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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
July 19, 2012.

I hereby appoint the Honorable DANIEL WEBSTER 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.

AMERICANS HOLD THE KEY TO THE AMERICAN DREAM—NOT GOVERNMENT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX. Mr. Speaker, I couldn't believe my ears last Friday when President Obama made the revealing statement: if you have a business, you didn't build that. Someone else made that happen.

The President's decision to speak as an authority on the private sector, where he has never staked his own livelihood, is baffling. The takeaway from his speech may be boiled down to this: it's not your smarts; it's not your work ethic. If not for the government, where would you be?

Ask the entrepreneur who has taken real risk if that rings true. Ask the small business owner who took out a second mortgage to get his company off the ground. Ask those who wakened before dawn to fire up the ovens at their bakery or to tend to the needs on their farm. Was Washington a co-laborer in their work? Should Washington claim any credit for their success? Job creators stake their own money and security on their ventures and most do so without the safety net of a government grant or bailout.

In America, not everyone chooses to take those risks and join the ranks of job creators; and among those who do, not everyone succeeds. But that is the symptom of a choice-driven free market and part of the beauty of our country. That is why our Declaration itemizes as one of our inalienable rights the pursuit of happiness. This is the understanding that the American Dream looks different for everyone and that through hard work, talent, choice, and opportunity, so too will its results.

Inherent in the American psyche is the belief that hard work can change the course of a person's life. I know that to be true in my own life; and 63 percent of Americans share that belief, as opposed to 37 percent of French, 45 percent of Dutch, and 46 percent of Norwegians. That hope in hard work is among our country's greatest assets, and it is a tragedy that the principle was so diminished by our White House.

You see, Mr. Speaker, I have a background as a small businesswoman. Together with my husband, Tom, we built an independent nursery and landscaping business in North Carolina more than 30 years ago, and it's still in our family today. I've seen what it takes to keep a small business afloat. The hours are long, the strain on the family can be significant, and you live with the knowledge that one sustained economic downturn could spell the end of your life's work.

No one from the government was there when my husband and I worked in the rain and snow to finish jobs so we could get paid, or cut Christmas trees and load them when the temperature was so brutally cold we could hardly tie knots to keep them on a truck. No one from government was there in the wee hours of the morning when we were doing our regular jobs while at the same time working to start our business.

Small businesses operate in a world of bottom lines Washington knows very little about. Unlike Washington, they don't have the luxury to deficit spend, print more money, or profess as ''spending cuts'' lower-than-anticipated growth.

When the President claimed the American system ''allowed'' the successful to thrive, he made a dangerous error. Government doesn't allow its citizens to thrive, nor does it ''enable'' them to thrive or ''permit'' them to thrive. That language suggests government is a benefactor possessing the authority to give or take the blessings of open commerce as it sees fit. No, government does not ''allow'' you to thrive. Government, when it operates in its constitutional capacity, does not obstruct your thriving.

Ask small business owners today and they will likely tell you they exist in spite of government's burdens and interference. Government already obligates small businesses to pay more than $10,000 per employee each year to comply with Federal regulations. That is money they are not directing toward hiring new employees. But even with that knowledge, Washington's regulatory tsunami continues. So do the taxes.

In a faltering economy, job creation is of paramount importance; and when

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you raise taxes in a faltering economy, job creation is thwarted. The President acknowledged as much in 2009, but his policies run to the contrary.

Perhaps the President's lack of familiarity with running a business in a recession is responsible for his insistence on increasing taxes on 940,000 small business tax filers in 2013. Perhaps it's because he doesn't know the ins and outs of private sector creation that he's willing to risk 710,000 American jobs on his tax crusade. We who know the private sector want to spare him that lesson. Taxes will devastate our economy. To grow it, every American should benefit from an extension of tax relief.

Mr. Speaker, Washington didn't buy the American Dream for the millions of small businesses that comprise the backbone of our economy. Nor did Washington show up sick when a shift needed to be covered, miss soccer games because a shipment had to be received, or work graveyard because someone had to do it. Americans did that.

Too quickly we forget that everything the government has it takes from taxpayers; and if taxpayers do poorly, so does the government. So Washington must remain mindful. If the policies it imposes make it harder for small businesses to grow and create jobs, and eliminate their ability to invest, it is Washington that will find itself in crisis as it is now.

PUBLIC BROADCASTING

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

Mr. BLUMENAUER. There is a battle under way about the very existence of public broadcasting. We thought we were past this when, 15 months ago, the House Republican leadership targeted NPR and tried to defund the Corporation for Public Broadcasting.

Luckily, last year, 170 million people—who don't just listen to or watch public broadcasting, but depend on it—unleashed an unprecedented show of support. As a result, the Republican leadership walked back.

One good thing about last year's budget was a requirement to have a study about alternatives to funding public broadcasting so that people would have hard facts for this year's budget discussion. Well, that study is in, and it clearly shows that there is no viable alternative to Federal funding for public broadcasting.

Many of the proposals that have been suggested would actually result in less money overall for public broadcasting in the long term. Yet the House appropriations bill, marked up yesterday, would slash funding now, defund NPR Federal support, and end public broadcasting as we know it within 2 years.

I had dinner with Ken Burns last night, and we discussed this. He pointed out that his five or six projects in the pipeline would never be seen if this budget goes forward. So enjoy his program about the Dust Bowl this November because you will never be able to see the Roosevelts, Jackie Robinson, Vietnam, Hemingway. All will never be finished or seen if the Republican budget proposal is approved.

The problem is that Governor Romney—who has singled out public broadcasting as one of five projects that he would defund—and the Republicans listened to a tiny fraction of the American public that is even a minority in their own party. Polls show that two-thirds of Republicans surveyed would either keep Federal funding for broadcasting 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 Americans need public broadcasting the most. NPR news, the object of greatest Republican scorn, is the most trusted brand in American news media.

PBS shows like ''Sesame Street'' have helped three generations of parents raise their children with effective, commercial-free educational programming.

□ 1010

Locally owned news is becoming only a memory for most America as large corporations buy up local stations and newspapers. There's no money to be made by commercial stations that cater to the special needs of rural and small town America. Luckily, public broadcasting is there because their mission is to serve, not make money.

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

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

There's no reason to make public broadcasting a partisan issue. Public broadcasting has broad support from Republicans, Independents, and Democrats alike. That's why PBS and its member stations were named number one in public trust and a ''excellent'' use of taxpayer dollars for the 9th consecutive year.

It's time for people who believe in public broadcasting to stand up to this extremism and settle the question once and for all about the future of public broadcasting. Unless we fight now, there may be nothing left to protect.

MINNESOTA'S 86,000-ACRE PROBLEM

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

Mr. CRAVAACK. Mr. Speaker, for far too long—over 30 years, in fact—Minnesota and its students have been faced with an 86,000-acre problem.

When Minnesota became a State in 1858, sections 16 and 36 of every township were set aside in trust for the benefit of schools. The State could use, lease, or sell the land to raise money for education. Then, in the 1970s, the Federal Government created the Boundary Waters Canoe Area Wilderness. These State school trust lands within the Boundary Waters cannot be timber harvested, leased, or utilized for their minerals. Thus, they are not generating money for the school trust. As a result, approximately 86,000 acres of State trust lands are currently locked within the borders of the Boundary Waters and unable to produce critical funding for Minnesota public education.

Ultimately, Congress got us into this situation in the first place, and Congress will have to get us out.

On June 8, the Natural Resources Committee's Subcommittee on National Parks, Forests and Public Lands, conducted a comprehensive hearing on this legislation. Our goal: preserve and protect the Boundary Waters and allow State-owned school trust lands to raise revenue for Minnesota education through utilizing our timber and mineral resources.

It is imperative we resolve this longstanding problem. Minnesota law specifies these lands must earn money for the school trust. In fact, the State has a constitutional responsibility to earn a financial return from these lands to fund the education system.

That is why I introduced H.R. 5544, the Minnesota Education Investment and Employment Act, which will give State-owned school trust lands trapped in the Boundary Waters to the Federal Government in exchange for Federal Government-owned land outside the Boundary Waters. This legislation is needed for the Federal Government to execute the bipartisan plan recently agreed upon by the Minnesota Legislature and signed by the Governor.

Our economy cannot wait, and our kids in the classroom shouldn't either. This legislation will produce new opportunities to create well-paying jobs and additional revenue for our schools.

Minnesota's school trust lands are a 154-year investment in our future. Times are tight, and our schools and teachers could use the help. Currently, some school districts in Minnesota, including mine in North Branch, have classes with up to 40 students and have scaled back to 4-day school weeks.

Just recently, the largest paper in Minnesota, the Minneapolis Star Tribune, penned an opinion piece which stated that enactment of this legislation would be a boon for our economy in the Eighth. Unfortunately, special interests are attempting to derail this broad, bipartisan land swap plan, which

includes jobs for Minnesotans and additional revenue to fund our schools. To swap these lands trapped within the Boundary Waters for lands located outside the Boundary Waters—to simply execute this Federal action—our State, its people, and our students should not endure years of litigation and disingenuous delay.

Importantly, the Minnesota Education Investment Employment Act would not eliminate a single acre of Boundary Waters land. In fact, it would add Federal wilderness acres to the existing boundaries. The Boundary Water Canoe Area wilderness would therefore become whole.

The Boundary Water Canoe Area is an important and vital aspect of the Eighth District of Minnesota, and we will take care of it. As a side benefit—the bill guarantees Minnesotans will retain their existing hunting and fishing rights in the Boundary Waters.

Now, more than ever, it is our duty as Minnesota's leaders to honor the State's obligations owed to Minnesota students and restore the integrity of the Boundary Water Canoe Area Wilderness. This is a team effort, and I am ready to work with involved stakeholders and my colleagues to put Minnesota schools first.

SUPPORTING PRESIDENT OBAMA'S DECISION TO STOP DEPORTATIONS FOR DREAM ACT-ELIGIBLE IMMIGRANTS

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

Mr. GUTIERREZ. Mr. Speaker, I'm very pleased to announce today that more than 100 of my colleagues have joined me in writing to President Obama to thank him for his action to use prosecutorial discretion to stop deportations for DREAM Act-eligible immigrants.

We are pledging our continued and strong support for this policy. My colleagues and I, 104 of us, are standing together to make clear that we think America is a better place with the immigrants who will be helped by this new policy.

Of course, not everyone agrees. Progress doesn't always mean consensus. My colleague, Mr. KING of Iowa, wants to sue the President, take him to court, because Mr. KING is determined to deport every last young person who is DREAM Act eligible. Mitt Romney says that he would veto the DREAM Act and does not support steps to protect these very young people.

Let's remind ourselves exactly who the Republican candidate for President believes should be deported.

DREAM Act-eligible young people who have lived in America for more than 5 years. Most of them were brought to our Nation as children, many of them as infants, toddlers, yes, babies. They've stayed away from crime. They attended our high schools and colleges. They are no different from your children or my children. They regularly excel at school. Some are valedictorians. They are athletes and musicians and leaders. Many of them want to serve our Nation in the military. They are leaders in their high school ROTC. They are, in every sense of the word, except for the very narrow, exclusive sense promoted by Mr. KING and Mr. Romney, outstanding young Americans.

Apparently, when Mr. KING and Mr. Romney look at the winner of your high school science fair or a young immigrant eager to become a soldier, they see a threat to our national security.

Sensible Americans see their friends and neighbors, young people who want to make America better. They want these young people to be treated fairly, and they also want our Nation to be safe.

So, Mr. Speaker, I would ask Mr. KING and Mr. Romney a question: In a world where our law enforcement officials have limited time and resources, who should they be focused on investigating, detaining, putting behind bars, rounding up, and deporting—the captain of your high school chess team or a drug smuggler?

I know the answer. I think most of Americans would agree. Immigrants who break the law should face serious consequences. Immigrants who are busy studying for exams should simply be left alone. That's not just my opinion or just the opinion of immigrants or advocates or 104 of my colleagues.

Despite those few who would like to sue the President and force him to kick high school kids out of this country, President Obama's actually legally and responsibly using prosecutorial discretion to leave young people alone and focus instead on actual criminals.

□ 1020

It is the consensus legal opinion among experts. Even the Supreme Court has weighed in. In their Arizona decision last month, the Supreme Court wrote:

A principal feature of the removal system is the broad discretion exercised by immigration officials. Federal officials, as an initial matter, must decide whether it makes sense to pursue removal at all.

''Whether it makes sense to pursue removal at all,'' says the Supreme Court.

If the Supreme Court's opinion is not enough, then I submit the opinions of Members of Congress, including those of Members I don't often agree with when it comes to immigration. These Members include LAMAR SMITH, the chairman of our Judiciary Committee; DAVID DREIER, chairman of the Rules Committee; and even BRIAN BILBRAY, chairman of the House anti-immigration caucus.

Just a few years ago, as this letter notes, they weighed in forcefully on prosecutorial discretion. In a letter to a previous President's administration, these staunch opponents of immigration reform enthusiastically defended prosecutorial discretion, writing: ''The principle of prosecutorial discretion is well established.'' They wrote that legal experts at Immigration Services ''apparently well-grounded in case law'' show that the Immigration Services has prosecutorial discretion in the initiation—the beginning—and the termination of deportations.

It's simple, really. The Members of Congress who signed this letter with me today, the Supreme Court, President Obama—and yes, even LAMAR SMITH and dozens of his colleagues just a few years ago—get it. It is time to leave hardworking immigrants alone. When we do, our law enforcement officials can focus on catching the actual bad guys.

JULY 18, 2012.

President BARACK OBAMA,
The White House, Pennsylvania Avenue, Washington, DC

DEAR MR. PRESIDENT: We write to thank you and express our appreciation for your recent decision to grant ''deferred action,'' protection from deportation, and work permits to certain young people who call the United States home and who are not an enforcement priority for the Department of Homeland Security (DHS).

We welcome the opportunity to ensure that our constituents who fit the criteria for relief are among the estimated 800,000 individuals whose lives will forever be changed as a result of your leadership. DREAMers coming forward to apply will mark a new chapter, but not the last chapter, in a long struggle for inclusion in society. The new policy represents an important down payment toward achieving broader reforms in the future.

The implications of your policy are already reverberating well beyond those who are potentially eligible for deferred action. With this announcement, you have changed the public discourse about immigration and immigrants, and our communities are now excited and hopeful. Even those who attack immigrants for political purposes are second guessing their negative posture toward the young immigrants you are protecting. You have opened the door to reform, and people of all political stripes recognize that change is coming and is inevitable.

We recognize that there are those who will want to take the power of discretion away from you and the Executive branch. Like you, we agree that you are on solid moral and legal ground and we will do everything within our power to defend your actions and the authority that you, like past Presidents, can exercise to set enforcement priorities and better protect our neighborhoods and our nation.

Despite this vital reprieve for a deserving group of promising individuals, we also understand that it does not diminish the need for a permanent solution and comprehensive immigration reform. Mr. President, we stand committed to fixing the broken immigration system once and for all, and we are ready to fight for a permanent solution that benefits all children and families, the economy, our national security and our nation.

We thank you again for your actions on behalf of DREAMers. We stand ready to work with you to ensure the policy's success and to use it as a stepping stone for broader relief and future legislative action.

Sincerely,

Luis V. Gutierrez; Joseph Crowley, Xavier Becerra; Steny Hoyer; Howard

Berman; Charles A. Gonzalez; Jared Polis; Susan A. Davis; Zoe Lofgren; Judy Chu; Nancy Pelosi; John Conyers, Jr.; Lucille Roybal-Allard; Michael M. Honda; Barbara Lee; Gene Green; Raúl Grijalva; James P. Moran; Eleanor Holmes Norton; Bill Pascrell, Jr.; Janice Hahn; Peter Welch; José E. Serrano; Betty McCollum; Ruben Hinojosa; Lois Capps; Yvette D. Clarke; Laura Richardson; Silvestre Reyes; Hansen Clarke; Terri Sewell; Jerrold Nadler; Bob Filner; Dennis Cardoza; Frederica Wilson; Charles B. Rangel; Edolphus ''Ed'' Towns; Jan Schakowsky; Jackie Speier; Gregorio Kilili Camacho Sablan; Maxine Waters; Bobby L. Rush; Pedro R. Pierluisi; Carolyn B. Maloney; Gwen Moore; Louise M. Saughter; Ted Deutch; Chaka Fattah; Rick Larsen; Jim McDermott; George Miller; Henry C. ''Hank'' Johnson, Jr.; John Lewis; John W. Olver; James P. McGovern; Joe Baca; Rush Holt; Robert A. Brady; Eni Faleomavaega; Adam Smith; Al Green; Grace F. Napolitano; Earl Blumenauer; John Garamendi; John B. Larson; Jesse L. Jackson, Jr.; Doris O. Matsui; Keith Ellison; Fortney ''Pete'' Stark; Dennis J. Kucinich; Lloyd Doggett; Corrine Brown; Linda Sánchez; Gregory Meeks; Sam Farr; Gary C. Peters; Eliot L. Engel; Lynn Woolsey; Ed Pastor; Maurice Hinchey; Albio Sires; Mike Quigley; Loretta Sanchez; Danny K. Davis; Nita Lowey; Mike Thompson; Anna Eshoo; Marcy Kaptur; David Cicilline; Russ Carnahan; Nydia M. Valázquez; Chris Van Hollen; Steve Israel; Diana DeGette; Edward J. Markey; Henry A. Waxman; Karen Bass; Jim Costa; Steve Cohen; Henry Cuellar; Barney Frank; Ben Ray Luján; Sheila Jackson Lee; Robert C. ''Bobby'' Scott.

HIGH-LEVEL NUCLEAR WASTE

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

Mr. SHIMKUS. Mr. Speaker, I come to the floor once again to reiterate Federal law, a law that was passed in 1982, called the Nuclear Waste Policy Act, and the amendments offered in 1987, which said that Yucca Mountain would be the long-term geological repository for our nuclear waste in this country. It's unfortunate that I have to keep coming down on the floor to address this issue because of the administration's position to defund, derail, stop, and to actually break Federal law.

To do that, not only do I just talk about the legal aspects of the Federal law, but I have been going around the country, identifying locations where we currently have high-level nuclear waste, and have been asking the basic question: Would you rather have it at location A or at location B?

So, today, we return to Pennsylvania, to a power plant called Limerick. Limerick has 1,143 metric tons of uranium spent fuel on site. At Limerick, the waste is stored above the ground in pools and in casks. It is 20 feet above the groundwater, and it is on the Schuylkill River, which is 40 miles from Philadelphia, Pennsylvania. That is where we currently store high-level nuclear waste.

Now, compare that to where we should by Federal law store high-level nuclear waste—in a place defined in law under the Nuclear Waste Policy Act: Yucca Mountain, in Nevada. This tells you it's a government job. We've only been working on it for about 30 years, and we've only spent about $15 billion to study, research, and ascertain that Yucca Mountain is a suitable location.

So, at Yucca Mountain, since we've spent approximately 30 years and $15 billion, how much nuclear waste do we have on site? Zero.

If we had it, where would it be stored? It would be stored 1,000 feet underground. It would be stored 1,000 feet above the water table, and it would be over 100 miles from the Colorado River. There is no safer place in the country, and there is no more studied location than Yucca Mountain. It just makes sense.

What is a better location: next to a major river that feeds into the major metropolitan area of Philadelphia, Pennsylvania, or underneath a mountain in a desert? I would submit to you that underneath a mountain in a desert is the proper location.

So what is the holdup? Well, the holdup is the Senator from Nevada, HARRY REID. More compelling are the other Senators from his party who are allowing Senator REID to block this, which is a detriment to their own States. We are going to talk about two in particular, but we're looking at four Senators from two States—Senator CASEY, Senator TOOMEY, Senator MANCHIN, and Senator ROCKEFELLER.

Senator TOOMEY is already on record as supporting Yucca Mountain. In fact, I quote him here:

The alternative is what we have now—highly radioactive waste located at 131 sites in 39 States, including nuclear power plants close to the Lehigh Valley. That cannot be as safe and secure as burying this stuff deep in Yucca Mountain.

The other Senator is quoted, but has got question marks here because, in his being a Senator for 5½ years, we don't know his position of whether he thinks storing high-level nuclear waste at Limerick is a better plan than placing it underneath a mountain in a desert. He understands the concern and the need.

He is quoted as saying:

As a Senator from a State with nine commercial reactors—this being one—and 10 million people living within 50 miles of those reactors, I can tell you that nuclear security is extremely important to Pennsylvanians.

So my question is, which is the question posed here: Will you state a position on whether you think Yucca Mountain is that location since it's in Federal law?

Overall, why is this important? As I've been coming down to the floor for the past year and a half, we've done a tally sheet of where Senators stand based upon their votes or their public comments. We have 55 Senators who say, yes, Yucca Mountain is the place we ought to go. Of course, if you follow closely in the parliamentary processes between the two Chambers, you really need 60 to move a bill in the Senate. It's over five short. We need Senator CASEY to get on record in support of Yucca Mountain.

HONORING THE LIFE OF NORTH CAROLINA STATE REPRESENTATIVE WILLIAM L. WAINWRIGHT

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

Mr. BUTTERFIELD. Mr. Speaker, I rise today to pay tribute to North Carolina's State Representative William L. Wainwright, whose earthly journey has ended.

Representative Wainwright died on Tuesday of this week, July 17, 2012, at the age of 64, after a brief illness. Representative Wainwright was a dear personal friend and leader in the First Congressional District.

Representative Wainwright was deputy democratic leader of the North Carolina House of Representatives, and was formerly the speaker pro tempore of the House. In each position, Representative Wainwright was the first African American to hold the position.

In addition to serving the citizens of Craven and Lenoir Counties as their representative for the past 21 years, Representative Wainwright was a tenured pastor and presiding elder of the New Bern District of the African Methodist Episcopal Zion Church. His ministry touched thousands of people in his home communities of New Bern, Havelock, and Harlowe. For more than 40 years, Representative Wainwright taught God's word in pulpits all across America. He counseled those in need. He visited the sick and was a friend to all.

In the general assembly, Representative Wainwright was a leader among leaders. He was chairman of the Legislative Black Caucus. He served as vice chairman of the Finance Committee. He was also a member of the Commerce and Job Development Subcommittee on Business and Labor, the Committees on Health and Human Services, Homeland Security, Military and Veterans Affairs, even the Committee on Insurance.

North Carolina Governor Bev Perdue said this of Representative Wainwright:

Whether he was in the pulpit or the legislature, William Wainwright's priorities were without question and his devotion without peer.

□ 1030

He served the Lord and the people of North Carolina with courage, with humility, and with love. He and I arrived at the general assembly about the same time, from neighboring districts. He was wiser in the ways of both politics and the human spirit. Ever since, and up to his last days, I relied on his invaluable counsel, and I will always treasure his friendship. Heaven is a richer place today.

Those were the words of North Carolina Governor Bev Perdue.

County Commissioner Johnnie Sampson in Craven County, North Carolina said:

> He worked around the clock for the history education center, and he was able to get things done. He wanted to help people who could not help themselves.

In closing, Mr. Speaker, it must be said today that North Carolina is better because of the life and work of William Wainwright. William had endless energy and deep passion for the people he served. We will miss this giant of a man. May God bless his memory and provide comfort to his beloved family and his community.

IN HONOR OF PRIVATE FIRST CLASS BRANDON D. GOODINE

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

Mr. WESTMORELAND. Mr. Speaker, I come before you today with a great sadness, but with a sense of pride to honor one of Georgia's own heroes, Private First Class Brandon D. Goodine. On June 7, Brandon gave the ultimate sacrifice when his unit was attacked with an improvised explosive device by enemy forces in Maiwand district of Kandahar province in Afghanistan while he was supporting Operation Enduring Freedom.

Brandon was a beloved father. He was a husband, a brother, and a son. He was taken from us much too soon, but not without accomplishing some great things. He believed that his greatest accomplishment was his 3-year-old daughter, Kathryn.

Brandon became a father at a young age, but devoted his life to making sure Kathryn had everything she needed. In fact, his reason for joining the Army was so that he could be sure that she was going to be taken care of. Her birth gave him direction and purpose in life, helping him believe he could accomplish anything. Everything that Brandon did was for Kathryn.

Giving everything 110 percent is what Brandon did. He was just an all-around great guy striving to make something of himself. Brandon attended Henry County High School and later joined the Navy ROTC at Greenville High School.

On May 2, 2011, he joined the Army and proudly served as a scout with Bravo Troop, Fourth Battalion, 73rd Calvary Regiment of the 82nd Airborne Division from Fort Bragg, North Carolina. In his unit, he was a brother to his fellow paratroopers. They remember not only laughing and having fun with him, but his kindness and generosity that he showed them.

