law

Under section 3720(h) of title 38, U.S.C., VA has the authority to issue, or approve the issuance of, certificates or other securities evidencing an interest in a pool of mortgage loans VA finances on properties it has acquired and guarantee the timely payment of principal and interest on such certificates or other securities. This authority expired on December 31, 2011.

Section 3729(b)(2) of title 38, U.S.C., sets forth a loan fee table that lists funding fees to be paid by beneficiaries, expressed as a percentage of the loan amount, for different types of loans guaranteed by VA. Funding fee rates have varied over the years, but with one exception, have remained constant since 2004. All funding fee rates are set to be reduced on October 1, 2016.

Finally, P.L. 110–389, the Veterans' Benefits Improvement Act of 2008, authorized VA to temporarily guarantee mortgages with higher loan values in recognition of the high cost of housing in several areas of the country. This authorization expired on December 31, 2011.

Senate Bill

Section 15 of S. 951, as reported, would amend the fee schedule set forth in section 3729(b)(2) of title 38, U.S.C., by extending VA's authority to collect certain fees and by adjusting the amount of the fees. Specifically, the section would amend section 3729(b)(2)(B)(ii) by striking ''January 1, 2004, and before October 1, 2011'' and inserting ''October 1, 2011, and before October 1, 2014,'' and by striking ''3.30'' both places it appears and inserting ''3.00.''

The section also would amend section 3729(b)(2)(B)(i) by striking ''January 1, 2004'' and inserting ''October 1, 2011'' and by striking ''3.00'' both places it appears and inserting ''3.30.'' The section would also strike clause (iii) and re-designate clause (iv) as clause (iii). Clause (iii), as re-designated, would be amended by striking ''October 1, 2013'' and inserting ''October 1, 2014.''

House Bill

Section 501 of H.R. 2433, as amended, would amend section 3720(h)(2) to extend VA's pooling authority for mortgages until December 31, 2016. The section also would amend the fee schedule set forth in section 3729(b)(2) of title 38, U.S.C., by extending VA's authority to collect certain fees and by adjusting the amount of the fees. Specifically, the section would amend section 3729(b)(2)(A)(iii) and 3729(b)(2)(A)(iv) by striking ''November 18, 2011'', and inserting ''October 1, 2017''.

The section also would amend section 3729(b)(2)(B)(i) by striking ''November 18, 2011'' and inserting ''October 1, 2017''. The section also would strike clause (ii) and (iii) and re-designate clause (iv) as clause (ii). The section also would amend section 3729(b)(2)(C)(i) and 3729(b)(2)(C)(ii) by striking ''November 18, 2011'' and inserting ''October 1, 2017''. The section also would amend section 3729(b)(2)(D)(i) and 3729(b)(2)(D)(ii) by striking ''November 18, 2011'' and inserting ''October 1, 2017''.

Finally, this section also would amend section 501 of the Veterans Benefits Improvement Act of 2008 to extend the authority to temporarily guarantee mortgages with higher loan values in certain areas of the country until December 31, 2014.

Compromise Agreement

Section 702 of the Compromise Agreement generally follows the House Bill.

REQUIREMENT FOR PLAN FOR REGULAR ASSESSMENT OF EMPLOYEES OF VETERANS BENEFITS ADMINISTRATION WHO HANDLE PROCESSING OF CLAIMS FOR COMPENSATION AND PENSION

Current Law

Under current law, section 7732A of title 38, U.S.C., VA shall provide for an examination of appropriate employees and managers of the Veterans Benefits Administration (hereinafter, ''VBA'') who are responsible for processing claims for compensation and pension benefits under the laws administered by VA. In developing the required examination, VA must consult with appropriate individuals or entities, including examination development experts, interested stakeholders, and employee representatives; and consider the data gathered and produced under section 7731(c)(3) of title 38, U.S.C., which establishes a quality assurance program within VBA.

Senate Bill

The Senate Bills contain no comparable provision.

House Bill

Section 2 of H.R. 2349, as amended, allows for VA to take a more deliberate approach to the skills assessments required by section 7723A of title 38, U.S.C., by requiring biennial assessments of appropriate employees and managers at five regional offices (hereinafter, ''ROs'') from 2012 through 2016. The assessments would be required of appropriate employees and managers responsible for processing claims for compensation and pension benefits. If employees or managers receive a less-than-satisfactory score on the assessment exam, VA would be required to provide appropriate remediation training so that the assessment exam could be taken again. If, after remediation, an employee or manager again gets a less-than-satisfactory score, VA would then be required to take appropriate personnel action. Section 2 would authorize $5 million over five years to carry out the biennial assessments, the results of which VA would be required to report to Congress.

Compromise Agreement

Section 703 of the Compromise Agreement requires VA to submit a plan to the Committees detailing how VA will regularly asses the skills and competencies of appropriate VBA employees and managers, provide training to remediate deficiencies in skills and competencies, reassess skills and competencies following remediation, and take appropriate personnel action following remediation training and reassessment if skills and competencies remain unsatisfactory.

The Committees believe certification testing could be used to more broadly influence the type of training or remediation necessary at the individual employee level in order to improve the accuracy of claims decisions. This Compromise Agreement reflects the Committees' sensitivities to the concerns expressed by VA regarding the cost and management difficulties associated with annual testing and follow-up remediation of every employee. As a result, it allows VA to provide the Committees with a plan to accomplish the intent of the Committees, which is to use certification testing as a way to influence the type of training and remediation necessary for individual employees, in order to improve the accuracy of claims decisions.

MODIFICATION OF PROVISION RELATING TO REIMBURSEMENT RATE FOR AMBULANCE SERVICES

Current Law

Section 111(b)(3)(A) of title 38, U.S.C., states that VA shall not reimburse for special modes of travel unless such mode was medically required and authorized in advance by VA or was a medical emergency. Subparagraph (B) states that VA may provide payment to the provider of special transportation and subsequently recover the amount from the beneficiary if they are determined to be ineligible. Subparagraph (C) states that for ambulance services the transportation provider may be paid either the actual charge or the amount determined in the Social Security Act fee schedule, whichever is less.

Senate Bill

The Senate Bills contain no comparable provision.

House Bill

The House Bills contain no comparable provision.

Compromise Agreement

Section 704 of the Compromise Agreement amends section 111(b)(3)(c) of title 38, U.S.C., by striking ''under subparagraph (B)'' and inserting ''to or from a Department facility.''

CHANGE IN COLLECTION AND VERIFICATION OF VETERAN INCOME

Current Law

Section 1722 of title 38, U.S.C., defines ''attributable income'' as a veteran's income from the previous year and sets out guidelines for determining such income.

Senate Bill

The Senate Bills contain no comparable provision.

House Bill

The House Bills contain no comparable provision.

Compromise Agreement

Section 705 of the Compromise Agreement amends section 1722(f)(1) of title 38, U.S.C., by striking ''the previous year'' and inserting ''the most recent year for which information is available.''

DEPARTMENT OF VETERANS AFFAIRS ENFORCEMENT PENALTIES FOR MISREPRESENTATION OF A BUSINESS CONCERN AS A SMALL BUSINESS CONCERN OWNED AND CONTROLLED BY VETERANS OR AS A SMALL BUSINESS CONCERN OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS

Current Law

Under 38 U.S.C. 8127(g), the Department is directed to debar for a reasonable period of time any business concern determined by VA to have misrepresented its status as a small business concern owned and controlled by veterans, or as a small business concern owned and controlled by service-disabled veterans.

Senate Bill

Section 703 of S. 914, as reported, would amend section 8127(g) of title 38, U.S.C., by requiring that the Department debar any firm determined by VA to have deliberately misrepresented its status for a period of not less than five years, and that such debarment also would include all principals of the firm for a period of not less than five years. The section also would require the Department to commence any debarment action within 30 days of its determination that the firm misrepresented its status.

House Bill

H.R. 1657 would amend section 8127(g) of title 38, U.S.C., to require that VA debar a company and its principals from contracting with VA for a period of not less than five years, if it is determined that the company has misrepresented its status. H.R. 1657 also requires VA to begin a debarment action by not later than 30 days after determining that the firm misrepresented its status, and to complete the debarment process within 90 days after the finding of misrepresentation.

Compromise Agreement

Section 706 of the Compromise Agreement follows generally both the Senate and House Bills. The Compromise Agreement adopts and clarifies the standard of deliberateness as set forth in section 703 of S. 914, by defining a deliberate misrepresentation as one that is willful and intentional.

QUARTERLY REPORTS TO CONGRESS ON CONFERENCES SPONSORED BY THE DEPARTMENT

Current Law

There is no provision in current law in regards to reporting to Congress on conferences of VA.

Senate Bill

The Senate Bill contains no similar provisions.

House Bill

Section 1 of H.R. 2302, as amended, amends subchapter I of chapter 5 of title 38, U.S.C., to require VA to provide Congress with information regarding the cost of covered conferences.

Subsection (a) would require that VA submit a quarterly report to the Committees detailing the expenses related to conferences hosted or co-hosted by VA. It also requires that VA submit this quarterly report within 30 days of the end of the quarter.

Subsection (b) would require that the reports include actual expenses for conferences occurring during the previous quarter related to: transportation and parking; per diem payments; lodging; rentals of halls, auditoriums, or other spaces; rental of equipment; refreshments; entertainment; contractors; and brochures or printed material. It also requires that the report include an estimate of the expected conference expenses for the next quarter.

Subsection (c) defines covered conferences that will be included in the report as those that are attended by 50 or more individuals, including one or more employees of VA, or have an estimated cost of at least $20,000.

Compromise Agreement

Section 707 of the Compromise Agreement follows the House Bill. With a growing deficit, and scarce discretionary funding resources, the Committees are concerned about the significant growth in costs that are not directly related to the mission of providing services and benefits to veterans. While the Committees are concerned with the significant cost of such conferences, this section would not limit VA's travel budget or eliminate any conferences. The Committees understand that it is often advantageous for VA employees to meet face-to-face for training and leadership development, but believe that there must be more transparency and oversight of these meetings.

PUBLICATION OF DATA ON EMPLOYMENT OF CERTAIN VETERANS BY FEDERAL CONTRACTORS

Current Law

Section 4212 of title 38, U.S.C., requires companies with federal contracts worth $100,000 or more to have an affirmative action plan to hire veterans and to report certain veteran-related employment data annually to the U.S. Department of Labor (hereinafter, ''DoL''). This data is compiled by DoL but there is no requirement to make the data available to the public.

Senate Bill

The Senate Bills contain no similar provisions.

House Bill

Section 3 of H.R. 2302, as amended, amends section 4212(d) of title 38, U.S.C., to require the Department of Labor (hereinafter, ''DoL'') to publish on an Internet Web site, reports submitted by government contractors on the results of their affirmative action plans to hire veterans.

Compromise Agreement

Section 708 of the Compromise Agreement follows the House Bill.

VETSTAR AWARD PROGRAM

Current Law

There is no requirement in current law that VA recognize businesses for their contributions to veterans employment.

Senate Bill

The Senate Bill contains no similar provisions.

House Bill

H.R. 802 amends section 532 of title 38, U.S.C., to direct VA to establish a VetStar award program to annually recognize businesses that have made significant contributions to veterans employment.

Compromise Agreement

Section 709 of the Compromise Agreement follows the House Bill.

EXTENDED PERIOD OF PROTECTIONS FOR MEMBERS OF UNIFORMED SERVICES RELATING TO MORTGAGES, MORTGAGE FORECLOSURE, AND EVICTION

Current Law

Section 2203 of Public Law 110–289, the Housing and Economic Recovery Act of 2008, amended the Servicemembers Civil Relief Act (hereinafter, ''SCRA''), by extending from 90 days to 9 months after military service, the period of protection for servicemembers against mortgage foreclosure, and the time period during which a court may stay proceedings or adjust obligations. These protections were scheduled to expire on December 31, 2010. Public Law 111–346, the Helping Heroes Keep Their Homes Act of 2010, extended the enhanced protections through December 31, 2012.

Senate Bill

Section 302 of S. 914, as reported, would extend from 9 months to 12 months after military service, the period of protection against mortgage foreclosure, and the period in which a court may stay a proceeding or adjust an obligation. It also would require the Comptroller General to report on certain foreclosure protections.

House Bill

Section 1 of H.R. 1263, as amended, would amend section 303 of the SCRA extend mortgage related protections to surviving spouses of servicemembers who die on active duty, or whose death is service-connected. This protection would preclude a lending institution from foreclosing on property owned by the surviving spouse until at least 12 months following the servicemember's death. This provision would be effective with the enactment of this bill and would sunset five years from the date of enactment.

Section 2 of H.R. 1263, as amended, would require all lending institutions covered by the SCRA to designate an employee who is responsible for the institution's compliance with SCRA and who is responsible for providing information to customers covered by the SCRA. Section 2 would require any institution with annual assets of $10 billion in the previous fiscal year to maintain a toll-free telephone number for their customers. It also would require these institutions to publish this toll-free number on their website.

Section 3 of H.R. 1263, as amended, would amend section 303(b) of the SCRA to extend the protection allowing a court to stay proceedings and adjust obligations related to real or personal property for SCRA covered property from 9 months after the servicemember's period of military service, to 12 months. Section 3 would amend section 303(c) of the SCRA to extend the protection preventing foreclosure or seizure for SCRA covered property from 9 months after the servicemember's period of military service to 12 months. These protections would sunset five years after enactment of the House bill.

Compromise Agreement

Section 710 of the Compromise Agreement generally follows the Senate's position except the agreement includes an effective date 180 days after enactment, and a provision extending the enhanced protections of this Compromise Agreement through December 31, 2014.

It is the Committees' view that inclusion of a sunset provision will continue the enhanced mortgage protections provided by this bill, but also will allow GAO sufficient time to collect information on the impact of these provisions on the financial well-being of servicemembers before allowing the enhanced protections to expire.

Mr. REID. Mr. President, I ask unanimous consent that the Murray substitute amendment, which is at the desk, be agreed to; the bill, as amended, be read three times; and the statutory pay-go statement be read.

The amendment (No. 2559), in the nature of a substitute, was agreed to.

(The amendment is printed in today's RECORD under '' Text of amendments.'')

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

The bill was read the third time.

The PRESIDING OFFICER. The clerk will read the pay-go statement.

The assistant bill clerk read as follows:

Mr. CONRAD. This is the Statement of Budgetary Effects of PAYGO Legislation for H.R. 1627, as amended.

Total Budgetary Effects of H.R 1627 for the 5-year Statutory PAYGO Scorecard—net reduction in the deficit of $401 million.

Total Budgetary Effects of H.R 1627 for the 10-year Statutory PAYGO Scorecard—net reduction in the deficit of $215 million.

Also submitted for the RECORD as part of this statement is a table prepared by the Congressional Budget Office, which provides additional information on the budgetary effects of this Act.

The table follows:

CBO ESTIMATE OF THE STATUTORY PAY-AS-YOU-GO EFFECTS FOR H.R. 1627, THE HONORING AMERICA'S VETERANS AND CARING FOR CAMP LEJEUNE FAMILIES ACT OF 2012, AS AMENDED (VERSION BAG12759)

	By fiscal year, in millions of dollars—												
	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2012–2017	2012–2022
NET INCREASE OR DECREASE (−) IN THE DEFICIT													
Statutory Pay-As-You-Go Impact	0	−36	−28	−37	−49	−257	34	35	34	38	38	−401	−215

Source: Congressional Budget Office.
Notes: Components do not sum to totals because of rounding.
The legislation would provide health care benefits to certain veterans and their dependents who were stationed at Camp Lejeune, NC, as well as making several changes to housing, compensation, and education benefits provided by the Department of Veterans Affairs.

Mr. REID. Mr. President, I ask unanimous consent the bill, as amended, be passed; the Murray title amendment, which is at the desk, be agreed to; and the motions to reconsider be laid upon the table, with no intervening action or debate, and any related statements be printed in the RECORD.

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

The bill (H.R. 1627), as amended, was passed.

The amendment (No. 2560) was agreed to, as follows:

(Purpose: To amend the title)

Amend the title so as to read: ''A bill to amend title 38, United States Code, to furnish hospital care and medical services to veterans who were stationed at Camp Lejeune, North Carolina, while the water was contaminated at Camp Lejeune, to improve the provision of housing assistance to veterans and their families, and for other purposes.''.

MEASURE READ THE FIRST TIME—S. 3401

Mr. REID. Mr. President, I understand S. 3401 is due for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The assistant bill clerk read as follows:

A bill (S. 3401) to amend the Internal Revenue Code of 1986 to temporarily extend tax relief provisions enacted in 2001 and 2003, to provide for temporary alternative minimum tax relief, to extend increased expensing limitations, and to provide instructions for tax reform.

Mr. REID. Mr. President, I now ask for a second reading but object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will receive a second reading on the next legislative day.

ORDERS FOR THURSDAY, JULY 19, 2012

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Thursday, July 19; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, and the time for the two leaders be reserved for their use later in the day; that the majority leader be recognized and the first hour be equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half; further, that the cloture vote on the motion to proceed to S. 3364, the Bring Jobs Home Act, be at 2:15 p.m. tomorrow.

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

PROGRAM

Mr. REID. Mr. President, the first vote tomorrow will be at 2:15 p.m. on the motion to invoke cloture on the motion to proceed to the Bring Jobs Home Act.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

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.

There being no objection, the Senate, at 7:14 p.m., adjourned until Thursday, July 19, 2012, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF STATE

JAMES B. CUNNINGHAM, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE ISLAMIC REPUBLIC OF AFGHANISTAN.

RICHARD G. OLSON, OF NEW MEXICO, 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 ISLAMIC REPUBLIC OF PAKISTAN.

EXTENSIONS OF REMARKS

IN RECOGNITION OF CAPTAIN DANIEL BURBANK

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Mr. KEATING. Mr. Speaker, I rise today to recognize Captain Daniel Burbank of Yarmouth Port, Massachusetts, on his successful completion of Expedition 29/30 to the International Space Station (ISS).

Captain Burbank has a long and distinguished career in service to our nation. He received his commission from the U.S. Coast Guard Academy in 1985 and served with the Coast Guard until 1996, when he was recognized for his elite abilities and selected by NASA for its space program. Following several years of training, he flew on a twelve-day mission on the Space Shuttle *Atlantis* in September 2000, during which he and his fellow astronauts successfully prepared the ISS for the arrival of its first permanent crew. Captain Burbank again flew to the International Space Station on *Atlantis* in September of 2006, this time assisting in the installment of new solar arrays to provide the ISS with one quarter of the station's electrical power, and performing unprecedented robotics activity using the Shuttle and ISS robotic arms. His third and most recent venture to the International Space Station launched on November 13, 2011. After 165 days in space, of which 163 days were spent in research, Captain Burbank safely and successfully returned home this past May.