Going out of his way to volunteer or help someone was not unusual for Brandon. On June 7, he was assigned to a mission to prevent the enemy from freely attacking peaceful communities in Afghanistan. He bravely gave his life doing what he did best—helping others and giving them a chance for a better life.

His commitment to his daughter, his family, and our country inspired his older brother, Christopher, to enlist in the Army 3 months later. Brandon's mother, Mandy, said she was not only proud to be his mother, but a friend. He was a hero to his family, a role model for his three sisters, a beloved son, a brother, a loving father, and a dedicated husband to his wife, Nicole.

One of the biggest tributes to Brandon's life has been the support from the community. When Brandon was being transported home for the last time, flags were placed along the road to honor him in his sacrifice. He was laid to rest on June 18 by his close friends and family in McDonough, Georgia.

I'm proud to stand here before you to honor the life of Brandon C. Goodine and to thank him for his service to our country. Brandon has left a lasting impression on those he has touched, and his bravery will never be forgotten.

Joan and I wish to extend our deepest sympathy to Mandy, Dwayne, Kathryn, Nicole, and all of Brandon's family and friends. We will never forget his great sacrifice for his Nation so that we may all live free.

GLOBAL WARMING IS REAL

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

Mr. QUIGLEY. Mr. Speaker, if anecdotal evidence were science, I would be standing here proclaiming that global warming is real, just step outside. It is severely hot, oppressive, simply unenjoyable. Often, I feel as if I'm standing behind an 18-wheeler blowing heat and exhaust in my face. But no, I'm just walking my dogs in Chicago no less. Chicago, the city of snow. Yes, snow, the stuff that emboldened those who said that global warming was a farce. ''Just think about that snow piled up against your door,'' they said.

But global warming is part of a larger climate crisis—climate change. It is something the Union of Concerned Scientists say includes such events as more extreme storms, more severe droughts, deadly heat waves, rising sea levels, and more acidic oceans, to name a few. You might have noticed I'm citing the Union of Concerned Scientists, not the group of folks who notice anecdotally that the weather was extreme. It would do us good to heed the words of science and not the remarks of a few casual observers.

I don't make my case that global warming is real because it's hot, just as it doesn't follow that global warming isn't real when it's cold. Extreme weather is climate change. Over 200 peer-reviewed scientific studies have concluded that global warming is real and potentially catastrophic. No scientific peer-reviewed studies have found the opposite—none.

As of July 3, 56 percent of the continental United States was experiencing drought conditions. This marks the largest area affected by drought in the 12-year record kept by the U.S. Drought Monitor. Scientists note that temperature records reveal a long-term trend for warming that has been picking up speed. The first decade of this century was the warmest on record, according to NOAA's State of Climate in a 2010 report. It is real because science tells us so.

We have sustained 1,644 record heat days from January to June of 2012. We have endured 631 days of record rainfall. We have shoveled our way out of 98 days of record snowfall. The prolonged heat wave this past spring included the hottest March since record-keeping began in 1894. There were 671 records that were broken, according to the National Weather Service. April marked the end of the warmest 12-month stretch ever in the United States.

What does all this snow, rain, heat, drought, ocean acidity, and raging forest fires mean? Scientists say it's global warming. Scientists say that our warming climate is causing more and more extreme weather events, and they can and will get worse by our inaction.

Several weeks of snowmageddon, which prompted taunts of Al Gore by Congress, do not disprove scientific fact. At the same time, the brutality of today's untenable heat does not solidify my stance any more than the snow disproves Al Gore. Local temperatures taken as individual data points have nothing to do with the long-term trend of global warming.

To get a real hand on global reading, scientists rely on changes in weather over a long period of time. Looking at high- and low-temperature data from recent decades shows that new record highs occur nearly twice as often as new record lows.

So, no, my belief in global warming isn't sprung from a conversation with my neighbor nor a straw poll of people I'm sitting and sweating with at a Cubs game. My belief in global warming is borne of a respected acknowledgement of sound science that tells us that global warming is real.

As Winston Churchill said, ''I never worry about action, but only about inaction.'' My concern—my fear—is that we have gone too far to save the planet we've neglected to protect because we've traded science for reading the wind.

Global warming is real, and the extreme weather and sound science demonstrate that this is so. Let us know the crippling fear of inaction no longer.

□ 1040

THE 38TH ANNIVERSARY OF INVASION OF CYPRUS

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

Mr. BILIRAKIS. Mr. Speaker, I rise today not only as a Member of this esteemed body, but also as a member of

the House Foreign Affairs Committee and as a cochair of the Congressional Caucus on Hellenic Issues.

I stand before you today to recall a somber anniversary that has pained the Cypriot and Hellenic communities for the past 38 years. Mr. Speaker, even though the tragic events of the Turkish invasion of Cyprus took place long ago on July 20, 1974, the suffering of the victims has not subsided.

This anniversary is a time for America to respectfully remember the brutal Turkish military invasion of Cyprus, to mourn those who lost their lives, and to condemn the continued occupation. Over 5,000 Cypriots were killed in 1974, and more than 1,400 Greek Cypriots, including four Americans of Greek Cypriot descent, still remain missing. Since the invasion, Turkey has established a heavily armed military occupation that continues to control over 30 percent of Cyprus.

Forced expulsions of Greek Cypriots on the occupied land have left nearly 200,000 people displaced. These Cypriots were kicked out of their homes, making them refugees in their own country, Mr. Speaker. These properties have been unlawfully distributed and are currently being used by tens of thousands of illegal settlers from Turkey. To this day, Greek Cypriots are prevented by Turkey from returning to their homes and properties.

Another tragic result of this 38-year occupation is a division among Greek and Turkish Cypriots who have been forcibly separated along ethnic lines. This unnatural division of the island nation is a crime against society and a crime against the people of Cyprus that can only be resolved by ending Turkey's illegal occupation.

Mr. Speaker, 38 years is too long. On the occasion of this anniversary, we need to take a long, hard look at our own commitment toward helping Cyprus reach a lasting and enduring peace free from occupation, division, and oppression.

A few years ago, the U.S. House had the wisdom and foresight to unanimously pass H. Res. 405, a measure I introduced which expressed strong support from this body for the implementation of the July 8 agreement.

Last month Mr. ENGEL and I introduced H. Res. 676 to expose and halt the Republic of Turkey's illegal colonization of the Republic of Cyprus with non-Cypriot populations, to support Cyprus in its efforts to control all of its territories, to end Turkey's illegal occupation of Cyprus, and to allow Cyprus to exploit its energy resources without illegal interference from Turkey.

The Republic of Cyprus has also worked alongside its European neighbors to bring about a stronger integration of Turkish and Greek Cypriot interests for the good of the island and its people. This has included a partial lifting on the restriction of movement across the cease-fire line that continues to forcibly divide Cyprus.

Mr. Speaker, I believe that because of this continued integration between Greek and Turkish Cypriots, and the economic and political successes that the Republic of Cyprus so readily wants to share with its neighbors, it is possible to bring closure to this 38-year occupation now as Cyprus takes over the EU presidency, the first time since its succession to the union in 2004.

Cyprus has long been a strong and faithful ally of the United States. It continues to work with us in the global war on terrorism and has supported our efforts in both Afghanistan and Iraq. Mr. Speaker, 38 years is too long. It's long enough. It is time to have Cyprus, a Cyprus that is once again unified without Turkish occupation troops, foreign illegal settlers, where human rights is fundamental for all Cypriots.

Every legal citizen of the republic of Cyprus, irrespective of national or religious background, is eligible currently to enjoy all rights provided for by the constitution and international convention signed by Cyprus. The only obstacle, Mr. Speaker, is the Government of Turkey.

We Americans, as friends of the Cypriot people, owe it to them to do everything in our power to support peace and an end to Turkey's 38-year illegal occupation of Cyprus.

HONORING REVEREND JACOB N. UNDERWOOD

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

Mr. TOWNS. Mr. Speaker, I come to the floor today to recognize Reverend Jacob N. Underwood, the founder of the Grace Baptist Church in east New York's section of Brooklyn. He is a very unusual person and has done some great things.

For instance, when the people in east New York were complaining about the lack of housing, Reverend Underwood pulled the group together and started building houses. He established the Grace Towers because people were complaining about not having housing. Then they came to talk about the inadequate schools. Then, of course, at that point in time he pulled some folks together and started a school.

Then, when they were talking about jobs, he also provided jobs. I recall recently talking to Brother Lee in the east New York section, who indicated that Reverend Underwood gave him a job and that as a result now he has a house and family, and he went on to say how excited he was about that job that Reverend Underwood provided.

Reverend Underwood did so much in the community. He was the kind of person who didn't believe in just complaining, sitting around and talking about what needs to be done. He was the kind of person that would go and get it done. We need more people like him today because Reverend Underwood was a very progressive person, had an agenda, promoted human welfare and social reform in the church and in the community.

When people would say you can't do that, he would just say watch me because all things are possible with God. He is a very strong man of faith, and he just felt that with a little support that he could accomplish anything that he wanted to do.

Pastor Underwood also established a soup kitchen and one of the first day care centers in the east New York section Brooklyn. He really believed in helping others. What I liked about him is that he was not the kind of person, if you asked him for help, that he would call a press conference. You know, some people, if you asked them for help, the first thing they want to do is call a press conference and let the world know that you've asked them for help.

He was not that kind of person. He would make a decision to help and very quietly would just do it and was happy that he was in a position to do it for you.

Pastor Underwood served on the local school board, and he was very big on voter registration. A lot of people in the area were not registered, but he sort of talked to them, called meetings together and encouraged us to get involved in terms of registering people. As a result, a lot of folks were registered in that community.

He was also on the civil rights committee. He was the first elected chairman of the East New York Community Corporation back in those days and president of the New York Progressive State Congress. He served twice as the moderator of the New York Missionary Baptist Association. What a great man.

He was the chairman of the Brownsville East New York Clergy Association and president of the New York Progressive State Convention and corresponding secretary of the Presidents Department of the Progressive National Baptist Convention, the president of the African American Clergy and Elected Officials Association of Brooklyn, and he currently serves as the chairman of the Churches United for Worldwide Action. At the age of 84, he decided to start another church, not in New York, but in the State of his birth, South Carolina.

Let me conclude and thank Reverend Underwood for his inspiration and commitment to making the world a better place for all of us to live. He is a great teacher, he is a great innovator, a great educator; and, of course, he believed that he has an obligation and responsibility to help others. That is what it's all about.

Now, at the age of 86, on his 86th birthday, he indicated that he was not through organizing and doing things. I would say to Reverend Underwood and to those who actually know him, the world is a better place because of the fact that this man has been here for 86 years making a difference, doing things on behalf of people. He can surely say that this world is better because of his involvement.

□ 1050

CBO TRANSPARENCY ACT

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

Mr. MURPHY of Pennsylvania. Remember back in school when your math teacher expected you to show your work when solving a problem? It made sense. A number on a page, even if it was the correct answer, didn't suffice because your teacher wanted you to demonstrate you knew how to solve the problem. There, the outcome was a grade on a quiz or a test. But what about when we're talking about hundreds of billions or trillions of dollars? Why is it we take on blind faith the cost estimates produced by one of the most influential accounting firms in the United States, the Congressional Budget Office.

In 1974, the Congressional Budget Office, or CBO, was formed to give Congress independent, nonpartisan, objective analysis of legislation. In addition, the CBO is required by law to produce a cost estimate—or ''score''—for every bill coming out of committee of either Chamber of Congress. It sounds good in theory, but the problem is no one knows how CBO arrives at their numbers—and they won't tell us. They don't have to. CBO is not required to ''show their work,'' like we were required in school, when announcing economic impact results.

Members of Congress rely on the CBO score. A favorable or a budget-neutral score makes a difference for a bill's success or failure. If there are savings, chances are better that the bill will get a vote on the floor. If it's budget-neutral, it may still get a vote. But what happens if the analysis was wrong and turns out to lead to big deficits, or what if Congress failed to call up a bill for a vote because CBO scored it as deficit spending when really it could lead to substantial savings?

The price of an inaccurate estimate right now is extremely high. Our national debt is closing in on $16 trillion. Major safety net programs like Medicare and Medicaid are heading for bankruptcy. Congress has to act to bring our country back from the brink of a fiscal cliff. It is crucial for policymakers to have all available information about the true cost of legislation. And that's why I introduced H.R. 6136, the CBO Transparency Act, so lawmakers and the public have an opportunity to review CBO's work.

Today, you can access information on hospital visits, crop yields, and air quality levels, which are used to produce major regulation by the EPA and others. But you can't find out how the CBO scored things. Like any scientific study, opening up the details of a CBO analysis for greater inspection and peer review will enable us to better understand how decisions are made.

This bill isn't about pointing out inaccuracies in CBO's estimates. What we're doing here is using transparency to enhance the credibility of the Congressional Budget Office. Once the information is out there, it can be reviewed by Congress and all Americans. Is the information correct? Do they consider all the facts? Was something left out? Was their analysis done right?

In 2009, a University of Chicago researcher revealed a CBO office had grossly underestimated potential savings from changes to Medicare and Medicaid. For instance, CBO overestimated the cost of Medicare part D by 40 percent. In the 1980s, CBO predicted spending on hospitals stays under new law would be $19 million more expensive than the actual cost. Congress changed Medicare to pay hospitals a fixed amount per admission. This encouraged shorter stays, led to fewer diagnostic services, and lowered administrative costs. But CBO didn't predict that, and by 1986 actual spending for hospital payments was 18 percent lower than estimated.

The CBO also estimated that if hospitals reported infection rates, it would cost about $30 million over 5 years. It turns out when they report infection rates, they pay attention to it. And the savings has been billions of dollars over 5 years and tens of thousands of lives. When the CBO says the stimulus saved 3.3 million jobs or tax rates don't impact decisions by individuals or businesses or that cutting spending will slow economic growth, we currently have no way of understanding the conclusions CBO has reached because we can't get information on how they got there.

Ultimately, the decisions we make in Congress are only as good as the data upon which they are based. I hope all my colleagues will join me in this effort. Transparency is a cornerstone of sound government. I urge Democrats and Republicans to sign on to this bipartisan good government bill, H.R. 6136, the CBO Transparency Act.

STOP MILITARY RAPE

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

Ms. SPEIER. I rise again today to talk about military sexual trauma. It's a cancer, it's ubiquitous, it's unabated, and regretfully, unaddressed.

There was Tailhook in 1991. There was Aberdeen in 1996. There were scandals at the military academies. There were hearings, there were reports, there were toothless recommendations. So here we are, again, with yet another scandal.

At this very moment, military training instructor Luis Walker stands before a court martial for raping and assaulting recruits at Lackland Air Force Base in San Antonio, Texas. Walker's job is to train freshly minted new Air Force recruits, many of them still in their teens. In all, there are 28 charges against him and 10 victims. Walker is a sexual predator.

On Tuesday, a victim testified that right after graduating from boot camp, Walker approached her while she sat outside on a bench waiting for a bus that would take her to technical training school. Walker came up and ordered her to get some bleach from a supply room, and then he followed her. Once inside, he closed the door and took off his training instructor's hat. ''I'm not here for bleach, am I,'' she asked. While Walker had intercourse with her on a couch, she wondered, ''My God, I hope he has a condom on.''

On Wednesday, another victim testified that while on laundry detail one day, Walker showed up and told her to follow him to get some towels, but to wait 5 minutes so the surveillance cameras would not capture them going up together. Once inside a dorm, he pulled her into a flight office, kissed her, and told her to perform oral sex on him. She said she did what she was told.

Walker's defense attorneys argue that because the women never forcefully resisted, the sex was consensual. The defense also argues that because the women never came forward to report the incidents, they must not have felt victimized.

If this happens in any high school in this country—if the prized English teacher, band instructor, or football instructor had sex with his student, we would be outraged and we would demand action. That teacher would be fired. Yet at Lackland, where some of the recruits are just 18 or 19 years old, we rationalize the behavior of the perpetrator and we blame the victim. Apparently, we have a different definition of zero tolerance for sex offenders in the military world than we do for them in the civilian world. What does zero tolerance mean in the military? Is that just a catchphrase?

The 35,000 Air Force recruits who funnel through Lackland each year are mostly confined to the base for 6½ weeks of training. They get one 3-minute phone call once a week. Recruits live and breathe basic training and follow each and every order of their instructor. One rape victim at Lackland said, ''Nothing a military training instructor says ends with a question mark.''

Walker is not the only predator charged at Lackland. Seven additional training instructors have been charged with sexual misconduct with trainees. At least another five are under investigation. One instructor, Staff Sergeant Craig LeBlanc, bragged about his conquests to his colleague, who waited a month before he reported the incidents. Out of loyalty, the colleague stayed quiet. Once he finally reported LeBlanc's misconduct with recruits, that instructor was ostracized by fellow training instructors for being a tattletale. Is this really a culture of zero tolerance?

Congress needs to investigate and to hold an independent hearing on the widespread sex abuse at Lackland Air Force Base. In the last 3 years since

Luis Walker started working at Lackland, roughly 21,000 female airmen have cycled through basic training. Have they been interviewed by investigators to determine if they, too, have been raped and sexually assaulted at Lackland? How widespread is this epidemic?

At Lackland, out of the 31 identified victims, only one has reported the crime. Why are victims scared to come forward? Internal investigations will not get to the bottom of this. Congress needs to act. I called for a hearing in June, and received no response. Last week, I was joined by a bipartisan group of 77 Members of Congress calling for a hearing. We've received no response. I'm sick of waiting for action. The 19,000 members of our military who are raped each and every year deserve better than catchphrases. They deserve justice.

COOL BLAST LEMONADE STAND, CYPRESS, TEXAS

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

Mr. POE of Texas. There's a new small business in my district in southeast Texas: Cool Blast Lemonade Stand, run by the Sutton sisters of Cypress, Texas. Clara is 7 and Eliza is 4. Their newest employee is little brother Eirik, who recently was hired to join the team. They even have their own Facebook page with 867 followers.

□ 1100

On their Facebook page, they say this about their business:

> We are entrepreneurs who started a lemonade stand for Lemonade Day. We are going to continue working to earn money to spend on things we would like, save and also to share with our two chosen charities, Meals on Wheels and Paws of Texas Rescue.

Mr. Speaker, they learned all of these lessons without any interference from the Federal Government.

Their father, Andrew, said this:

> They did it all on their own. Nobody helped them except us. My wife and I both run our own businesses, so running a lemonade stand with them was showing them what they could do. They were curious how we got money for things.

Mr. Speaker, the girls stood out in 100-degree Texas humid heat serving customers instead of being like many other kids going to the local swimming pool. Each day they are open for business, the girls learn valuable lessons—lessons about budgets, lessons about capitalism, and lessons about life.

Clara says:

> You learn how to make change. We learned about customer service—that we should always be nice to customers. We learned how to advertise. We donate some of the money to charity to help other people out. We might buy a gift for our brother since he's our new employee.

After one Lemonade Day in Houston, the girls said that they made enough money to ''pay their investors back in full.'' Mr. Speaker, when was the last time you heard of a 7-year-old using those business terms?

These kids are getting on-the-job business training that no government—especially the Federal Government—gave them. They are practicing Americanism. In the America I know, we teach our kids the value of hard work and entrepreneurship. We teach our kids from a young age that success does not come without sacrifice. Perseverance and responsibility pay off.

These are the lessons that our children need to learn, not the lessons of trying to depend on government. You see, these kids made it without government doing anything except getting out of their way.

So, Mr. Speaker, the next time you see the President, tell him that successful businesses in America come from businessowners—even kids—and not the Federal Government.

And that's just the way it is.

THE 38TH ANNIVERSARY OF INVASION OF CYPRUS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from New York (Mrs. MALONEY) for 5 minutes.

Mrs. MALONEY. Mr. Speaker, I rise as the founder and cochair of the Hellenic Caucus to speak on the 38th anniversary of the 1974 illegal Turkish invasion and occupation of Cyprus. We must ensure that the passage of time does not allow us to forget that the Cyprus issue is the result of an illegal invasion and ongoing occupation.

It is long overdue for Turkey to withdraw its troops from Cyprus so that the island can move forward as one nation. Turkey continues to forcibly occupy more than one-third of Cyprus with more than 48,000 troops. In addition, to date, Turkey has repeatedly ignored many of the United Nations resolutions pertaining to Cyprus and has continued to occupy the island in complete violation of international law.

The destruction of religious and cultural sites and artifacts continues unabated, in a long list of Turkish actions that flagrantly disrespect the rights and religious freedoms of the Cypriot people. In the last Congress, the Hellenic Caucus passed a resolution in the House calling for the protection of these religious sites and artifacts in Turkish-occupied areas. We have also worked on a resolution that has been introduced by Mr. BILIRAKIS and Mr. ENGEL, H. Res. 676, which calls for the halt of the Republic of Turkey's illegal colonization of the Republic of Cyprus with non-Cypriot populations. They are moving people onto the island. It is reported there are 500,000 Cypriot phones in the Turkish area. So the population—no one knows how many more people they're moving in. Cyprus is endeavoring to control all of its territory to end Turkey's occupation and to exploit its energy resources without illegal interference by Turkey.

In 2011, they discovered gas in the Cypriot area. The Noble Energy Company, a private energy company from Texas, discovered that a field off the coast of Cyprus may hold as much as 8 trillion cubic feet of natural gas, the first discovery off the divided island nation. This is tremendously important for energy independence and for an ally to be able to support America and our energy needs. The beginning of drilling by Noble prompted Turkey in September to send a vessel accompanied by warships and fighter jets to the area.

Cyprus is divided after Turkey invaded the northern third of the island in 1974. Turkey does not recognize the Greek Cypriot Government. So this is yet another development that the Turkish country has brought to the island of Cyprus.

There have been some successes for Cyprus. In May of 2004, Cyprus, with the support of the United States, joined the European Union. And during the second half of this year, Cyprus took over the very important and prestigious position of presidency of the Council of the European Union. This is the first time Cyprus presided over the Council of the EU since it became a member of it in 2004.

Yesterday, a group of Hellenic Caucus members met with a group of leaders from the district that I am honored to represent. They included Phil Christopher, Peter Papanicolaou and other national leaders of the Cypriot American community and other Greek American leaders. They came to participate in the hearings before the Senate Foreign Relations Committee on the confirmation hearing of Mr. Koeing. John Koeing was nominated by President Obama to be the next U.S. Ambassador to Cyprus, and we are hopeful that the confirmation will move forward.

We are also very concerned about a bill that has been put forward that gives preferential treatment to Turkey over other countries on contracts and activities that take place on American Indian areas. This has caused a great deal of concern with the members of the caucus.

I now want to express my opposition to the Indian Tribal Trade and Investment Demonstration Project Act. This bill would give preferential treatment to Turkish businesses to engage in investment activities on Indian tribal lands. And I question why they are being singled out for this consideration, given the illegal occupation that continues.

I express my strong support for Cyprus and the vital role it is playing in European affairs and the strong ally they have been to the United States.

THE 38TH ANNIVERSARY OF INVASION OF CYPRUS

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

Mr. ROYCE. Mr. Speaker, July 20 marks the 38th anniversary of the

Turkish invasion of the island of Cyprus. That invasion claimed the lives of about 5,000 Cypriots. In the neighborhood of 200,000 people were forcibly expelled from their homes during that time period. To put that in perspective, that was one-third of the population of the country. If this were to happen in the United States, it would be the equivalent of about 100,000 people becoming refugees in their own land.

As we stand here today, that occupation continues. There are over 30,000 Turkish troops on the island. They are stationed on over one-third of Cyprus. Sadly, that occupied area of this beautiful land is one of the most militarized areas in the world. I have seen this on both sides of that divide. It is truly tragic that despite the wishes of Cypriots on both sides of that line that this cannot be resolved. And the Cyprus-Turkey issue, unlike many others, is one that the international community has been able to agree on.

There have been 75 resolutions adopted in the Security Council—more than 13 by the General Assembly—calling for the return of the refugees to their homes and to their properties and for the withdrawal of those Turkish troops from Cyprus.

□ 1110

President Demetris Christofias has followed through on his promise to make the solution of that problem his top priority. I met with him when I was in Nicosia 3 years ago, and his commitment to finding a solution greatly impressed me in that he had reached out to Turkish Cypriots.

I had my own opportunity, when I was in northern Cyprus, to talk to Turkish Cypriots, and they confirmed that their desire was to find a resolution to this problem, to find a way to have Turkish troops leave the island. And there's certainly no lack of good will, I think, in terms of the Cypriot community.

So, since 2008, there have been these full-fledged negotiations with leaders of the Turkish Cypriot community. I think that the problem here is that that effort needs a reliable partner, a reasonable partner, and I question whether Turkey is listening in that process. From everything I've seen, they're not listening yet.