As a result of his outstanding service, Captain Burbank has been the recipient of several awards and special honors. In particular, he has received a NASA Exceptional Service Medal, two NASA Space Flight Medals, two Defense Superior Service medals, and two Coast Guard Commendation Medals. He was also awarded the Orville Wright Achievement Award by the Order of Daedalians as the top naval flight training graduate during the period of January 1 to June 30, 1988, as well as that year's Texas Society of the Daughters of the American Revolution Achievement Award as the top Coast Guard Graduate on flight training. Such a long list of awards and accolades certainly are indicative of the level of service that Captain Burbank has given to our nation.

Mr. Speaker, I am proud to honor Captain Daniel Burbank on the completion of Expedition 29/30 to the International Space Station, as well as for his long and outstanding career of service. I ask that my colleagues join me in congratulating him on his successful flight, in applauding his noteworthy career, and in welcoming him home.

HONORING GAIL PENNYBACKER

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Mr. MORAN. Mr. Speaker, I rise today to honor Gail Pennybacker, an award-winning, longtime television journalist who has covered local news in the District, Maryland—and especially Virginia—for more than a quarter century. During her time as the Northern Virginia Bureau Chief for ABC7 News, Channel 7, Gail has garnered the respect of law enforcement, lawmakers, and everyday citizens alike.

Gail joined the ABC7 News team in 1986. She has covered many of the capital region's top stories, including the September 11th terror attacks, the Beltway sniper shootings and the Columbine High School massacre. Gail has reported from the Persian Gulf during Iraq War, conducted exclusive interviews with high-profile, nationally known cases, such as Zacarias Moussaoui, and followed hundreds of high profile local crimes and trials including the abduction/murders of sisters Kristin and Katie Lisk, and Sofia Silva in the 1990s.

Along with winning prestigious Emmy and Associated Press awards for her reporting, Gail has also been awarded several Edward R. Murrow Awards, as well as the national Quill and Badge Award from the International Union of Police Associations for ''consistent, effective reporting.''

Gail has also been active in several civic associations and community organizations, including the Alzheimer's Association and the American Diabetes Association, where she was awarded a Distinguished Public Service Award. Gail's active involvement shows that she was interested in the entirety of her community—she did not simply just show up to report. Her recognition by the Northern Virginia Victims/Witness Coalition for the ''objective, fair and compassionate portrayal of crime victims'' is truly a testament to her respect for all persons, no matter their situation.

Mr. Speaker, I am honored to ask my colleagues to join me in congratulating Gail Pennybacker upon her retirement from ABC7 News, Channel 7. Her ability to bring light to news reporting for countless individuals epitomizes the dedication and excellence that makes news reporting a reliable source of information for so many. Gail's familiar face will be missed by many, but we wish her only the best as she begins the next phase of her life.

COMMEMORATING ELLSWORTH'S 150TH ANNIVERSARY

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Mr. KIND. Mr. Speaker, today I rise in honor of the sesquicentennial celebration of Ellsworth, Wisconsin. With its origins as a village going back to 1862, Ellsworth serves as the country seat for Pierce County, named after our 14th President, Franklin Pierce. Since a proclamation made in 1984 by Wisconsin Governor Anthony S. Earl, Ellsworth has been known as the Cheese Curd Capitol of Wisconsin.

Originally established with the name Perry, the village immediately began to grow. It wasn't until a number of years later that it was renamed Ellsworth after Colonel Elmer E. Ellsworth, who fought in the Civil War. Still to this day, Colonel Ellsworth's likeness symbolizes the strength of a thriving community.

With a population of 3,284 residents, Ellsworth is proud of its many close-knit community connections. The village boasts two amazing parks, Summit Hill Park and East End Park, where residents can come together to enjoy Wisconsin's great summers and cheer on the Ellsworth Hubbers Baseball Team to victory.

The village also hosts a number of extremely popular events in the area. These include the Ellsworth Polka Fest, the Beldenville Old Car Show, the Pierce County Fair, and of course the annual Cheese Curd Festival.

The beautiful wooded lands surrounding the city make it an excellent destination for outdoorsmen and women of all sorts. With streams filled with trout and miles of premier snowmobile and hiking trails, you can't go wrong in Ellsworth.

On July 4, 2012, Village President DeWolfe, local elected leaders, and Ellsworth residents came together to celebrate Ellsworth's sesquicentennial with music, an art show, food, and fireworks. Today, I recognize Ellsworth's sesquicentennial and join in their celebration.

HONORING GOVERNOR WILLIAM WARREN SCRANTON

HON. TOM MARINO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Mr. MARINO. Mr. Speaker, I rise today on behalf of the Republican Delegation of Pennsylvania to honor former Pennsylvania Governor William Warren Scranton on the occasion of his 95th birthday.

After earning his law degree from Yale Law School in 1946 and serving in the U.S. Army Air Corps during World War II, Governor Scranton began his illustrious professional career with O'Malley, Harris, Warren & Hill in Scranton. While working in the private sector, Governor Scranton remained active and involved with the Republican Party. In 1959, he was appointed to serve as special assistant to Secretary of State John Foster Dulles, in President Dwight Eisenhower's administration.

In 1960, Governor Scranton was elected to the 87th Congress, representing the 10th District of Pennsylvania. As a freshman member, he fought tirelessly for his constituents, representing their needs above all else and building bi-partisan appeal across the state with

both Democrat and Republican voters. In 1962, he ran successfully for Governor of the Commonwealth, defeating then Philadelphia Mayor Richardson Dilworth. During his four years in office, Governor Scranton commanded one of the most productive state governments, advocating for a strong education system, continued industrial development, and fiscally responsible policy.

After being drafted by many Republicans to seek the Presidential nomination in 1964, Governor Scranton vowed to never again run for public office. He returned to the private sector in 1967, serving on numerous boards and continuing his public service through leadership with many civic organizations including; director of the Boys Club of Scranton, vice president of the University of Scranton's President's Council, director of the Scranton Chamber of Commerce, and vice president of the board of directors for Geisinger Memorial Hospital.

After turning down continued overtures to run again for public office, Governor Scranton accepted an appointment from President Gerald Ford in 1976 to serve as United States Ambassador to the United Nations. Governor Scranton's ability to promote diplomacy and cooperation earned him favor with many nations and promoted a positive world view of the United States.

Governor Scranton embodies so many of the traits, ideals, and values that we, as a delegation, strive to achieve today in the 112th Congress. I am honored to serve as his representative, and I speak on behalf of the Republican Delegation of the Commonwealth to thank him for his service to Pennsylvania and to the United States.

Mr. Speaker, I rise today to honor Governor William Warren Scranton, an exemplary citizen, veteran, philanthropist, and public servant, and ask my colleagues to join me in praising his commitment to his family, community, Commonwealth, and country.

WELCOMING THE XIX INTERNATIONAL AIDS CONFERENCE

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Mr. BERMAN. Mr. Speaker, I rise to join my distinguished colleagues in welcoming the delegates and participants for the nineteenth annual International AIDS Conference, which will convene here in Washington from July 22nd to 27th. This is the first time that the conference has been held in the United States since 1985—a return made possible by our bipartisan efforts to remove travel and immigration restrictions against persons infected with HIV.

This international conference is important not just because of the issues it will highlight and the people it will bring together, but because of the scientific and informational exchange it will make possible. AIDS 2012, as it has been billed, is recognized as the premier gathering for individuals working in the HIV/AIDS field, as well as policymakers, advocates, care providers, people living with HIV/AIDS, and others committed to ending the HIV/AIDS epidemic. It offers a unique opportunity to change the course of the epidemic by capitalizing on scientific advances in treatment and prevention, building consensus to improve service delivery and maximize outcomes, facilitating global civil society engagement, and accelerating momentum toward a cure.

Even today, the magnitude of the challenge posed by HIV/AIDS is difficult to fathom. Despite the fact that the disease is easily preventable and treatable, almost 2 million people die each year from AIDS-related causes. At last count an estimated 34 million people were living with HIV/AIDS, including 3.4 million children. Sub-Saharan Africa continues to bear the brunt of the disease, accounting for 68 percent of those living with HIV/AIDS — 59 percent of whom are women. Here in the United States, as many as 1 in 5 individuals living with HIV/AIDS is unaware of being infected, and significant disparities persist across different communities and populations with regard to incidence of infection, access to treatment, and health outcomes. Our nation's capital has an HIV prevalence rate of nearly 3 percent, which is comparable to the rate in many parts of the developing world.

The enormity of the challenge calls for a sustained, coordinated and robust response. In 2003, President George W. Bush launched the President's Emergency Plan for AIDS Relief, known as PEPFAR, which received bipartisan support in Congress. It represents the largest commitment by any nation to combat a single disease and has saved the lives of millions of people around the world by establishing and expanding the infrastructure necessary to deliver prevention, care, and treatment services in low-resource settings. In 2008, I worked with my colleagues on both sides of the aisle to enact the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis and Malaria Reauthorization Act. That bill, which passed the House by an overwhelming margin of 308 to 116, authorized up to $48 billion over 5 years to combat those three diseases. The authorization will expire next year, and it's time for us to renew the same spirit of bipartisan cooperation that led to this record of success.

With the help of PEPFAR and the Global Fund to Fight AIDS, Tuberculosis and Malaria, the world has seen truly remarkable advances in AIDS research, prevention and treatment over the past decade. What was once seen as a death sentence is now, for those with access to treatment, a manageable illness, and large numbers of people in even the poorest countries are receiving treatment that once seemed out of reach. By the end of 2011, the Global Fund alone had supported antiretroviral treatment for 3.3 million HIV-positive people, anti-tuberculosis treatment for 8.6 million, and 230 million insecticide-treated nets for the prevention of malaria, in all saving about 7.7 million lives. Recently the Fund has begun making comprehensive reforms to its structure and program to ensure that funds are spent in the most efficient, effective and accountable way.

President Obama has articulated a global vision of an AIDS-free generation, which means virtual elimination of new pediatric HIV infections by 2015, as well as a domestic goal of cutting new infections in the United States by 25% by 2015. As the eyes of the world are turned on our nation for the conference, we have an opportunity to step up to the plate and endorse these goals, not just in principle but also by making a commitment to provide the resources that are necessary to achieve it. We can't do it all by ourselves—each country needs to do its part, with the help of the private sector and civil society organizations—but neither can it happen without us.

DAVID CARPENTER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Mr. GRAVES of Missouri. Mr. Speaker, it is with great pride and pleasure that I rise today to recognize the outstanding service of David Carpenter on the occasion of his retirement after 14 years of service as President and CEO of North Kansas City hospital.

David arrived at North Kansas City hospital in 1999. Before coming to the great state of Missouri, David served as administrator for Scottsdale Healthcare in Scottsdale, Arizona. He was also President and CEO of Hadley Regional Medical Center in Hays, Kansas.

David's accomplishments exceed those of many in his industry. He was named Northlander of the Year by the Northland Regional Chamber of Commerce, and was a recipient of the Missouri Hospital Association Visionary Leadership Award.

David has been a great leader to both the staff and patients at North Kansas City Hospital. He built a positive work environment for his employees and worked toward making the hospital more patient-focused, effectively creating a better experience for all. He leaves the hospital with a strong foundation as a top ranked facility in Missouri. David is a shining example of what it means to be a leader—not only for the hospital, but for our entire community.

Mr. Speaker, I ask my colleagues to join with me in commending David Carpenter for his dedicated service to North Kansas City Hospital. I know that his family, friends and colleagues join me in wishing David and his wife all the best in Arizona. I'm confident that he will continue to carry on the values that have made him such an outstanding leader in the northland.

A TRIBUTE TO THE LIFE OF BRUCE JUN FAN LEE

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Mr. HONDA. Mr. Speaker, I rise today with my colleagues Representatives CHU, HANSEN CLARKE, FALEOMAVAEGA, GRIJALVA, LUNGREN, RICHARDSON, SABLAN, and LORETTA SANCHEZ to pay tribute to the life of Bruce Jun Fan Lee.

The 39th anniversary of Bruce's death is this week, on July 20th. Bruce had, and continues to have, an immeasurable impact on American and global popular culture through the important role he played in creating a bridge between cultures; championing values of self-respect, self-discipline, and tolerance in our Nation; and pioneering and cultivating the genres of martial arts, martial arts films, fitness, and philosophy in the United States and the world.

Bruce was born on November 27, 1940, in San Francisco, CA. His family relocated to Hong Kong shortly thereafter, and he experienced firsthand the occupation of Hong Kong by the Japanese during World War II, during the years of 1941–45, and the subsequent hostility and war that shook the continent. It was during his time in Hong Kong that Bruce sought out martial arts as a means to gain self-confidence and discipline, as well as to overcome repeated instances of taunting racism, and gang activity during his youth.

In 1959, with only $100 to his name, Bruce boarded a steamship in the American Presidents Line and began his voyage back to San Francisco. Soon thereafter, with much dedication, Bruce threw himself into learning colloquial English in honor and love of America and its culture. He subsequently attended the University of Washington, where he studied philosophy, psychology, drama, and other subjects.

While at college, Bruce began his legendary martial arts teaching career, initially as a means to pay for his education. Bruce's willingness to teach martial arts to non-Chinese individuals as a way to bridge the cultures angered many in the field, and he was forced to defend his freedom as well as others' rights to learn the arts.

Bruce had a true desire and the fortitude needed to expand the reach of martial arts by breaking away from the exclusionary mentality that limited its reach. His ingenuity and creativity led him to Hollywood, where he became an authentic face for Chinese Americans and an inspiration to youth across the world. Simultaneously, he began to create his own martial expression, ultimately naming it Jeet Kune Do.

To millions of people around the world, Bruce Lee remains more than a celebrity or a martial arts legend—he was a true catalyst for social change and civil rights. His memory, which is brought to life everyday by the work of his daughter Shannon Lee, who leads the Bruce Lee Foundation, remains a beacon of hope and opportunity for future generations in America.

It is my distinct honor to have introduced H. Res. 654 in this Congress, in order to honor the life of Bruce Lee and the continuing contributions of the Bruce Lee Foundation to our nation.

Mr. Speaker, we ask our colleagues to join us in paying tribute to the life of Bruce Jun Fan Lee, a cultural and American icon, as well as master teacher, whose legacy resonates throughout the world for posterity.

REMEMBERING WEN WANG LEE

HON. TOM McCLINTOCK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Mr. McCLINTOCK. Mr. Speaker, I rise today in memory of Mrs. Wen Wang Lee.

Born in Taiwan in 1916 as the third daughter of a poor family in a society that favored male children, Mrs. Lee's prospects were dim. Given their meager resources, Mrs. Lee's family sought to find her an adoptive home and, when this proved to be impossible, neglected her and fed her only scraps of food. For a typical child in her situation, this could have been the end of a very short life, but Mrs. Lee showed early on that she was anything but typical. After three days of starving, her resilience and tenacity to cling to life could no longer be ignored and she was accepted back into the family.

Mrs. Lee went to work by age six, forgoing any opportunity for schooling in order to help provide for her family. From this early age her rapidly developing character was clearly evident: she was a model of extraordinary perseverance, determination, and a strong will that would eventually lead her family to a better life.

After her marriage, Mrs. Lee became the predominant provider for her family, including her eight children. Each day she would rise by three in the morning and walk two hours to an orchard, where she would pick fruit and carry it back on her shoulders to sell. On a typical day, having left home long before first light, she would return from work after dusk, and continue housework until nearly midnight. Mrs. Lee endured this hard life for almost two decades and received three awards from her village for being a model mother while providing for her family and raising her children.

From 1940 to 1960 Wen Wang Lee, with no formal education of her own, raised eight children. In resource-scarce post-war Taiwan, even satisfying basic necessities was a formidable challenge, let alone being able to set aside money for children's tuition. However, while most of the children in her village were forced to begin apprenticeships immediately after finishing elementary school, Mrs. Lee insisted that her children continue their education. Even though it meant personal sacrifices and financial hardship, she never gave up her strong belief that education would enable her children to pursue a better future. Her efforts were not in vain, as her children have gone on to excel in academics in Taiwan and consequently be accepted to pursue graduate studies in the United States. Here, her children have exemplified the amazing story of American immigrants: through hard work and dedication—undoubtedly traits inherited from their mother—they have made numerous positive contributions in both academia and the high-tech industry.

When Wen Wang Lee arrived in the U.S. in her late fifties to live with her children, her quality of life improved drastically. Even though she carried the burden of a hard life, she cast aside her worries and poured all her love into her children's families. She dedicated herself to ensure a better future for her grandchildren, who inherited her strength and perseverance and have attended some of our nation's most renowned universities and hold professional careers in science, medicine and engineering.

Mr. Speaker, Mrs. Lee spent her entire life leading her family to prosperity and left behind a precious spiritual legacy: carry yourself upward, advocate education, and overcome challenges with determination, fortitude, and sincere dedication. This maxim may sound familiar to Americans: when President Theodore Roosevelt was asked to define the essence of our nation he said that "Americanism means the virtues of courage, honor, justice, truth, sincerity and hardihood—the virtues that made America." I have no doubt that it was individuals like Wen Wang Lee that President Roosevelt was describing, and I am honored to rise in recognition of her life and accomplishments today.

COMMENDATION OF THE SOCIAL INNOVATION FUND

HON. HANSEN CLARKE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Mr. CLARKE of Michigan. Mr. Speaker, the Social Innovation Fund, operated out of the Corporation for National and Community Service, provides competitive grants to highly-successful non-profit organizations. In my district, the United Way for Southeastern Michigan was selected as a Social Innovation Fund grantee and is using its funding to develop promising, evidence-based solutions focused on replicating early childhood learning communities. The Social Innovation Fund uses a unique federal funding model that requires all grantees and sub-grantees to match federal resources 1:1, thereby increasing the return on taxpayer dollars and strengthening local support. In addition, it relies on outstanding existing grant-making intermediaries to select high-impact community organizations rather than building new government infrastructures. It also emphasizes rigorous evaluations of program results.

The Social Innovation Fund is proof that by focusing our limited resources on those organizations and programs that are proven to be successful can reap tremendous results for our country. In my own state, the Social Innovation Fund has provided the United Way for Southeastern Michigan with $4 million over two years, or over $12 million with the required match, to build on the expertise of its partnering organizations and facilitate the development of a portfolio of replicable early childhood learning communities in 10 underserved communities in metro Detroit and surrounding areas. They have a track record of using evidence to select grantees, validate programs, and support the replication and expansion of programs. The United Way for Southeastern Michigan is replicating and expanding its program from five sites, impacting 280 children, to twenty-nine sites, impacting 12,000 children. In addition, they are using the funding for a four-year longitudinal evaluation of its current early childhood grantees to measure the extent to which the program intervention improves school readiness.

I want to highlight this emphasis on evaluation and the use of evidence in picking the grantees for the Social Innovation Fund. Last month, the Office of Management of Budget released a memorandum that encourages the use of both evaluation and evidence in the government's decisions around the FY 14 budget process, which I am introducing into the CONGRESSIONAL RECORD. This similar commitment to evidence-based models and evaluation not only benefits the United Way for Southeastern Michigan by making them eligible for unique funding streams, but also puts them on the leading edge of change in the Federal Government's commitment to 'fund what works.'

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF MANAGEMENT AND BUDGET,
Washington, DC, May 18, 2012.