I would point out that Cyprus and the United States share a deep and abiding commitment to upholding the ideals of freedom, democracy, justice, human rights, and the international rule of law. After the Lebanon crisis in 2006, if you'll recall, Cyprus served as the principal transit location for people evacuating Lebanon, including our U.S. citizens. I had constituents that went through Cyprus at that time. In the '83 Beirut barracks bombing, it was Cyprus that provided the staging ground for the U.S. evacuation and rescue efforts after that bombing.

But I point out also that since the discovery of gas reserves in the eastern Mediterranean, the U.S. has advocated including revenue sharing from energy resources in those Cyprus settlement talks, urging that they be shared with the Cypriot community on both sides of that line.

It's important to note that there are concrete efforts underway by the heads of the respective communities to reunify. Greek and Turkish Cypriots, alike, want to see that solution. Again, in my view, what stands in the way here is Turkey at the present time, and I wish they would reconsider their position.

You can see the extent to which Cyprus is willing to compromise with these newly discovered energy resources. Greek Cypriot leaders are willing, in principle, to share the benefits of future gas production with Turkish Cypriots. Their only request is that revenues not be shared with those 30,000-plus Turkish soldiers on the island, and that's still not good enough for Turkey.

You know, Mr. Speaker, 38 years of occupation, needless militarization in this part of the world, this divide should have ended long, long ago. There is still time to right this wrong. I hope Turkey reconsiders.

HONORING MARCEL DEON JACKSON

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

Mr. CLARKE of Michigan. Mr. Speaker, recently, I introduced a resolution in this House calling the illiteracy of our African American and Hispanic men in this country to be a national crisis. By teaching our young men how to read, we can help build their character, we can save their lives. We can also reduce violent crime, because many of our young men will no longer be on the streets. They will be in schools, and they will also have the skills that they need to get good-paying jobs.

Today, I wish to offer that resolution in recognition of the memory of a great man of honor, Marcel Deon Jackson. We need more men like Mr. Jackson.

Marcel Jackson recently gave his life in defense of another. He was a courageous member of Detroit 300, which is a community organization committed to deter crime in the streets of Detroit.

If we help give our young men hope—hope through education, hope by building their character, by reading inspiring books, hope that they can have a better life, raise a family—that will save lives and make Metro Detroit and our country a better place to live.

Marcel Jackson lived and died so that we who live in Detroit could have a better life there. Mr. Speaker, I ask this House to recognize the memory of the life of Marcel Deon Jackson, a great man of honor.

HONORING THE LIFE OF MEL FELDMAN

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

Mr. SCHILLING. Mr. Speaker, I wish to rise and say just a few words to honor the remarkable life and note the passing of a constituent of mine and an accomplished small business man from central Illinois, a businessman named Mel Feldman.

I had the privilege of meeting Mr. Feldman in 2010, when he shared with me the story of his life and times. I'd like to share some of that with you, for it encapsulates much of what we all love about our country and what I love about central Illinois.

Mel was born in Poland in 1913, which he and his family fled soon thereafter to escape the pogroms that arose during the First World War. The family eventually settled in St. Louis, where Mel studied engineering. He began a career in the radio business, hustling a job as a remote engineer with KMOX during the 1930s, where he courted his wife, Ruth, while doing remote broadcasts of big band concerts on Saturday nights. Later, he was an engineer and sidekick of a young broadcaster named Harry Carey, of who we're very familiar with.

Mel fought in World War II, and upon returning home, he and a friend bought a radio station in Springfield, Illinois. Operating on a shoestring budget, they worked day and night for years to get established, eventually buying two other radio stations in Peoria and coming to employ nearly 100 workers.

He and his wife, Ruth, became pillars of the community at the synagogue there in the central Illinois area, where she helped run the preschool. In the 1980s, they sold their stations and retired, choosing to remain in the area to be near their family.

To go from the streets of Eastern Europe to the prosperity and stability of central Illinois in the 21st century is a journey that is difficult for many of us to fathom. It is to the enormous benefit of our community that people like Mel came to the United States and braved war and oppression and poverty and all kinds of other tribulations for the chance to settle down and raise their families amongst us. They are one of the things that make Illinois such a great and rewarding place to live and raise our families.

America owes much to immigrants, and central Illinois owes much to the contributions of Mel and Ruth Feldman, whose legacy goes beyond the radio stations he established, the synagogue they served, and the family they raised. Their lives touched and bettered so many friends and neighbors in Peoria, who I know are mourning Mel's passing but, at the same time, celebrating his life.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair

declares the House in recess until noon today.

Accordingly (at 11 o'clock and 19 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 Jeffery Bayhi, St. John the Baptist Catholic Church, Baton Rouge, Louisiana, offered the following prayer:

Gracious God and Father, we humbly ask that You bestow upon us the gift of humility. Humble us in Your sight, our Creator. It's only from You, our God, that the rights of life, liberty, and the pursuit of happiness are derived, not from any king, government or congress. Let us always see ourselves as stewards of these rights and the servants of the people created in Your image and likeness, like our Founding Fathers. We are to protect, ensure, and safeguard those rights.

Guard us from the evils of pride and power that place self-interest before the common good. Give us the courage of our convictions and not simply a belief based on convenience. Never let a wishbone replace our backbone, for it is You alone to whom one day we will all be accountable. Give us courage and strength to serve and care for Your people. We ask this through our God and Father.

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 Kansas (Ms. JENKINS) come forward and lead the House in the Pledge of Allegiance.

Ms. JENKINS 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 M. JEFFERY BAYHI

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

There was no objection.

Mr. CASSIDY. Mr. Speaker, it is my privilege to invite Father Bayhi here today to speak. Father Bayhi is a native of Baton Rouge and was ordained at St. Patrick's Church in 1979.

He has many academic achievements, but he is actually best known for spiritual stewardship of his parishioners. You can see this both in how his calling and ministry manifest in the opportunities that he has sought and the activities he currently does.

Among these he has worked with Mother Teresa's church in Calcutta. He currently is the director of Closer Walk Ministries. He has written several books, such as ''Paved With Souls,'' speaking about his experience with Mother Teresa and the Missionaries of Charity in Calcutta, as well as produced videos of his experiences on mission trips. He has worked in prison systems for the criminally insane. He works with youth, et cetera, et cetera, et cetera.

I was struck that his prayer for us reflected his life, one of humility, courage, accountability to God, calling us to service.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

DODD-FRANK

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

Ms. JENKINS. Mr. Speaker, despite my strenuous objections, 2 years ago this week Congress passed the Dodd-Frank Act. Two years have passed, and only one-third of nearly 400 rules are written today, and we have already added nearly 9,000 pages of new regulations and $7 billion in compliance costs.

By trying to solve a poorly understood financial crisis, Washington created a regulatory nightmare. New agencies like the Consumer Financial Protection Bureau have slowed the credit lifeline that is vital to the creation and survival of American small businesses.

By impeding borrowing, experts predict Dodd-Frank will reduce annual job creation by 4.3 percent, hindering economic growth. Instead of using crises as excuses to expand our already overreaching government, we should target regulation at the root of the problem and work to protect both consumers and our innovating entrepreneurs.

SUPPORTING MAKE IT IN AMERICA

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

Mr. GENE GREEN of Texas. Mr. Speaker I rise in support of the Make It in America plan, a series of bills set forth by House Democrats to put America back to work.

In the 29th District of Texas, we hold job fairs throughout the year to help our constituents find a job and make better lives for themselves and their families. The American public continually cites job creation and economic growth as the top concerns in the Nation.

The Make It in America plan aims to strengthen the economy and boost the middle class through continuing to grow our manufacturing and energy production sectors and creating jobs in America. Make It in America focuses on competition, investing in infrastructure, clean energy jobs, increased education, smart tax policies, and smart regulations.

Unfortunately, the majority in the 112th Congress has failed to bring these job-creating plans to the floor for a vote and continually refuses to put forward a comprehensive jobs plan. Congress must focus our legislative priorities, invest in our future, create good middle class jobs and increase America's competitiveness around the globe. By creating these jobs for hardworking Americans, the other areas of our economy will be stimulated.

I urge the majority to take up these bipartisan bills and help the American people get back to work.

□ 1210

PERMITTING ISSUES

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

Mrs. CAPITO. I rise today to support the jobs of hundreds of hardworking coal miners in West Virginia and to highlight the misguided actions of the EPA in objecting to permits for coal mining activity.

On April 1, 2010, the EPA issued guidance under the Clean Water Act that bypasses the normal process for promulgating water quality standards. It nullifies the water quality standards put into place by our State regulators and our State legislatures. In other words, the EPA has taken over the States' prerogative on water quality.

Despite a 2011 Federal court decision that rejected the EPA's interpretation of its authority, the regulatory permitting process for surface mining has essentially been halted in the Appalachian region. Hundreds of permits will expire within the next 18 months in West Virginia alone. Failure to act on these permits will lead to the loss of thousands of jobs in West Virginia, and just recently we have experienced a loss of 1,000 coal mining jobs.

The EPA should exercise its permitting and regulatory authority under the Clean Water Act in a manner that considers the impacts on jobs and the economy in West Virginia and other coal mining States.

DISCLOSE ACT

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

Ms. CHU. Thanks to the Supreme Court decision on Citizens United, corporations can now make unlimited donations without disclosing who they are. The result is a government for hire to the highest bidder.

Think about it. Are you a corrupt oil company that hates those annoying safeguards that protect Americans' health, but restrict your ability to drill, baby, drill? No problem. Find a candidate that will turn a blind eye and donate until they win. Or maybe you're a billionaire on Wall Street who leveraged away the savings of the American people for a big paycheck in 2008, but now you're being held back by Wall Street reform. Not to worry. Buy a candidate with a super PAC. Nobody needs to know who you even are.

Twice this week, the DISCLOSE Act, which would end this madness and provide transparency to who's contributing in elections, has come up in the Senate. And twice this week, Republicans blocked it on a party-line vote. Americans should ask the GOP: Why?

TAXES

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

Mrs. BIGGERT. Mr. Speaker, massive tax increases loom on our horizon. If Congress doesn't act before January 1, middle class families will see a return of the marriage penalty, the AMT, higher rates on capital gains, dividends, estates, and painful tax hikes on incomes. According to a new study, the President's tax plan would cost us more than 700,000 American jobs.

Mr. Speaker, we all hear from our neighborhood businesses back home who say Congress can't raise taxes during a recession and expect the economy to generate new jobs. Yet some of my colleagues seem content to tax anyone who might have enough revenue to hire and then hope the voters blame someone else when it hurts the middle class.

Well, I don't care about the blame game. I care about jobs and the economy. Let's stop the tax hikes, extend current rates, and work immediately on effective reforms to lower rates, close loopholes, and promote growth.

LAW OF THE SEA TREATY

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

Mr. FARR. I rise today to express my shocking disappointment with some Republican Members of the other body in opposing the Senate ratification of the Law of the Sea Treaty. The Law of the Sea Treaty ratification is essential to protect American interests. For over 30 years now, the United States Navy and the U.S. Coast Guard, both under Republican and Democratic administrations, former Secretaries of State, and U.S. military personnel have been consistent and strong proponents of U.S. joining the Law of the Sea Convention. Defense Secretary Leon Panetta recently said:

> Not since we acquired the lands of the American West and Alaska have we had such a great opportunity to expand U.S. sovereignty.

Former Secretary of Defense Robert Gates said:

> The Law of the Sea provides clear guidance on the appropriate use of the maritime domain.

As the world's major maritime power with the longest coastline, the U.S. has more to gain from legal certainty and public order in the world's oceans than any other country. It has been supported by every President since Ronald Reagan. The time is due for the other body to take a leadership role and ratify the Law of the Sea Treaty.

ARMY DEPOTS PLAY VITAL ROLE IN MILITARY READINESS

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

Mr. FARENTHOLD. I rise today to express my concern regarding the reduction in funding for Army depots and arsenals contained in the Defense appropriations bill that we're debating today on the House floor. Army studies have shown that these reductions will have a lasting negative impact on the Army's organic industrial base.

I have the privilege of representing the Corpus Christie Army depot, known as the ''best kept secret in the Army,'' saving taxpayers millions of dollars. It costs about $6.7 million to repair a crash-battle damaged Blackhawk versus $17 million for a new one. In fiscal year 2011, a record production year, CCAD produced more than $47 million in cost savings for the Army. The depot shares a great relationship with the community, employing over 6,000 civilian, 56 percent of whom are veterans. The Army depot serves as the world's largest facility for the repair and overhaul of Army aviation helicopters. Without CCAD, the Army would be unable to sustain maximum combat power for the warfighter.

I look forward to working with the committee and the chairman to address these concerns and ensuring the Corpus Christie Army depot and others depots and arsenals continue to play a vital role in maintaining the readiness of our military.

INTERNATIONAL AIDS CONFERENCE

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

Mrs. CHRISTENSEN. With the International AIDS Conference less than a week away, I join my colleagues to celebrate the progress we've made in the fight against HIV/AIDS, to honor those who have lost their battle to this disease, and also to remind everyone that we still have much work to do in Sub-Saharan Africa, the Caribbean and Asia, but also the United States, where more than 1 million people—a disproportionate number of whom are people of color—are living with HIV and AIDS today. Blacks and Latinos together account for 64 percent of all new HIV infections, yet are only about 28 percent of the population. The AIDS case rate among African Americans is nearly 10 times higher than that of whites; and one recent study found that 2 percent of all blacks in the U.S., compared to only .2 percent of all whites, are HIV positive. In my district, the U.S. Virgin Islands, which is predominantly black and Hispanic, we're extremely hard hit, with the third largest AIDS case rate in the Nation.

The conference offers all of us an opportunity to reinvigorate our commitment to battling this disease, to reinforce existing relationships and forge new ones with the leaders in the fight against HIV/AIDS, and to take significant steps toward making HIV/AIDS a disease of the past.

ILLINOIS' 14TH DISTRICT 2012 OLYMPIANS

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

Mr. HULTGREN. Mr. Speaker, I am proud to recognize the remarkable accomplishments of six athletes from Illinois' 14th Congressional District who will represent the United States at the 2012 Olympics in London. Twin brothers Grant and Ross James from DeKalb will both compete as part of the men's eight rowing team. Track and field athlete Evan Jager of Algonquin will compete in the steeplechase. Anna Li of Aurora will travel to London as an alternate member of the women's gymnastics team. Charlie Jayne of Elgin will serve as alternate for the equestrian team. Finally, the men's volleyball team will include Sean Rooney, a graduate of Wheaton-Warrenville South High School.

Each of these men and women are making us so proud as they represent Illinois and the United States this summer. The House of Representatives wishes them the best of luck.

READ IT AND WEEP

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

Mr. McDERMOTT. Mr. Speaker, wonders never cease. I picked up The Hill this morning, which is a local newspaper that most people read once in a

while, and there were the words of one of the best Republican doctors that ever served in the Congress. Bill Frist has said he's encouraging his Republican colleagues to embrace the insurance exchange which is central to President Obama's health care plan. He said:

> Originally it was a Republican idea. The State insurance exchanges will offer a menu of private insurance plans to pick and choose from, all with a required set of minimum benefits to those without employer-sponsored health care insurance.

Now, here's a Republican doctor who was the Majority Leader in the Senate. Contrast him to who we have there now. We have 31 times in this body tried to repeal this, and here you have a Republican doctor who was Majority Leader of the Senate saying we ought to do it.

Read it and weep.

□ 1220

SEQUESTRATION

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

Mrs. ROBY. Mr. Speaker, once again, President Obama displays his lack of leadership and refuses to take charge in order to avoid the forthcoming devastating ramifications associated with sequester. That's why I enthusiastically agreed to cosponsor H.R. 5872, the Sequestration Transparency Act of 2012.

For months, the House Armed Services Committee has repeatedly asked DOD and OMB for specifics of how sequestration would be implemented and its impact. In response, we have received nothing.

Once H.R. 5872 is implemented, the President will be forced to forgo his laissez-faire approach to crisis resolution and will be required to report to Congress the details of the administration's plans to implement the budget sequestration cuts. He will be forced to include an estimate of the sequestration percentages and amounts necessary to achieve the reduction for both defense and non-defense categories.

Of course, the impact on our military personnel and their families cannot be overstated. Frankly, it's inexcusable that these men and women who sacrifice so much for our Nation should suffer through these uncertainties while Senate Democrats and the White House refuse to offer a specific proposal to fix the sequester. As such, I urge Senator REID to take this bill up immediately.

BUFFALO IS BACK IN BUSINESS

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

Mr. HIGGINS. Mr. Speaker, I come to the House floor to talk about the extraordinary transformation in the city of Buffalo and Buffalo's waterfront. The national publication, The Economist, had declared last week that the city of Buffalo is back in business.

Buffalo was once an industrial economy and an industrial working waterfront. Today, there is a transformation of public places along the water's edge attracting some 800,000 people from all over Buffalo, western New York, and southern Ontario into the city of Buffalo. There are 425 cultural and arts events. Four years ago, there were none.

Buffalo's last 36 months have been a period of great progress, with tens of millions of dollars of private sector investment following the public investment of infrastructure that has transformed Buffalo's waterfront. The last 36 months have been a period of great progress. The next 36 months are poised to be a period of even greater progress.

HONORING THE FIREFIGHTERS OF HIGH PARK, COLORADO

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

Mr. GARDNER. Mr. Speaker, I rise today to honor the brave firefighters, the sheriff's department officials, and first responders who fought the High Park fire near Fort Collins, Colorado, and those who cared so deeply for their neighbors and their communities by providing a helping hand.

The High Park fire was the most destructive in the history of northern Colorado, burning over 87,000 acres, destroying 259 homes, and displacing hundreds of families for weeks. At its peak, over 2,000 firefighters, National Guardsmen, law enforcement, and others braved extremely rugged terrain, 100-plus-degree temperatures, and high winds to battle this complex and fast-moving fire. In some cases, local volunteer firefighters fought on the fire line for the good of the community, despite knowing that their own homes would likely be burned to the ground.

As signs popped up across the front range of Colorado thanking those brave men and women for their service, this Congress salutes you. Because of the brave and immense effort of these firefighters, lives were saved, homes were preserved, and generations to come will be able to continue to enjoy some of the most beautiful and majestic forested areas in the country as we work to restore those areas that were lost.

I'm proud to recognize the great and heroic efforts of our firefighters.

HONORING GAIL PENNYBACKER

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

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 the ABC Channel 7 news team since 1986.

During her time as the northern Virginia bureau chief, Gail has garnered the respect of law enforcement, legislators, and everyday citizens alike. Gail has covered the Capital region's top stories for the last quarter century, including the September 11 terror attacks, the beltway sniper shootings, and the Columbine High School massacre. She has reported directly from the Persian Gulf during the Iraq war, conducted exclusive interviews with nationally known individuals, and earned several Edward R. Murrow Awards and other accolades.

Active in her community, Gail has been deeply involved with a variety of civic associations and organizations, including the Alzheimer's Association and the American Diabetes Association.

Her recognition by the Northern Virginia Victims 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, in conclusion, I'm honored to ask my colleagues to join me in congratulating Gail Pennybacker upon her retirement from ABC7. Her dedication to making news reporting a reliable source of information has made her an institution in our community. While Gail's familiar face will be missed, we wish her only the best as she begins the next phase of her life.

HONORING THE MEMORY OF WILLIAM RASPBERRY

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

Mr. NUNNELEE. Mr. Speaker, I rise today to honor the memory of a great man, Mr. William Raspberry of Okolona, Mississippi, who died Tuesday at the age of 76.

He was hired by The Washington Post straight out of the Army and worked his way up from teletype operator to the op-ed page. At the time, he was only one of a handful of nationally syndicated and widely read African American columnists.

And though Mr. Raspberry lived most of his life away from Mississippi, he never forgot Okolona. He devoted much of his time in retirement to the foundation in Mississippi that bears his name that helped children from at-risk families be prepared for entrance into kindergarten.

He was a model of how to talk about complicated and divisive issues in a respectful and civil tone. In fact, he once said:

> Perhaps it was then that I found myself trying to write in such a way that people who didn't agree with me might at least hear me. Then I found they were talking back to me in similarly civil tones. And it felt good.

His attitude would be a model for all of us that debate public policy.

William Raspberry was a fine man and a great Mississippian. He will be missed.

MAKE IT IN AMERICA

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, every citizen deserves an equal opportunity to make it in America. Last week, I, along with Democratic Whip STENY HOYER and other members of the Democratic Caucus unveiled a plan to jump-start growth in the United States manufacturing industry and support job creation that we so desperately need.

My bill, the Advancing Innovative Manufacturing Act of 2012, makes investments to spur innovation and increase the competitiveness of American manufacturers.

In order for America to make it, we need to maintain the capacity to manufacture new and innovative products right here at home in America. The Make It In America agenda will do just that.

Mr. Speaker, I would say: Let all of us face and focus on our responsibility to America's business and press ahead to make it all in America.

NORTH KOREAN GULAGS

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

Mr. PITTS. Mr. Speaker, last week, I had the privilege of meeting Shin Dong-hyuk, the only known defector to have escaped from one of the many concentration camps operated by the Communist government in North Korea.

He was born in the camp and faced starvation, torture, and brainwashing on a routine basis, which is described in the book, ''Escape From Camp 14.'' On the same day, the authorities executed both his brother and his mother in front of him for attempting to plan an escape. He knew nothing of the outside world, only living day to day, doing whatever was needed to survive. Heartbreakingly, this included informing the guards when he heard about his family's escape plan. Years later, a new prisoner came to the camp from Pyongyang, and Shin began to learn about the outside world and then began to long to escape.

By some estimates, as many as 200,000 people are held in the brutal gulags like Shin. As we negotiate with the gangster government of North Korea over their nuclear weapons program, we cannot forget about these human rights atrocities perpetrated against millions of their own people.

□ 1230

TAX CUTS FOR MIDDLE CLASS FAMILIES

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

Ms. EDWARDS. Mr. Speaker, I rise today to urge us to reclaim the security that middle class Americans have lost over the last decade.

Beginning in 2001, Republicans passed trillions of dollars in tax cuts, primarily benefiting the wealthiest Americans. We were told these tax cuts would unleash a torrent of job creation and economic growth. That was baloney. It failed miserably. The wealthiest Americans experienced unprecedented gains while middle class families saw their budgets shrink in tandem with rising poverty and the slowest rate of job creation in half a century.

Well, lesson learned. It's time to let the tax cuts for the wealthiest expire, but not at the expense of middle class families. It's time to extend, without delay or uncertainty, tax cuts for all families, for all income up to $250,000. If we don't, it will be a disaster, and a tax hike will result for those middle class families.

Mr. Speaker, it's unacceptable, particularly when Republicans are holding these tax cuts hostage so that wealthy Americans can continue to reap the benefits of a broken system that hasn't worked to the advantage of most Americans and has exploded our deficit. Lesson learned.

Let's not let tax cuts expire for people whose income is up to $250,000.

CONGRATULATING WARRINGTON-WARWICK LITTLE LEAGUE SOFTBALL TEAM

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

Mr. FITZPATRICK. Mr. Speaker, I rise today to congratulate the Warrington-Warwick Little League softball team for their victory over Minersville on Saturday in the State championship game in Pennsylvania.

Our community can be proud to be represented by this group of young women as they compete for the regional title this week. As the father of three girls who are involved in our community, I understand the dedication required of the players and their families to achieve such a success.

The team will head to Bristol, Connecticut, today, where they will compete against State championships from nine other States for the title. Congratulations to Coach Bitting, Coach Corso, and Coach Ruscio, and players Stephanie Andreoli, Madison Bitting, Sophia Boggs, Meghan Bradley, Lauren and Nicole Corso, Lauren Crim, Alexandra DeLeon, Sabrina Dobron, Kaitlyn Hammond, Alexis McConomy, Madeline McShane, Giuliana Ruscio, and Cassie Underkofler.

Congratulations once again to everybody who took part in this historic run. We wish all the players and coaches and parents the best. I'm proud and honored to see a local team go so far.

CONGRATULATING THE CITY OF MORRO BAY

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

Mrs. CAPPS. Mr. Speaker, I rise today to extend my congratulations to the city of Morro Bay in my congressional district on the central coast of California.

Last month, the city won the 2012 award for Excellence in Local Governance for coastal and ocean management from NOAA, the National Oceanic and Atmospheric Administration. This award is for its groundbreaking work with other coastal communities in California, local fishermen, and the Nature Conservancy to preserve historic fishing activity and build long-term economic and environmental resiliency on California's central coast.

Working together, these partners realized that Morro Bay and other small fishing communities—our working waterfronts—needed to respond to the changing conditions of their fisheries. This effort has not been easy, to be sure; but Morro Bay's leaders, who have faced huge obstacles in their efforts to try new approaches to fisheries management, were determined to make this work. So it is great to see this recognition of their courage and their hard work to improve Morro Bay's leading industry.