MEMORANDUM TO THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

From: Jeffrey D. Zients, Acting Director.
Subject: Use of Evidence and Evaluation in the 2014 Budget.

Since taking office, the President has emphasized the need to use evidence and rigorous evaluation in budget, management, and policy decisions to make government work effectively. This need has only grown in the current fiscal environment. Where evidence is strong, we should act on it. Where evidence is suggestive, we should consider it. Where evidence is weak, we should build the knowledge to support better decisions in the future.

Agencies should demonstrate the use of evidence throughout their Fiscal Year (FY) 2014 budget submissions. Budget submissions also should include a separate section on agencies' most innovative uses of evidence and evaluation, addressing some or all of the issues below. Many potential strategies have little immediate cost, and the Budget is more likely to fund requests that demonstrate a commitment to developing and using evidence. The Budget also will allocate limited resources for initiatives to expand the use of evidence, including but not limited to approaches outlined below. Agencies may include these initiatives in their submission at the guidance level or with proposed addbacks.

1. Proposing new evaluations. As in 2011 and 2012, OMB invites agencies to propose new evaluations. Areas of potential focus may include the following:

Low-cost evaluations using administrative data or new technology: As explained in the Coalition for Evidence-Based Policy's recent brief, agencies can often use administrative data (such as data on wages, employment, emergency room visits or school attendance) to conduct rigorous evaluations, including evaluations that rely on random assignment, at low cost. Similarly, the private sector has used new software and online tools to dramatically reduce the time and cost of experimentation. Agencies should consider whether they can use such data or technology to support rigorous evaluations of their existing programs or new initiatives.

Evaluations linked to waivers and performance partnerships: One of the best ways to learn about a program is to test variations and subject them to evaluation, using some element of random assignment or a scientifically controlled design. OMB invites agencies to explain how they will use existing waiver authorities to evaluate different approaches to improving outcomes. Agencies should also consider seeking authority from Congress, through the FY 2014 budget process, to allow new waivers linked to evaluation or to establish cross-agency ''performance partnerships'' that enable blending of multiple funding streams to test better ways to align services and improve outcomes. Several agencies are seeking such authority in 2013 for initiatives supporting distressed communities and disconnected youth.

Expansion of evaluation efforts within existing programs: In addition to specifying evaluations to be performed with dedicated funding, agencies can also add a general policy and requirements favoring evaluation into existing grants, contracts, or waivers. These measures may require new legislation. For example, Congress recently approved the Department of Labor's request for a small cross-agency set-aside for evaluation activities.

Systemic measurement of costs and cost per outcome: Agencies are encouraged to include measurement of costs and costs per outcome as part of the routine reporting of funded programs to allow for useful comparison of cost-effectiveness across programs.

Agencies should release evaluations promptly through either their agency websites or alternative means. OMB particularly welcomes agency proposals to improve public access to, and understanding of, evidence about what works and what does not.

2. Using comparative cost-effectiveness data to allocate resources. Through the Pew Charitable Trust's Results First initiative, a dozen States are currently adopting a model developed by the Washington State Institute for Public Policy (WSIPP) that ranks programs based on the evidence of their return on investment. Once evidence-based programs have been identified, such an analysis can improve agency resource allocation and inform public understanding. For example, the Environmental Protection Agency and the U.S. Department of Agriculture are working together to incorporate evidence about the cost-effectiveness of different pollution control strategies in the Chesapeake Bay restoration effort.

OMB invites agencies to identify areas where research provides strong evidence regarding the comparative cost-effectiveness of agency investments. The research may pertain to the allocation of funding across agency programs (e.g., research showing that some funding streams have higher returns on investments) or within programs (e.g., research showing that some types of grantees or programmatic approaches have higher returns). Agencies should describe the body of research and then apply its results to support a proposed resource reallocation. OMB is more likely to support an existing resource allocation or a request for new resources supported in this way, and may feature the agency's reasoning in the 2014 Budget.

3. Infusing evidence into grant-making. Grant-making agencies should demonstrate that, between FY 2013 and FY 2014, they are increasing the use of evidence in formula and competitive programs. Agencies should consider the following approaches, among others:

Encouraging use of evidence in formula grants: OMB invites agencies to propose ways to increase the use of evidence-based practices within formula grant programs. For example, formula funds can be conditioned on the adoption of evidence-based practices, and high-quality technical assistance can be used to share and support implementation of evidence-based practices. Competitive programs can assign points to applicants based on their integration of such practices into formula streams.

Evidence-based grants: Several agencies—ranging from the Department of Education to the U.S. Agency for International Development—have implemented evidence-based grant programs that apply a tiered framework to assess the evidence supporting a proposed project and to determine appropriate funding levels. Under this approach, programs supported by stronger evidence, as established in a rigorous agency process, are eligible for more funding. All programs are expected to evaluate their results. Examples of tiered-evidence programs include the Department of Education's Investing in Innovation program and the Department of Health and Human Services' Teen Pregnancy Prevention and Home Visiting programs.

Even without creating tiers, agencies can provide points or significant competitive preference to programs that the agency determines are backed by strong evidence, and can build the evidence base by embedding evaluation into programs. Because running evidence-based programs requires more resources, agencies may wish to combine multiple smaller programs into larger, evidence-based efforts.

Pay for Success: Taking the principle of acting on evidence one step further, the Departments of Justice and Labor will be inviting grant applicants to use a ''pay for success'' approach, under which philanthropic or private entities (the ''investors'') pay providers upfront and are only repaid by the government if certain outcomes are met. Payment amounts are based, in part, on the amount that the Federal, State, or local government saves. A pay-for-success approach is appropriate where: (i) improved prevention or other up-front services can produce better outcomes that lead to cost savings at the Federal, State, or local level; and (ii) foundations or others are willing to invest.

To date, the Administration has focused its Pay for Success planning on programs financed with discretionary appropriations. OMB invites agencies to apply a pay-for-success model for programs funded by either discretionary or mandatory appropriations. Agencies should also consider using the new authority under the America COMPETES legislation to support incentive prizes of up to $50 million. Like Pay for Success, well-designed prizes and challenges can yield a very high return on the taxpayer dollar.

4. Using evidence to inform enforcement. Rigorous evaluation of strategies for enforcing criminal, environmental, and workplace safety laws often reveals that some approaches are significantly better than others at securing legal compliance. OMB encourages agencies to indicate how their allocation or reallocation of resources among enforcement strategies is informed by such evidence.

5. Strengthening agency evaluation capacity. Agencies should have a high-level official who is responsible for program evaluation and can:

Develop and manage the agency's research agenda;

Conduct or oversee rigorous and objective studies;

Provide independent input to agency policymakers on resource allocation and to program leaders on program management;

Attract and retain talented staff and researchers, including through flexible hiring authorities such as the Intergovernmental Personnel Act; and

Refine program performance measures, in collaboration with program managers and the Performance Improvement Officer.

These goals can be accomplished by different kinds of leaders, ranging from a chief evaluation officer who reports to the Secretary or Deputy Secretary to the head of an independent institute in the agency. An existing official could play the role, or a forceful new position could replace several less empowered ones. OMB invites agencies to propose in their budget submissions ways to strengthen the agency's evaluation capacity, within tight resource constraints.

SUPPORT FOR EVIDENCE-BASED INITIATIVES

OMB invites your agency to participate in a number of forums to improve use of evidence:

OMB and the Council of Economic Advisers will organize a series of topical discussions with senior policy officials and research experts in the agencies. The meeting agendas will focus on administrative and policy levers for driving an increasing share of Federal investments into evidence-based practices. We will plan summer meetings in order to help inform agencies' evaluation plans and budget submissions, and will also have follow-up meetings in the fall.

OMB will reinvigorate the interagency evaluation working group established in 2010 with a series of meetings focused on issues commonly affecting evaluators, such as procurement rules, the Paperwork Reduction Act, and the integration of evidence in agencies' decision-making process.

The Performance Improvement Council will convene research, performance management, and program officials to develop ways to improve performance measures, validate their correlation with outcome data from program impact evaluations, and use data analytics to support more cost-effective decision-making.

The Office of Science and Technology Policy has created a ''community of practice'' for agency personnel involved in designing and managing incentive prizes and has organized a Science of Science Policy working group that is developing tools aimed at establishing a more scientific, empirical evidence basis for science and technology policymaking.

To discuss which ideas in this memo make most sense at your agency, please contact your agency's OMB contact. For more general support on evidence-based policy and evaluation, you also may contact Dan Rosenbaum (Dan T. Rosenbaum@omb.eop.gov).

HONORING WAIRTERRICA GALMORE

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise to honor a remarkable young woman, Ms. Wairterrica Galmore, the Valedictorian of Coahoma Agricultural High School Class of 2012. Wairterrica is the proud daughter of Latoya Reddick and Eric Galmore. She has six siblings and they reside in Friars Point, Mississippi.

Wairterrica has always viewed learning as a priority. She was an honor student throughout school, remaining on either the Superintendent or Principal lists. Her performance in the classroom landed Ms. Galmore placement in ''Accelerated'' and ''Gifted'' classes.

As a student in high school Wairterrica maintained her placement in high accelerated courses, while also participating in extracurricular activities. She was a member of the Olive Branch All Girls High School Senior Choir and the Olive Branch High School Co-Ed Choir. Wairterrica also received many awards while at Olive Branch High School such as the Positive Award, Highest Average in Math, and the Highest Average in Art. Her test scores on the Mississippi Curriculum and Subject Test ranked in the ''Advanced and Proficient'' categories. Wairterrica was also one of two students chosen to represent Coahoma Agricultural High School in a women's conference at Tougaloo College in the summer of 2011. Relocation caused Wairterrica to complete tenth through twelfth grade at Coahoma Agricultural High School, where despite the challenge she reigned victorious, gaining the honor of class Valedictorian.

Mr. Speaker, I ask our colleagues to join me in recognizing Ms.Wairterrica Galmore, the Valedictorian for Coahoma Agricultural High School's Class of 2012.

PERSONAL EXPLANATION

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise regarding my excused absence from rollcall votes 452–454 on Monday, July 9, 2012. I was unavoidably delayed on my return to Washington from Houston, TX due to weather.

I would have voted ''aye'' for rollcall vote 452, on motion to suspend the rules and pass the bill H.R. 4155, ''Veterans Skills to Jobs Act'', which would require the head of each federal department or agency to ensure that an applicant for any federal license who has received relevant training while serving as a member of the Armed Forces is deemed to satisfy any training or certification requirements for the license, unless the training received is found to be substantially different from the training or certification requirements for such license.

I would have voted ''aye'' for rollcall vote 453 on motion to suspend the rules and pass the bill H.R. 4367, ''To Amend the Electronic Fund Transfer Act to limit the free disclosure requirement for an automatic teller machine to the screen of that machine'', which cancels the requirement that such a fee disclosure appear in a prominent and conspicuous location on or at the ATM.

I would have voted ''aye'' for rollcall vote 454 on motion to suspend the rules and pass the bill H.R. 5892, ''Hydropower Regulatory Efficiency Act of 2012'', which Amends the Public Utility Regulatory Policies Act of 1978 (PURPA) to increase from 5,000 to 10,000 kilowatts the size of small hydroelectric power projects which the Federal Energy.

IN HONOR OF THE ANNIVERSARY OF THE SIX ASSURANCES AND THE LIFTING OF MARTIAL LAW IN TAIWAN

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Mr. MARCHANT. Mr. Speaker, I rise today to commemorate two important anniversaries this month in relation to our close friend and ally: the country of Taiwan.

Mr. Speaker: Since the end of World War II, the United States and Taiwan have fostered a close relationship that has been of enormous strategic and economic benefit to both countries. When the United States shifted diplomatic relations from Taiwan to the People's Republic of China in January 1979, Congress moved quickly to pass the Taiwan Relations Act, TRA, to ensure that the United States would continue its robust engagement with Taiwan in the areas of commerce, culture, and security cooperation. On April 10, 1979, this important and lasting piece of legislation became the ''Law of the Land'' and has since served as the statutory basis for U.S.-Taiwan relations going forward.

After 33 years, the TRA still stands as a model of Congressional leadership in the history of our foreign relations, and, together with the 1982 ''Six Assurances,'' it remains the cornerstone of a very mutually beneficial relationship between the United States and Taiwan.

These ''Six Assurances'' were designed by President Reagan to further clarify U.S. policy toward Taiwan (in particular to the sale of arms to Taiwan to reiterate our commitment to Taiwan's security under the TRA and to reaffirm our position on Taiwan's sovereignty. It also stipulated that we would not pressure Taiwan to enter into negotiations with the PRC.

July 14th marks the 30th anniversary of President Reagan issuing said Six Assurances in 1982. It also marks the 25th anniversary of the lifting of martial law in Taiwan in 1987.

Martial law was promulgated in Taiwan on May 19, 1949 by the Chinese Nationalist government, and was ended 38 years later. July 14, 1987 set the stage for a momentous process of democratization in Taiwan that continues to this day. We very are glad to see that Taiwan has transformed into a full fledged Democracy since then.

Over the past three decades, Taiwan has remained a trusted ally of the United States that shares with us the ideals of freedom and democracy. However, the people of Taiwan continue to live day after day under the ominous shadow cast by over 1400 short and medium-range ballistic missiles that the People's Republic of China, PRC, has aimed at them. The PRC persists in claiming Taiwan as a ''renegade province,'' refusing to renounce the use of force to prevent Taiwan's formal de jure independence.

Mr. Speaker, I invite my colleagues to join me in commemorating the 30th anniversary of the Six Assurances and the 25th anniversary of the lifting of martial law in Taiwan, to further underline our unwavering commitment to the people of Taiwan and to affirm our support for the strong and deepening relationship between the U.S. and Taiwan.

HONORING MARY ALICE O'CONNOR

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Mr. GEORGE MILLER of California. Mr. Speaker, I rise today with my colleagues, Congressman JERRY MCNERNEY and Congressman JOHN GARAMENDI, to recognize Mary Alice O'Connor as she retires after 7 years as Executive Director of the Mt. Diablo Peace and Justice Center.

Mary Alice, born in Chicago, Illinois, was ordained a minister by the Unity of the Spirit Ministry School in 1991 and earned her bachelor's in business administration from Golden Gate University in 2002. After many years working for industry leaders in the communications sector, Mary Alice joined the Peace and Justice Center as executive director in 2005. Over the past 7 years, her work has embodied the Peace and Justice Center's mission ''to work for a culture of peace through education, advocacy and community building,'' while at the same time increasing business operations and doubling the Center's operational budget in just 3 years.

Under Mary Alice's leadership, the Peace and Justice Center planned, expanded, and promoted a number of invaluable community programs that have raised awareness for both local and global issues of social justice. The

''Speakers' Forum'' hosts distinguished individuals to address global peace, issues of environmental justice, gun violence, and the politics of crime and punishment that affect quality of life in local communities. The ''Art and Writing Challenge'' encourages awareness and discussion among Contra Costa County students of the environment, economic inequality and the promotion of non-violence. The first ''Creating Peaceful Schools Conference'' brought together over a hundred local educators to develop strategies for promoting non-violence in the classroom and encouraging children to focus on ways to promote a more peaceful and just environment. Furthermore, through peaceful public protests against wars in Iraq and Afghanistan and many educational forums developed by Mary Alice and her board of directors, the Center has become a well-known hub for thoughtful discussion of current events in the East Bay Area.

Mr. Speaker, we invite this chamber to join us in honoring Mary Alice O'Connor for her tireless and dedicated service to the people of Contra Costa County. We join her family, colleagues, and friends in congratulating her on a successful and fulfilling career at the Mt. Diablo Peace and Justice Center, and wish her the very best on her future endeavors.

RECOGNIZING THE CHRISTENING OF THE USS ''SOMERSET''

HON. MARK S. CRITZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Mr. CRITZ. Mr. Speaker, I rise to recognize the christening of the USS *Somerset*. On July 28, 2012, the USS *Somerset* will become the latest San Antonio class landing platform/dock, LPD, to join our Navy's fleet. This ship will commemorate the valor and courage of the 40 passengers and crew of United Flight 93 who gave their lives to protect our way of life on September 11, 2001.

In waters across the globe, the USS *Somerset* will continue the fight for freedom that the United Flight 93 passengers and crew began. Wherever the ship travels, her impregnable exterior will symbolize our impregnable resolve to honor their memory and to continue their legacy of sacrifice for the greater good.

About 22 tons of steel taken from a crane near the Flight 93 crash site in Shanksville, PA, has been incorporated into the ship's bow stem. Like the steel from that crane, the American people have taken a new form since 9/11. We are stronger and more resilient than we were prior to that fateful day. Like the steel from that crane, we have emerged from the tragic events of September 11th ready and eager to take on new challenges, embark on new journeys and explore new horizons.

The USS *Somerset* is the last of three ships that have been built in honor of the September 11th victims. The USS *New York*, christened in March 2008, was built as a tribute to the individuals who lost their lives at the World Trade Center and the USS *Arlington*, christened in March 2011, was built as a tribute to the servicemembers and civilians who perished at the Pentagon.

Mr. Speaker, I celebrate the christening of the USS *Somerset* with great pride. It is my most sincere hope that the delivery of this ship will provide the family members and friends of the passengers and crew of United Flight 93 with some measure of solace. For the USS *Somerset* will carry the story and sacrifice of their loved ones to the Sailors and Marines tasked with defending our freedoms, promoting peace and providing assistance across our oceans.

HONORING KINEU DONALD

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Ms. Kineu Donald, Salutatorian of Raymond High School; Class of 2012. Kineu was born to the proud mother of Sheillia Donald, on December 16, 1993, in Edwards, Mississippi.

She attended Bolton-Edwards schools through middle school. While in middle school Kineu was consistent in her efforts to remain on the Honor Roll and Principal's List. She finished Bolton-Edwards Elementary Middle School, and was acknowledged as the Valedictorian of her eighth grade class.

Throughout high school, Kineu has been recognized for her many achievements in both academics and extra-curricular activities. She was a member of the band, choir, Beta Club, Student Council, and Student Body. In addition to her extra-curricular activities, Kineu also participated in many community service projects sponsored by her school and church.

As a high school graduate, Kineu plans to attend Alcorn State University and major in agricultural economics or nutrition and dietetics, to aid her in her pursuit to become a food science technologist or a dietician.

Mr. Speaker, I ask our colleagues to join me in honoring Ms. Kineu Donald the Salutatorian for Raymond High School Class of 2012.

PERSONAL EXPLANATION

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Mr. AL GREEN of Texas. Mr. Speaker, yesterday I was unavoidably detained and missed the following votes:

1. H.R. 6018—To authorize appropriations for the Department of State for fiscal year 2013, and for other purposes, as amended. Had I been present, I would have voted ''yes'' on this bill.

2. S. 2009—Insular Areas Act of 2011. Had I been present, I would have voted ''yes'' on this bill.

RETURN OF THE INTERNATIONAL AIDS CONFERENCE

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Ms. LEE of California. Mr. Speaker, for the first time in more than two decades, the United States will host the 19th International AIDS Conference—drawing over 20,000 people from around the world to our Nation's capital.

Having participated in every Conference since I was first elected to Congress in 1998, I knew we could not bring the conference back to the United States until the discriminatory immigration ban on people living with HIV was lifted.

In 2007, I first introduced a bill to repeal the ban. Few believed it could be done, but through bipartisan support we achieved this goal.

This week, the return of the Conference is an important opportunity to shine a global spotlight on the fight against AIDS in African American communities and a national spotlight on the ongoing global epidemic.

Today, I will introduce new legislation to do just that.

Ending the HIV/AIDS Epidemic Act articulates a policy and financing framework to achieve an AIDS-Free Generation in the United States and globally.

I urge all my colleagues to support it so that we can begin to bring an end to AIDS here at home and around the world.

TELECOMMUNICATIONS SECTOR INVESTS IN THE NATIONAL ECONOMY

HON. RANDY HULTGREN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Mr. HULTGREN. Mr. Speaker, as the national economy continues to struggle, I would like to highlight an encouraging development with regard to the telecommunications sector. As the attached synopsis of a recent report by the Progressive Policy Institute indicates, investment in the economy is a critical factor in promoting growth, creating jobs, and stimulating productivity. I applaud the telecom industry for its contribution to this effort.

REPORT: TELECOM SECTOR LEADS THE WAY IN DOMESTIC ECONOMIC INVESTMENTS

While the domestic economy continues to struggle, a new report shows that the telecommunications space remains one of the biggest investors in attempting to boost the nation's fortunes.

The Progressive Policy Institute report, ''Investment Heroes: Who's Betting on America's Future,'' found that among non-financial institutions, AT&T and Verizon Communications were the two top investors of capital expenditures in the country last year. AT&T took the top spot with a reported $20.1 billion in investments in 2011, with Verizon investing $16.2 billion.

''The exponential growth in consumer demand for cable and wireless data services makes it both a necessity and an incentive for these companies to invest in building out their service capabilities,'' the report noted. ''Investment is what led to development of the latest high-speed 4G networks, estimated to be 50% more efficient in streaming wireless data than its 3G predecessor. What's more, the commitment of these telecom companies to investment in wireless infrastructure, cable communications, and processing equipment is a good example of how investment can have important spillover benefits. By using the infrastructure developed and maintained by telecom companies,

companies that develop software applications for smart devices along with companies that provide Internet services—like Facebook and Twitter—are able to innovate and get those innovations to consumers quickly. Because of the broadband networks in place these non-telecom companies are able to expand their businesses and service offerings.''

Other telecom-related companies on the list included Comcast at No. 8 with $5.3 billion in investments; Southern Company, which owns wireless operator SouthernLINC, at No. 10 with $4.5 billion; Sprint Nextel at No. 16 with $3.1 billion in investments; Time Warner Cable at No. 19 with $2.9 billion in investments; Google at No. 24 with $2.2 billion in investments; and Apple at No. 25 on the list with $2 billion in investments.

''The role of investment in the economy is essential,'' Diana Carew, an economist at the Progressive Policy Institute and co-author of the report, told Breakout ''It creates jobs. It boosts wages. It boosts productivity. It stimulates growth. It affects millions of Americans in a very positive way.''

INVESTMENT HEROES: TOP 25 NONFINANCIAL COMPANIES BY U.S. CAPITAL EXPENDITURE*

	Rank and Company	U.S. Capital Expenditures ($Sbns)
1	AT&T**	20.1
2	Verizon Communications**	16.2
3	Exxon Mobil	11.7
4	Wal-Mart	8.2
5	Intel	7.4
6	Occidental Petroleum	6.2
7	ConocoPhillips	5.6
8	Comcast**	5.3
9	Chevron	4.8
10	Southern Company**	4.5
11	Hess	4.4
12	Exelon**	4.0
13	Ford Motor	3.9
14	General Electric	3.7
15	Enterprise Product Partners**	3.6
16	Sprint Nextel**	3.1
17	Walt Disney	3.0
18	FedEx	2.9
19	Time Warner Cable**	2.9
20	General Motors	2.8
21	Target	2.5
22	IBM	2.5
23	Chrysler Group	2.5
24	Google	2.2
25	Apple	2.0
	Total	136.2

*Universe includes nonfinancial Fortune 150 companies from 2011; financial reporting from FY11.

**Reported to have U.S. operations only; may include a small amount of non-U.S. investment.

CELEBRATING THE OPENING OF THE GENE UPSHAW MEMORIAL TAHOE FOREST CANCER CENTER

HON. TOM McCLINTOCK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Mr. McCLINTOCK. Mr. Speaker, I rise today to celebrate the completion and opening of the Gene Upshaw Memorial Tahoe Forest Cancer Center in Truckee, California.

Led by Medical Director Laurence Heifetz, MD, FACP, and Medical Oncologist Hematologist Ahrin Koppel, MD, the Tahoe Cancer Center first opened its doors in 2006 with a mission of providing quality care for cancer patients in the Tahoe region.

The Center's services are vast and include: medical evaluation, examination, diagnosis and treatment; chemotherapy infusion and blood product administration; pharmacy, laboratory and diagnostic imaging services; a psychosocial services program with wellness, support groups, nutritional counseling and rehabilitation therapies; professional and caring staff; and Financial Counseling for patients. And for the first time in the Truckee-Tahoe area, the expanded Center will also house radiation oncology services as well.

In coordination with the University of California Davis Cancer Care Network, the Tahoe Forest Cancer will provide world class treatment and care for cancer patients in northeastern California and Nevada. The Center will connect patients not just to the best in modern treatments and equipment, but to some of the most renowned medical professionals in our state. I am certain that both these patients and their families will reap the dividends of this facility for decades to come, often in the hour of their greatest need.

Mr. Speaker, the foundation of our nation's strength has always been found in our local communities. Neighbors who willingly band together and pool their resources are remarkably skilled at employing those resources to their most useful and productive ends. They do so because they have a vested stake in the future of their towns and cities, and they understand the burdens borne to finance that future because they are the ones who bear them. I can think of no finer example of this remarkable and unique characteristic of our shared heritage than the opening of the Gene Upshaw Memorial Tahoe Forest Cancer Center and I am proud to rise today in celebration of this auspicious occasion.

HONORING LISA WARD

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a worthy member of our society Mrs. Lisa Ward. Lisa Ward and her husband, Darrel Ward, are the proud parents of two.

Mrs. Ward is a dedicated and devoted mom, who works tirelessly in the Canton Public School District and in the community to make a difference in the lives of children. As an employee for the Canton Parks and Recreation Department in the city of Canton, she has helped to create various service-oriented activities for our youth.

Some of those youth activities include indoor and outdoor sports, movies in the park, carnivals, health feasts and decreasing childhood obesity. Understanding the importance of community and parental involvement Mrs. Ward works diligently to garner support and sponsorships from vendors, merchants, and parents in the community to offer these and other activities to help provide recreational opportunities for children and to help them develop socially. In her desire to serve as a concerned and involved parent in the lives of children, she often goes above and beyond the call of duty. In honor of her dedication and contribution to her local community and children, Mrs. Ward has received the Parent of the Year award from the McNeal Elementary School and the District Parent of the Year award from the Canton Public School District.

Mr. Speaker, I ask our colleagues to join me in recognizing Mrs. Lisa Ward, for her commitment and contribution to helping improve the lives of children in the Canton Public School District, located in the Second Congressional District of Mississippi.

HONORING DR. JOSEPH THOMAS FELSEN, MD UPON THE OCCASION OF HIS ''RETIREMENT''

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Mr. REED. Mr. Speaker, I rise today to recognize Dr. Joseph Thomas Felsen on his ''retirement'' as he transitions to a new adventure. Commonly referred to as Dr. Joe, he dedicated over 35 years to serving my district. Between raising funds for Jones Memorial Hospital, joining various health committees in the district, and working to bring more physicians to the rural areas of his county, Dr. Joe's unselfish concern for others improved the well-being of his patients and community.

Dr. Joe has been an outstanding member of this district for his entire life. He was born at Jones Memorial Hospital and later worked there as an attending physician in Internal Medicine from 1979 until his retirement. Practicing for over 30 years in the same building as his father, Dr. Irwin Felsen, the two combined for 73 years of patient centered care in the 29th district.

I am extremely grateful for Dr. Felsen's invaluable contributions to our community and wish him the best of luck when he and his wife, Florence Anne, leave for the Peace Corps this September.

TRIBUTE TO JOSEPH SMUKLER, ESQ.

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise to honor my friend, the late Joseph Smukler, Esq.

Joseph was a giant of a man. He was a humanitarian, a philanthropist, a scholar and an attorney of great renown. He was universally recognized as one of the most public spirited citizens of the Delaware Valley.

Joe was a tireless advocate of the voiceless. The urge to advocate led to his leadership on behalf of Jews persecuted in the former Soviet Union and to reach out to the poor and disadvantaged at home through charitable work. His professional advocacy led his statewide peers to recognize him as Pennsylvania's ''Super Lawyer'' in 2004.

Joseph had a keen intellect, which he honed as a cum laude graduate of Kenyon College, with an A.B. and Highest Honors in Economics, Harvard Law School where he earned an LL.B., Oxford University England where he attained a Graduate Diploma in law, and at Gratz College where he was awarded his Doctor of Hebrew Laws (Hon.)

He was a natural leader who served as a First Lieutenant in the United States Air Force. That talent and leadership ability advanced him through the legal ranks to the positions of senior partner and chairman of the Personal

Injury Group at the prestigious firm of Fox, Rothschild LLP.

Joseph's leadership and commitment to community propelled him to the ranks of our region's great philanthropists. He was a past president of the Family Service of the Main Line, Jewish Campus Activities Board (Hillel), Association for Jewish Children, and the Jewish Community Relations Council, where he was also honorary President. He served as Commissioner of the Philadelphia Fellowship Commission, Chairman of Har Zion Radnor Temple, Vice-President and Board of Trustees member of Har Zion Temple, Vice-Chairman of the National Conference on Soviet Jewry and founding Co-Chair of the Philadelphia Soviet Jewry Council.

Joe served on the Boards of United Way of Greater Philadelphia and the American Jewish Joint Distribution Committee. He was a past Chairman of the Board of the Jewish Federation of Greater Philadelphia and Vice President of the National Museum of American Jewish History and Vice-Chair of the Anti-Defamation League. He was a recipient of the Jewish Federation of Greater Philadelphia's highest honor, the 2003 Avodat Ha Kodesh Community Award and is a member of Central High School of Philadelphia's Hall of Fame. He and his beloved wife Constance received the Soviet Jewry Council Human Rights Award, the Mellon Bank Good Neighbor Award and the State of Israel Bonds Humanitarian Award. Together they chaired the "Israel 50" celebration and the first Philadelphia Jewish Book Fair.

But, more than anything, Joe was a loving family man. He cherished and inspired his children and grand children and lived for Constance. He will be deeply missed by all of us and I'm proud to have known him.

PERSONAL EXPLANATION

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise regarding my excused absence from rollcall votes 462–468 on Thursday, July 12, 2012. I was unavoidably delayed on my return to Washington due to pressing matters in my District.

I would have voted "aye" for rollcall vote 462, on agreeing to the Tonko (NY) Amendment, which would narrow the scope of the underlying bill to address strategic and critical minerals only; the underlying bill covers mining for virtually all minerals, including sand, gravel, and clay.

I would have voted "aye" for rollcall vote 463, on agreeing to the Hastings (FL) amendment, which would give the lead agency, in the event of new or unforeseen information, the authority to extend by two six-month periods the arbitrary 30 month time limit the bill imposes on permit approval.

I would have voted "aye" for rollcall vote 464, on agreeing to the Markey amendment (A003), which would require a royalty payment of 12.5 percent of the value of hardrock minerals such as gold, silver and uranium mined on federal lands. The revenue generated by royalty payments would be dedicated to cleaning up the more than 160,000 abandoned hardrock mines. Currently, companies pay no royalty to mine hardrock minerals on federal lands.

I would have voted "no" for rollcall vote 465, on agreeing to the Young (AK) amendment, which would require the Forest Service to allow mining roads in areas currently designated as roadless.

I would have voted "aye" for rollcall vote 466, on agreeing to the Grijalva amendment which would protect hunting, fishing, grazing and recreation on public lands by requiring review of any mineral exploration or mining permit that might diminish opportunities for these activities.

I would have voted "aye" for rollcall vote 467 on motion that the House instruct conferees.

I would have voted "aye" for rollcall vote 468, on final passage of H.R. 4402—National Strategic and Critical Minerals Production Act of 2012 which would require federal agencies to expedite environmental review of proposed mining projects, and limits the judicial review process for challenges to approved mining permits on federal lands or associated environmental reviews. In addition the measure would give mining companies control over the timing of permitting decisions for virtually all mining operations on public land, not just those involving strategic or critical minerals.

HONORING GIDARELL BRYANT

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise to honor a remarkable man, Gidarell Bryant, Jr., Valedictorian of Rosa Fort High School in Tunica, Mississippi Class of 2012. Gidarell was born on November 25, 1993 in Clarksdale, Mississippi to Ms. Tammie Turner and Gidarell Bryant, Sr.

Gidarell has always had a competitive nature. Graduating as Valedictorian of his class was a goal that he set for himself in middle school and at the close of his senior year of high school was privileged to be bestowed the honor. To remain focused on his goals, Gidarell often recalled his mother's words, "If you put in no effort you will get nothing in return. Whatever you want to achieve in life comes with hard work and hard work will pay off."

In accordance with her advice, Gidarell took advanced coursework in high school such as: Chemistry, Physics, Calculus, and Trigonometry, achieving many academic and honorary awards throughout his secondary education and as an honor student throughout elementary, middle, and high school. Gidarell was inducted into both the National Junior Honor Society in middle school and National Honor Society in high school, where he served as Vice President. He was also chosen as a student ambassador for Lead America and People to People programs, and has served as a scholar in the Rotary Youth Leadership. Gidarell also received nominations for the United States Achievement Academy.

Gidarell credits his mother for diligently working to keep him focused on his goals; his grandmother, Leola Turner, was always supportive of him; his two uncles, Chester and Corneilous Lambert, who are retired military personnel, who have not only served this country but also served as male role models.

Gidarell will attend Mississippi State University and major in Business Administration. After receiving his undergraduate degree, he hopes to attend Harvard University to pursue a professional degree. Gidarell hopes to one day serve as Governor of Mississippi, in addition to owning a National Basketball Association franchise that he would relocate to Mississippi.

Mr. Speaker, I ask our colleagues to join me in recognizing Mr. Gidarell Bryant, Jr. as Valedictorian of Rosa Fort High School Class of 2012, in Tunica, Mississippi.

A TRIBUTE TO THE LIFE OF FRANK M. TOSTE, SR.

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Mr. COSTA. Mr. Speaker, I rise today to pay tribute to the life of Mr. Frank M. Toste Sr., a respected dairyman and community leader, who passed away on Thursday, July 12, 2012. His dedication to family and farming made him a true source of pride for California's San Joaquin Valley and our nation.

A proud product of California's agriculturally rich San Joaquin Valley, Frank was born in Riverdale, California on January 26, 1921 to Mary Carreiro and Joseph Toste, who were Portuguese immigrants from the Azore Islands. He attended Valley schools and developed a love and appreciation for the San Joaquin Valley. Mary and Joseph instilled a sense of responsibility and dependability in Frank early in his life. As a young boy Frank worked on his family's small dairy in Kerman, California, where he learned the value of hard work. Years later, those same values would encourage Frank to serve his nation in the United States Army during World War II. He served in Northern Africa, Italy, France, and Germany. During his service he achieved the rank of Staff Sergeant.

Upon returning home, Frank met and married the love of his life, Iva Jean Heitz. Together, they started their own business, the Hillview Dairy Farm near Easton, California. His passion and enthusiasm for farming, combined with his skills and work ethic, made him a very successful farmer and dairyman. Frank loved what he did and passed on the gift of farming to younger generations in his family.

Frank's contributions to his community went beyond his exceptional farming abilities. He was active in many organizations including the Knights of Columbus, the Cabrillo Civic Club, the Veterans of Foreign Wars, Farm Bureau, and the Dairy Herd Improvement Association. His participation and admirable service to his community made him a valuable leader and respected voice on important Valley issues. He will be sorely missed.

Frank is survived by his loving wife of 63 years, Iva; his sons, Frank Toste Jr., Ron Toste, and Scott Toste; his grandsons, Frank Toste III, Jason Toste, Jacob Toste; his granddaughters, Marlene Borges, Anneka Anderson, and Roni Aust; five great-grandsons; two great-granddaughters; his brother Willie Toste; and many nieces and nephews.

Mr. Speaker, I ask my colleagues to join me in paying tribute to the life of Mr. Frank M. Toste Sr. His character truly exemplified the best of what America has to offer. His many contributions to agriculture and unwavering commitment to his loved ones will ensure that his legacy lives on for years to come.

THE DESIGNATION OF MEADOW BROOK HALL AT OAKLAND UNIVERSITY AS A NATIONAL HISTORIC LANDMARK

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Mr. PETERS. Mr. Speaker, it is with great pride that I rise today to join with Oakland University in celebrating the designation of Meadow Brook Hall as a National Historic Landmark.

Meadowbrook Hall, built on what was the Dodge family's Meadow Brook Farms in 1929 in then Avon Township, now Rochester Hills, Michigan, is a symbol of the American automotive industry's transformative effect on Michigan. When the 88,000-square foot, 110-room residence was envisioned by Matilda Dodge Wilson, the widow of Dodge Brothers Motor Car Company cofounder John F. Dodge, it was a country residence for her and her family. Today, Meadow Brook Hall is the site of Oakland University, a fully fledged institution of higher learning which supports a student body of 19,000 undergraduate and graduate students.

In Meadow Brook Hall's construction, Mrs. Wilson held true to many of the principles that guided the greats of America's automotive industry. Believing in the spirit of American innovation and contrary to the prevailing practices of the time, Mrs. Wilson had the Tutor-revival styled estate constructed almost entirely from American materials crafted by American designers. And in keeping with the spirit of community involvement that has been ever prevalent in the American automotive industry, Mrs. Wilson often used the grounds of Meadow Brook Hall to host charitable events and civic engagements.

In 1955, it became a focus of the community in Oakland County that as Michigan's second most populous county, area residents should join together to cultivate a local institution of higher learning. Answering the call of their community, Mrs. Wilson and her second husband, Mr. Alfred Wilson, bequeathed the entire 1500-acre Meadowbrook estate to the State of Michigan. And after supporting the endeavor with an additional two million dollars, Michigan State University (MSU) opened its MSU-Oakland Campus in 1959. MSU-Oakland would become known as Oakland University in 1963.

Steeped in the history of Michigan's industrial ingenuity, Meadow Brook Hall has come to embody the American automotive industry's spirit of transformation. Just as the auto industry once raised millions of Americans into the middle class, Meadow Brook Hall and Oakland University continue that proud tradition; providing our youth the tools they need to become the successful leaders of tomorrow. And throughout its years, the spirit of philanthropy and service upon which Meadow Brook was gifted to the State, continues to be a fundamental tenant to Oakland University as it supports many community endeavors and engages local stakeholders in shaping the future of the Southeast Michigan region.