Again, I congratulate the city of Morro Bay and its innovative partners for earning this acknowledgement.

THANKING SMALL BUSINESS OWNERS IN AMERICA

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

Mr. YODER. Mr. Speaker, I rise today to say thank you to all those small business owners across America who have used their ingenuity, hard work, and tireless effort at great financial risk to build a business from the ground up.

Americans know that jobs aren't created by bureaucrats in Washington, D.C. We know that our country's greatest innovators succeed in our American free enterprise system because they pour their hearts and souls into their dreams, overcoming each obstacle placed in their way.

In our current economy, Congress should be doing everything it can to minimize the burdens on these entrepreneurs; yet, day by day, new regulations, mandates, and taxes pile up and make it that much harder for these innovators to succeed and harder for them to create good jobs and grow the economy.

Mr. Speaker, this morning, as thousands of small business owners rise at the crack of dawn once again to build on the American Dream, we say thank you. It's their hard work and determination, and it's the tireless effort of every working American that has built the most prosperous Nation the world has ever seen.

INTERNATIONAL AIDS CONFERENCE

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

Ms. SCHAKOWSKY. The International AIDS Conference could not be returning to America at a better time. This year's conference could mark the turning point in the HIV/AIDS epidemic. Advances in research are finally allowing us to picture the possibility of a generation that is free from this disease.

Despite great promise, there is still much to do. Now more than ever, America must remain committed to leading the fight against HIV/AIDS, combating the crisis right here at home and abroad. Our continued support is absolutely vital to developing new treatments and prevention techniques, including microbicides, as well as to finding a cure.

The United States must continue to do everything we can to increase access to treatment for infected individuals around the globe, including the availability of life-saving drugs. Let this conference serve as a reminder of America's contribution to combating this epidemic and a rallying cry for why we can't turn back now.

CALLING FOR A VOTE ON THE FARM BILL

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

Mr. BERG. Mr. Speaker, last week, the House Ag Committee reported out of committee a version of the House bill. I rise today to call for this important measure to be brought to the floor for a vote as soon as possible.

Agriculture is the backbone of North Dakota's economy. Our great State leads the Nation in nine different commodities. This farm bill takes into consideration unique things within our State and within many other States as it relates to agriculture and those commodities. Specifically, it implements a strong crop insurance program that would be so beneficial in times like these where we're facing severe drought in much of our Nation. North Dakota's farmers and ranchers need the stability that this farm bill can bring, and it needs to be a long-term authorization.

Now is the time for the House to act. For farmers and ranchers across this country, now is the time to ensure that we act on this important piece of legislation and get it reauthorized for the long term. The time for the farm bill is now.

STUNT

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

Mr. MCINTYRE. Mr. Speaker, I rise to recognize STUNT, a new competitive team sport which focuses on the technical and athletic components of cheerleading, including stunts, basket tosses, and tumbling.

With more than 800,000 cheerleaders in the United States, USA Cheer created this NCAA emerging sport to provide new opportunities for female athletes to compete at the high school and collegiate level, while still allowing traditional cheerleading to remain a vital and important part of the schools' spirit program.

There are 22 colleges that have already participated in the national championships, with this number poised to expand significantly by next year. As cochairman of the Congressional Caucus on Youth Sports, it is my distinct pleasure to highlight the success of STUNT and to commend the inaugural players of this sport. Your pioneering efforts will inspire and generate excitement amongst the next generation of potential STUNT athletes. May God bless you for your efforts to involve more young female athletes in healthy physical activities and sports.

VETERANS JOBS ACT

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

Mr. DENHAM. Mr. Speaker, I rise today to urge the President to sign the Veterans Jobs Act.

This body has a duty to make sure that every veteran, our brave men and women who are returning home—at 200,000 leaving Active Duty every year—actually have jobs available to them and that they're actually certified to be able to accept those jobs.

We invest billions of dollars every year to give the best training in the world to our young men and women who are serving our country. Yet when they leave Active Duty, most times they're not certified for the very jobs that they're trying to get. Our brave men and women deserve the opportunity to jump right into these fields. Why should they have to get 2 or 3 extra years of training to duplicate the training they already have that is oftentimes much better training that they had on Active Duty.

We have a duty to pass this bill, to have it signed into law, and to not let a day go by that these veterans return home and make sure that they've got the certifications to immediately enter our workforce.

I urge the President once again to sign this important legislation that both bodies have passed now on a bipartisan level.

□ 1240

RETURN OF THE INTERNATIONAL AIDS CONFERENCE

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

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 introduced a bill to repeal the ban. Few believed it could be done, but through bipartisan support we achieved this goal, and I want to thank Members who are still here for their support in that effort.

This week, the return of the conference is an important opportunity to shine a global spotlight on the fight against AIDS in the African American community and communities of color, and a national spotlight on the ongoing global epidemic. Yesterday I introduced 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 abroad. 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.

TRICKING THE PUBLIC IS OBSCENE

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

Mr. CLEAVER. Mr. Speaker, funding the military is imperative, and supporting our troops at home and abroad is fundamental. But overfunding it at the expense of vital domestic programs is irresponsible.

The Defense appropriations bill is $8 billion more than the agreed-upon level set by the Budget Control Act. This means that real programs in our home districts, which many of our constituents rely on, will be cut or go unfunded.

Every family in this Nation knows what it is to make a budget and the reasons behind needing it. This bill blatantly ignores the need and purpose of a budget. Certain aspects of this bill are hundreds of millions of dollars above requested levels. If a family tried to live like that, they would be in dire straits.

Designating money when it is above and beyond what is needed is nothing more than a gratuitous earmark. Now, I am in favor of earmarks; I'm just not in favor of trying to trick the public. I believe that earmarks are right. It is our constitutional responsibility as Members of the House. But tricking the public by adding $8 billion more is obscene.

PROPOSED SNAP PROGRAM CUTS

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

Mr. GRIJALVA. Mr. Speaker, at a time when the Republican majority has, in another wasted effort, repealed health care reform for the 33rd time, at a time when we will not see on this floor a vote to extend tax cuts for the middle class, now the Republican majority is planning to literally take food out of the mouths of families and children by cutting $16.5 billion from the SNAP program in the farm bill.

This represents 45 percent of all the cuts, immediately cuts 3 million families and children from the program, and this is at a time when one in seven American families depend on some supplemental food assistance.

But as the Republican majority fiddles away, we know that there is a crisis. Fifty-eight percent of all food bank clients currently receiving SNAP benefits need assistance from them. The resulting demand to food banks will put additional pressure on our communities and on families.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed with amendments a bill of the following title in which the concurrence of the House is requested:

H.R. 1627. An act 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.

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 include extraneous material on the further consideration of H.R. 5856, and that I may include tabular material on the same.

The SPEAKER pro tempore (Mr. GOSAR). 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 further consideration of the bill, H.R. 5856.

Will the gentleman from California (Mr. DENHAM) kindly take the chair.

□ 1245

IN THE COMMITTEE OF THE WHOLE

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

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Wednesday, July 18, 2012, the amendment offered by the gentleman from Iowa (Mr. KING) had been disposed of, and the bill had been read through page 153, line 15.

AMENDMENT OFFERED BY MR. KING OF IOWA

Mr. KING of Iowa. 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 in contravention of section 7 of title 1, United States Code.

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

Mr. KING of Iowa. Mr. Chairman, this is the DOMA limitation amendment. We've seen this last year where it passed out of the House of Representatives with a substantial vote. And it says, as it reads, that none of the funds made available by this act may be used in contravention of the Defense of Marriage Act, which passed here in this Congress in 1996.

What we've seen since the passage of the Defense of Marriage Act is an effort on the part of the executive branch to undermine, I believe, marriage between one man and one woman within our military ranks.

We saw the President of the United States make some statements along the way that his position was evolving on marriage that seemed to be a signal to the Department of Defense, which issued two memoranda, one of them on September 21, the Secretary of Defense memorandum that identified facilities, and it says that the facilities, our military facilities should be made, the use of them should be made on a sexual orientation-neutral basis. That's a signal that says same-sex marriages on U.S. military bases and U.S. facilities.

The second memorandum came 9 days later to our military chaplains, and it says a military chaplain may officiate any private ceremony, on or off a military installation. That's not just permission, that's implied encouragement to conduct same-sex marriages on our military bases, conducted by our chaplains who are, presumably, all under the payroll of the United States Government.

This same-sex marriage that has been taking place on our military bases, where otherwise legal around the world, contravenes the Defense of Marriage Act. The Defense of Marriage Act means this, actually says specifically this: marriage means only a legal union between one man and one woman, as husband and wife, and the word spouse refers only to a person of the opposite sex who is a husband or a wife. Pretty simple statute being contravened by the directives of the President of the United States as exercised through the Secretary of Defense.

And I would point out that the President has demonstrated disrespect for the Constitution and the rule of law on multiple occasions. I just came from the Judiciary Committee, where I reminded Secretary Napolitano of the same thing.

Congress directs and acts within the authority of article I of the Constitution, our legislative authority, and the President of the United States, or his executives who are empowered by him, seek to undermine the law of the United States, instead of coming here to this Congress and asking for the law to be changed, or simply accepting the idea that they've taken an oath to uphold the Constitution of the United States and the rule of law, and to take care, under article II, section 3, that the laws be faithfully executed.

That's not happening, Mr. Chairman, and this amendment prohibits the use of military facilities, or the pay of military chaplains, from being used to contravene the Defense of Marriage Act. The President has now stepped out and said that he supports same-sex marriage in the United States. That is, apparently, the most recent evolution of his position.

□ 1250

But an evolving position of the President of the United States cannot be allowed to contravene the will of the people of the United States, as expressed through the statutes of the United States and as signed by previous President Bill Clinton in September of 1996.

So I urge the adoption of this amendment. It prohibits the utilization of any of these funds that are in the Defense appropriations bill to be used to contravene the Defense of Marriage Act.

I yield back the balance of my time.

UNDER SECRETARY OF DEFENSE,
Washington, DC, September 30, 2011.

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS—CHIEFS OF THE MILITARY SERVICES

SUBJECT: Military Chaplains

In connection with the repeal of Section 654 of Title 10 of the United States Code, I write to provide the following guidance, which hereby supersedes any Department regulation or policy to the contrary:

A military chaplain may participate in or officiate any private ceremony, whether on or off a military installation, provided that the ceremony is not prohibited by applicable state and local law. Further, a chaplain is not required to participate in or officiate a private ceremony if doing so would be in variance with the tenets of his or her religion or personal beliefs. Finally, a military

chaplain's participation in a private ceremony does not constitute an endorsement of the ceremony by DoD.

CLIFFORD L. STANLEY.

GENERAL COUNSEL OF
THE DEPARTMENT OF DEFENSE,
Washington, DC, September 21, 2011.

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS—UNDER SECRETARY OF DEFENSE FOR ACQUISITION, TECHNOLOGY AND LOGISTICS; UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS

SUBJECT: Uses of DoD Facilities

In connection with the repeal of Section 654 of Title 10 of the United States Code, I write to provide the following legal guidance.

Determinations regarding use of DoD real property and facilities for private functions, including religious and other ceremonies, should be made on a sexual-orientation neutral basis, provided such use is not prohibited by applicable state and local laws. Further, private functions are not official activities of the Department of Defense. Thus, the act of making DoD property available for private functions, including religious and other activities, does not constitute an endorsement of the activities by DoD.

JEH C. JOHNSON.

TITLE 1—GENERAL PROVISIONS

CHAPTER 1—RULES OF CONSTRUCTION

Sec. 7. Definition of ''marriage'' and *''spouse''*

In determining the meaning of any Act of Congress, or of any ruling, regulation, or interpretation of the various administrative bureaus and agencies of the United States, the word ''marriage'' means only a legal union between one man and one woman as husband and wife, and the word ''spouse'' refers only to a person of the opposite sex who is a husband or a wife.

Source: Added Pub. L. 104–199, Sec. 3(a), Sept. 21, 1996, 110 Stat. 2419.

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. Mr. Chairman, I rise in strong opposition to the amendment. This amendment is being offered for purely political reasons.

As the gentleman knows, the Defense of Marriage Act is already current law. Despite the successful repeal of Don't Ask, Don't Tell last year under DOMA, same-sex military spouses are not entitled to the same benefits as other married couples. This amendment only seeks to divide this House. He knows that current law already prohibits same-sex spouses from independently shopping at military commissaries, using base gyms, or benefiting from subsidized dental and health care.

I do believe we should have the debate of the effects of DOMA on our servicemembers and their families, but introducing this contentious and discriminatory amendment to this bill is not the place. I urge my colleagues to oppose this divisive amendment.

I yield back the balance of my time.

Mr. YOUNG of Florida. I rise in support of the amendment.

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

Mr. YOUNG of Florida. The gentleman from Iowa has explained the amendment very thoroughly. It is easy to understand. The House has spoken many, many times strongly on the issue, so I would add my support to the King amendment.

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 ayes appeared to have it.

Mr. DICKS. 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.

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), add the following new section:

SEC. ____. Funds made available by this Act for operations of the Armed Forces in Afghanistan shall be obligated and expended only for purposes of providing for the safe and orderly withdrawal from Afghanistan of all members of the Armed Forces and Department of Defense contractor personnel who are in Afghanistan. Nothing in this section shall be construed to authorize the use of funds for the continuation of combat operations in Afghanistan while carrying out such withdrawal or to prohibit or otherwise restrict the use of funds available to any department or agency of the United States to carry out diplomatic efforts or humanitarian, development, or general reconstruction activities in Afghanistan.

Ms. LEE of California (during the reading). 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.

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, this amendment is straightforward. It would put a responsible end to combat operations in Afghanistan by limiting funding to the safe and orderly withdrawal of United States troops and military contractors.

Eleven years after Congress wrote a blank check for war without end, which I could not support, the United States is still in Afghanistan. Ever since that vote, I have introduced this Lee amendment—that responsibly and safely brings our troops home—on numerous occasions and at every opportunity. It is past time that Congress caught up, had the debate, and passed this amendment.

Today, we have 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 Congress to answer that call.

After over a decade of war and over a half a trillion dollars in direct costs—not a penny of it, mind you, paid for, and we talk about deficit reduction—when we should have been actually investing in jobs and our economy here at home, it is really time now to say enough is enough. It is crucial to our economy and to the future of this country to stop pouring billions into a counterproductive military presence in Afghanistan. It is no wonder that 7 out of 10 Americans oppose the war in Afghanistan. The American people have made it clear that the war should end, that it should not go on for another year or 2 years and, surely, not for another decade or more.

Mr. Chair, the costs of the war are unacceptable, particularly when we ask what we gain by keeping our troops in Afghanistan through 2014. The war in Afghanistan has already taken the lives of over 2,000 soldiers, has injured tens of thousands more, and has drained our Treasury of over a half a trillion dollars. These costs will only go up as we spend trillions of dollars on long-term care for our veterans, which of course we must do.

As the daughter of a military veteran, I know firsthand the sacrifices and the commitment involved in defending our Nation; but the truth is our troops have been put in an impossible situation. There is no military solution, and it is past time to end the war and to bring our troops home. Quite frankly, it is time to use these savings from ending the war to create jobs here at home. We need to provide for the health care and economic security of our returning troops by rebuilding the American economy.

The American people have made it clear that the war should end. Not an extra day—not an extra dollar—should be spent extending the decade-long war in Afghanistan. After 11 long years now, it is time to bring our troops home.

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 appropriations bill and, therefore, violates clause 2 of rule XXI. The rule states in pertinent part:

''An amendment to a general appropriations bill shall not be in order if changing existing law.''

The amendment gives affirmative direction in effect, so I ask for a ruling from the Chair.

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

If not, the Chair will rule.

The Chair finds that this amendment includes language imparting direction on the expenditure of funds.

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.

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 rise to make just a very brief announcement.

For years and years in the past when presenting the Defense appropriations bill, it has always been my policy, if any amendment is out of order and is subject to a point of order, to allow the introducer of that amendment at least 5 minutes to discuss it before raising a point of order. I hope we can do that today and expedite the process. I would like to move this bill a little quicker than maybe we had anticipated.

So I just make that announcement. We will continue to allow you to have your debate time before raising the point of order, but I would hope that everybody would be respectful of the time.

I yield back the balance of my time.

AMENDMENT OFFERED BY MR. GOSAR

Mr. GOSAR. I have an amendment at the desk.

The Acting CHAIR (Mr. CHAFFETZ). The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), add the following:

SEC. ____. None of the funds made available by this Act may be may be obligated or expended for assistance to the following entities:

(1) The Government of Iran.
(2) The Government of Syria.
(3) Hamas.
(4) Hizbullah.
(5) The Muslim Brotherhood.

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

Mr. GOSAR. Mr. Chairman, I rise today in support of my amendment to H.R. 5856, the Department of Defense Appropriations Act for fiscal year 2013.

The amendment seeks to halt any potential Department of Defense funding from being used to aid States and organizations that pose real threats to the international community. My amendment is simple. It prohibits any DOD funds from being spent on the Government of Iran, the Government of Syria, the Muslim Brotherhood, Hamas, and Hezbollah.

□ 1300

The cases against each of these organizations are well documented. Each of them has either sponsored terror activities, performed terror activities, made threats of terror activities, or engaged in atrocious human rights violations. None of these organizations are particularly friendly to the United States, and each of them harbors hate towards our friend and ally, Israel.

Further, I know that some make the argument that sometimes foreign aid eases diplomatic relations with certain entities. While I do not discount that theorem, I do not believe that the United States should be disbursing any funding to any entity that promotes terror and violence. To that I say, trust is a series of promises kept, and we need to start with upholding good behavior, and that is by honoring previous promises.

This amendment is almost exactly the same as the amendment I offered to the last DOD appropriations bill, only that this amendment has included Damascus, due to the al-Assad regime's terrible atrocities of late. That amendment was adopted by voice vote in the House of Representatives.

I ask my colleagues to give my revised amendment the same unanimous approval as last time. In the words of the old American adage: We do not negotiate with terrorists.

I thank the chairman and the committee for their work, and I urge a ''yes'' vote on my amendment.

Mr. YOUNG of Florida. Will the gentleman yield?

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

Mr. YOUNG of Florida. I would just like to advise him that our side of the committee especially and enthusiastically endorses your amendment.

Mr. GOSAR. I appreciate the gentleman, and I yield back the balance of my time.

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

The amendment was agreed to.

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

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

Ms. HAHN. Today is actually my 1-year anniversary of being sworn in to this Congress. It's hard to believe it's been a year.

One of the things I came to Congress to do was to really move us toward ending the wars in Iraq and Afghanistan. While we look toward the 11th anniversary of Operation Enduring Freedom, I believe it's necessary to reflect on the staggering human and economic costs this country has endured over the past decade. Since 2001, we've spent nearly $635 billion on the Afghanistan war. Under FY 2012 figures, this equates to an average of $8.8 billion a month, $2 billion a week, and nearly $300 million a day.

With what it takes to keep this war going for a week, we can hire 45,000 more construction workers to help repair and build our own crumbling infrastructure. With what it costs to keep this war going for 1 more month, we can hire over 250,000 new teachers, nearly enough to hire back all of the teachers and public school officials who've lost their jobs during this great recession. While these figures seem astounding, they don't begin to compare to the human toll that this war has taken on our active servicemembers and military families.

Last October, on the weekend of the 10th anniversary of this war in Afghanistan, I visited Arlington West in California—an incredible memorial to the men and women who died in Iraq and Afghanistan. It's truly a moving experience walking through row after row of crosses in the sand at Santa Monica Beach.

As of today, 2,041 U.S. soldiers have been killed in Afghanistan, and over 12,000 have been wounded. While many of us talk about these figures here on the House floor, I know many of us have even more personal experiences with families who have suffered loss or illnesses or injuries of their loved ones.

Unfortunately, I had reason to visit Walter Reed twice in the last 6 months, and I've seen the evidence of the sacrifice that we're asking these young men and women to bear. I think all of us should take the time to walk the halls of Walter Reed and see the full cost that this war has taken. My own cousin, a young man of 26, was only in Afghanistan 3 months and was shot in his leg. It's unclear whether or not he'll get full recovery of his leg. Last week, I visited one of my former employees in the City of Los Angeles whose son, Ben, was in Afghanistan. He reenlisted three times to go back. Unfortunately, this last time, he's now lost both of his legs. His future and his family's future has changed forever.

When you walk the halls at Walter Reed, you're made to remember the mothers bearing the crosses of their children, armed with only the memory of the love lost and unique responsibility that we all have to the fallen. You're reminded of the men and women who are still here and of the battles that they're going to have to fight long after they hang up their fatigues and come home. You're reminded of the struggles shared by the families—the mothers, the fathers, the sisters, the brothers, the sons, and daughters—of these veterans who bear the seen and unseen scars of four, five, even six tours of duty.

These scars are most evident in the recent news that 154 Active Duty servicemembers have committed suicide in the first 150 days of this year. This is nearly 1 per day. This is a heartbreaking statistic that brings into stark relief the terrible toll of nearly 11 years of war.

Mr. Chairman, we need to bring these troops home. That's why I support this amendment that provides for the safe and orderly withdrawal of U.S. forces from Afghanistan and to help bring this war to an end. A decade at war is too long.

I want to thank Congresswoman LEE for raising this incredibly important issue, and I urge my colleagues to support this effort and help bring the troops home. With that, I yield back the balance of my time.

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) The total amount of appropriations made available by this Act is hereby reduced by $19,200,000,000.

(b) The reduction in subsection (a) shall not apply to amounts made available—

(1) under title I;

(2) under title VI for ''Defense Health Program''; and

(3) under title IX for—

(A) ''Military Personnel''; and

(B) ''Defense Health Program''.

Ms. LEE of California (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered read.

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. Chair, I'm pleased to be joined by my colleagues in offering an amendment to set Pentagon spending at the levels from the 2008 financial year adjusted for inflation, or at $500 billion.

I'm offering this amendment for one simple reason: the bloated Pentagon budget must be addressed if we are serious about solving our Nation's deficit. Quite frankly, our real national security is about rebuilding our economy. It's time to use these tax dollars to create jobs here at home.

It's time to rebuild America and also to provide for the health and economic security of our brave troops and the communities that they live in back here at home. Even with this modest cut—and it's very modest at $19.2 billion—the Pentagon-based budget would still be, mind you, a half trillion dollars, excluding war funding for Afghanistan, far outpacing any other nation in defense spending.

Americans across the country have been forced to cut back, and many are barely able to make ends meet while Pentagon spending has doubled over the past decade. The United States spends as much on its military as the next 14 countries combined, and all but three of these are close allies. Americans believe no Federal agency should be immune from cuts, including the Pentagon. In fact, the average American would pursue a much larger cut of over $100 billion according to a poll released earlier this week by the Stimson Center.

Some have argued that defense cuts will result in job losses. The Pentagon, quite frankly, is not a jobs program. Even if it were, defense spending creates fewer jobs per billion dollars spent than investing in other sectors: education, health care, clean energy, or even tax cuts.

The bloated Pentagon budget has been immune from oversight and scrutiny for too long. We couldn't even pass my amendment yesterday calling for an audit of the Pentagon. This really has resulted in unbalanced spending where nearly 60 cents of every discretionary dollar now goes to the Pentagon. If we are serious about addressing the deficit, we must take reasonable steps to rein in Pentagon spending.

My amendment makes modest cuts to defense spending while protecting our active military personnel and retirees from misguided efforts to cut their compensation and health care expenditures by prohibiting the additional cuts from coming from Active Duty and National Guard personnel accounts from the defense health program. Let me repeat: not a single penny would come from Active Duty and National Guard personnel accounts or from defense health programs.

President Eisenhower famously said that the United States ''should spend as much as necessary on defense,'' which we all agree with, ''but not a penny more.''

□ 1310

At a time when American families, businesses, and government agencies are facing budget cuts and tightening their belts, the Pentagon should not be immune from the need to justify its expenses and guard against waste, fraud, and abuse.

I am proposing a very modest proposal over the course of a decade that would equal less than $200 billion, $200 billion. The Bowles-Simpson Commission outlines $750 billion in suggested defense cuts in the next decade.

President Reagan's Assistant Secretary of Defense, Lawrence Korb, has proposed $1 trillion in cuts to the Pentagon over the next 10 to 12 years. As I said, the average American would cut 18 percent of the Pentagon budget, or a little over $100 billion.

Finding $19 billion in savings next year is a very modest first step after an unchecked decade of runaway Pentagon spending. While many Americans would support a larger cut, this is a commonsense amendment to change the direction of Pentagon spending towards a reasonable level aligned with actual threats to our national security.

I hope my colleagues, many of whom speak out here on the House floor frequently about the importance of addressing our deficit, will support this amendment. If we are really concerned about the deficit, then vote for this amendment.

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 is another amendment that slashes large amounts from our overall Defense appropriations bill.

I would say that this subcommittee is not adverse to reducing defense spending when we can do so without having an adverse effect on readiness or without having an adverse effect on our troops, their medical care, and their families. I understand the gentlelady does protect some of those issues in her amendment.

This committee has already proven that we are willing to cut defense. In the last 2 fiscal years, this subcommittee, on a bipartisan basis and in a bipartisan way, was able to reduce $39 billion, and we did so very carefully by looking at every account, every project, every place that we could find weakness in the spending, in the contracting, in programs that were terminated or about to be terminated, and we can do that, but just an across-the-board cut is not smart.

Here's what could happen. We could actually, with this amendment and this reduction, we could require that we reduce or cancel training for troops returning home from the battlefield or cancel Navy training exercises because they are running very tight on funding already, or reduce Air Force flight training or delay or cancel maintenance of aircraft, ships, and vehicles. All of this relates to readiness: to make sure that the men and women in the military are ready, that they are trained properly, that they have the equipment, and that the equipment is ready.

Now something new here, interesting for this year: the CBO—and everyone understands that CBO is a nonpartisan, nonpolitical organization—has just issued their analysis of the Department's Future Year Defense Programs, the FYDP, and determined that Department plans will actually cost $123 billion more than they actually project, which means what they say we will get for the money, we won't get that for the money.

Further cuts would make it very difficult to meet the requirements of the Department of Defense, the Army, Navy, Marine Corps, and the Air Force. We just don't want to do that.

This is not the only amendment. We have dealt with similar amendments numerous times yesterday, and I expect that we will again numerous times today. This is not a good amendment, and it's one that I would hope that the Members reject.

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 am proud to cosponsor this amendment offered by my friend from California. As she clearly stated, this amendment would cut $19.2 billion of Pentagon spending and bring the overall spending down to $500 billion while at the same time protecting our troops and their medical needs.

Even with this cut, the $500 billion that remains amounts to a generous appropriation for the Defense Department. With this cut, the Pentagon

budget would still be greater than the next 10 countries' defense budgets combined. That's right: military spending from China, Japan, Germany, the U.K., Russia, India, France, Saudi Arabia, and Brazil combined would still trail our United States' military Pentagon budget by hundreds of billions of dollars.

I just don't understand how someone can stand here and say half a trillion dollars isn't enough. How many more outdated Cold War weapons systems do we need? How many helicopters with unreliable mechanical systems do we need? How many fighter jets causing pilot blackouts do we need? How many more private defense contractors do we have to pay and overpay?

At some point we have to say enough is enough. It's time, Mr. Chairman, for a reality check. It's time to accept that we spend too much on our bloated defense budget. I mean, ask any other Department or agency if they would make due with half a trillion dollars. I think we all know what that answer is—they would be delighted.

I urge you all, vote ''yes,'' bring some sanity back to our budget.

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. 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. BROOKS

Mr. BROOKS. 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 by the Department of Defense or a component thereof to provide the government of the Russian Federation with any information about the missile defense systems of the United States that is classified by the Department or component thereof.

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

Mr. BROOKS. I want to thank Representative MIKE TURNER, chairman of the Armed Services Strategic Forces Subcommittee, and Representative TRENT FRANKS, cochair of the Missile Defense Caucus, for their support of this amendment.

This amendment prohibits the administration from using funds to share the United States' classified missile defense information with Russia. It is similar to an amendment which passed with bipartisan support in the House version of the fiscal year 2013 National Defense Authorization Act.

In light of recent statements by President Obama that he wanted ''more space'' from the Russians in regards to missile defense, and his statement that he would ''have more flexibility'' on this issue after the elections, I am concerned, Mr. Speaker, that the United States' hit-to-kill and other valuable missile defense technologies may become pawns in a political chess game of appeasement with the Russians.

Statements by Russian Chief of General Staff Nikolai Makarov have increased my concern. In reference to the United States' desire to strengthen our missile defense sites in Europe, General Makarov threatened the use of military force against the United States, declaring that ''A decision to use destructive force preemptively will be taken if the situation worsens.''

Mr. Chairman, if Russia's defense staff is willing to blatantly threaten the United States, why should the United States hand them the keys to technology that gives America's warfighter a decided advantage.

The danger to national security is obvious, but there is more to this picture. The Congressional Research Service estimates the United States has spent approximately $153 billion on missile defense. A vast majority, roughly 90 percent, was spent on hit-to-kill technology. It makes no sense to spend $153 billion of taxpayers' money on advanced weaponry just to give it away.

This amendment builds on a letter that had broad bipartisan support in the United States Senate and was signed by 39 senators in April 2011 expressing concern about giving the Russians sensitive missile defense data and technologies.

□ 1320

These Senators were concerned, as I am, that the White House must not use America's missile defense technologies as a bargaining chip in negotiations with Russia.

This amendment helps the United States lead the world in missile defense technologies, preserves investments of billions of dollars, and ensures the viability of current and future missile defense technologies.

Mr. Chairman, I yield 2 minutes to my colleague and good friend, Congressman TURNER from the great State of Ohio.

The Acting CHAIR. The gentleman may yield, but not specific amounts of time.

The gentleman from Ohio is recognized.

Mr. TURNER of Ohio. Thank you, Mr. BROOKS.

I just want to point out the importance of this amendment and also reiterate that this amendment says that classified information about our missile defense system should not be allowed to be provided to the Russians. We have two areas of concern:

Obviously, one, Iran and their growing ICBM threat to the United States. I previously wrote a letter with Chairman MCKEON to Secretary Panetta asking about specific information for the rising ICBM threat with Iran.

The second aspect is that we're all aware that the President is currently in negotiations on a secret deal with the Russians. We saw that in the open mike discussion that the President was having with Medvedev in South Korea, where he said he wanted greater flexibility until after the election. Some of that flexibility should not be disclosing classified information concerning our missile defense system to the Russians. This amendment would say: Mr. President, you won't tell us what your secret deal is, but that secret deal better not include sharing classified information of the United States with the Russians about our missile defense.

Again, Mr. BROOKS' amendment is very important because it says: Mr. President, even though you won't tell us what the secret deal is, we will not allow you to exchange classified information and weaken the security of the United States.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 13, 2012.

Hon. LEON E. PANETTA,
Secretary of Defense,
Defense Pentagon, Washington, DC.

DEAR SECRETARY PANETTA: We write out of concern with the Administration's plans for missile defense, specifically, the continued sharp decline in the attention and resources invested in U.S. national missile defenses. We fear that this situation could be severely exacerbated under current plans, including the threat of defense sequester, which could be prevented under recent legislation passed by the House of Representatives. Further, we are in receipt of an $8 billion reprogramming request that could, in view of new information, continue to mis-prioritze scarce defense resources.

In 2009, the Administration justified a significant shift in U.S. missile defense policy on the basis of what was labeled ''new intelligence assessments''. Secretary Gates, in a September 17, 2009, press conference, stated, ''our intelligence assessment also now assesses that the threat of potential Iranian intercontinental ballistic missile capabilities has been slower to develop than was estimated in 2006.'' (emphasis added). It therefore follows that a shift in intelligence could justify a further change in U.S. missile defense strategy.

The recently released unclassified 2012 Report on the Military Power of the Islamic Republic of Iran suggests to us just such a shift may be at hand. For example, the report stated, ''Beyond steady growth in its missile and rocket inventories, Iran has boosted the lethality and effectiveness of existing systems with accuracy improvements. . . . Since 2008, Iran has launched multistage space launch vehicles that could serve as a test bed for developing long-range ballistic missile technologies.''

Because of our concerns that the 2009 judgments may be superseded based on new intelligence information, we have the following questions, which we request be answered by you with an unclassified written response:

1. Have key judgments about Iran's efforts to develop intercontinental ballistic missiles (ICBM) shifted since 2009? Does Iran now intend to develop an ICBM? If so, when is the earliest it could deploy such a capability?

2. Has Iran continued to improve its ICBM-related technical capabilities through its

short-range, medium-range, and alleged space-launch vehicle tests since 2009?

3. If Iran has now decided to develop an ICBM capability, does that suggest anything regarding Iranian decisions to develop a nuclear weapons program? There appears to be no reason for Iran to develop ICBMs unless it has already decided to develop nuclear weapons, or other weapons of mass destruction, to put on top of those missiles.

4. Have there been any further developments that suggest North Korea could be preparing to deploy a new road mobile ICBM this year?

Additionally, for almost three years, the Committee has been asking for, and repeatedly promised by your Department, a ''hedging strategy'' for national missile defense in the event that the Administration's plan, as articulated in the September 2009 decision on the Third Site and the European Phased Adaptive Approach (EPAA) and the 2010 Ballistic Missile Defense Review, is delayed for technical or budgetary reasons, or if the ballistic missile threat to the United States emerges faster than was assessed in 2009. Indeed, in the FY2012 National Defense Authorization Act, such a plan was required by law. The Committee has thus far received no such strategy.

The Administration's plan for national missile defense is almost entirely focused on assumptions for future changes to the shot doctrine of the GMD system—which would not happen for years under the program of record, assuming it is possible, or the SM–3 IIB missile, which is now a year delayed, and about which the Defense Science Board and the National Academies have all expressed grave concerns for its projected capability. Indeed, the Government Accountability Office has expressed concerns about the absence of any real Analysis of Alternatives to substantiate technical capability and requirements for the IIB missile and therefore has warned about the risk of delay and budget overrun. We urge the Administration to provide the Committee all the analysis that was prepared when the SM–3 IIB missile was recommended in September 2009.

Committee staff were briefed in March of this year on some elements of the ''hedging strategy'', as then under consideration, including potential configurations of an East Coast site consisting of 20 ground-based interceptors. The Committee is now informed that the Department has determined not to share even those briefing slides with the Committee.

We request you submit the hedging strategy mandated by section 233 of the FY12 NDAA not later than the week of July 30th, in time for Committee Members to be briefed before the August district work period and Senate consideration of the NDAA, and we request you immediately transmit the briefing slides of the March 6th briefing.

The Committee is in receipt of almost $8 billion in FY12 reprogramming requests, with significant sums of money intended for missile defense capabilities and capabilities oriented to a potential conflict with a regional threat. We therefore believe it appropriate for our requests in this letter to be answered prior to any decision by the Committee on those matters.

We appreciate your willingness to work with us on these requests in a timely fashion.

Sincerely,

HOWARD P. ''BUCK'' MCKEON,
Chairman, Committee on Armed Services.

MICHAEL R. TURNER,
Chairman, Subcommittee on Strategic Forces.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 23, 2012.

President BARACK OBAMA,
The White House,
Washington, DC.

MR. PRESIDENT: As you know, there is profound interest on the subject of you and your Administration's efforts to enter into an agreement with the Russian Federation on the subject of U.S. missile defenses. These efforts were the subject of considerable debate during the recent consideration of H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013.

Specifically, there is still a great deal of concern about what you meant when you were overheard during a recent meeting in Seoul with Russia's former President, Dmitri Medvedev, that after this election, your ''last election,'' you ''would have greater flexibility'' to make a deal with Russia concerning U.S. missile defenses.

One of your aides, Mr. Nabors, wrote to me stating ''[i]t is no secret that this effort [referring to the effort to negotiate an agreement with Russia about U.S. missile defense] will be more complicated during election years in both the United States and Russia.'' The inference is that the American people may not like the deal your Administration is planning to negotiate. If that is the case, why make it at all?

What is it you and your administration are concerned the American people would object to in such a deal with Russia? Would it be limitations, unilateral or bilateral, with Russia on the speed, range, or geographical deployment of U.S. missile defense interceptors?

Of like concern is your apparent belief that U.S. missile defenses are a hindrance to further U.S. nuclear arms reductions. At present, your Administration is conducting what's known as the NPR Implementation Study, which press reports indicate could recommend up to 80 percent reductions in U.S. nuclear forces, on top of the unilateral U.S. reductions your Administration just negotiated in the New START treaty. This review is being conducted in total secrecy, without any information having been shared with the Congress. Many in Congress, me included, are deeply troubled that you may be willing to further trade or give away U.S. missile defenses to get closer to your goal of a world without nuclear weapons.

You may be able to put to rest such concerns if you would simply direct your Administration to share with the Congress the draft agreements that have been offered to Russia. For example, according to President Putin in a March 2, 2012 interview with RIA-Novosti:

''They [referring to your Administration] made some proposals to us which we virtually agreed to and asked them to get them down on paper.. .They made a proposal to us just during the talks, they told us: we would offer you this, this and that. We did not expect this, but I said: we agree. Please put it down on paper . . . We were waiting for their answer for two months. We did not get it, and then our American partners withdrew their own proposals, saying: no, it's impossible,'' he added.

This is not the first such reference to a secret deal the Obama Administration offered to Russia. The Russian newspaper Kommersant reported last October that it obtained the copy of a deal that was to be agreed to at the May 2011 08 summit in Deauville, France.

Mr. President, the unwillingness of your Administration to provide copies of these draft agreements to the Congress does nothing to resolve concerns about just what your Administration is prepared to oiler to Russia regarding U.S. missile defenses after your ''last election.''

After all, it was not that long ago that your Administration unilaterally withdrew from the plan to build the European Third Site in Poland and the Czech Republic just to earn goodwill from Russian Presidents Putin and Medvedev during the negotiations of the New START treaty. Additionally, your signing statement earlier this year that you would treat section 1244 of the National Defense Authorization Act for Fiscal Year 2012 as non-binding, is troubling in that this provision, which you signed into law, only seeks to protect classified U.S. missile defense information from disclosure to Russia or those to whom it proliferates, like the Islamic Republic of Iran and Syria.

I encourage you to direct your Administration to provide to the Congress the draft agreements provided to the Russian Federation. Such transparency would be the best way to resolve concerns in the Congress about your statement to President Medevedev—''[t]his is my last election . . . After my election I have more flexibility''—about your intentions for missile defense. And, I can see no reason why you wouldn't provide to the elected representatives of the American people that which you and your Administration have provided to President Putin, President Medvedev and others in their government.

Sincerely,

MICHAEL R. TURNER,
Chairman, Strategic Forces Subcommittee,
House Armed Services Committee.

Mr. BROOKS. 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, this actually may be the most critical amendment that we will consider on this bill today. There should be no secret deals on our missile defense with a Russian President or any other person not involved with the security of our own Nation. This amendment precludes that.

Mr. BROOKS has pointed it out extremely well and Mr. TURNER has certainly made a very strong case. But let me add, our national defense interests have got to be our interests, not somebody else's. Our national defense investments must be made based on what is the threat to our Nation, and missile defense in particular. The Iranians have just shown a massive arsenal of missiles—short-range, medium-range, and some long-range capability. Those missiles would have the ability to target our troops wherever they might be in the Persian Gulf region. They can even reach to Israel, one of our very best partners and coalition allies.

We just can't let this happen. We can't let anyone make a secret deal with a Russian President on missile defense. The threat is too great.

The threat is growing not only from Iran, but from North Korea. The North Koreans have invested a lot of time, a lot of money, and a lot of technology in developing their missiles, and I don't suspect that they are for peaceful purposes.

We have to be always on guard that we protect Americans and our interests

and our troops, wherever they might be, from hostile attacks by somebody's missile.

So this is a critical amendment, and I think it is important that we have a very large vote and send the message that we are not going to toy with the defense of our Nation, especially missile defense.

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. Frankly, we don't have any problem with this amendment. I would be very surprised if the administration would give any classified information to the Russian Government. Now, maybe the gentleman knows something that I don't know. And I understand that there was an inadvertent comment suggesting that after the election there may be a better opportunity to work between the two governments. Those things are said at times. But I have no personal information that anyone is saying that we're going to give them this information. So I personally think it would be a mistake to give it to them unless it was declassified so the American people would know what the information was.

But in this case, just to be sure, I'm willing to go along with the gentleman's amendment. We have to be very careful here with classified information, there's no question about that. There's been some concern expressed about classified information being released to the public, which is another questionable activity.

I support the gentleman's amendment, and I yield back the balance of my time.

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

The amendment was agreed to.

Ms. CASTOR of Florida. Mr. Chairman, I move to strike the last word.

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

Ms. CASTOR of Florida. I rise for the purpose of a colloquy regarding an amendment that I had intended to offer relating to military families.

Mr. Chair, our military personnel have access to great health care through TRICARE, but in certain cases—and many would be surprised to learn this—TRICARE does not cover every health service. And this comes into play sometimes with children of military families with special needs. There's also a circumstance when someone in the military is separating from the military but they don't have retirement benefits, and their family, their children, may not have access to health insurance.

I ran into this in a case back home in Tampa, Florida, at MacDill Air Force Base, not unlike many of our colleagues here who participate in forums for veterans and job fairs and the like. The military health folks didn't know a lot about Medicaid or the Children's Health Insurance Program, whether it applied to military families that they talked to all of the time or those families that are separating from the military and are no longer covered by TRICARE. So we tried to investigate this with the Pentagon a little bit, but they were not able to clarify anything for us.

I have done a little research. There was one report, entitled, ''Medicaid's Role in Treating Children in Military Families.'' That report advised that 1 in 12 children from military families rely on Medicaid for some health service; and for children with special needs in the military families, 1 in 9. I was surprised to learn that, frankly. Plus, we have many that have served in the military and have come back from Iraq or Afghanistan and have a lot of questions about what it means for them finding a job, finding coverage for their family as they move on in their lives.

So I had intended to offer an amendment that simply clarifies the fact that nothing prohibits DOD from providing that information at a job fair, a health fair, or advising military families that the Medicaid coverage or the SCHIP coverage could be an option. So I would really like to work with Chairman YOUNG, the Department of Defense, and Ranking Member DICKS so that our military families don't have to worry about health coverage, whether they're in the military, they have children, children with special needs, or they're separating from the military and they just simply need answers to questions about where they can turn.

I yield to the chairman.

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentlelady for yielding, and I want to thank her for the attention and the hard work that she does to ensure that our military servicemembers and their families have the very best information and resources regarding health care.

□ 1330

That is only fair. One of our highest priorities has always been to take care of the health of our men and women in uniform and their families.

I thank the gentlelady again, my neighbor in Florida, for her advocacy on this issue and guarantee that we will be very happy to work with her and the Department to make sure that all relevant health care information is available to our servicemembers, our retirees, and their families.

Ms. CASTOR of Florida. Mr. Chair, I thank the chairman. And this is especially meaningful coming from Chairman YOUNG. No one has been more attentive to military families and our servicemembers—no matter what service, no matter their veteran status—than Mr. YOUNG, my colleague and friend from Florida.

I thank the gentleman and yield back the balance of my time.

Mr. WALDEN. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. WALDEN. I would ask the gentleman from Florida if he would be willing to enter into a colloquy.

Mr. YOUNG of Florida. I would be happy to enter into a colloquy with my colleague, the very distinguished gentleman from Oregon (Mr. WALDEN).

Mr. WALDEN. Thank you very much, Mr. Chairman.

As chairman of the Communications and Technology Subcommittee, I have taken an interest in the use of our Nation's spectrum resources by both Federal and non-Federal users. Spectrum is becoming increasingly important as our Nation's needs for mobile communications grow. Unfortunately, however, demand is quickly outpacing the supply of spectrum.

The U.S. Department of Defense is a large user of spectrum. Efficient use of spectrum would therefore not only greatly benefit our country in terms of technological and economic development, but also help our military in conducting its critical mission.

Recent discussion of spectrum policy in government has turned to ways that governmental and nongovernmental users might share spectrum to the benefit of both. It has come to my attention that the work of the Department of Defense—through the Defense Advanced Research Projects Agency, the Joint Program Executive Office Joint Tactical Radio System, and other programs—has been examining some of these sharing technologies, but with mixed results. It is my belief that Congress would benefit greatly from a report on this research. I would suggest that the Department of Defense draft such a report that details the status of its work on cognitive radio, dynamic spectrum access, software-defined radio, and any other spectrum-sharing techniques and technologies.

I would like to ask for your support, Mr. Chairman, and assistance in working with the Department of Defense to get additional information on the types of technologies under development and production and how much has been spent to date for these efforts, as well.

In addition, I believe that a clearer understanding of the efforts being pursued by the Department of Defense and the associated organizations for joint spectrum management technology developments, what has been deployed and what future investments will achieve is important and should be pursued and we should fully understand what they're doing.

Mr. YOUNG of Florida. Mr. Chairman, if the gentleman would yield, I would say to him that today, spectrum is a commodity, and the efficient management of that commodity is critical. I agree that understanding the Department of Defense's plans and budgets for research and development and deployment of these capabilities is critical.

I look forward to working with Mr. WALDEN and the Department of Defense

to understand the technologies and techniques being employed to improve government spectrum efficiencies. I thank the gentleman for raising this important issue.

Mr. WALDEN. I thank the chairman for his work on not only this issue and working with us on this, but also your terrific dedication to the country over the years, and especially in moving this legislation forward.

I yield back the balance of my time.

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) The total amount of appropriations made available by this Act is hereby reduced by $7,583,000,000.

(b) The reduction in subsection (a) shall not apply to amounts made available—

(1) under title I;

(2) under title VI for ''Defense Health Program'';

(3) under title IX; and

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

Ms. LEE of California. The Lee-Van Hollen-Smith amendment would limit Department of Defense funding to the amount authorized under the Budget Control Act of 2011, resulting in a $7.6 billion reduction in spending from the level authorized by the Appropriations Committee.

This amendment is cosponsored by my colleagues, Armed Services Ranking Member ADAM SMITH, Budget Committee Ranking Member CHRIS VAN HOLLEN, and Representatives AMASH, BLUMENAUER, CLARKE, JOHNSON, NADLER, POLIS, SCHRADER, STARK, WELCH, and WOOLSEY, among others.

As you know, Mr. Chair, last year, Congress passed the Budget Control Act, which put in place spending caps on discretionary spending. Despite these statutory limitations, the Appropriations Committee set overall military spending billions of dollars above what the Pentagon requested or what was agreed to under the Budget Control Act.

A deal is a deal. While many of us did not support the discretionary caps under the Budget Control Act, our amendment simply brings Pentagon spending in line with the law. Again, a deal is a deal. It does this while protecting our Active Duty military personnel and retirees from misguided efforts to cut their compensation and health care expenditures, by prohibiting the additional cuts from coming from Active Duty and National Guard personnel accounts or from the Defense Health Program.

Let me repeat: not a single penny would come from Active Duty and National Guard personnel accounts or from the Defense Health Program.

The Pentagon budget already consumes almost 60 cents out of every discretionary dollar we spend, and adding billions of unrequested dollars—mind you, unrequested dollars—at the expense of struggling families during the ongoing economic downturn is wrong.

Once again, I just have to remind us that yesterday an amendment was struck down, made out of order, that we still can't even get an audit of the Pentagon; and here, once again, we're going against the law of the land and violating a deal and asking for more money—outrageous.

At a time when American families, businesses, and government agencies are facing budget cuts and tightening their belts, why shouldn't the Department of Defense be asked to become more efficient and eliminate wasteful programs?

While many of us would support a larger cut, this is a commonsense amendment to keep spending in line with what was agreed to last year. Remember, a deal is a deal.

I hope my colleagues, many of whom speak here on the floor frequently about the importance of addressing our deficit, will support this amendment. So I ask my colleagues, if we are really concerned with the deficit, then vote for this amendment. This is money the Pentagon did not ask for and it does not need.

Some of us really do believe that your word is your bond.

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, first, I would like to say that I really respect Ms. LEE's tenacity and her determination. There's no doubt that she is sincere, but I just disagree with her amendment.

Actually, except for the numbers that have changed, this is basically the same amendment that has been offered before even today. And so rather than repeat the arguments, I will just say the arguments are the same.

This is not a good amendment, and I would hope that the membership would oppose this amendment as we have others similar to this.

I yield back the balance of my time.

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

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

Mr. SCHRADER. Mr. Chairman, we have actually completed our withdrawal from Iraq. We are on our way to withdrawing from Afghanistan. There is not a strategic need to increase the base budget for the Defense Department beyond the BCA, Budget Control Act, agreement.

Our own military leaders have acknowledged that our debt and deficits are the largest national security threat that our country actually faces. We need to be building on the fiscal foundation the BCA laid in order to provide for our children's futures and the military they will need to defend their freedoms. Sticking to the BCA framework is our strategic priority.

We should take a moment to remember where we were at this time last year. There was a real threat of government and economic shutdown due to the approaching debt limit. In the very 11th hour, we passed the bipartisan Budget Control Act to forestall a sovereign debt crisis by cutting $900 billion from the deficits and agreeing to cut another $1.2 trillion over the next 10 years.

Even still, our national debt has increased by $1.3 trillion since we came to that agreement last August. In part, this is due to the failure of the supercommittee to reform entitlements in our Tax Code.