Mr. Speaker, it is an honor to have supported Oakland University in its endeavor to have Meadow Brook Hall designated a National Historic Landmark. As a symbol not only of Michigan's history, but also its future, the designation of Meadow Brook Hall as a National Historic Landmark is truly becoming of its significant impact on the communities of Southeast Michigan.

FORMER PENNSYLVANIA GOVERNOR WILLIAM WARREN SCRANTON

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Mr. BARLETTA. Mr. Speaker, I rise today to honor former Pennsylvania Governor William Warren Scranton on the occasion of his 95th birthday.

Governor Scranton comes from a long line of statesmen and his family founded the Northeastern Pennsylvania city of Scranton. After graduating from Yale University in 1939, he enlisted in the United States Army Air Corps just before World War II. Although he did not see combat, he served honorably and remained active in the U.S. Air Force Reserves for two decades.

Governor Scranton's public service began in the 1950s, when President Dwight D. Eisenhower appointed him as a special assistant to the U.S. Secretary of State in 1959. After a little over a year, Governor Scranton was elected to the U.S. House of Representatives for Pennsylvania's 10th District. As a freshman member, he fought tirelessly for his constituents and fostered bipartisan support for the common good. In 1962, he successfully ran for Governor of Pennsylvania, defeating then Philadelphia Mayor Richardson Dilworth. During his four years in office, Governor Scranton advocated for a strong education system, continued industrial development in the United States and abroad, and fiscally responsible policy.

In 1966, Governor Scranton vowed to never run for public office again, but his service to the community did not end. From 1967 to 1968, Governor Scranton attended the Pennsylvania Constitutional Convention and helped write a new constitution for the state. Additionally, he continued his public service through leadership positions with several civic organizations including; director of the Boys Club of Scranton, vice president of the University of Scranton's President's Council, director of the Scranton Chamber of Commerce, and vice president of the board of directors for Geisinger Memorial Hospital.

After turning down several proposals to run again for public office, Governor Scranton accepted an appointment from President Gerald Ford in 1976 to serve as the United States Ambassador to the United Nations. His ability to promote diplomacy and genuine interest in human rights earned him favor with many nations and promoted a positive world view of the United States.

Mr. Speaker, today, Governor Scranton embodies the traits, ideals, and values which many of us strive to achieve today, and I am honored to congratulate him on his many years of dedicated civic service to the community of Northeastern Pennsylvania, the Commonwealth, and the country.

HONORING ARIEL KOMINIQUE TAYLOR

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable young woman, Ms. Ariel Kominique Taylor. Ariel was born in Indianola, Mississippi, to LaShunda King and Kamia Taylor. She is a dedicated member of Weeping Mary Baptist Church and proud member of the Humphreys County High School Class of 2012.

Ariel's commitment to academic excellence earned her the title of Salutatorian for Humphreys County High School Class of 2012. At Humphreys County High School, Ariel was a charter member of Students Making a Change, SMAC, a participant in The Mayor's City Youth Council, and was a member of the Youth with a Vision Community Choir. She also served as a sports journalist for the school's newspaper, a member of the Varsity Cheerleader Squad, and the school's tennis team.

After graduating, Ariel plans to attend Jackson State University and major in mathematics with an emphasis in accounting.

Mr. Speaker, I ask our colleagues to join me in recognizing Ms. Ariel Kominique Taylor for her continued effort in achieving excellence in education and leadership.

HONORING CAPTAIN FREDERICK E. GAGHAN

HON. SILVESTRE REYES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Mr. REYES. Mr. Speaker, I rise today to recognize Captain Fredrick E. Gaghan of the Joint Improvised Explosive Device Defeat Organization, JIEDDO, who will retire in November after 25 years of service.

Captain Gaghan has had a long and distinguished career in the United States Navy. Upon graduation from Hartwick College in 1987, he enlisted in the Navy as part of the Special Operations Officer Program and was subsequently commissioned in 1988. As a young naval officer, Captain Gaghan served onboard USS *Opportune,* ARS 41, as a qualified Surface Warfare Officer. Following his initial sea assignment, he became an Explosive Ordnance Disposal, EOD, officer and was first assigned to EOD Mobile Unit NINE. Throughout his career, Captain Gaghan has displayed exceptional professionalism and technical proficiency. As such, he was identified by his seniors as a leader who could be entrusted with command. He served as the Commanding Officer of EOD Mobile Unit FOUR as well as Commander, Task Group 56.1 in Bahrain. At

the Joint CREW Program Office, PMS–408, he served as the Director, Test and Evaluation and Principle Assistant Program Manager before arriving at JIEDDO.

Today, one of the greatest threats faced by our service men and women is the improvised explosive device, TED. Our troops face an adaptive enemy with little regard for the sanctity of human life. As a Member of the House Armed Services Committee, I work closely with JIEDDO to help provide the necessary capabilities to protect our service men and women from the TED threat. JIEDDO has made significant strides to combat those dangers by not only reducing the effectiveness of IED attacks themselves, but also by targeting and eliminating the enemy networks that seek to use these devices to harm our troops.

Captain Gaghan has contributed greatly to protecting the lives of our troops in Iraq and Afghanistan. At JIEDDO, he was initially responsible for leading all Counter-TED research and development efforts in support of our Combatant Commanders urgent needs. In this role, he developed and delivered numerous capabilitie3 that have enabled our forces to more effectively detect IEDs, jam radio-controlled initiators and identify Home Made Explosive precursors. Lieutenant General Michael Barbero, Director ofJIEDDO, quickly recognized Captain Gaghan's strong leadership abilities and selected him to fill two key positions in the past year: JIEDDO's Chief of Staff and Acting Deputy Director of Rapid Acquisition and Technology. Throughout his tenure at JIEDDO, Captain Gaghan's tireless efforts and great dedication helped JIEDDO achieve its mission of rapidly providing Counter-IED capabilities in support of the warfighter to defeat the IED as a weapon of strategic influence.

I am proud to share in the celebration of Captain Gaghan's military career, and I join his colleagues in honoring his extraordinary leadership at JIEDDO and his distinguished military service.

IN HONOR OF THE LATE ARNOLD M. GOLDEN, SR.

HON. DONNA M. CHRISTENSEN

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Mrs. CHRISTENSEN. Mr. Speaker, today I rise to pay tribute to the life of one of my constituents, the late Arnold M. Golden, Sr., who passed away at his home on St. Croix last Saturday. Arnold M. Golden was a Crucian gentleman and statesman, one who spent all of his life in service to his family and his community.

Known to family and friends as ''Morty'', he distinguished himself as a Virgin Islands Senator, a St. Croix administrator, Commissioner of both the Departments of Public Works and Commerce under the Governor Juan Luis Administration, and the manager of the Sunny Isle Shopping Center. He served on many community groups and organizations to include the Knights of Colombus, League of Women Voters, Boy Scouts of America, Landmarks Society and AARP.

Morty Golden was a community servant, dedicating himself to the betterment of our islands, especially St. Croix. He was among the generation of Virgin Islanders who guided the growth and development of the modern Virgin Islands, working to develop the tax system, the planning, land use and conservation laws, and the Virgin Islands National Guard. His most recent service of note was as a Delegate to the Fifth Constitutional Convention, where he advocated for transparent, workable government.

I knew him as an elder statesman, always ready with words of wisdom on how to make our islands a better place to live and our government function in a way that served the needs of all its people. He was a champion of municipal government and of transparent government with more accountability to its citizens. He was a champion of good governance and for the further development of our territory through the adoption of its own Constitution.

Arnold M. Golden was born on December 13, 1931 in the town of Frederiksted to Louis R. and Violet (Pedersen) Golden. He was the eldest of 10 children and attended the St. Mary's and St. Patrick's Parochial Schools. He graduated from Christiansted High School in 1949 and attended the Polytechnic Institute and UPRAT Mayaguez in 1949 and later the University of the Virgin Islands, where he pursued interests in engineering and management.

Morty worked briefly at VICORP before being drafted into the U.S. Army, where he served 2 years of active duty, with one tour of duty in Korea. He was later Commissioned in the Armed Forces Reserves, and served with the Army Reserve Unit on St. Croix for a number of years. Later he was employed by A.C. Sanford as a land surveyor, where he worked on the construction of the Alexander Hamilton Airport. He was later employed as an appraiser by the Tax Assessor's Office, assisting in the modernization of the office and tax system.

In 1968, he was elected to the Virgin Islands Legislature and was instrumental in the passage of legislation to create the Planning Office, the Executive Budget Act, and land conservation legislation. He worked on legislation authorizing Governor Melvin Evans to secure the authority to activate a National Guard Unit in the Virgin Islands, as well as the Jr. ROTC units.

Morty Golden was honored to serve in numerous positions under the administration of Governor Juan F. Luis to include: Administrator, Commissioner of Public Works, Commissioner of Commerce and Assistant to the Governor. He also served on many government boards and commissions. He also managed the Sunny Isles Shopping Center in between his government service. Upon his retirement in 1987, he returned to land surveying.

He served the community in various community organizations to include the Catholic Social Center, the Knights of Columbus, the Boy Scouts, the League of Women Voters, Landmark Society, and AARP. He has been honored for his outstanding community service by the Jr. Chamber of Puerto Rico, the U.S. Army, the U.S. Navy, U.S. Postal System and Rotary Club of St. Croix West.

Mr. Speaker, Arnold M. Golden's most important role was as the patriarch of his beloved family. He was preceded in death by his son, Louis M. Golden, and leaves behind his beloved wife of 56 years, Carmen Maria (Encarnacion) Golden, his children: Helen Marie Danielson, Violet Anne Golden, Peder Mark Golden, Carmen Louise Walker, and Arnold M. Golden, III, his grandchildren: Leroy E. Danielson, Jr., Janelle Marie Plummer, Louis M. Danielson, Lionel Danielson, David M. Thomas, Jasmine L. Walker, Benjamin Walker, IV, Christina Walker, Nico Golden, Carla Golden and Juma Golden and four great-grandchildren: Leroy E. Danielson, III, Alimah M. Danielson, Daylon Lee Tank Yuk and Louriz M. Danielson.

Mr. Speaker, the life and legacy of Arnold M. Golden is one of which the entire U.S. Virgin Islands community is very proud. He is an example of public service at its best. My family and staff extend our condolences to his family and friends. May he rest in peace.

A TRIBUTE TO HILLSIDES

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Mr. SCHIFF. Mr. Speaker, I rise today to honor Hillsides, a nonprofit organization for abused and emotionally disturbed children, in Pasadena, California upon its 100th Anniversary.

In 1913, Evelyn Wile, a kindhearted young deaconess of the Episcopal Church, opened Hillsides Home for Children in Highland Park for 13 abandoned children that sought to reject the established approach of cold, uncaring institutions and provide a personal and empathetic community for homeless children.

Ms. Wile's vision of a campus of cottages where children could flourish in a country-like environment surrounded by sunshine, fresh air, and open space became a reality in 1918, when she moved the home from Highland Park to 17 acres in the San Rafael Hills of Pasadena, where it has remained to this day. The increase in space allowed Evelyn to build more residential cottages and an administration building, which was completed in 1927. Over the next 40 years, Hillsides Home for Children was a safe haven where children were the top priority. In the 1960s, Hillsides shifted focus from being an orphanage to becoming a center for abused and emotionally disturbed children. By the late 1970s, it had grown to include 14 on-campus buildings and 2 satellite homes. Hillsides Education Center was established in 1982 to offer specialized instruction for students with behavioral challenges or learning disabilities, and the Family Center was created that same year to provide crisis intervention and parent education for at-risk families. Hillsides Home for Children's name changed to Hillsides in 1999. In 2005, Hillsides Youth Moving On was established, a transitional living program for young adults leaving foster care.

In the last century, Hillsides has grown tremendously from Ms. Wile's original home that served 13 children. To date, Hillsides has rescued over 110,000 families and is recognized as a leader in children's rights advocacy issues. Encompassing a comprehensive network of residential and community facilities that provide an unmatched depth and breadth of resources to at-risk children and families, Hillsides has pioneered techniques that have become standard practices and ranks among the region's most respected and trusted organizations in the field.

I am honored to recognize Hillsides for its 100 years of loving care and support to countless children and families and I ask all Members to join me in congratulating Hillsides for its remarkable achievements.

HONORING MELVIN YOUNG, JR.

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a determined young man, Mr. Melvin Young, Jr.

Melvin Savelle Young, Jr. was born June 28, 1994 in Vicksburg, Mississippi to the proud parents of Melvin Young, Sr. and Rhonda Morris Young. He is also the proud grandson of Bernice Profit of Hollandale, Mississippi and the late Emma Lee Dorsey of Rolling Fork, Mississippi.

While in high school, Melvin was the runner up for Mr. South Delta High School, a member of the varsity football, baseball, and the track team. He also participated in the JROTC program. He is a faithful member of Salem Missionary Baptist Church where he is a devoted choir member. In conjunction with his hopes to positively impact his community, Melvin became a member of the Mayor Youth Council and has worked as a volunteer at the Sharkey County Tax Assessor and Collector Office. Melvin also volunteered in the emergency response efforts of the county to save public records during a flooding crisis; as a volunteer he worked to move official records to a secure location.

In the fall Melvin plans to attend Mississippi Gulf Coast Community College in Perkinston, Mississippi where he will pursue a degree in Pre-Engineering.

Mr. Speaker, I ask our colleagues to join me in recognizing Mr. Melvin Savelle Young, Jr. for his hard work and dedication in his efforts to achieve his goals.

PERSONAL EXPLANATION

HON. W. TODD AKIN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Mr. AKIN. Mr. Speaker, on rollcall Nos. 469 and 470 I was delayed and unable to vote. Had I been present I would have voted ''no'' on rollcall No. 469, and ''aye'' on rollcall No. 470.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 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 $15,884,155,929,632.05. We've added $5,257,278,880,718.97 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.

HONORING SERGEANT MAJOR TAMMY COON

HON. GRACE F. NAPOLITANO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Mrs. NAPOLITANO. Mr. Speaker, I along with Representative ISSA rise today to pay tribute to Sergeant Major Tammy Coon, United States Army. Sergeant Major Coon has served a distinguished career in the United States Army, spanning over twenty eight years. She has distinguished herself with exceptional meritorious service in a succession of positions of great importance and responsibility to the Army and the nation. She has culminated her military career in the Army's Office of the Chief of legislative Liaison as a Congressional Legislative Liaison to the United States House of Representatives for the past 2 years. Additionally, she is the first Sergeant Major in the United States Army to serve as a Congressional Legislative Liaison to the House of Representatives. Over the course of the 28 years which she has spent in uniform serving her country, she has been cited by her command as exhibiting outstanding initiative, leadership and professionalism in all of her actions. In doing so, she has made significant contributions to the welfare of soldiers and their families, to say nothing of the service she has provided to the people of this nation.

Sergeant Major Coon's previous positions of significant leadership included: First Sergeant, Headquarters and Headquarters Company, 1st Space Brigade, Colorado Springs, Colorado; Chief, Enlisted Promotions, Human Resources Command, Alexandria, Virginia; Senior Enlisted Advisor, Directorate of Personnel, Multi-National Forces-Iraq (MNF–I), Baghdad, Iraq; Senior Enlisted Advisor, Special Management Division, Human Resources Command, Alexandria, Virginia; and Senior Enlisted Advisor for Soldier Programs/Community Recreation, Department of the Army, Alexandria, VA.

Sergeant Major Tammy Coon served as a Congressional Legislative Liaison to the United States House of Representatives, Washington, DC. During this assignment she served as the primary point of contact for 70 Members of Congress within the Pacific Region, which included California, Nevada, Hawaii, Guam, American Samoa and the Commonwealth of the Northern Mariana Islands. Additionally, she served as the Army House Liaison Division's primary point of contact for Wounded Warrior Care issues and for the Mental Health and Invisible Wounds Caucuses, routinely interacting with Members of Congress and senior staffers.

As First Sergeant, Headquarters and Headquarters Company, 1st Space Brigade, Colorado Springs, Colorado, she was responsible for discipline, health & welfare, safety, and training of 120 active duty, reserve, and National Guard soldiers as well as 130 Department of the Army Civilians. Even though the unit was deployed in five separate locations, Sergeant Major Coon ensured that the soldiers, civilians, and families were well cared for.

Sergeant Major Tammy Coon served as the Chief, Enlisted Promotions, Human Resources Command, Alexandria, Virginia. She managed the Department of the Army's enlisted promotion system, affecting Army enlisted soldiers worldwide. Her guidance and leadership were instrumental in the execution of over 50,000 promotions annually, while markedly increasing the efficiency of the promotion process. Additionally, Sergeant Major Coon reviewed and provided input for regulatory guidance revisions. She routinely proposed new initiatives and prepared correspondence on behalf of the President, Congress and Department of Army Senior Leadership.

As the Senior Enlisted Advisor, Directorate of Personnel, Multi-National Forces-Iraq (MNF–I), Baghdad, Iraq, she was the principal advisor for all enlisted personnel readiness and Human Resource management issues for 150,000 U.S. military and 13,000 members from 25 Coalition Countries deployed in support of Operation Iraqi Freedom. During this time she developed, synchronized, and implemented personnel policies and training that impacted enlisted members throughout the Iraqi theater.

As the Senior Enlisted Advisor, Special Management Division, Human Resources Command, Alexandria, Virginia, Sergeant Major Coon was responsible for the manpower management and strength management of enlisted personnel assigned to Special Mission Units (SMU) and Special Access Programs (SAP) which support national security objectives. SGM Coon compiled, analyzed, and produced personnel statistical information for all enlisted career management fields quarterly reviews ensuring that these units were properly manned in order to execute missions directed by the National Command Authority.

While serving as the Senior Enlisted Advisor for Soldier Programs/Community Recreation, Department of the Army, Alexandria, Virginia, she coordinated and implemented Soldier Programs for 84 United States Army Garrisons and had oversight of a $40 million budget. She co-authored and analyzed strategies and surveys for various Army initiatives and served as lead trainer for all Soldier programs across the Army, training over 30,000 Soldiers and civilians.

Sergeant Major Coon is the perfect representative of the United States Army. We have gotten to know Sergeant Major Coon as the ''soldier with a smile''. She brings an enjoyment and enthusiasm to serving her country and representing the Army that is unparalleled in the halls of Congress. We are grateful for the advocacy Sergeant Major Coon has done on behalf of the physical and mental well being of soldiers and their families. Sergeant Major Coon has provided us with advice and counsel on issues affecting wounded warriors and their families that has lead to legislative action improving wounded warrior care and mental health care. We particularly appreciate the work Sergeant Major Coon has done with our staff in providing them with the materials, briefings and support they need to work on issues affecting the Army.

Sergeant Major Coon's dedication to duty and superior leadership has left an indelible mark on the United States Army, the soldiers with whom she has served, and the Congress of the United States. Her actions, in over 28 years of military service, are in keeping with the finest traditions of the United States Army.

We have been honored to work with Sergeant Major Coon, and thank her for extraordinary service to our nation.