In the coming months, we need to finish the job we began with the passage of the Budget Control Act. Reforming entitlements and instituting comprehensive tax reform as suggested by the Bowles-Simpson plan is no longer an option but a national necessity. Changes scheduled to go into effect in January would harm the economy and the middle class while proving ineffective in true deficit reduction. Backpedaling on the BCA is irresponsible.

□ 1340

By holding this body to the bipartisan law we passed last August and reducing our debt by reducing the underlying bill's appropriation by a mere $7.5 billion—in Washington, D.C. terms—the amendment before you today will enhance our national economic security.

We need to stick to the spending caps and move on from the FY 2013 appropriation process so we can work on getting the next framework put in place to responsibly address what has become known as the ''fiscal cliff.''

The American people and businesses in this country deserve certainty about their future. We need to do right by them, avoid a crisis of our own making, and lay the groundwork for restoring our economy and getting hardworking Americans back to work.

I yield back the balance of my time.

Mr. STARK. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. STARK. I'd like to first thank my friend, Ms. LEE, for bringing up this important amendment. She knows so well that the less experience people in this body have had with the military, the fiercer they are. That goes to the Republicans wanting to exceed their own funding cap in the Budget Control Act by $8 billion. This is a moderate amendment to bring us back under the Budget Control Act.

This is the 12th year that we've been fighting and funding a war in Afghanistan and that area; and there's no peace, there's nothing, no stability. The war in Afghanistan has basically

contributed to our instability. Nothing has happened over there. Since 2001, we have spent $600 billion or $700 billion on this Afghani war alone, and the Defense Department appropriations bill wants another $600 billion.

Republicans like to talk about entitlements like Medicare driving the debt. Well, let me tell you, defense spending has become just as much of an entitlement, with a team of lobbyists and Members of this body who are more interested in protecting defense contractors than protecting our country's health, education, and economic growth.

This bill ignores administration proposals to delay or terminate military programs while providing funding instead for weapons that the Department of Defense doesn't want, doesn't need, and won't work. Apparently, funding wars and weapons instead of better health care, education, and repairing our infrastructure are more important to the Republican majority than all other issues.

I urge my colleagues to support this commonsense amendment and start reining in our out-of-control defense budget.

I yield back the balance of my time.

Mr. VAN HOLLEN. Mr. Chairman, I move to strike the last word.

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

Mr. VAN HOLLEN. Mr. Chairman, I'm very proud to join with my colleague from California (Ms. LEE) and Mr. SMITH, the ranking member on the Armed Services Committee, in support of this amendment.

This amendment is, in fact, different than every other amendment that has been offered on this bill. This amendment is very simple and very clear in its purpose: it's to make sure that this Congress complies with the Budget Control Act agreement that was set by this body on a bipartisan vote just last year.

I would just refer my colleagues to the Budget Control Act and refer them to section 302, Enforcement of Budget Goals. It's right there in plain English what the 050 number will be, the Defense appropriation number will be. That was the Budget Control Act that was supported and voted on by the chairman of the Budget Committee, by the chairman of the Armed Services Committee, by the chairman of the Appropriations Committee, and by the chairman and the ranking member of the Defense Appropriations Subcommittee.

In fact, the chairman of the Appropriations Committee, Mr. ROGERS, said last year, when we passed it:

> Tough choices will have to be made, particularly when it comes to defense and national security priorities, but shared sacrifice will bring shared results.

He went on to say:

> The Appropriations Committee has already started making tough decisions on spending and will continue to under the spending limits and guidelines provided in this bill—meaning the Budget Control Act.

That was August 1 of last year. The chairman of the full Appropriations Committee was right last year, but the bill that's coming to the floor today is in violation of that bipartisan agreement. As a result of that violation, while the Defense appropriation bill exceeds significantly what was requested by our own Defense Department as what was necessary to meet our national security needs—because this bill dramatically increased that level above what was requested—the reality is the other bills that are coming through the Appropriations Committee are taking very deep cuts—deep cuts to education, deep cuts to health care programs. In fact, the ranking member of the subcommittee, Mr. DICKS, described that Labor-H bill as one of the most partisan bills that he has seen. That's true, and that is a direct result of the fact that this bill that's before us today dramatically explodes the Budget Control Act agreements.

Now, Mr. Chairman, I would just refer the body to the statements made by Admiral Mullen recently, who of course was the chairman of the Joint Chiefs of Staff, pointing out that our military strength depends on our economic strength and our economic strength depends on our long-term fiscal health and the soundness of our fiscal policy. And I quote Admiral Mullen, who said:

> Our national debt is our biggest national security threat.

He went on to say:

> Everybody must do their part.

He said:

> We can no longer afford to spend taxpayer resources without doing the analysis—this is Admiral Mullen—without ensuring every dollar is efficiently and effectively invested. We can no longer go along with business as usual if we are going to get our fiscal house in order.

That is why this body, on a bipartisan basis, agreed to the Budget Control Act. So it's very unfortunate that this bill now comes to the floor in violation of an agreement, in violation of an understanding that in order to get our fiscal house in order, we had to make tough decisions on defense and nondefense alike.

By violating the agreement in this regard, what the committee is saying is they're willing to make really tough decisions. In fact, they make irresponsible decisions with respect to the nondefense domestic spending, and we doubt we'll even see a Labor-H bill on the floor of this House, it's so bad. The reason it's so bad is because, in part, that Budget Control Act was violated and so much was added to the Defense Department, again, as my colleagues have said, more than requested by our military leadership and more than requested by the Defense Department.

I agree with Admiral Mullen, who said we all need to share in this responsibility. I agree with what my Republican colleague said just last year when we passed the Budget Control Act. Let's stick to an agreement and let the people know that when this body comes to an understanding after a hard compromise, we stick with it for the public good.

I yield back the balance of my time.

Mr. STARK. Mr. Chair, I rise today in opposition to H.R. 5856, the Department of Defense Appropriations Act for fiscal year 2013. Until we can rein in defense spending and treat it like all other federal programs facing damaging funding cuts, I cannot support yet another bloated defense budget. Republicans talk about how entitlements like Medicare are driving the debt. But it is clear that defense spending has become just as much of an entitlement, complete with a team of lobbyists and members of this body that are more interested in protecting defense contractors than protecting our country.

This bill marks the 12th fiscal year the United States has been fighting and funding the War in Afghanistan. During this time, we have pursued a variety of strategies and plans—none of which have delivered peace and stability to Afghanistan or the region. The War has, however, contributed to fiscal instability in our own country. Since 2001, we have spent $634 billion on the Afghanistan War alone. This appropriations bill is going to cost another $608.2 billion that we do not have. Yet the cycle continues.

This year's bill exceeds the Republicans' own funding caps set by the Budget Control Act by almost $8 billion. This bill ignores administration proposals to delay or terminate several military programs while providing funding for weapons programs the DoD said it doesn't want or need. Apparently, funding wars and weapons instead of better health care, education, and repairing our crumbling infrastructure are more important to the Republican Majority. It is unconscionable for us to be cutting these vital programs at the same time we're increasing the defense budget. That is why I joined with Representative BARBARA LEE (D–CA) to offer an amendment to cut that $8 billion from the defense appropriations bill.

I urge my colleagues to support this commonsense amendment and join me in voting against this out of control defense spending bill.

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.

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

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

Mr. CONAWAY. Mr. Chairman, I would like to engage the chairman, Mr. YOUNG, in a colloquy if he will so engage.

Mr. Chairman, I commend you and your committee for your hard work putting together this bill. The efforts

by your committee and your staff to provide our warfighters with the tools they need to keep our Nation secure are our first priority, and I thank you for your service doing just that.

I applaud your work also to mitigate risk associated with shrinking budgets. I believe this bill shows your leadership to make the tough decisions to fund our Department of Defense at the appropriate levels even during this time of fiscal austerity.

Mr. YOUNG of Florida. Will the gentleman yield?

Mr. CONAWAY. I yield to the gentleman.

Mr. YOUNG of Florida. I want to thank him very much for the comment.

Mr. CONAWAY. Mr. Chairman, I would also like to thank you specifically for your work addressing the wasteful pursuit by the Department—specifically the Navy—to stand up an alternative energy industry. These efforts go against the primary mission of the Department and are a colossal waste of taxpayer money, especially as we are scrubbing every penny inside the Pentagon.

The Navy claims that its pursuit of a green fuel source that is produced in the United States would help protect it from price shocks and volatility within the oil markets. I have yet to hear an argument that supports how spending, on average, $26 a gallon for biofuels would protect our fuel budgets when we could be paying $3.60 a gallon. This argument simply doesn't add up.

□ 1350

Prices, Mr. Chairman, would have to rise eightfold for this equation to work.

The Navy claims that development of biofuels will limit the number of deaths associated with fuel convoys in theater. Yet, this is a specious argument. Convoys will still be needed to haul biofuels across dangerous areas to supply our needs, just like conventional fuels. And if they're less efficient, more convoys would in all likelihood be needed.

The Navy also claims that buying biofuels and sailing their Green Fleet will end up saving American taxpayer dollars and ultimately lead our military to energy independence. Throughout hearings in the House and the Senate Armed Services Committee, witnesses failed to offer any verifiable analysis that shows the costs of achieving this goal or when these goals can be achieved.

Mr. Chairman, time and time again, with this current administration we've seen instances of shortsighted, unrealistic expectations like this and its sister project, Solyndra, at the Department of Energy where venture capitalists are making a fortune off frivolous spending of taxpayer dollars on projects that belong in the private sector.

The Department of Defense should be in the business of prosecuting wars and keeping this country safe, not wasting dollars on the pursuit of green fuel. I would argue that Department leaders should focus on buying the cheapest most readily available fueling which keeps our ships steaming and our planes flying.

Mr. YOUNG of Florida. Will the gentleman yield?

Mr. CONAWAY. I yield to the gentleman.

Mr. YOUNG of Florida. Thank you for yielding.

I appreciate the gentleman's attention to this matter, and I support his efforts to prioritize spending within the Defense Department. I look forward to working with him to ensure that our scarce defense dollars are spent in a responsible manner, and I thank the gentleman for raising this issue.

Mr. CONAWAY. I thank the gentleman, and I yield back the balance of my time.

AMENDMENT OFFERED BY MR. KUCINICH

Mr. KUCINICH. 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 for the administration of the Armed Services Vocational Aptitude Battery for the student (high school) testing programs.

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

Mr. KUCINICH. Just so you know, and I want the chairman and the ranking member to know, in offering this amendment, it's not my intention to wipe out military recruiting. It's very important for people to be able to serve our country. It's an honorable profession. It's essential to America.

What this amendment is about really is about upholding the right of parents to be able to determine whether or not their young person should have to take a test that would be given to them under the auspices of the Armed Services Vocational Aptitude Test. This is a test that is administered annually to 1 million military applicants, high school and postsecondary students.

But it's more than just a test. Here's the kind of information that students who take this test divulge: Social Security number, gender, race, ethnicity, birth date, statement of future plans, and most significantly, their aptitude on a battery of subcritical tests.

Now, if you ever wanted to make a case for the danger of Big Government being able to reach into schools, think about this. You've got the largest organization in the government administering tests to high school kids and basically getting all the information they want about these young people, and without their parents' consent. I have a problem with that, and we all should have a problem with that.

Now, if someone can tell me that you'll fix this and provide for an opt-in or opt-out, or tell me that, you know, DENNIS, you're right; any young person who could end up in military service, their parents ought to consent to whether or not they should be able to take the test and/or whether the results of the test should be released.

This is about privacy. It's about parental rights, and it's also about not letting Big Government become Big Brother, gathering information about our children at a very early age in order to have some higher purpose.

It might be very altruistic here. We've got to be very careful about this system we've set up. This Armed Services Vocational Aptitude Test is administered in recruiting centers. That's true. Fine. But it's also offered to high schools and postsecondary students. And according to the Pentagon, the Career Exploration Program is designed to help students explore civilian and military careers.

But the rise of this test in high schools has led countless students and parents to feel that they're being unfairly, potentially illegally, and oftentimes unknowingly recruited.

The Department of Defense claims it's just a tool to screen students' enlistment eligibility and determine their interests and skills for nonmilitary careers, but Mr. Chairman, more than 90 percent of the scores being sent are sent directly to military recruiters. So it's obvious this is a recruiting tool. Fine.

How about letting the parents know about it? How about giving parents a choice, because most of the times you're talking about somebody that's under 18 years old?

So I don't oppose military recruitment. I want that understood. But I am concerned that this test is being administered to kids in our public schools in a way that circumvents parental consent. The vast majority of students think they're taking the test and that it's required by their high school. Parents aren't informed that children are given the test. Why? Because their consent isn't required.

Let's get the parents in on this.

Now, my dad encouraged me to be in the military. I had a heart murmur. I couldn't serve. All my brothers and my sister did. But you know what? We had some feedback with our parents about this.

You give a kid a test, that puts that child on a track to military service, parents don't know about it? Are you kidding me?

Parents have a right here, and we have to restrain the impulse of a big government organization to gather information about these kids that ordinarily the government would never be entitled to.

So I want to make sure that my friends in the majority and my friend, who's the ranking member, understand that my amendment in no way stops consenting adults from pursuing a career in the military or from taking the test at a recruiting station or processing station. It doesn't prohibit military recruiter presence in our schools.

We dealt with that in No Child Left Behind. I was on the other side on that, but my amendment doesn't stop that.

But it stops the administration of this test in schools, so it can't be used as a recruiting tool disguised as a test that targets children who are legally too young, too young to consent to a career in the Armed Forces.

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 gentleman's amendment. This amendment would basically prohibit funds from being used to administer the Armed Services Vocational Aptitude Battery test. This amendment would negatively impact both the education and recruiting communities.

This test is administered free of charge on a voluntary basis. It's on a voluntary basis to high school and college students as part of a comprehensive Career Exploration Program. This program integrates student aptitudes and interests to help them explore postsecondary opportunities, including college, technical schools, and civilian as well as military careers.

As education resources grow together, many schools rely on this free test to provide a valuable career exploration experience. And we, as a Nation, benefit from this test. Through this amendment, the gentleman would effectively prohibit high schools from offering this test, which would be unfortunate, and we are strongly opposed to the bill.

I yield back the balance of my time.

The Acting CHAIR (Mr. POE of Texas). The question is on the amendment offered by the gentleman from Ohio (Mr. KUCINICH).

The amendment was rejected.

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 take this time to advise Members of something that they might be exposed to here shortly. Recently, I had an opportunity to experience what I call ambush journalism on an issue that—I really found it hard to believe that this investigative reporter would raise the issue.

□ 1400

He was very upset because of the amount of money we spend to return our ''killed in action'' heroes back to their families at their home bases after they arrive in the United States at Dover. I was really shocked that that would be a concern to anybody because I believe that those heroes should be treated with the utmost respect.

I told this distinguished gentleman that I would do everything that I possibly could to make sure that the proper respect and dignity were awarded these heroes as their remains return home to their families. This gentleman thought that Congress actually set the schedules and decided which airplanes fly the soldiers back home. I explained the law. I explained that that was not the case. I explained that the Pentagon had a lot of people who did administrative things like that, including scheduling.

I expect that many of you might also face this same investigative reporter and be asked the same question. I just want you to be aware that that is the issue. I don't understand why anybody would want to deny a hero killed in action dignity and respect as he returns home to his family. It is just exasperating to me, I will say, Mr. Chairman. I just wanted Members to be aware. You may be faced with this very same question, with this very same issue. I hope you're not, but you might be; so I bring this to your attention just in case.

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 have had a chance to talk to the distinguished chairman of the Defense Subcommittee, Mr. YOUNG of Florida, about this issue. I can tell you, based on long experience, that no one cares more about our wounded warriors and also of those who have lost their lives and are coming home for the last time.

I think the way that the Department of Defense handles this is appropriate. They are trying to get these bodies back to the parents or to the families as expeditiously as possible. Obviously, Congress doesn't tell them how to do this. Obviously, we fund that program. I just appreciate Mr. YOUNG's history of concern about our troops. I know that he stood up to a journalist, as most of us have had to do from time to time, who thinks he knows all the answers but who has not gotten all of the information.

As was suggested, the decisions about how to do this from Dover to the home are made by the Department of Defense. I think that it is done appropriately, and I think it is done in a dignified way and in a way that all of us can be proud of. So I appreciate what Mr. YOUNG has done here. I just want him to know that I support him and will be glad to talk to any reporter.

I see the distinguished chairman of the authorizing committee is here as well. Maybe it's necessary to have another meeting and to bring in some of the senior Members of the House and those who are leaders in defense to talk to this reporter and to try to make him understand how this actually functions.

I just want my good friend Mr. YOUNG to know that we support him. This is not something that he has day-to-day responsibility for, and he should not be blamed in any way. Again, we just know that he and his wife, Beverly, have been such great supporters of the troops, so to have any insinuation here is just not appropriate.

I yield back the balance of my time.

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

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

Mr. MCKEON. Mr. Chairman, I rise with great pride to stand with Chairman YOUNG in order to reaffirm my commitment and the commitment of the members of the Armed Services Committee to the dignified and respectful transportation of the remains of our war casualties to their final resting places.

The current process of airlifting our fallen warriors was initiated by the Committee on Armed Services and legislated in 2006 following a series of unfortunate cases in which the transfers of remains simply did not meet the high standard that the people of our Nation demanded. As awareness grew, it was very quickly clear that the routine treatment of our warriors on their returns home was not meeting the expectations of families and communities across the Nation.

Without this law, the Department of Defense would be required to transport them by the cheapest means, in other words, to transport remains without an escort and in the cargo holds of commercial airliners along with the suitcases and FedEx packages. No one wants to see that. That is not how the American people wish to treat those who have made the ultimate sacrifice on our behalf.

The soul of a nation can be measured by its commitment to honor those who have sacrificed all to defend that nation. If a nation takes a bookkeeper's approach to measuring that commitment, then, in this Nation's case, the cost of Arlington, of all the national cemeteries, of the cemeteries we maintain overseas, of the efforts made to account for our war dead and missing is too high. When it comes to upholding the traditions so intrinsically linked to the values treasured by the American people, our Nation will never be accused of possessing a bookkeeper's mentality. There is only one standard for the treatment of our fallen heroes, and the American people will demand that the standard will be met in the most dignified and respectful manner possible.

I commend the gentleman from Florida for taking a moment to reaffirm the commitment of the Congress and the American people on this important issue. I cannot understand anyone who would challenge him on his devotion to our servicepeople. He and his wife both have dedicated the ultimate measure to seeing that our servicepeople are given the respect and the things that they need. I don't know anyone who has visited the hospitals more or who has really cared about our people. I commend the chairman for this, for his

devotion to those who wear the uniform.

I yield back the balance of my time.

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

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

Mr. HUNTER. As a United States marine who served in Iraq and Afghanistan and who saw the bodies and the flag-draped caskets with dignity and respect get put into the backs of airplanes and sit off of the battlefield in those two theaters, I want to thank you, Mr. Chairman, for standing up for the fact that we accept them back into our arms in this Nation with the same dignity and respect.

I would like to go a little bit further.

Beyond saying this isn't Congress' job, if it were not for Congress, the bodies of our dead military men and women who come back to this Nation would be in the cargo holds of commercial airliners. As the moms and dads watch their sons and daughters get forklifted off a commercial airline cargo hold and set on the ground—with no military escorts and with no flag-draped coffins—that is what we should be ashamed of. I would say that this is an issue that resonates with anybody who has worn a uniform or with any family who has had to receive the remains of a loved one.

Those who die for this Nation should be handled by honor guards, not by forklifts. It's harsh but true that the people who question the necessity of this process need to examine their souls and ask themselves if they are even worthy of the freedoms that are protected and secured by our military heroes. There is no extravagant cost. There are no luxury accommodations. Those who pay for our freedom with their lives deserve to be treated with respect and handled as the heroes that they are.

There are plenty of places in the defense budget we can find savings, but the idea that someone would suggest the way we treat our war dead is a waste of money and resources should be ashamed, and he should not bring that up to any more Representatives in the future.

I again want to thank Chairman YOUNG for his extraordinary service and for the way that he honors our wounded and our KIAs.

I yield back the balance of my time.

□ 1410

Ms. BONAMICI. Mr. Chair, I move to strike the last word.

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

Ms. BONAMICI. Mr. Chair, I wish to engage in a colloquy with Chairman YOUNG and Ranking Member DICKS.

Yesterday, the House adopted an amendment I offered with Congresswoman BUERKLE directing the National Guard to conduct a capability assessment of the medical equipment in its domestic Humvee ambulances. This will pave the way for the retrofitting of Humvee ambulances that lack adequate cardiac monitoring and resuscitation equipment. As you know, the National Guard's mission includes responding to terrorist attacks, homeland security emergencies, natural disasters, and providing defense support to civil authorities. This equipment will allow the Guard to effectively carry out their mission.

But the retrofitting of currently-owned Humvee ambulances is not enough. To purchase ambulances in the future that lack cardiac monitoring and resuscitation equipment is, frankly, irresponsible. Mr. Chair and Mr. Ranking Member, the adjutant generals in eight different Sates, including Washington, New York, and my home State of Oregon, have indicated that this equipment is necessary to their missions, and could make the difference between life and death in an emergency situation.

Mr. Chair and Mr. Ranking Member, both Congresswoman BUERKLE and I appreciate your support for our amendment yesterday and your commitment to all who serve in our Nation's National Guard. Congresswoman BUERKLE and I had another amendment to ensure that this important lifesaving equipment would be included in Humvee ambulances purchased for the Guard in the future. In lieu of that amendment, I ask if you will work with Ms. BUERKLE and me to ensure that future Humvee ambulances purchased for Guard use contain adequate cardiac monitoring and resuscitation equipment?

I would be happy to yield to the distinguished chairman.

Mr. YOUNG of Florida. I thank the gentlelady for yielding, and I thank the gentlelady for raising this issue.

The attention and hard work to ensure the proper equipping of Humvee ambulances in units of our National Guard is extremely important. In today's wars, because we have these increased benefits, we have better training, we have better medicines, we're able to move soldiers from the battlefield almost as soon as they're hurt. Lives are being saved. Troops are surviving who in previous wars would not have survived. So the gentlelady's work is a very important part of this capability.

I agree that the Humvee ambulances and National Guard units should be outfitted with proper medical equipment to effectively accomplish the assigned missions, and that any new purchases of Humvee ambulances should include the equipment necessary for mission accomplishment. The capability assessment that the National Guard will soon conduct will greatly assist this effort. I thank the gentlelady for her advocacy in this extremely important issue of saving the lives of our heroes on the battlefield.

Mr. DICKS. Will the gentlelady yield?

Ms. BONAMICI. Yes, I will yield to the gentleman from Washington.

Mr. DICKS. I agree with my colleague and look forward to working with you on this issue. Our National Guard and Humvee ambulances must have the cardiac monitoring and resuscitation equipment and capabilities needed to respond to terrorist attacks, natural disasters, and homeland security emergencies. This should be given careful thought when the Department of Defense makes future purchases. I might point out that this probably comes in other procurement for the Army, but also that the committee has provided $2 billion in National Guard equipment so that this money goes through and the National Guard actually gets to decide what that equipment is.

We look forward to working with you, with the Army, and the National Guard to see if there's an answer to this problem.

I appreciate the gentlelady yielding.

Ms. BONAMICI. Thank you, Mr. Ranking Member.

I sincerely thank the chairman and the ranking member for their attention, cooperation, and willingness to work on and address this very important issue. With that, I yield back the balance of my time.

AMENDMENT OFFERED BY MR. MORAN

Mr. MORAN. 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, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to Rosoboronexport.

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

Mr. MORAN. Mr. Chairman, this amendment is about what is happening in Syria today as we speak.

What began as peaceful demonstrations against a nonrepresentative minority government quickly became violent when Bashar al-Assad chose the path of violence over an inclusionary government. Since the uprising began in March of last year, at least 16,000 Syrians have been killed, countless thousands have been seriously injured, and at least 200,000 people have been displaced.

In neighborhoods like Homs, as well as in defenseless refugee camps, women and children are being attacked, sexually assaulted, and summarily executed. Accused civilian sympathizers are being brutally tortured, I won't even go into the manner in which they are torturing them with all the acid burns, and sexual assaults, and so on.

And, this country's violence is only going to get worse. We read what happened yesterday when some of President Assad's closest military advisers,

including the minister of defense, were assassinated in Damascus. As the unrest spreads, as all this violence continues, the international community has had to sit on the sidelines, unable to take action because of Russian opposition at the United Nations. Mr. Chairman, perhaps one reason the Russians oppose more forceful steps against Syria is because they are the regime's principal weapons supplier. They have a vested economic interest. That's why they won't cooperate with the rest of the international community who is trying to act responsibly.