HONORING CHERRY MATHIS

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a young woman whose commitment to her academics has earned her this recognition.

Ms. Cherry Mathis. Ms. Mathis is a straight-A honors graduate of Charleston High School in Charleston, Mississippi.

She has been consistent in maintaining the highest average in nearly all of her courses throughout high school. Her grade point average is an astounding 4.1, which gives her the highest average among her peers in the twelfth grade. As a result of her studious feat, Ms. Mathis was designated as the Valedictorian of the Charleston High School Class of 2012.

Receiving this honor implies that Ms. Mathis is incredibly hard working, and dedicated to her education. She has earned numerous awards and distinctions such as being inducted into the National Honor Society and the National Society of High School Scholars. However, her proudest accomplishment was being named as a National Merit Scholar. In addition to her academic responsibilities, Ms. Mathis has also held leadership positions in several school organizations including the Yearbook Club, the Fellowship of Christian Athletes, Science Club, and Student Council.

Ms. Mathis plans to attend the University of Mississippi where she will major in Integrated Marketing Communications. She believes that obtaining this degree will be a primary tool in achieving her future goals.

Mr. Speaker, I ask our colleagues to join me in recognizing Ms. Cherry Mathis for her outstanding academic achievements.

PERSONAL EXPLANATION

HON. LUIS V. GUTIERREZ

OF ILLIONIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent in the House chamber for votes yesterday. I would like the record to show that, had I been present, I would have voted ''yea'' on rollcall votes 469 and 470.

HONORING THE DEDICATED SERVICE OF SOL FLORES

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Ms. SCHAKOWSKY. Mr. Speaker, last week the White House honored leaders who have made a significant difference in the way their communities combat homelessness among children and youth. I am pleased that one of the 13 ''Champions of Change'' is Sol Flores, Executive Director of La Casa Norte in Chicago.

Nearly one million American men, women and children are currently homeless. That is simply unacceptable, but progress is being made. Because of Sol's leadership of La Casa Norte, the city of Chicago—and the Humboldt Park neighborhood in particular—has seen a significant reduction in homelessness.

Since founding La Casa Norte 10 years ago, Sol has made it her mission to serve youth and families facing homelessness. La Casa Norte's continuum of services to assist children, young adults, and families has proven incredibly successful. Eighty-four percent of youth leaving La Casa Norte's transitional housing program find permanent housing, and 87 percent of families who receive homeless prevention assistance maintain housing stability. The organization is a recognized leader in effective homeless prevention in the Chicago area and across the country.

I thank Sol Flores for her tireless efforts to promote stable homes and stable communities, and I wish her continued success. Her leadership of La Casa Norte and dedication to eradicating homelessness are worthy of her distinction as a ''Champion of Change.''

RECOGNIZING THE SERVICE OF BRINTON W. OVERHOLT, SR. IN THE UNITED STATES ARMY

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Mr. BURTON of Indiana. Mr. Speaker, I rise tonight to honor an outstanding Hoosier for his patriotism and service during World War II. Brinton W. Overholt, Sr., 90-years young this year, served with honor in the United States Army from 1944–1946. Trained stateside at Camp Blanding, Fort Meade, and finally Camp Shanks; Brinton was eventually shipped overseas to support the Allied march liberation of France. Landing in Le Havre, France, Brinton was assigned as a casualty replacement for the 106th Division, 423rd Battalion, Squad 4 of the 3rd Platoon. The 106th Division served with distinction in France; helping to trap some 20,000 German soldiers around St. Lazare; a vital submarine base near Paris. Of the Division's original compliment of 1500 soldiers; only 88 would survive the war.

Shooting the 81 mm mortar, Mr. Overholt served in the Heavy Weapons Unit. Later, he would become the squad leader, directing the shots of the mortar men. While Overholt was still in France, Nazi Germany surrendered; and the 106th Division became part of the United States Army of Occupation in Germany.

The American soldiers moved into German houses and Brinton Overholt was assigned the of taking inventory of the household so that if the U.S. soldiers broke anything or if something went missing, our government would replace it. Brinton was in the midst of an inventory when an officer informed him that he was going to be shipped out to the Pacific for the invasion of Japan. Fortunately, for Brinton and the Japanese, Brinton was granted a 30- day furlough in the U.S., before his rotation to Japan and the war would be over before his furlough ended.

Brinton spent the rest of his military career at Camp Campbell in Kentucky. (now called Fort Campbell) where he served as a medic's and Chaplain's Assistant to special troops. Brinton would in fact serve under three different Chaplains over the time he was there—including Chaplain John Brown.

If you ask him about his service during the war, Brinton will tell you quite honestly and matter-of-factly, that he doesn't consider himself a hero, just a kid who served his country because it was the right thing to do. I ask my colleagues to join with me today to honor and thank Brinton W. Overholt Sr.; because it is the right thing to do.

RECOGNIZING THE LIFE AND ACHIEVEMENTS OF JAZZ GREAT BEN KYNARD

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Mr. CLEAVER. Mr. Speaker, I proudly rise today to pay tribute to Ben Kynard, the great jazz saxophonist, whose musical performances, jazz compositions, and great legacy continues to enrich the lives of so many jazz enthusiasts.

Kansas City jazz has become a worldwide staple. It was born in a town where, as the great Monarch manager, Buck O'Neal, said, ''Everything was wide open.'' No one knows how many nightclubs and cabarets were in operation during the 1930s. The clubs were packed and the great musicians were working—and playing. In those ''hot'' clubs, Mary Lou Williams, the jazz pianist, said that Kansas City was, ''A heavenly city . . . musicians everywhere.'' Indeed, they were. Among them was the soft spoken saxophonist Ben Kynard, who as a teenager, migrated to Kansas City from Arkansas.

Ben Douglas Kynard was born in Eureka Springs, Arkansas, on February 28, 1920, to Bennett and Amelia Kynard. When he was just seven years old, his mother passed away. Three years later, his father remarried, moving the family to Kansas City. He learned first to play the horn, and later the saxophone, from his older brother B.C. Kynard began to play professionally in 1938 at the age of eighteen, performing in night clubs in Kansas and in country clubs with his companion, Celester White and later Oliver Todd's band, known as the Hottentots.

Kynard later joined the U.S. Army, where he played in a military band, one that frequently played at officers' clubs and funerals. After returning to Kansas City, he joined Lionel Hampton's band and traveled the country with the group from 1946 until 1953. He wrote ''Red Top,'' which is still a jazz favorite, while on tour in Newark, New Jersey. He named it after his wife Joyce, whom he married in 1953 and had red hair at the time. After seven years with the band, Kynard left and returned to Kansas City, where he worked for the United States Postal Service for thirty-two years, still playing jazz in the evenings. He also maintained his career as a jazz composer, writing music for himself and other local musicians.

One of the highlights of my life was the evening my father-in-law, who lived directly across the street from Mr. Kynard, introduced

me to the jazz great himself. Later, he played in my in-laws' living room the song that gave him fame, ''Red Top.'' Sadly, on July 5, 2012, Mr. Kynard passed away at the age of 92. He was survived by his wife Joyce, of fifty-nine years, their two children, Brett and Carmen, and their two grandchildren. I am proud to have known Mr. Kynard and have heard him—on a number of occasions—blow that sax.

Mr. Speaker, please join me in commending Mr. Kynard for his contribution to the world of jazz and honoring his musical accomplishments as a jazz great. Mr. Kynard was an accomplished musician who left behind a rich legacy that will continue to inspire generations to come. His loss will be felt by many, not just in the Kansas City community, but also by those throughout the jazz world who miss this exceptional jazz talent. We wish his family the very best during this time of bereavement. We would also remind them that no one is dead who is remembered. To be sure, Mr. Kynard will, indeed, be remembered.

HONORING LUCILLE HOLMES

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable educator, Lucille Holmes.

Ms. Holmes is the second of four children born to the late Mr. Arthur D. Randle and Mrs. Josephine Randle of Starkville, Mississippi. Her maternal grandparents are the late Walter and her paternal grandparents are Earlene Franklin and the late Charlie and Lydia Randle She was born in a small community known as Rock Hill and was a member of Rock Hill United Methodist Church. After marrying her husband Clarence Holmes, she joined Bethel A.M.E. Church in Mound Bayou, Mississippi.

Upon completing high school Lucille graduated from Mississippi State University in 1978 where she received a Bachelor's Degree in Special Education. Upon graduation she obtained a position at Boswell Retardation Center, now known as Boswell Regional Center in Sanatorium, Mississippi, as a special adult education teacher.

Her goal early in her youth was to become an educator due to her second grade teacher Ms. Viola Johnson. Ms. Johnson's teaching techniques and methods impacted her decision to become an educator.

Mrs. Holmes educational philosophy is that all children can learn and they have the right to be taught the way they learn. As an educator she believes it is her responsibility to learn how each child learns and teach him or her accordingly. Furthermore, she is always willing to do the unthinkable to ensure that each and every life she touches is changed in a positive way.

In 1981 she began employment with the Cleveland School District at East Side High School, as a special education teacher. In 1983 she went to Delta State University and completed her Master Degree in Guidance and Counseling. After completion of her degree she went to work in the Shaw School District as an elementary school counselor at McEvans. She left Shaw to work in the Shelby school system as an elementary, middle school and high school counselor. In 1997 Lucille returned to the Cleveland School District as a counselor at East Side High School. She has since received her certification in school administration.

Mrs. Holmes is the mother of two children, Cristal Arlette and Clarence Anthony Holmes Jr. whom she has instilled the importance of getting an education, just as she has for the students in her classroom.

Mr. Speaker, I ask that our colleagues join me in recognizing Mrs. Lucille Holmes for her commitment to education.

RETIREMENT OF DOMINIC ROMEO FROM NEW JERSEY FRATERNAL ORDER OF POLICE

HON. FRANK A. LoBIONDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Mr. LoBIONDO. Mr. Speaker, I extend my deepest appreciation to Dominic Romeo for the more than 50 years of service to the state of New Jersey as a law enforcement officer and advocate for the Fraternal Order of Police. The true embodiment of a public servant, Dom began his career in 1959 as a seasonal police officer in his hometown of Wildwood and rose through the ranks, including two stints as President of the Cape May County FOP Lodge 7. His leadership and commitment to the oath 'to serve and protect' are a model for current and aspiring officers. His advice and insight have helped me on Congressional issues related to law enforcement. On behalf of South Jersey residents and all those kept safe by his selfless actions, I wish Dom Romeo a very relaxing, rewarding retirement and thank him both for his steadfast friendship and service to South Jersey.

RECOGNIZING THE LIFE AND PUBLIC SERVICE OF EVERETT ''BUD'' RANK, JR.

HON. DEVIN NUNES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Mr. NUNES. Mr. Speaker, I rise to today to recognize the life and work of Everett ''Bud'' Rank, Jr., who passed away on June 3, 2012. He will not only go down in history as a former member of both the Nixon and Reagan Administrations' Agriculture Departments, but as an avid golfer, ardent family man, and longtime Valley rancher.

Bud was a lifelong Fresno resident. He was born on December 1, 1921 and attended Clovis High School before fighting in World War II for four years as a gunner's mate in the South Pacific. After the war, Bud returned to his roots in Fresno to help organize the Clovis chapter of the Future Farmers of America; where he later served as president.

Bud's passion for agriculture was reflected by the time and effort he contributed to the many organizations he was a part of. He was a member of the California Farm Bureau Young Farmers and Ranchers, the Clovis Grange, the International Cotton Advisory Committee, the Sierra Soil and Water Conservation District, and many others. Bud worked within the Agriculture Department, first as Western Regional Director of Agriculture Stabilization and Conservation Service, then as both head of the ASCS and Executive Vice President of the Commodity Credit Corp.

While his commitment to the San Joaquin Valley agricultural community was unmatched, Bud's commitment to education was equally impressive. He wanted each student to have every opportunity to thrive in school and reach the highest level of education possible. He did this by serving three terms as the President of the Clovis Unified School District Board of Trustees in the 1960s and early 1970s. His contribution and impact on the community are now honored and remembered though the Bud Rank Elementary School in Clovis.

Bud was a legendary community leader. He cared greatly about the future of the San Joaquin Valley residents and youth. He leaves behind a legacy that will be hard to equal. The people of Fresno will miss Bud for years to come, but will never forget all that he gave and did for the people of Fresno County.

L.J. FERDINAND HAZLETON GROUP OF THE MEN OF MALVERN

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Mr. BARLETTA. Mr. Speaker, I rise today to honor the L.J. Ferdinand Hazleton Group of the Men of Malvern who will be attending its 72nd annual retreat at the Malvern Retreat House on July 20, 2012.

The L.J. Ferdinand Hazleton Group began in 1941, when nine men from Hazleton, Pennsylvania, traveled from Hazleton to Malvern, Pennsylvania, to seek spiritual guidance and inspiration. Founded in 1912, the Malvern Retreat House is the largest and second oldest Catholic retreat house in the United States. This year, the Malvern Retreat House celebrates its 100th year anniversary. For the last one hundred years, the Malvern Retreat House has been a place of reflection and sanctuary for over one million men and women from all fifty states and abroad.

As a Catholic, it is an honor to recognize the L.J. Ferdinand Hazleton Group of the Men of Malvern, an organization that has given so much back to the community. On a personal note, I have had the esteemed privilege of attending the annual Malvern Retreat a number of times in the past.

Mr. Speaker, I commend the L.J. Ferdinand Hazleton Group of the Men of Malvern for all they do for Northeastern Pennsylvania and I congratulate the Malvern Retreat House on celebrating its one hundred years of dedicated service to our country and its citizens.

PERSONAL EXPLANATION

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise regarding my absence from rollcall votes 469–470 on Tuesday, July 17, 2012. I was attending a funeral.

I would have voted aye for rollcall vote 469, on motion to suspend the rules and pass the bill H.R. 6018 ''Foreign Relations Authorization Act'', which would authorize appropriations for the Department of State for fiscal year 2013, and for other purposes.

I would have voted aye for rollcall vote 470, on motion to suspend the rules and pass the bill S. 2009, ''Insular Areas Act of 2011'' which would require a study of possible health risks to people living on an atoll in the Marshall Islands, and also delay an increase in the minimum wage in American Samoa, and require those increases to take place every three years instead of annually.

RECOGNIZING LOCAL 2012 OLYMPIANS

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Mr. REED. Mr. Speaker, I rise today to congratulate seven remarkable athletes who are competing in the Summer Olympic Games in London later this month. Of the 530 Americans participating in the Olympics, these 7 will proudly represent my district. I wish them the best of luck in each of their respective sports.

Through dedication and determination, Ryan Lochte from Canandaigua, Abby Wombach, Iris Zimmermann, and Jason Turner from Rochester, Meghan Musnicki from Naples, Molly Huddle from Elmira, and Henrik Rummel from Pittsford achieved their goal of competing for the U.S. Olympic team. Lochte, Zimmermann, and Turner head to London as veteran Olympians in swimming, fencing, and shooting, respectively, while the other four will compete for the first time in various events including soccer, rowing, and track and field.

Qualifying for the Olympic Games is one of the highest athletic honors the world has to offer. The countless hours these seven athletes sacrificed practicing and perfecting their skill set exemplifies the true American spirit. I will proudly watch these seven Olympians compete for a Gold Medal in London and I hope they attain the success they deserve.

HONORING SHUNDRARIA RONEISHA TRIBBLE

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise to honor a remarkable young woman: Shundraria Roneisha Tribble. Shundraria is the only daughter of Michelle Tribble of Falcon, Mississippi.

She graduated as an outstanding scholar of Madison Shannon Plamer High School. Throughout her high school career she has remained on the Principal and Superintendent Lists. She was a member of the Beta Club, the Student Council, and the United States Achievement Academy. Shundraria was also elected as Miss Madison Shannon Palmer High School 2011–2012.

As a freshman, Shundraria set a goal to graduate in the top ten of her senior class, and through hard work and determination she was named class Salutatorian on May 12, 2012. Shundraria aspires to enter the medical field as a Registered Nurse to later venture on to become a physician.

Mr. Speaker, I ask our colleagues to join me in recognizing Ms. Shundraria Roneisha Tribble, Salutatorian for Madison Shannon Palmer High School Class of 2012.

HONORING THE SIXTH CONGRESSIONAL DISTRICT OF GEORGIA'S OLYMPIC ATHLETES

HON. TOM PRICE

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Mr. PRICE of Georgia. Mr. Speaker, today I rise to honor two constituents from the 6th Congressional District of Georgia, Kathleen Hersey and Eric Hurd, who will compete in the 2012 Summer Olympics in London. Kathleen Hersey will be participating in 100m/200m butterfly, while Eric Hurd will be in the Slalom Double Canoe event.

By taking second place in the 200m butterfly, Kathleen qualified for her second Olympic games. Last year Kathleen won a national title and a gold medal at the Duel in the Pool, both in the 200m butterfly. She finished eighth in the same event in Beijing four years ago. Kathleen has shown amazing dedication, discipline, and devotion to swimming, training roughly 9,000 yards per day, six days a week.

Eric earned a spot on this year's Olympic team by winning the Gold earlier this year at the 2012 Pan American Championship in Brazil. Eric also finished first at the 2012 U.S. Olympic Teams Trials in Charlotte, North Carolina. Eric's paddling career began at Atlanta's ''Waterworks''—a single Class II rapid with gates set up for training purposes. Since then, he has been preparing rigorously ahead of this year's games by training at the U.S. National Whitewater Center in Charlotte, North Carolina.

Mr. Speaker, I know I speak for all Members of the House in wishing these two outstanding individuals the best of luck. Their exceptional commitment to athleticism is an inspiration to us all. I know Kathleen and Eric, along with a multitude of other exceptional athletes across this great land of ours, will be a wonderful illustration to the world of American strength and perseverance.

IN MEMORY OF A HOOSIER HERO, SPECIALIST NICHOLAS ANDREW TAYLOR

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Mr. PENCE. Mr. Speaker, as flags fly at half-staff in northeast Indiana today, I rise with a heavy heart to remember and honor a constituent, Indiana National Guard Specialist Nicholas Andrew Taylor, an American hero who lost his life while courageously supporting combat operations in Kandahar Province, Afghanistan, on July 16, 2012. He served with the 713th Engineer Company of the Indiana National Guard based out of Valparaiso, Indiana.

Army Specialist Nick Taylor was from the small town of Berne, Indiana. Despite receiving several offers to play college football after graduating from South Adams High School in 2010, Specialist Taylor signed up to serve his country in the Indiana National Guard. He was a hard worker and a man of integrity. He excelled in everything he did, whether it was being a three-sport athlete or his involvement in First Missionary Church.

Specialist Taylor wanted to follow in his father's footsteps. His father, Timothy Taylor, is Berne's chief of police and those who knew Nick said he wanted to continue his public service after his deployment by applying to the Fort Wayne Police Department. He also planned to use the money he earned from his military service to enroll in college and study criminal justice.

Specialist Taylor was an outstanding citizen-soldier who, along with the other brave members of the 713th, was assigned a dangerous mission and performed courageously on behalf of a grateful state and nation. Our hearts in Indiana are heavy as we remember one who lost his life wearing the uniform of the United States, and those he left behind.

On behalf of the people of the Sixth Congressional District and my wife and children, I extend our deepest sympathies to the family of Specialist Nick Taylor, including his father, Timothy Taylor, his mother Stephania, brother Drew, and sisters Holly and Sophia. The Bible tells us, ''The Lord is close to the brokenhearted,'' and that shall be our prayer. May God bless the memory of this brave young man. The name of Specialist Nicholas Andrew Taylor will be forever enshrined in the hearts of a grateful state and nation.

IN RECOGNITION OF SHIRLEY E. COVERDALE

HON. TIMOTHY H. BISHOP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

Mr. BISHOP of New York. Mr. Speaker, I rise to recognize Shirley E. Coverdale, First Lady of the First Baptist Church of Riverhead, New York, who is being honored on July 21st for thirty years of service to her church and community.

In her tireless work on behalf of others, Mrs. Coverdale has come to embody the mission of the church where her husband, Charles Coverdale, serves as pastor. As a faith community, First Baptist seeks to offer hope and service to both its members and the community at large. Mrs. Coverdale's hand and heart have been instrumental in almost every aspect of the church's work.

Specifically, Mrs. Coverdale has served as Sunday school superintendent; director of an after-school mentoring program in collaboration with the Riverhead School District; developer of a computerized membership and financial management database for the church; project manager for C.A.R.E, which established a volunteer corps of senior citizens; grant writer; fundraiser; and catalyst for legislation that improves the quality of life for ordinary people.

Furthermore, Mrs. Coverdale is committed to social justice, care for the elderly and infirm,

education, and leadership development. She is a powerful voice for people in need, and an advocate for the less fortunate among us. In her current work as Executive Director of the Family Community Life Center in Riverhead, New York, she is spearheading the development of a Community Benefit District that includes housing for working families, a recreation complex, an early childhood development center and an adult day health program.

In typical fashion, Mrs. Coverdale also finds time to do the important hands-on work of the church and is presently the caregiver and guardian for the oldest widow in the church. I am proud to know Shirley Coverdale and to represent her as a constituent in New York's First Congressional District. I know that her husband, two children, eight grandchildren and great-grandchild are also proud of her.

Mr. Speaker, Shirley E. Coverdale has indeed earned the title of First Lady of her church in a multitude of ways, perhaps most importantly through being a living example of the ideals she espouses.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, July 19, 2012 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JULY 20

10:30 a.m.

Homeland Security and Governmental Affairs

To hold hearings to examine the nominations of Walter M. Shaub, Jr., of Virginia, to be Director of the Office of Government Ethics, and Rainey Ransom Brandt, and Kimberley Sherri Knowles, both to be an Associate Judge of the Superior Court of the District of Columbia.

SD–342

JULY 24

10 a.m.

Banking, Housing, and Urban Affairs

To hold hearings to examine housing partnerships in Indian country.

SD–538

Energy and Natural Resources

To hold hearings to examine assessing the opportunities for, current level of investment in, and barriers to the expanded usage of natural gas as a fuel for transportation.

SD–366

Environment and Public Works

Superfund, Toxics and Environmental Health Subcommittee

To hold a joint oversight hearing to examine Environmental Protection Agency authorities and actions to control exposures to toxic chemicals.

SD–406

Judiciary

Immigration, Refugees and Border Security Subcommittee

To hold hearings to examine strengthening the student visa system.

SD–226

2:30 p.m.

Commerce, Science, and Transportation

To hold hearings to examine the Cable Act at 20.

SR–253

Judiciary

Constitution, Civil Rights and Human Rights Subcommittee

To hold hearings to examine responding to Citizens United and Super PACs.

SH–216

Banking, Housing, and Urban Affairs

Financial Institutions and Consumer Protection Subcommittee

To hold hearings to examine private student loans, focusing on providing flexibility and opportunity to borrowers.

SD–538

Intelligence

To hold a closed markup session to consider certain intelligence matters.

SH–219

JULY 25

10 a.m.

Commerce, Science, and Transportation

To hold hearings to examine the International Space Station, focusing on research, collaboration, and discovery.

SR–253

Appropriations

Energy and Water Development Subcommittee

To hold hearings to examine the proper size of the nuclear weapons stockpile to maintain a credible U.S. deterrent.

SD–192

Finance

To hold hearings to examine education tax incentives and tax reform.

SD–215

Judiciary

To hold hearings to examine ensuring judicial independence through civics education.

SH–216

Appropriations

Departments of Labor, Health and Human Services, and Education, and Related Agencies Subcommittee

To hold hearings to examine the impact of sequestration on education.

SD–124

Foreign Relations

Near Eastern and South and Central Asian Affairs Subcommittee

To hold hearings to examine Iran's support for terrorism in the Middle East.

SD–419

2 p.m.

Aging

To hold hearings to examine enhancing women's retirement security.

SD–562

2:30 p.m.

Commerce, Science, and Transportation

To hold hearings to examine short-supply prescription drugs.

SR–253

Homeland Security and Governmental Affairs

Federal Financial Management, Government Information, Federal Services, and International Security Subcommittee

To hold hearings to examine assessing grants management practices at Federal agencies.

SD–342

Energy and Natural Resources

Water and Power Subcommittee

To hold an oversight hearing to examine the role of water use efficiency and its impact on energy use.

SD–366

3 p.m.

Foreign Relations

To hold hearings to examine S. 2215, to create jobs in the United States by increasing United States exports to Africa by at least 200 percent in real dollar value within 10 years, focusing on economic statecraft.

SD–419

JULY 26

9:30 a.m.

Homeland Security and Governmental Affairs

Investigations Subcommittee

To hold hearings to examine assessing overlap between disability and unemployment benefits.

SD–342

2:15 p.m.

Indian Affairs

To hold an oversight hearing to examine the regulation of tribal gaming, focusing on brick and mortar to the internet.

SD–628

2:30 p.m.

Intelligence

To hold closed hearings to examine certain intelligence matters.

SH–219

AUGUST 1

9 a.m.

Agriculture, Nutrition, and Forestry

To hold hearings to examine MF Global, focusing on accountability in the futures markets.

SR–328A

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S5093–S5167

Measures Introduced: Seven bills were introduced, as follows: S. 3396–3402. **Pages S5133–34**

Measures Reported:

H.R. 4240, to reauthorize the North Korean Human Rights Act of 2004.

S. 3326, to amend the African Growth and Opportunity Act to extend the third-country fabric program and to add South Sudan to the list of countries eligible for designation under that Act, to make technical corrections to the Harmonized Tariff Schedule of the United States relating to the textile and apparel rules of origin for the Dominican Republic-Central America-United States Free Trade Agreement, to approve the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003. **Page S5133**

Measures Passed:

Honoring American Veterans Act: Committee on Veterans' Affairs was discharged from further consideration of H.R. 1627, to amend title 38, United States Code, to furnish hospital care and medical services to veterans who were stationed at Camp Lejeune, North Carolina, while the water was contaminated at Camp Lejeune, to improve the provision of housing assistance to veterans and their families, and the bill was then passed, after agreeing to the following amendments proposed thereto: **Pages S5154–67**

Reid (for Murray) Amendment No. 2559, in the nature of a substitute. **Page S5166**

Reid (for Murray) Amendment No. 2560, to amend the title. **Page S5167**

Measures Considered:

Bring Jobs Home Act—Agreement: Senate continued consideration of the motion to proceed to consideration of S. 3364, to provide an incentive for businesses to bring jobs back to America. **Pages S5093–S5130**

A unanimous-consent agreement was reached providing that at 2:15 p.m., on Thursday, July 19, 2012, Senate vote on the motion to invoke cloture on the motion to proceed to consideration of the bill. **Page S5167**

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report relative to the continuation of the national emergency with respect to significant transnational criminal organizations that was established in Executive Order 13581 on July 24, 2011; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–57) **Page S5132**

Nominations Received: Senate received the following nominations:

James B. Cunningham, of New York, to be Ambassador to the Islamic Republic of Afghanistan.

Richard G. Olson, of New Mexico, to be Ambassador to the Islamic Republic of Pakistan. **Page S5167**

Messages from the House: **Pages S5132–33**

Measures Referred: **Page S5133**

Measures Placed on the Calendar: **Page S5133**

Measures Read the First Time: **Page S5133, S5167**

Executive Communications: **Page S5133**

Additional Cosponsors: **Pages S5134–35**

Statements on Introduced Bills/Resolutions: **Pages S5135–39**

Additional Statements: **Page S5132**

Amendments Submitted: **Pages S5139–54**

Notices of Hearings/Meetings: **Page S5154**

Authorities for Committees to Meet: **Page S5154**

Privileges of the Floor: **Page S5154**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 7:14 p.m., until 9:30 a.m. on Thursday, July 19, 2012. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S5167.)

Committee Meetings

(Committees not listed did not meet)

U.S. AVIATION INDUSTRY

Committee on Commerce, Science, and Transportation: Subcommittee on Aviation Operations, Safety, and Security concluded a hearing to examine the global competitiveness of the United States Aviation Industry, focusing on addressing competition issues to maintain United States leadership in the aerospace market, after receiving testimony from John Tracy, The Boeing Company, and Dan Elwell, Aerospace Industries Association of America, both of Arlington, Virginia; Stanley Sorscher, Society of Professional Engineering Employees in Aerospace, Seattle, Washington; and Pete Bunce, General Aviation Manufacturers Association, and Nicholas E. Calio, Airlines for America, both of Washington, DC.

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported the following business items:

An original bill entitled ''Enforcing Orders and Reducing Customs Evasion (ENFORCE) Act'';

An original bill entitled ''Citrus, Cotton, and Wool Trust Funds'';

An original bill entitled ''African Growth and Opportunity Act (AGOA)'';

An original bill entitled ''Dominican Republic-Central America-United States Free Trade Agreement (CAFTA–DR) technical corrections, and Burma sanctions''; and

An original bill entitled ''Russia Permanent Normal Trade Relations (PNTR) and Moldova PNTR''.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Marcie B. Ries, of the District of Columbia, to be Ambassador to the Republic of Bulgaria, John M. Koenig, of Washington, to be Ambassador to the Republic of Cyprus, Michael David Kirby, of Virginia, to be Ambassador to the Republic of Serbia, Thomas Hart Armbruster, of New York, to be Ambassador to the Republic of the Marshall Islands, and Greta Christine Holtz, of Maryland, to be Ambassador to the Sultanate of Oman, all of the Department of State, after the nominees testified and answered questions in their own behalf.

IMPROVING THE TRANSPARENCY OF FEDERAL SPENDING

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine improving the transparency of Federal spending, after receiving testimony from Senator Warner; Gene L. Dodaro, Comptroller General of the United States, Government Accountability Office; Daniel I. Werfel, Controller, Office of Management and Budget; and Richard L. Gregg, Fiscal Assistant Secretary of the Treasury.

2020 CENSUS PREPARATION

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security concluded a hearing to examine the census, focusing on planning ahead for 2020, and how sustaining current reform efforts will be key to a more cost-effective enumeration, after receiving testimony from Robert M. Groves, Director, U.S. Census Bureau, and Todd J. Zinser, Inspector General, both of the Department of Commerce; Robert Goldenkoff, Director, Strategic Issues, Government Accountability Office; Jason Providakes, The MITRE Corporation, Baltimore, Maryland; Jack Baker, University of New Mexico, Phoenix, Arizona, on behalf of the National Research Council Panel to Review the 2010 Census; and Andrew Reamer, George Washington University Institute of Public Policy, Arlington, Virginia.

IMPROVING FORENSIC SCIENCE

Committee on the Judiciary: Committee concluded a hearing to examine improving forensic science in the criminal justice system, after receiving testimony from Jill Spriggs, State of California Crime Lab, Sacramento, on behalf of the Consortium of Forensic Science Organizations; Stephanie Stoiloff, Miami-Dade Police Department Forensic Services Bureau, Miami, Florida, on behalf of the International Association of Chiefs of Police Forensic Science Committee; Peter Neufeld, The Innocence Project, New York, New York; and Scott Burns, National District Attorneys Association, Alexandria, Virginia.

FACIAL RECOGNITION TECHNOLOGY

Committee on the Judiciary: Subcommittee on Privacy, Technology and the Law concluded a hearing to examine what facial recognition technology means for privacy and civil liberties, after receiving testimony from Jerome M. Pender, Deputy Assistant Director, Criminal Justice Information Services Division, Federal Bureau of Investigation, Department of Justice; Maneesha Mithal, Associate Director, Division of Privacy and Identity Protection, Federal Trade Commission; Alessandro Acquisti, Carnegie Mellon University Heinz College and CyLab, Pittsburgh, Pennsylvania; Larry Amerson, Calhoun County Sheriff, Anniston, Alabama, on behalf of the National Sheriffs' Association; Nita Farahany, Duke Law School, Durham, North Carolina; Jennifer Lynch, Electronic Frontier Foundation, San Francisco, California; Brian

Martin, MorphoTrust USA, Jersey City, New Jersey; and Robert Sherman, Facebook, Washington, DC.

NOMINATION

Committee on Veterans' Affairs: Committee concluded a hearing to examine the nomination of Thomas Skerik Sowers II, of Missouri, to be Assistant Secretary of Veterans Affairs for Public and Intergovernmental Affairs, after the nominee, who was introduced by Senator McCaskill, testified and answered questions in his own behalf.

MEDICARE AND MEDICAID COORDINATION FOR DUAL-ELIGIBLES

Special Committee on Aging: Committee concluded a hearing to examine Medicare and Medicaid coordination for dual-eligibles, after receiving testimony from Melanie Bella, Director of the Medicare-Medicaid Coordination Office, Centers for Medicare and Medicaid Services, Department of Health and Human Services; Jason A. Helgerson, New York State Department of Health Medicaid Director, Albany; Thomas J. Betlach, Arizona Health Care Cost Containment System (AHCCCS), Phoenix; Robert A. Berenson, Urban Institute, Washington, DC.; Shawn Morris, HealthSpring, Nashville, Tennessee; and Dory Funk, Senior CommUnity Care, Eckert, Colorado.

PRESCRIPTION DRUG ABUSE

United States Senate Caucus on International Narcotics Control: Caucus concluded a hearing to examine prescription drug abuse, after receiving testimony from Representative Bono Mack; R. Gil Kerlikowske, Director of National Drug Control Policy, Office of National Drug Control Policy, Executive Office of the President; Joseph T. Rannazzisi, Deputy Assistant Administrator, Drug Enforcement Administration, Department of Justice; John L. Eadie, Brandeis University Heller School for Social Policy and Management Prescription Drug Monitoring Program Center of Excellence, Waltham, Massachusetts; Joe Harmison, Harmison Pharmacies, Arlington, Texas, on behalf of the National Community Pharmacists Association; Avi Israel, Buffalo, New York; and Vernon Porter, Orange County, California.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 13 public bills, H.R. 6137–6149; and 2 resolutions, H. Res. 733–734 were introduced. **Pages H5008–09**

Additional Cosponsors: **Pages H5009–10**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Schmidt to act as Speaker pro tempore for today. **Page H4911**

Recess: The House recessed at 10:43 a.m. and reconvened at 12 noon. **Page H4915**

Chaplain: The prayer was offered by the guest chaplain, Reverend Dr. Stan Ballard, Nettleton Baptist Church, Jonesboro, Arkansas. **Page H4915**

Suspensions: The House agreed to suspend the rules and pass the following measure:

Sequestration Transparency Act of 2012: H.R. 5872, amended, to require the President to provide a report detailing the sequester required by the Budget Control Act of 2011 on January 2, 2013, by a 2/3 yea-and-nay vote of 414 yeas to 2 nays, Roll No. 471. **Pages H4920–25**

Department of Defense Appropriations Act, 2013: The House began consideration of H.R. 5856, making appropriations for the Department of Defense for the fiscal year ending September 30, 2013. Further proceedings were postponed. **Pages H4926–H5006**

Agreed to:

Gallegly amendment that increases funding, by offset, for Operation and Maintenance, Air National Guard by $8,000,000 and Aircraft Procurement, Air Force by $16,000,000 for firefighting equipment; **Page H4953**

Kucinich amendment that increases funding, by offset, for the Defense Health Program by $10,000,000 for Gulf War Illness research; **Pages H4954–55**

Langevin amendment (No. 6 printed in the Congressional Record of July 17, 2012) that increases funding, by offset, for the Defense Health Program by $15,000,000 for spinal cord injury research; **Pages H4956–57**

Sessions amendment that increases funding, by offset, for the Defense Health Program by $10,000,000 for traumatic brain injury and post-traumatic stress disorder research; **Pages H4857–58**

Walz (MN) amendment that increases funding, by offset, for the Defense Health Program by $5,000,000 for vision and eye research; **Pages H4958–59**

Bonamici amendment that redirects funding within the account for Other Procurement, Army in order to assess the type of medical equipment needed for emergency missions of the National Guard; **Pages H4960–61**

Jones amendment that increases funding for Overseas Deployments and Other Activities, Military Personnel by $148,462,000 and reduces funding for the Afghanistan Security Forces Fund by $412,287,000; **Pages H4978–79**

Altmire amendment that increases funding, by offset, for Operation and Maintenance, Army Reserve by $5,500,000 and Operation and Maintenance, Army National Guard by $10,000,000 for the Yellow Ribbon program; **Pages H4980–81**

Boswell amendment that increases funding, by offset, for the Defense Health Program by $10,000,000 for suicide prevention; **Pages H4983–85**

LoBiondo amendment that prohibits funds from being used to operate an unmanned aircraft system except in accordance with the Fourth Amendment of the Constitution; **Pages H4990–91**

Flake amendment that prohibits funds from being used to enter into a contract for UH–60 Leak Proof Drip Pans using procedures other than competitive procedures; **Page H4991**

Wittman amendment that prohibits funds from being used to propose, plan for, or execute an additional Base Realignment and Closure (BRAC) round; **Page H4992**

Poe (TX) amendment that revises funds made available for "Operation and Maintenance, Defense-Wide" and the amount under that heading for payments to reimburse key cooperating nations for logistical, military and other support by $650,000,000, respectively; **Page H4995**

Bilbray amendment that prohibits funds from being used to remove any portion of the Mount Soledad Veterans Memorial in San Diego, California; and **Pages H4993–94**

Cohen amendment that reduces funding for the Afghanistan Infrastructure Fund by $175,000,000 and applies the savings to the spending reduction account (by a recorded vote of 228 ayes to 191 noes, Roll No. 479). **Pages H4982–83, H5001–02**

Rejected:

Blumenauer amendment (No. 8 printed in the Congressional Record of July 17, 2012) that sought to increase funding, by offset, for Environmental Restoration, Formerly Used Defense Sites by $88,952,000; **Pages H4953–54**

Hanna amendment that sought to increase funding, by offset, for Research, Development, Test and Evaluation, Air Force by $30,000,000; **Page H4956**

Higgins amendment that sought to increase funding, by offset, for Research, Development, Test and Evaluation, Defense-Wide by $10,000,000; **Pages H4959–60**