Just last year, Moscow sold Damascus $1 billion in arms. In particular, a Russian state-owned firm, known as Rosoboronexport, has provided Assad's regime with mortars, sniper rifles, attack helicopters, and even recently agreed to provide advanced fighter jets. In a recent letter from the Pentagon to the Congress, the Pentagon wrote that there is evidence that this Rosoboronexport's arms are being used to kill the civilians in Syria. As we speak, more Russian arms, including refurbished helicopters, are steaming towards Syria on a ship. I raise this ongoing humanitarian disaster in Syria and the role of this particular Russian firm in it because the U.S. Government has substantial business dealings with Rosoboronexport, and that makes us in some ways complicit in what is happening.

To date, the Department of Defense has purchased 23 Mi-17 helicopters from Rosoboronexport for use by the Afghan National Security Forces. Just this past weekend, DOD agreed to purchase 10 more, which will not be delivered until 2016, 2 years after we've left Afghanistan. I don't know about you, but I'm nervous about how those helicopters might be used 2 years after we've already left the country. Who are they going to be used by? And who are they going to be used against?

Even more distressing is that DOD is buying these helicopters for our Afghan allies from Syria's main arms supplier through a no-bid contract. It's an earmark for the Russians, no less. There has never been competition for supplying rotorcraft for the Afghan National Security Forces. If there had been, our American firms would have won it.

Mr. Chairman, I should think it's troubling to all of us that we are purchasing helicopters from a Russian firm that is directly complicit in the deaths of thousands of innocent Syrian men, women, and children. This has got to stop.

What this amendment would do is to simply say no more purchases from this Russian arms supplier. We don't need to be purchasing any more helicopters for years in advance when we're not even going to have a military presence in the country.

□ 1420

The Russians have vetoed U.N. resolutions designed to stop this violence in Syria. They are preventing an expansion of the current U.N. mandate. Our financial support for Rosoboronexport, has to be stopped. We have to divest ourselves from dependence on this state owned arms supplier.

This amendment would stop our business dealings with Syria's principal arms supplier. Otherwise, our condemnations of Syria's regime ring hollow.

Mr. Chairman, I urge support for the American taxpayer and for this amendment.

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

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

Ms. DELAURO. I rise in support of my colleague's bipartisan amendment, which prohibits any funds provided in this act from being used to fulfill the Defense Department's current contract with Rosoboronexport, the Russian state arms dealer currently providing weapons to Syria for Mi-17 helicopters for the Afghan security forces.

This amendment builds upon the bipartisan support of the amendment added to the House authorization bill that prohibits future contracts along the same lines and requires future contracts to be competitively bid so that U.S. manufacturers can compete on these taxpayer-funded deals.

For over a year now, we have seen Syrian President Bashar al-Assad respond to peaceful demonstrations by the Syrian people with a brutal crackdown. According to the Syrian Observatory for Human Rights, over 17,000 people have been killed by the regime since violence began there in March 2011. Fighting this week has further intensified in and around Damascus, and there are reports, after similar violence in Houla and Qubair, that more than 100 civilians have been massacred in Tremseh. This is on top of torture, sexual violence, inference with access to medical treatment and many other gross human rights violations perpetrated by the al-Assad regime.

At the same time, Russia continues to provide that regime with the means to perpetrate widespread systemic attacks on its civilians. Last year alone, they reportedly sold Damascus $1 billion in weapons. In January, they signed a deal with Damascus to supply Syria with 36 combat jets.

Last month Secretary of State Clinton expressed concern that Russia is sending attack helicopters to Syria. The New York Times last Saturday, in an article on the defection of Syrian Air Force Captain Akhmed Trad, detailed the use of rocket-equipped Mi-17 helicopters by the regime. Earlier today, Russia, along with China, vetoed a U.N. Security Council resolution that would have sanctioned the Assad regime for the continued use of heavy weapons.

Yet, incredibly, the U.S. Defense Department has purchased 21 Mi-17 helicopters for the Afghan security forces and is reportedly purchasing 10 more through a no-bid with that Russian company, even though it supplies arms to Syria and was, for years, on the U.S. sanctions list for providing illegal nuclear assistance to Iran.

If U.S. taxpayer dollars are going to be spent providing helicopters to the Afghans, those dollars should be spent on American systems that create jobs here at home. There are American companies available to manufacture the aircraft, which would increase interoperability with both the U.S. and NATO forces and support American manufacturing. The Defense Department is reportedly already training the Afghans how to fly and maintain American-made helicopters.

At the very least, there should be an open competition for procurement of these helicopters, a competition we believe superior American manufacturers would win. In any case, the American taxpayer dollars should not be used to subsidize al-Assad's murderous regime in Syria.

This amendment will end this no-bid contract, stop the use of Federal dollars to subsidize the massacres being perpetrated by the al-Assad regime. I urge you to support this bipartisan 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 have had the opportunity to discuss this amendment numerous times with Mr. MORAN and with our colleagues on the Armed Services Committee, and I would like to say that I am here to support this amendment.

However, I would like to engage Mr. MORAN and ask if he would be willing, as we move forward—I know we can't do it on the floor today—to include a national security waiver in this language when we get to conference. As we go through the process, would the gentleman have any difficulty supporting us in that effort to get a national security waiver?

I yield to the gentleman from Virginia.

Mr. MORAN. Mr. Chairman, I want to thank you, first of all, for your support of this amendment as well as your leadership of this committee.

I think this is an excellent idea. Perhaps, if we were to get into conference with the Senate on this bill, which I expect we will, we could add that national security waiver at that time and, thus, we would not be compromising the things that don't need to be discussed on the floor.

But I think that's an excellent suggestion, and I appreciate the gentleman's deference to concerns that HASC might have. With that, I do appreciate the very distinguished chairman's support.

Mr. YOUNG of Florida. I thank the gentleman very much, and I do support this amendment.

Mr. DICKS. Will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman from Washington.

Mr. DICKS. I support the amendment as well, and I appreciate the work of my friend and colleague from Virginia (Mr. MORAN) and Congresswoman ROSA DELAURO on this issue.

There are some reasons why these Mi-17 helicopters are sold to the Afghans. It's not just a blunder. It's because of the altitude of the country. There is a legitimate national security issue here that has to be addressed, and I think we do have helicopters, maybe not Black Hawks, but CH–47s, that can go to a higher altitude. I don't know how much more expensive they are or anything about it.

But I just want to point out that, because I don't want people to have the impression that they just did this maliciously. There were some legitimate reasons for this.

Mr. YOUNG of Florida. 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 yield to the gentleman from Virginia.

Mr. MORAN. Thank you, Mr. Chairman, and I very much thank my friend and colleague, the ranking member of the committee.

That is an important point to make. The Pentagon not only has to be concerned about the operability in Afghanistan, which is quite different.

Mr. DICKS. Very unique.

Mr. MORAN. It is very unique. Plus, the Afghans need helicopters they can maintain after we leave. They are used to maintaining Russian helicopters. During the occupation, they learned that. I understand they are easier to maintain than some of ours.

But notwithstanding that, I think the gentleman would agree that there is reason for some apprehension after we have left the country to continue supplying these helicopters.

Mr. DICKS. There ought to be a competition. I mean, there is no reason that this should be sole-sourced. There should be an opportunity for American contractors to compete, and one thing we're going to have to work on is logistics and their ability to handle equipment. That's a very weak point right now with the Afghan military.

Mr. MORAN. The other point, if the gentleman would further yield, is this firm is not someone we ought to be dealing with unless we absolutely have to. These are people that have violated our concerns about providing nuclear capacity to Iran. They have been cited about that. They are supplying a billion dollars of arms to Assad; and its principal reason, I suspect, because it's a state-owned firm, that Russia won't comply with the rest of the world.

It does need to be seen in that context, as well, to send this kind of a message. It's not a message I am necessarily sending to the Pentagon. It's a message we're trying to send to Russia: Let's get on board.

Mr. DICKS. In that respect I am totally supportive of what the gentleman is trying to accomplish.

I yield back the balance of my time.

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

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

□ 1430

Mr. ELLISON. First of all, Mr. Chairman, I'm very pleased to see that there's broad bipartisan agreement on this issue. It's always a great benefit when we can work things out—and occasionally we do, just as we've seen. So that's a good thing. But I do have an obligation to speak up for constituents of my own on this issue.

Mr. Chairman, I have to say on the record that there have been more than 17,000 people killed in Syria over the last 14 months. That's when a nonviolent uprising began in response to Bashar Al-Assad's brutal torture and murder of teenage kids in the city of Dara'a. Violence against civilians has escalated rapidly in months. There have been large massacres in the villages of Houla, Qubair, and possibly Tremseh.

The international community, including the Arab League, has overwhelmingly condemned Al-Assad's violent repression. One country—Russia—has refused to stop arming Al-Assad and his murderous campaign. In fact, a Russian cargo ship could deliver military helicopters to Syria this week. Rosoboronexport is the Russian weapons dealer arming the Al-Assad regime. There's substantial evidence Al-Assad is using weapons from Rosoboronexport against innocent civilians in Syria. I was surprised to learn that our own government is buying Russian-made helicopters from Rosoboronexport.

Put simply, our government is supporting Syria's arms dealer, which is enabling the Syrian regime's bloody crackdown. This should stop. That's why I urge all to support this amendment, which it looks like there's broad agreement on. American taxpayers should not be supporting Syria's arms dealer. If the military wants to buy helicopters, it should by American ones and create jobs at home, not in Russia. Our amendment does the right thing. It ends the U.S. purchases from Rosoboronexport. I'm proud that it has strong bipartisan support, and I urge all of my colleagues to support it.

I yield back the balance of my time.

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

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

Mr. MORAN. 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 Virginia will be postponed.

AMENDMENT OFFERED BY MR. TURNER OF OHIO

Mr. TURNER of Ohio. 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—

(1) reduce the nuclear forces of the United States in contravention of section 303(b) of the Arms Control and Disarmament Act (22 U.S.C. 2573(b)); or

(2) implement the Nuclear Posture Review Implementation Study or modify the Secretary of Defense Guidance for Employment of Force, Annex B, or the Joint Strategic Capabilities Plan, Annex N.

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

Mr. TURNER of Ohio. Mr. Chairman, I rise in support of the Turner-McKeon-Thornberry amendment. I, as chairman of the House Strategic Forces Subcommittee, am offering this amendment, along with the House Armed Services Committee chairman, Mr. MCKEON, and the vice chairman, Mr. THORNBERRY.

For 66 years, the U.S. nuclear deterrent has kept us and our allies safe from large-scale war under a remarkably consistent policy supported by Presidents of both parties. Now, however, President Barack Obama appears to be unilaterally changing it—for reasons not yet explained.

House Armed Services Committee Chairman BUCK MCKEON and 31 other committee members and I recently wrote to the President, expressing concern over reports that he is directing a review of U.S. nuclear weapons strategy that could result in U.S. reductions of up to 80 percent. We asked to understand what the President is doing, and why. We've received nothing back from the President.

The Obama administration reportedly is weighing at least three options for reducing U.S. nuclear forces: Cutting to roughly 1,000 to 1,100; 700 to 800; or 300 to 400. Our arsenal now includes about 5,000 warheads, with approximately 2,000 deployed warheads permitted under the new START Treaty. The remaining 3,000 are kept in storage as a hedge against advancements by other nations. Russia has 4,000 to 6,500 warheads and China is reported to have more than 300, though no one outside of the Chinese Communist Party knows for sure how many they have. These countries, as well as India; Pakistan, which is building a stockpile expected to soon surpass Britain; Britain itself; France; North Korea; and perhaps soon Iran have active nuclear weapons modernization programs. Only the United States does not.

Now, the President may soon seek to have the U.S. make the deepest reductions in its nuclear forces in history. The new strategic review could be on the President's desk within the next

month. It is unclear whether he expects the cuts to be unilateral or within the framework of a treaty with Russia or China and others. At least one of the President's senior advisers has suggested that these reductions could be unilateral. It's worth noting that the impetus for this review is outside the norm. It is unexplainable. Traditionally, a President has directed his military advisers to determine, chiefly, what level of our nuclear force is needed to deter a potential adversary from attacking us or our allies. The answer to that question should be what drives the strategy, not a President's political ideology.

For example, this is how Secretary Powell stated that President Bush looked at the issue. He stated:

> President Bush gathered his advisers around him and he instructed us as follows: ''Find the lowest number we need to make America safe, to make America safe today, and to make America safe in the future. Do not think of this in Cold War terms.''

The House Armed Services Committee has been asking questions, holding briefings with the administration, even hearings about the details that we need to explain what the administration is doing. Unfortunately, the only information we have at this point is what we're learning from the media. Why would the administration be unwilling to share even the basic terms of reference for this review, known as Presidential Policy Directive 11? Why wouldn't it share other basic instructions from the Defense Department? The President, after all, is directing a strategic review that could border on disarmament and significantly diminish U.S. strength.

It is not even clear that the unilateral reductions to the U.S. nuclear forces that are currently required by the New START agreement are in the best interests of our national security. And the Defense Department refuses to tell Congress how it plans to implement that treaty. The Senate was ultimately comfortable with those reductions once the President promised to provide his own plan for modernization of our U.S. nuclear deterrent. The President's most recent budget, however, abandons the nuclear modernization funding that he promised.

Case in point is the Chemistry and Metallurgy Research Replacement Nuclear Facility, the construction of which the President pledged a little more than a year ago to accelerate and which in this year's budget he deferred for 5 years, which basically means that this project will be canceled. Thus, the President leaves the United States with virtually no militarily significant plutonium pit production capacity, which other nuclear weapons state still possesses. And he wants to seek steep new reductions in the U.S. nuclear forces. This can only be described as a bait-and-switch strategy.

Any further reductions must be met with ample justification for how U.S. nuclear security will be enhanced. Simply saying that U.S. should ''reduce the roles and numbers'' of its nuclear weapons is nothing more than putting hope in the place of our strategy.

Our military leaders share these sentiments. General Chilton, in talking about the number of warheads that we currently have, said: ''The arsenal that we have is exactly what is needed to provide the deterrent.''

Clearly, any further reductions will undermine the deterrent that has kept our country safe. Our nuclear weapons provide for the safety of this Nation and our allies around the globe. A number of countries with the capability and resources to do so have not pursued this.

We ask for support for this in Ronald Reagan's ''peace through strength'' policy.

Mr. DICKS. I rise in opposition to this amendment.

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

Mr. DICKS. As you know, the New START, or strategic arms reduction, is a nuclear arms reduction treaty between the United States and Russia. On December 22, 2010, the Senate increased our national security by providing its advice and consent to ratification of the New START Treaty with Russia. With the New START Treaty, the United States and Russia will have another important element supporting our reset relationship and expanding our bilateral cooperation on a wide range of issues.

As the President said during the end of the last Congress, the treaty is a national security imperative as well as a cornerstone of our relations with Russia. Under the terms of the treaty, the U.S. and Russia will be limited to significantly fewer strategic arms within 7 years from the date the treaty entered into force. Each party has the flexibility to determine for itself the structure of the strategic forces within the aggregate limits of the treaty.

□ 1440

We should carry out our commitment to the New START treaty and not restrict our country's obligation to implement it. I urge my colleagues to oppose the amendment.

I would say to the gentleman, if there is one thing—and I stand here as a member of this subcommittee for 34 years—that we can reduce, it's strategic weapons. We have never used one, except in Hiroshima and Nagasaki. And we can have a credible deterrent with a much smaller force. In fact, I agree with General Cartwright that we could use our strategic ballistic missile submarines and our long-range bombers, the B–2s and hopefully a new bomber, and reduce dramatically the number of land-based ICBMs.

We simply don't need, and we can't afford to have and continue to produce all of these nuclear weapons that will, more than likely, never be used. They are a good deterrent and they have been an effective deterrent. Thank God for that. But the Cold War is over, and we are in a position today where we must reduce the size of our nuclear weapons force.

I yield to the gentleman. I've been here a long time. I went through all the arms control debates, and I know something about this subject.

Mr. TURNER of Ohio. Sir, thank you for yielding me time. And I know you certainly do know about this topic, which is why I know that you also know that we use our nuclear deterrent every day. While we stand on this floor and speak with the freedoms that we have, our nuclear deterrent keeps us safe. Abandoning our nuclear deterrent would not make us safe.

Mr. DICKS. Regaining my time, just for a second, I worked to convert the B–2 bomber from a nuclear weapon carrier to a conventional carrier. Do you know why a conventional bomber is, I think, more of a deterrent than a nuclear bomber? Because with a conventional bomber, you can use bombs. You can go in, and with the JDAMs that we put on those bombers, in one sortie, you could take out 16 targets. That is real deterrence. And that is having a conventional force that is usable.

Nuclear weapons are not going to be used, and that's why both sides can have a much smaller force. We can bring the number of nuclear weapons down. At some point, it becomes ridiculous to have that many warheads when there aren't that many targets, and we're not going to use them.

I know the gentleman is all wrought up about this and protecting our great deterrent, which has been a very valuable thing to our national security. But I have to tell you, if there is one thing that we can reduce by agreement with the Russians, it is nuclear weapons.

I will yield to the gentleman again if he wants to say anything else.

Mr. TURNER of Ohio. To respond to the gentleman, again, our nuclear deterrent is used every day. Every day, it keeps us safe because it ensures that our country——

Mr. DICKS. It isn't used every day. It's available every day.

Mr. TURNER of Ohio. This is my time. The time that I am speaking is my time. You yielded me some and you kept your own.

Mr. DICKS. I yield.

Mr. TURNER of Ohio. The reality is that our nuclear deterrent is used every day. And when you say that nuclear weapons won't be used, you can only say that with respect to our heart, the heart of this country, the heart of this country that wants to make certain that freedom is safe and our allies are safe.

We can't say that for others. Iran and North Korea are pursuing nuclear weapons not because they just want the increased power, they want that technology. They want that ability to have weapons of mass destruction.

Mr. DICKS. I reclaim my time.

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

(By unanimous consent, Mr. DICKS was allowed to proceed for 1 additional minute.)

Mr. DICKS. You don't need thousands of these weapons. A couple hundred, frankly, could take out Iran and almost any country you can imagine. So, again, we can't afford to do everything. We are in an era where we're dealing with terrorists, and we need to have special forces that can be utilized. We need to have these very effective drones. We need to look at the threats that are out there today and equip our military accordingly.

This is not our responsibility. The Senate handles advice and consent on treaties. We should stay out of this. In my judgment, this amendment is unnecessary.

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. We support the amendment.

I yield to the gentleman from Ohio. On behalf of the Appropriations Committee, we appreciate his work.

Mr. TURNER of Ohio. I thank the gentleman from New Jersey for his work on this on the appropriations side.

This is an important issue, and this really goes to the heart of our national security. My amendment does nothing, by the way, to prohibit the implementation of New START. But the thing that is important here is that there are those who talk about nonproliferation, and I think we are all wanting nuclear weapons to be restricted and to stop their growth. But there's a difference between nonproliferation and disarmament of the United States. Only the United States is reducing our nuclear weapons. In New START, Russia wasn't required to reduce at all. Only the United States was reduced.

You have India, you have Pakistan, you have Iran and North Korea. North Korea already is a recognized nuclear weapons state. Iran is seeking nuclear weapons. And both of those nations are seeking ICBM technology for the purposes of placing the United States at risk. Secretary Gates, upon his departure, was saying that North Korea is becoming an absolute threat to mainland United States with its nuclear weapons and its ICBM technology.

We can only be confident that others will not use nuclear weapons to the extent that we can stand strong as a nuclear weapons state. That needs to be derived from what is the threat and the number of weapons to ensure that we have both survivability and the ability to place their assets and their nations at risk.

A couple of hundred—and all due respect to the ranking member—is based upon no science whatsoever. Our commander of U.S. Strategic Command, General Chilton, who has been through this science and who is charged with keeping the United States safe, said that the arsenal that we have is exactly what is needed today to provide the deterrent.

Our concern is that the President, on his road to zero, has made it clear that even though it will have no effect on reducing the nuclear arsenals of other nations, he would move to unilaterally reduce ours. That's why we're on this floor, not as the Senate, but as the House to say we are going to restrict funding to prevent the President from unilaterally disarming us.

If the President is committed to a road to zero, show us any evidence that he is able to persuade anyone else to reduce their nuclear weapons, because we don't have any evidence of anyone else reducing except the President's trying to reduce ours.

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

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

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

Mr. DICKS. 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 Ohio will be postponed.

Mr. GARY G. MILLER of California. Mr. Chairman, I move to strike the last word.

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

Mr. GARY G. MILLER of California. Let me begin again by thanking Chairman YOUNG and Ranking Member DICKS for their continued leadership on this bill and this very important piece of legislation.

Mr. Chairman, yesterday, Representative BACA and I offered an amendment that directs $10 million from the Defense-Wide Operations and Management account and moves it to the Strategic Environmental Research Program and the Environmental Security Technology Certification Program.

These funds would provide the Research and Development Programs additional resources for competitive grants that allow our communities to provide clean water. It is critical that Congress support DOD efforts to develop innovative solutions that use the best technology available to us for problems like the perchlorate contamination that areas in my district in California deal with.

Perchlorate is a chemical used to produce explosives that, when found in groundwater, can be harmful to women, children, and the elderly. In fact, one-quarter of Inland Empire aquifers, including basins from surrounding counties, contains high concentrations of perchlorate.

Just this week, the U.S. Geological Survey released findings from a statewide assessment of groundwater quality that high levels of perchlorate were discovered in 11 percent of wells and moderate concentrations in 53 percent of wells. That is statewide, Mr. Chairman.

Groundwater contamination and other contamination from former defense sites are becoming increasingly problematic throughout the Nation. Based on those facts, I would like to yield to the chairman for the purpose of entering into a colloquy, with hopes that we can work on this issue in the future.

I yield to the gentleman from Florida.

Mr. YOUNG of Florida. I thank the gentleman for yielding.

The committee does, in fact, recognize that these R&D programs provide necessary resources that help invest in innovative new technologies which benefit local communities that are dealing with these contamination issues through competitive grants.

□ 1450

We look forward to working with Mr. MILLER to see how we can properly address the needs of communities looking to provide clean water to all of their citizens.

Mr. GARY G. MILLER of California. I thank the chairman for agreeing and committing to work with me on this issue. I'd like to thank Representative BACA for his leadership in support of this issue, and I yield back the balance of my time.

AMENDMENT OFFERED BY MR. TONKO

Mr. TONKO. 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 pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor or any subcontractor of the contractor to an employee performing work under the contract or any subcontract under the contract for compensation if the compensation of the employee for a fiscal year from the Federal Government for work under Federal contracts exceeds $230,700, except that the Secretary of Defense may establish one or more narrowly targeted exceptions for scientists and engineers upon a determination that such exceptions are needed to ensure that the Department of Defense has continued access to needed skills and capabilities. This section shall apply to contracts entered into during fiscal year 2013.

Mr. YOUNG of Florida. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

The gentleman from New York is recognized for 5 minutes.

Mr. TONKO. Mr. Chairman, I rise to offer an amendment to the FY13 Defense appropriations bill.

My amendment is a modest, straightforward reform to fix the current cap

on Federal salaries paid to government contractor executives. This is part of a bipartisan reform that I and our colleague, the gentlewoman from California, have been working on for the past 2 years; and despite significant bipartisan progress in the Senate, this issue has never once been allowed so much as a vote in the House. I expect today will be no different.

Nevertheless, Mr. Chair, it was once my understanding that the highest individual salary funded by the American taxpayer was that of the President of the United States at a total of $400,000; but it turns out that the leader of the free world isn't actually the highest paid executive on the taxpayers' payroll. The highest Federal Government salaries are actually earned by private sector executives who can be paid nearly $770,000 in taxpayer dollars under current law. That's nearly twice the salary of the Commander in Chief and more than three times the salary of the Secretary of Defense. In fact, gaping loopholes in the law mean that many can earn far more. Let me emphasize that these are federally funded salaries for private sector executives—funded 100 percent by the American taxpayer.

You won't find these exorbitant pay rates on government pay schedules, and they certainly aren't subject to the pay and hiring freeze. In fact, just weeks ago, top government contractors got a $70,000 raise on the taxpayers' dime for no reason other than the current law demanded it. That raise alone, $70,000, is more than the salary of most Federal employees. That raise brought the current cap on Federal reimbursements for contractor compensation up to nearly $770,000, an incredible 10 percent raise for the top echelons of the contractor workforce that is estimated to outnumber Federal civilian and military personnel by more than 2–1.

To put that delta into perspective, compare the 10 percent contractor increase to the 1.7 percent raise that this bill proposes for our women and men in uniform. Compare it to the total pay freeze under which our civilian personnel are operating. If you believe that reining in personnel costs is a smart way to reduce the deficit, then you cannot possibly argue that we should maintain a blank check for the estimated 7 million contractors on the Federal Government payroll.