Baca amendment that sought to increase funding, by offset, for Research, Development, Test and Evaluation, Defense-Wide by $10,000,000; **Pages H4971–78**

Speier amendment that sought to reduce funding for the Joint Improvised Explosive Device Defeat Fund by $120,500,000 and apply the savings to the spending reduction account; **Pages H4985–88**

McCollum amendment (No. 4 printed in the Congressional Record of July 17, 2012) that sought to reduce funding in various Military Personnel and Operation and Maintenance accounts by $187,770,000 and apply the savings to the spending reduction account (by a recorded vote of 166 ayes to 250 noes, Roll No. 472); **Pages H4939–42, H4996–97**

Kingston amendment (No. 2 printed in the Congressional Record of July 17, 2012) that sought to reduce funding in various Operation and Maintenance accounts by $72,300,000 and apply the savings to the spending reduction account (by a recorded vote of 202 ayes to 216 noes, Roll No. 473); **Pages H4947–53, H4997–98**

Quigley amendment that sought to reduce funding for the DDG–51 Destroyer by $988,000,000 and apply the savings to the spending reduction account (by a recorded vote of 60 ayes to 359 noes, Roll No. 474); **Pages H4961–62, H4998**

Cohen amendment that sought to increase funding, by offset, for the Defense Health Program by $235,000,000 for cancer research (by a recorded vote of 145 ayes to 273 noes, Roll No. 475); **Pages H4962–64, H4998–99**

Pompeo amendment that sought to eliminate funding for the Defense Rapid Innovation Program and apply the $250,000,000 in savings to the spending reduction account (by a recorded vote of 137 ayes to 282 noes, Roll No. 476); **Pages H4964–65, H4999–H5000**

Markey amendment that sought to reduce funding for Research, Development, Test and Evaluation, Defense-Wide for ground-based missile defense by $75,000,000 and apply the savings to the spending reduction account (by a recorded vote of 150 ayes to 268 noes, Roll No. 477); **Pages H4965–70, H5000**

Amash amendment that sought to strike section 8039 (by a recorded vote of 186 ayes to 233 noes, Roll No. 478) (agreed by unanimous consent that a

recorded vote be taken on the Amash amendment which had been disposed of earlier by a voice vote); **Pages H4970–71, H5000–01**

Cicilline amendment that sought to eliminate funding for the Afghanistan Infrastructure Fund by and apply the $375,000,000 in savings to the spending reduction account (by a recorded vote of 149 ayes to 270 noes, Roll No. 480); **Pages H4981–82, H5002**

Woolsey amendment that sought to reduce the total amount of appropriations made available by the bill by $181,000,000 (by a recorded vote of 114 ayes to 302 noes, Roll No. 481); **Pages H4988–89, H5002–03**

Markey amendment that sought to prohibit funds from being used to operate or maintain more than 300 land-based intercontinental ballistic missiles (by a recorded vote of 136 ayes to 283 noes, Roll No. 482); **Pages H4989–90, H5003–04**

Woolsey amendment that sought to reduce the total amount of appropriations made available by the bill by $293,900,000 (by a recorded vote of 106 ayes to 311 noes, Roll No. 483); **Pages H4990, HH5004**

Woolsey amendment that sought to reduce the total amount of appropriations made available by the bill by $1,700,000,000 (by a recorded vote of 91 ayes to 328 noes, Roll No. 484); **Pages H4992–93, H5004–05**

Lee amendment that sought to reduce appropriations in title IX of the bill by $20,843,869,000, except as provided in subsection (b) of the amendment (by a recorded vote of 107 ayes to 312 noes, Roll No. 485); and **Pages H4994–95, H5005–06**

King (IA) amendment that sought to prohibit funds from being used to administer the wage-rate requirements of subchapter IV of chapter 31 of title 40, United States Code, with respect to any project or program funded by this bill (by a recorded vote of 182 ayes to 235 noes, Roll No. 486). **Pages H4993, H5006**

Withdrawn:

Kucinich amendment that was offered and subsequently withdrawn that would have increased funding, by offset, for the Defense Health Program by $6,000,000 for suicide prevention research and **Pages H4955–56**

Poe (TX) amendment (No. 3 printed in the Congressional Record of July 17, 2012) that was offered and subsequently withdrawn that would have reduced coalition support funds for Pakistan by $1,300,000,000 and applied the savings to the spending reduction account. **Pages H4979–80**

Point of Order sustained against:

Mulvaney amendment that sought to transfer $5,557,306,000 in funding from Overseas Deployments and Other Activities accounts to Military Personnel accounts for the Army and Marine Corps; **Pages H4942–47**

Section 8121 of the bill; and **Pages H4977–78**

Lee amendment that sought to prohibit funds from being used for any account of the Department of Defense (other than accounts excluded by subsection (b)) in excess of the amount made available for such account for fiscal year 2008, unless the financial statements of the Department for fiscal year 2013 are validated as ready for audit within 180 days after the date of the enactment of this act. **Pages H4991–92**

H. Res. 717, the rule providing for consideration of the bill, was agreed to on June 29th.

Presidential Message: Read a message from the President wherein he notified Congress that the national emergency declared in Executive Order 13581 with respect to significant transnational criminal organizations is to continue in effect beyond July 24, 2012—referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 112–125). **Page H4920**

Quorum Calls—Votes: One yea-and-nay vote and 15 recorded votes developed during the proceedings of today and appear on pages H4925–26, H4996–97, H4997–98, H4998, H4998–99, H4999–H5000, H5000, H5000–01, H5001–02, H5002, H5002–03, H5003–04, H5004, H5004–05, H5005–06 and H5006. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 10:32 p.m.

Committee Meetings

MISCELLANEOUS MEASURES

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education held a markup of the Labor, Health and Human Services, and Education Appropriations Bill, FY 2013. The bill was forwarded without amendment.

NATIONAL SECURITY INFORMATION AND IMPACT ON MILITARY OPERATIONS

Committee on Armed Services: Full Committee began a hearing on disclosures of national security information and impact on military operations. No testimony was heard.

SEQUESTRATION IMPLEMENTATION OPTIONS AND THE EFFECTS ON NATIONAL DEFENSE

Committee on Armed Services: Full Committee held a hearing on Sequestration Implementation Options

and the Effects on National Defense: Industry Perspectives. Testimony was heard from public witnesses.

WITHDRAWAL FROM AFGHANISTAN

Committee on Armed Services: Subcommittee on Oversight and Investigations held a hearing on Withdrawal from Afghanistan: Historical Lessons. Testimony was heard from public witnesses.

KEEPING COLLEGE WITHIN REACH

Committee on Education and the Workforce: Subcommittee on Higher Education and Workforce Training held a hearing entitled ''Keeping College Within Reach: Exploring State Efforts to Curb Costs''. Testimony was heard from Teresa Lubbers, Commissioner for Higher Education, Indiana; and public witnesses.

USING INNOVATION TO REFORM MEDICARE PHYSICIAN PAYMENT

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled ''Using Innovation to Reform Medicare Physician Payment''. Testimony was heard from public witnesses.

LEGISLATIVE MEASURES

Committee on Energy and Commerce: Subcommittee on Energy and Power held a hearing on the discussion draft of the ''U.S. Agricultural Sector Relief Act of 2012''; and the ''Asthma Inhalers Relief Act of 2012''. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Subcommittee on Energy and Power began a markup of the following: the ''U.S. Agricultural Sector Relief Act of 2012''; the ''Asthma Inhalers Relief Act of 2012''; and the ''No More Solyndras Act''.

MONETARY POLICY AND THE STATE OF THE ECONOMY

Committee on Financial Services: Full Committee held a hearing entitled ''Monetary Policy and the State of the Economy''. Testimony was heard from Ben Bernanke, Chairman, Board of Governors of the Federal Reserve System.

MISCELLANEOUS MEASURES

Committee on Foreign Affairs: Subcommittee on Asia and the Pacific held a markup of H.R. 6040, to approve the Agreement providing terms for a continuation of the free association between the United States and Palau, and for other purposes. The bill was forwarded, as amended.

A DECADE AFTER 9/11 COULD AMERICAN FLIGHT SCHOOLS STILL UNKNOWINGLY BE TRAINING TERRORISTS?

Committee on Homeland Security: Subcommittee on Transportation Security held a hearing entitled ''A Decade After 9/11 Could American Flight Schools Still Unknowingly Be Training Terrorists?'' Testimony was heard from Kerwin Wilson, General Manager for General Aviation, Office of Security Policy and Industry Engagement, Transportation Security Administration, Department of Homeland Security; John Woods, Assistant Director, National Security Investigations, Immigration and Customs Enforcement, Department of Homeland Security; Stephen Lord, Director, Homeland Security and Justice Issues, Government Accountability Office; and public witnesses.

INTERNATIONAL TRADE COMMISSION AND PATENT DISPUTES

Committee on the Judiciary: Subcommittee on Intellectual Property, Competition and the Internet held a hearing entitled ''The International Trade Commission and Patent Disputes''. Testimony was heard from public witnesses.

LEGISLATIVE MEASURES

Committee on the Judiciary: Subcommittee on the Constitution held a hearing on H.J. Res. 110, an Amendment to the Constitution Concerning Parental Rights and Education. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Full Committee held a markup of the following: H.R. 6062, the ''Edward Byrne Memorial Justice Assistance Grant Program Reauthorization Act of 2012''; H.R. 3796, the ''Adam Walsh Reauthorization Act of 2012''; and H.R. 3803, the ''District of Columbia Pain-Capable Unborn Child Protection Act''. H.R. 6062 was ordered reported without amendment. H.R. 3796 and H.R. 3803 were ordered reported, as amended.

MISCELLANEOUS MEASURES

Committee on Natural Resources: Full Committee held a markup on H.R. 6082, the ''Congressional Replacement of President Obama's Energy-Restricting and Job-Limiting Offshore Drilling Plan''. The bill was ordered reported, as amended.

ADMINISTRATION'S BET OF ABOUND SOLAR

Committee on Oversight and Government Reform: Subcommittee on Regulatory Affairs, Stimulus Oversight and Government Spending held a hearing entitled ''The Administration's Bet of Abound Solar: Assessing the Costs to the American Taxpayers''. Testimony was heard from David G. Frantz, Acting Executive Director, Loan Programs Office, Department of Energy; Jonathan Silver, former Executive Director, Loan Program Office, Department of Energy; and public witnesses.

TAKING CARE OF OUR VETERANS: WHAT IS THE DEPARTMENT OF VETERANS AFFAIRS DOING TO ELIMINATE THE CLAIMS BACKLOG?

Committee on Oversight and Government Reform: Subcommittee on National Security, Homeland Defense and Foreign Operations held a hearing entitled ''Taking Care of Our Veterans: What is the Department of Veterans Affairs Doing to Eliminate the Claims Backlog?'' Testimony was heard from Allison Hickey, Under Secretary for Benefits, Department of Veterans Affairs; and public witnesses.

EXPANDING BROADBAND ACCESS TO SMALL BUSINESSES

Committee on Small Business: Full Committee held a hearing entitled ''Digital Divide: Expanding Broadband Access to Small Businesses''. Testimony was heard from Julius Genachowski, Chairman, Federal Communications Commission, Jonathan Adelstein, Administrator, Rural Utility Service, Department of Agriculture; and Lawrence E. Strickling, Assistant Secretary, National Telecommunications and Information Administration, Department of Commerce.

FAA'S CONTRACT TOWER PROGRAM

Committee on Transportation and Infrastructure: Subcommittee on Aviation held a hearing entitled ''A Review of the FAA's Contract Tower Program''. Testimony was heard from Calvin L. Scovel, Inspector General, Department of Transportation; David Grizzle, Chief Operating Officer, Air Traffic Organization, FAA; and Julie Oettinger, Assistant Administrator for Policy, International Affairs and Environment, FAA.

DISABILITY COMPENSATION BENEFITS PROCESS FOR VICTIMS OF MILITARY SEXUAL TRAUMA

Committee on Veterans' Affairs: Subcommittee on Disability Assistance and Memorial Affairs held a hearing entitled ''Invisible Wounds: Examining the Disability Compensation Benefits Process for Victims of Military Sexual Trauma''. Testimony was heard from Col. Alan Metzler, Deputy Director, Sexual Assault Prevention and Response Office, Department of Defense; Thomas Murphy, Director of Compensation and Pension Service, Department of Veterans Affairs; and public witnesses.

Joint Meetings

VIOLENCE AGAINST COPTIC WOMEN AND GIRLS IN EGYPT

Commission on Security and Cooperation in Europe: Commission concluded a hearing to examine the escalation of violence against Coptic women and girls in Egypt, after receiving testimony from Michele Clark, George Washington University Elliott School of International Affairs, Medford, Massachusetts; and Walid Phares, Transatlantic Legislative Group on Counterterrorism, and Katrina Lantos Swett, United States Commission on International Religious Freedom, both of Washington, DC.

COMMITTEE MEETINGS FOR THURSDAY, JULY 19, 2012

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: to hold hearings to examine the nominations of General Mark A. Welsh III, USAF for reappointment to the grade of general and to be Chief of Staff, United States Air Force, Lieutenant General John F. Kelly, USMC to be general and Commander, United States Southern Command, and Lieutenant General Frank J. Grass, ARNG to be general and Chief, National Guard Bureau, 9:30 a.m., SH–216.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine making college affordability a priority, focusing on promising practices and strategies, 10 a.m., SD–430.

Committee on Indian Affairs: to hold an oversight hearing to examine the impacts of environmental changes on treaty rights, traditional lifestyles, and tribal homelands, 2:15 p.m., SD–628.

Committee on the Judiciary: business meeting to consider S. 285, for the relief of Sopuruchi Chukwueke, S. 3276, to extend certain amendments made by the FISA Amendments Act of 2008, and the nominations of Frank Paul Geraci, Jr., to be United States District Judge for the Western District of New York, Fernando M. Olguin, to be United States District Judge for the Central District of California, Malachy Edward Mannion, and Matthew W. Brann, both to be a United States District Judge for the Middle District of Pennsylvania, and Charles R. Breyer, of California, to be a Member of the United States Sentencing Commission, 10 a.m., SD–226.

Select Committee on Intelligence: to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

House

Committee on Armed Services, Full Committee, hearing on disclosures of national security information and impact on military operations, 10 a.m., 2118 Rayburn. This is a closed hearing.

Committee on Energy and Commerce, Subcommittee on Energy and Power, continue markup of the following: the ''U.S. Agricultural Sector Relief Act of 2012''; the ''Asthma Inhalers Relief Act of 2012''; and the ''No More Solyndras Act'', 10 a.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Oversight and Investigations, hearing entitled ''Who's In Your Wallet? Dodd-Frank's Impact on Families, Communities and Small Businesses'', 10 a.m., 2128 Rayburn.

Subcommittee on Financial Institutions and Consumer Credit, hearing entitled ''The Impact of Dodd-Frank on Consumer Choice and Access to Credit'', 2 p.m., 2128 Rayburn.

Committee on Foreign Affairs, Subcommittee on Africa, Global Health, and Human Rights, hearing entitled ''Poison Harvest: Deadly U.S. Mine Pollution in Peru'', 2 p.m., 2200 Rayburn.

Full Committee, hearing entitled ''Unfair Trading Practices Against the U.S.: Intellectual Property Rights Infringement, Property Expropriation, and Other Barriers'', 10 a.m., 2172 Rayburn.

Subcommittee on Terrorism, Nonproliferation, and Trade, hearing entitled ''When Regimes Fall: The Challenge of Securing Lethal Weapons'', 2 p.m., 2172 Rayburn.

Committee on Homeland Security, Subcommittee on Oversight, Investigations, and Management, hearing entitled ''Using Unmanned Aerial Systems Within the Homeland: Security Game Changer?'', 9:30 a.m., 311 Cannon.

Committee on House Administration, Full Committee, markup of the following: H.R. 406, to amend the Federal Election Campaign Act of 1971 to permit candidates for election for Federal office to designate an individual who will be authorized to disburse funds of the authorized campaign committees of the candidate in the event of the death of the candidate; H.R. 6122, to revise the authority of the Librarian of Congress to accept gifts and bequests on behalf of the Library, and for other purposes; a concurrent resolution providing funding to ensure the printing and production of the authorized number of copies of the revised and updated version of the House document entitled ''Hispanic Americans in Congress'', and for other purposes; H.R. 1402, to authorize the Architect of the Capitol to establish battery recharging stations for privately owned vehicles in parking areas under the jurisdiction of the House of Representatives at no net cost to the Federal Government; and the ''H.R. 1974, Access to Congressionally Mandated Reports Act'', 10 a.m., 1310 Longworth.

Subcommittee on Oversight, hearing entitled ''Library of Congress: 2012 Inspector General Report on Library-Wide Acquisitions'', 10:30 a.m., 1310 Longworth.

Committee on the Judiciary, Full Committee, hearing entitled ''Oversight of the Department of Homeland Security'', 10 a.m., 2141 Rayburn.

Committee on Natural Resources, Full Committee, ''Status of Obama Administration's Rewrite of the Stream Buffer Zone Rule and Compliance with Committee Subpoenas'', 10 a.m., 1324 Longworth.

Subcommittee on Fisheries, Wildlife, Oceans and Insular Affairs, hearing on the following measures: H.R. 3906, to amend the Atlantic Striped Bass Conservation Act to allow recreational fishing for Atlantic Striped Bass in the Block Island Sound transit zone; H.R. 6007, the ''North Texas Zebra Mussel Barrier Act of 2012''; and H.R. 6096, the ''Atlantic Fisheries Statutes Reauthorization Act of 2012'', 2 p.m., 1324 Longworth.

Committee on Oversight and Government Reform, Full Committee, hearing entitled ''Continuing Oversight of Regulatory Impediments to Job Creation: Job Creators Still Buried by Red Tape'', 9:30 a.m., 2154 Rayburn.

Subcommittee on Health Care, District of Columbia, Census and the National Archives, hearing entitled ''Changes to the Heights Act: Shaping Washington, D.C., for the Future'', 1:30 p.m., 2154 Rayburn.

Committee on Science, Space, and Technology, Full Committee, hearing entitled ''Keeping America Secure: The Science Supporting the Development of Threat Detection Technologies'', 10 a.m., 2318 Rayburn.

Committee on Small Business, Subcommittee on Investigations, Oversight and Regulations, ''Health Care Realignment and Regulation: The Demise of Small and Solo Medical Practices?'' 10 a.m., 2360 Rayburn.

Committee on Ways and Means, Full Committee, hearing on Tax Reform and the U.S. Manufacturing Sector, 9:30 a.m., 1100 Longworth.

Next Meeting of the SENATE

9:30 a.m., Thursday, July 19

Senate Chamber

Program for Thursday: The Majority Leader will be recognized. At 2:15 p.m., Senate will vote on the motion to invoke cloture on the motion to proceed to consideration of S. 3364, Bring Jobs Home Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, July 19

House Chamber

Program for Thursday: Resume consideration of H.R. 5856—Department of Defense Appropriations Act, 2013.

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