This problem started in the late 1990s with a law that created the current, deeply flawed formula to reimburse government contractors for the pay of their top executives. The so-called ''cap'' under this law has grown by leaps and bounds each year, increasing by more than 75 percent in just the last 8 years. That is an unsustainable and unjustifiable trend that must be put to a stop. In a year where we can agree on so little, I have found that many of us can agree on this.

From 2001 to 2010, spending on service contractors rose by 137 percent, making it one of the Pentagon's largest cost drivers. Given the rampant growth in contract spending, the Army estimated earlier this year that limiting contractor compensation to even the salary of the President—that's $400,000—would have saved the taxpayers $6 billion in fiscal year 2011 alone, or a savings of approximately 15 percent in contract services. Six billion dollars—that's only for the Army, and that's only in 1 year. Imagine what we could be saving government-wide.

Our amendment is a modest, bipartisan proposal that reins in the most excessive government salaries by revising the cap to a set level of $230,700—or the salary of the Vice President of the United States. The cap would apply to all defense contractors and subcontractors. However, it also reaffirms the authority of the Secretary of Defense to create exceptions to the cap in certain circumstances.

This authority was established in last year's defense authorization to preserve flexibility for our military in maintaining access to individuals—particularly scientists and engineers—who possess unique skills and capabilities critical to the United States' national security.

To reiterate, this amendment does not grant new authority to the Secretary of Defense. It is not legislating in an appropriations bill. It merely reaffirms the current authority of the Secretary codified in title 10. To be clear, this amendment deals exclusively with taxpayer dollars spent to reimburse contractors.

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

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 appropriations 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 changes the application of existing law. I ask for a ruling from the Chair.

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

If not, the Chair will rule.

The Chair finds that this amendment includes language conferring authority on the Secretary of Defense to establish certain exceptions. 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.

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

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

Ms. SPEIER. Mr. Chairman, I rise to support an amendment by my good friend and colleague from New York to cap excessive contractor compensation. Ballooning contractor costs are wasting taxpayer dollars and weakening our national defense.

While our government employees accept pay freezes, the Office of Federal Procurement Policy raised the cap on executive compensation for contractor executives by 10 percent to nearly $770,000. This, my friends, is a no-brainer: we can't afford to pay contractors twice the President's salary.

Now, mind you, this does not mean that the CEOs can't make more than $770,000. They can, in fact. In fact, they can be paid much more by their shareholders. We want to reduce the amount of money they make to no more than that of the President.

Throughout this budget process, defense contractor CEOs have threatened to fire people if they do not get what they want through the suspension of sequestration, saying that they can't afford to continue their operations unless the Department of Defense is spared from the chopping block. But if you look at the Forbes magazine list of the top compensated CEOs, you see that it is the taxpayers who can't afford them.

The Federal Government's top contractors make anywhere from $5 million to $56 million each year. While these costs are not all coming directly from the Treasury, we contribute, nonetheless, in cost overruns and single-source contracts that make them all too big to fail.

□ 1500

Last year we passed language that capped some of their compensation, but excluded scientists and engineers from these caps because we were worried that we would not be able to get the talent we need. But when you think about it, this argument is ludicrous. The U.S. Government isn't their only client, but we're expected to pay the whole cost for the talent they need to win contracts with us.

The Senate agrees. The Armed Services Committee unanimously passed a bill that would include this cap on contractor compensation. ''Unanimously'' means it was bipartisan.

What we're asking contractors to accept, the same salary as the Vice President, isn't unfair or unprecedented. It's time that we stop asking taxpayers to pay excessive contractor compensation.

I yield back the balance of my time.

AMENDMENT NO. 18 OFFERED BY MY COFFMAN OF COLORADO

Mr. COFFMAN of Colorado. 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:

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).

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

Mr. COFFMAN of Colorado. Mr. Chairman, the Cold War ended more than two decades ago, and the Iron Curtain and the Soviet Union no longer exist.

While the United States is spending 4.7 percent of our economy on defense, only 4 out of 28 of our NATO allies are spending even 2 percent of their economy on defense. Our allies in Europe have drastically reduced their national defense spending because they take for granted that the United States will continue to be the guarantor of their security. Now it is time for our NATO allies to provide more of their own security and not be so reliant upon the United States.

We face difficult budget challenges here at home. The resources that we are currently spending on maintaining a military presence in Europe are needed to meet much more significant security challenges elsewhere.

The Pentagon has recently stated that the American military presence in Europe is a diminishing priority and has proposed removing two combat brigade teams in fiscal year 2013. This bipartisan limiting amendment to the Defense appropriations bill will force the Department of Defense to follow through with withdrawing two brigade combat teams from Europe and will deny the ability for the Pentagon to reverse this decision later.

Mr. Chairman, I yield to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentleman's courtesy, as I appreciate him bringing this amendment to the floor.

I think it's telling that our friends in European NATO countries, since 2008, have reduced their defense spending 12 percent. They're having tough times. They're retrenching. They recognize the new posture in terms of security. We should do the same thing. We should do the same thing. Absolutely.

It's ironic that this Chamber is going to be considering massive cuts in food stamps to have more responsibility and accountability that some of us think are draconian. But for heaven's sake, why can't we, 60 years after World War II, almost 25 years after the collapse of the former Soviet Union, can't we help Europe assume a little larger role for their own defense? For whom are these troops positioned in terms of some sort of military posture?

I think most of us agree that it's highly unlikely they'll be used in combat. Any cost that would be incurred by accelerating it is money that's going to be spent anyway, notwithstanding all the costs to keep them there.

So I think the gentleman is spot on. I'm happy to cosponsor the amendment. I'm happy to speak in support of it. I hope this body approves it in a small way to help the Europeans assume their own responsibility and for us to be able to focus on things that are more important for us.

Mr. DICKS. Will the gentleman yield?

Mr. COFFMAN of Colorado. I yield to the gentleman from Washington.

Mr. DICKS. Would you explain—you say here you have these two brigades, except pursuant to article 5 of the North Atlantic Treaty.

Could you explain what the impact of this is, the treaty commitments here?

Mr. COFFMAN of Colorado. To the gentleman from Washington, I believe that this certainly does not disallow us to maintain rotational forces in Europe. There is no provision within the NATO Charter that requires the United States to maintain a permanent military presence in Europe.

Mr. DICKS. It says:

> 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 Grafenwoehr, except pursuant to article 5 of the North——

Is there some commitment in the North Atlantic Treaty that requires us to have these two brigades there?

Mr. COFFMAN of Colorado. To the gentleman from Washington, there is no requirement where we have to maintain a permanent military presence in Europe.

The Acting CHAIR. The time of the gentleman 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 rise in opposition to the gentleman's amendment.

I believe that this amendment is unnecessary because the Department of Defense is currently in the process of reducing the number of troops in Europe. The Department has already announced the closure of Army garrisons in Schweinfurt, Bamberg, and Heidelberg by fiscal year 2015.

Furthermore, the Department has begun the process of deactivating two infantry brigades, the 170th Infantry Brigade and the 172nd Infantry Brigade, each with 3,850 soldiers. I think this is what the gentleman intends. In addition, the U.S. Army in Europe will see a reduction of approximately 2,500 soldiers from enabling units over the next 5 years.

Reducing end strength of any military service is an art form, as projecting future needs for future conflicts is a very difficult task. Reducing end strength should be part of a deliberate and thoughtful plan that incorporates current and future national security needs of the Nation.

I believe adding an arbitrary cap to the number of servicemembers assigned to Europe could put our national security at risk. I urge all my colleagues to vote ''no'' on the amendment.

I yield back the balance of my time.

Mr. TURNER of Ohio. I move to strike the requisite number of words.

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

Mr. TURNER of Ohio. I rise in agreement with the ranking member on the issue of this amendment.

The subject matter of this amendment is really wholly inappropriate. It is the movement of brigades. From a policy perspective, we should not, on this bill or on any bill, be dictating the movement of brigades.

Should we get out the map of the world and see where all of our brigades are and have a debate in Congress as to how they be moved about? No. That is something that is supposed to occur in consultation with the experts in full, and participation of the Department of Defense, the Secretary of Defense. And no disrespect to the authors, but they have no expertise or experience in how the positioning of our brigades should go for our overall national security.

Mr. COFFMAN has previously authored an amendment that was on the National Defense Authorization Act that used language of permit the reassignment or the removal of brigades. But this is directive. This says these brigades shall be moved, and it does so under the assumption that there will be cost savings. But we all know that when you actually move a brigade, there are a number of costs that are incurred that are greater than any savings that you would have in offset.

It's been said that the Soviet Union no longer exists. You're right; the Soviet Union no longer exists. But we have commitments in the Middle East and our assistance to Africa and our relationship with Israel. These troops are not there standing guard against the Soviet Union that's not there anymore. They're in active deployment under the Secretary of Defense with the current threats that we have for our national security.

Certainly, as the ranking member has indicated, there's ongoing assessments as to where these brigades should be assigned and where their responsibility should be, and those should be left to our oversight of the Department of Defense and the Secretary of Defense, not to our directive of the moving of brigades.

□ 1510

There are some concerns that even the language of this and the directing of movement of brigades might be logistically implausible. One of the reasons we don't direct these things is that we don't really have the ability to understand all of the cascades of effects that occur.

Now, I certainly understand the call for increased spending from our NATO partners. That is certainly something that this body should do; but in calling for our NATO partners to increase their participation in the expenditures of NATO in their own defense, we should not be directing the Secretary

of Defense to actually move brigades. It is an expertise we don't have in a debate that should not be happening from a policy perspective on this floor.

With that, 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. It is rare that I disagree with my good friend from Ohio, but I do. I think that it is appropriate to move forward in this direction.

As my good friend from the State of Washington indicated, we are probably going to do this, I think he mentioned, by 2015. The point here is that this reassessment has been proceeding at a glacial speed. It is important for us to be on record to move this forward. There are major things that we are going to have to do. This is relatively small potatoes compared with what we are going to have to do if we are going to meet our challenges both in terms of a different security arrangement with regard to the threats that the United States faces and our fiscal problems.

Now, we have had this sitting on the back burner for years. We are, if anything, late to the party; and of course, as long as they are there, that is a disincentive for our NATO allies to step up and to do what they need to do in their own defense. We have plenty of assets around the world. We have opportunities with naval and air strikes. The notion that we are going to be throwing ground forces that are stationed in Europe into the fray in Israel or in some battle in Africa, I think, is near-fetched at the least. Look at what we have done in the past and how we've gone about it.

With all due respect, I think, in a world where we have the capacity—as we have shown—to be able to stage and move troops when needed, this is a small step in the right direction. I think my friend from Ohio is overstating the case in the notion that somehow it costs money to do the redeployment so we should just keep them there. We are going to be redeploying them anyway, so the costs of redeployment are going to be incurred sometime this decade or sometime this century, but it costs money to keep them there.

I have a nephew who makes a very good living teaching Americans in Europe in military schools. I think it's time for my nephew to come home and teach in the United States. I think there are more cost-effective ways for us to meet our security obligations. I do think it is time for our European friends and allies to step up. We can no longer be paying almost half the defense costs of the world when many of the others in that mix are people who are our friends and allies. I think this is a small step in the right direction. I urge the adoption of the amendment.

I yield back the balance of my time.

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

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

Mr. BLUMENAUER. 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 Colorado will be postponed.

Ms. RICHARDSON. Mr. Chairman, I move to strike the last word in order to engage in a colloquy.

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

Ms. RICHARDSON. I would like to thank Chairman YOUNG and Ranking Member DICKS for ensuring that this legislation, the fiscal year 2013 Defense appropriations bill, would not include any reductions in the number of C–17s that are used and serviced by our armed services.

The C–17 is the Air Force's premier strategic transport aircraft, and it remains the military's most reliable and capable airlift aircraft. The C–17 flies more than 80 percent of all U.S. airlift missions while comprising only 60 percent of the airlift fleet. The C–17 has proven capable of delivering more cargo, troops, and non-war humanitarian missions than any other aircraft that we have.

Mr. Chairman, this aircraft was instrumental in saving lives during the devastating earthquake and tsunami that struck Japan last year. In addition to that, it was instrumental in aiding in the humanitarian efforts that I witnessed personally in Samoa. Some of the other missions include the delivery of 10,005 tons of disaster relief supplies and the carrying of 13,812 passengers in response to the earthquake that struck Haiti in 2010. In 2009, I worked with Congressman ENI FALEOMAVAEGA to help get disaster relief supplies to American Samoa after an earthquake and tsunami that ravaged that island. The 10-day relief mission was conducted with the C–17 aircraft.

The C–17 provides rapid-response capability for relief missions anywhere in the world, including—but not limited to—serving those who serve us.

Mr. Chairman, in addition to these humanitarian efforts, the C–17 leads in providing positive economic benefits to our country. The C–17 is built in Long Beach, California, which I happen to have the privilege to represent with my colleague Mr. ROHRABACHER. The production of the C–17 is responsible for over 13,000 jobs in California, and it provides $2 billion in economic benefit. Nationally, the production of the C–17 has suppliers in 44 States, all of which we represent here. It supports more than 30,000 jobs and has an $8.4 billion economic impact.

While we are looking for ways to rein in spending, the C–17 remains critical to our national security, to our humanitarian relief missions, and to our economy. My effort today is to make sure that we have an adequate number of C–17s that are available, serviced and maintained for our Armed Forces.

Will the chairman and ranking member continue to work with me to ensure that there is a sufficient and well-maintained fleet of our C–17s in our armed services?

Mr. YOUNG of Florida. Will the gentlelady yield?

Ms. RICHARDSON. I yield to the gentleman.

Mr. YOUNG of Florida. I thank the gentlelady for yielding.

I also thank her for her strong support of the C–17, and she is right on with regard to the vital role it plays in our Nation's defense.

This committee has been a strong advocate for the C–17. Our bill fully funds the C–17 and ensures that no action can be taken by the Air Force to reduce the C–17 fleet.

I again thank the gentlelady for her very timely comments on this important issue.

Mr. DICKS. Will the gentlelady yield?

Ms. RICHARDSON. I yield to the gentleman from Washington.

Mr. DICKS. I was a very strong proponent of the C–17 even when Douglas Aircraft in Long Beach was building this airplane. I had a chance to go there when they were doing the wooden mock-ups and when they brought in the load masters, who made it such that the plane was built in a way that it could load cargo faster than any other airplane in history. We have 54 of these at Joint Base Lewis-McChord in the great State of Washington. We are very proud of the C–17. It is now built by the Boeing Company.

I just want you to know that we are a very strong proponent. We had some great work done in the nineties in upgrading the software when we had major software issues. We also had a dramatic workforce out there that really used all of the tools of lean production. So the C–17 is a very high priority, and we will certainly do everything we can.

I wish we'd built more of them, frankly, while we had the line open, but we did everything we could. We are at a point now where the line is closing down except for foreign sales. We have a number of foreign sales; and if at some point we need to come back to it, I certainly would be open to that.

□ 1520

Ms. RICHARDSON. I would like to thank Chairman YOUNG and also Ranking Member DICKS for their response and their commitment to this program.

Yes, in fact, we have been utilizing foreign sales, and given the current occupations in this country, we stand ready to continue to build them to protect this country.

With that, I yield back the balance of my time.

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

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

Mr. ROHRABACHER. Mr. Chairman, it is fortuitous now that I rise for the purpose of entering into a colloquy with the gentleman from Florida on an issue that deals directly with the C–17, I might add.

I rise today to voice my concern over recent and devastating wildfires that have enveloped massive amounts of land throughout our country. The ruin caused by these wildfires has consumed 2.1 million acres, destroyed over 1,600 homes, killed 7 people, and threatened many more. This recurring problem, caused by dry conditions, hot weather, and ample fuel, tests the limits of our current Federal, State, and local firefighting resources.

When homes and lives are on the line, I believe we should take all possible action to protect lives and property, including the deployment of Air National Guard and Air Force Reserve resources when appropriate. We oftentimes think of the Department of Defense as an entity that should be aimed at defending our Nation from foes abroad, but the fact is that there are enormous resources held by the Department of Defense, such as cargo planes that are capable of assisting in many other efforts, including firefighting efforts, which threaten the lives and property of our people.

For example, one specific concept, named the Precision Container Aerial Delivery System, or PCADS, needs only an additional $2.6 million in funding to complete its already years-long evaluation of this technology. Unfortunately, however, DOD has not committed this meager sum to finish evaluating PCADS, despite the authority to do so.

What are PCADS? They essentially allow any military cargo plane that has a ramp in the back—mainly, our C–17s and our C–130s—to assist in wildfire efforts without having to modify the airplane at all. This means the C–17s and the C–130s, of which we have right now many stationed all over the country, could be deployed to help extinguish wildfires at a relatively low cost, creating a new and enormous firefighting capability. As I say, it's at a minimal cost.

Basically what we're talking about is a huge container system in the back that is made out of cardboard and a water balloon, which will permit putting them onto the C–17s and the C–130s to rolling right on 1,000 pounds of water per container. These C–130 pilots and C–17 pilots are already trained to drop these things, and without modifying the airplane, they could become an enormous resource to fighting fires throughout our country without adding any extra cost after this $2.6 million for the final test.

I, therefore, have one simple request: to the extent that the Department of Defense is capable of exploring new, innovative, cost-effective, and promising firefighting technologies that can be used for our civilian population, but especially for the firefighting capabilities that can aid in support, as I say, firemen's requests throughout our country and from the State and Federal level, I urge the Department of Defense to do so to the degree that it can.

I now yield to the distinguished chairman, the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman from California for bringing this to our attention and for supporting innovative and cost-effective ways for our government to protect our people and their possessions from wildfires. I, too, believe the Department of Defense should seriously consider promising and cost-effective firefighting technologies where appropriate.

Mr. DICKS. Will the gentleman yield?

Mr. ROHRABACHER. Yes, I yield to the gentleman from Washington.

Mr. DICKS. This has been a subject I've been very interested in as former chairman of the Interior Appropriation Subcommittee where we have to fund the efforts for firefighting, which are very massive.

I have tried to work with the Defense Department. The biggest problem we face is that OMB, when you want to lease these airplanes—we're looking mainly at the C–130J here—lease them for firefighting purposes and then have them deployed with the National Guard in California or somewhere on the west coast, you get into the fact that if you try to lease them, the budget control people want to put the whole burden on the first year. This is why leasing has become difficult. We've got to work out a way to get these airplanes.

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

Mr. DICKS. Mr. Chairman, 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 gentleman from California.

Mr. ROHRABACHER. In the past, in order to achieve the goal that you have outlined, we needed to reconfigure the inside of these C–130s and have special C–130s deployed.

This new PCAD system, which we can roll on enormous amounts of water in these little container systems, which is 1,000 pounds of water per container, can be dropped without reconfiguring the C–130s or the C–17s.

Mr. DICKS. I'm very interested in this, and I want to talk to my good friend about this. I would like to work with you on it.

Mr. ROHRABACHER. I have one last note. Will the gentleman yield?

Mr. DICKS. I yield to the gentleman.

Mr. ROHRABACHER. There's been a series of tests to show this is very effective. One more series of tests will cost $2.6 million and can deploy these. I believe it will increase the value of our C–130s and C–17s to the point that we can actually maybe charge a little bit more money when we sell the C–17s, which will be far more than the $2.6 million for this final test. It will pay for itself, not to mention the property damage that we can protect against.

Mr. DICKS. I look forward to working with the gentleman on this issue, and I yield back the balance of my time.

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

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

Ms. RICHARDSON. I would like to engage in a colloquy.

Mr. Chairman, I would like to thank Chairman YOUNG and Ranking Member DICKS for including language in the conference report that recognizes the importance of increasing the fair opportunity for numbers of women and minorities in officer positions and within the Special Operations Forces.

Minorities and women to have an opportunity to fairly compete—and I stress, ''compete''—are often underrepresented in the leadership ranks within our Armed Services. African Americans account for 12 percent of the U.S. population but represent just 8 percent of Active Duty officers. Likewise, when it comes to Hispanic Americans, it's even worse. Hispanics make up 15 percent of the U.S. population but number only 5 percent of the officer corps.

While the number of women in officer positions has seen increases, there is still a lack of women in top officer positions. In 2009, there were 40 individuals who held the highest rank in our Armed Services.

Mr. Chairman, do you know how many of those were women? I'm sad to say, just 1 out of 40. This shows that there is considerable room for improvement.

Having served on the Transportation Committee with Mr. CUMMINGS, much work was done on the Coast Guard side, but really should be equalled throughout the Armed Forces.

I was planning on offering an amendment to the Defense appropriations bill that would make it explicit that it is the sense of Congress that efforts should be made to increase the number of women and minorities in officer positions, but it would be subject to a point of order. However, I've worked with Chairman YOUNG and his staff that going forward we would continue to look at ways to increase women and minorities within the leadership ranks and to give them an opportunity again to compete for fair positions.

Chairman YOUNG, will you continue to work with me on this very important issue?

And I yield to the gentleman.

Mr. YOUNG of Florida. I thank the gentlelady for yielding, and I thank her for calling attention to the fact that the subcommittee in our report said

this is an issue worthy of attention. Our language in the report said: urges the services, and specifically our Special Operations Forces, to conduct effective outreach and recruitment programs to minority populations to improve diversity in the military.

Absolutely. We agree with you totally. That is the intent of our committee. It becomes the intent of the Congress. We will continue to work with you to make sure that we do better at every opportunity.

I thank you for raising this issue today.

□ 1530

Ms. RICHARDSON. I thank the gentleman for his response, his leadership, and his commitment on this issue

Mr. DICKS. Will the gentlelady yield?

Ms. RICHARDSON. I yield to the gentleman.

Mr. DICKS. I want the gentlelady to know that we worked with Mr. YOUNG on a number of insertions of report language in the report because of our concern about this issue as well. This is something where we always have to be vigilant because the people kind of forget what the legal responsibilities are. These are statutory responsibilities.

I appreciate the gentlelady from California bringing this to our attention. We'll work with her on this issue.

Ms. RICHARDSON. Thank you, Mr. Chairman, and also Ranking Member DICKS.

With that, I yield back the balance of my time.

AMENDMENT OFFERED BY MR. BERG

Mr. BERG. 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 reduce the number of the following nuclear weapons delivery vehicles of the United States:

(1) Heavy bomber aircraft.

(2) Air-launched cruise missiles.

(3) Nuclear-powered ballistic missile submarines.

(4) Submarine-launched ballistic missiles.

(5) Intercontinental ballistic missiles.

The Acting CHAIR. The gentleman from North Dakota (Mr. BERG) is recognized for 5 minutes.

Mr. BERG. Mr. Chairman, I have the distinct honor to represent several military installations in my State of North Dakota, including the Minot Air Force Base, the home of the 91st Missile Wing and the 5th Bomber Wing, which relates to the amendment I have to offer today.

The amendment, which I offer today, along with my colleagues Mrs. LUMMIS of Wyoming and Mr. DENNY REHBERG of Montana, is very straightforward. It prohibits the fiscal year 2013 funds from being used to implement plans under the New START Treaty to reduce the number of nuclear weapons and their delivery system, which significantly reduces America's ability to develop and use our nuclear defense capabilities.

We all know that during the 2010 lame duck session the Senate ratified the New START Treaty, and President Obama made a promise to Congress that as long as he was President we will continue to invest in nuclear modernization.

Mr. Chairman, since then, he has backed away from his promise, and we all heard the President's unsettling off-mike comments that he would have more flexibility after the November elections.

The treaty provides for 7 years for the United States and Russia to reduce the number of deployed ICBMs, deployed submarine-launched ballistic missiles and deployed heavy bombers equipped to carry nuclear armaments to no more than 700 weapons.

I know that many of us may not agree on the appropriate level of deployed nuclear weapons or our view on the New START Treaty. However, we need to make one thing clear: nowhere in the New START Treaty does it require reductions from the United States to make these cuts prior to fiscal year or during fiscal year 2013.

Furthermore, we're still waiting on the administration to tell us exactly how sharp the cuts in our deployed nuclear weapons could be under the New START Treaty.

The Associated Press has reported the Obama administration is going beyond the level laid out in the New START Treaty and is considering as much as an 80-percent reduction in our current nuclear arsenal.

It appears that the administration is planning drastic cuts to our nuclear arsenal and could be planning to move away from our nuclear triad strategy altogether. All three legs of our Nation's nuclear triad are complementary to the defense of our Nation.

Drastic cuts in our overall level of our Nation's nuclear arsenal puts our national security at risk and sharp reductions to any one leg of the nuclear triad would destabilize a sound defense strategy.

Therefore, since the President made an agreement to modernize our arsenal, and Congress is still waiting to hear what those specifics are, Congress should not provide funding to facilitate these reductions.

I urge adoption of these amendments.

Mr. YOUNG of Florida. Will the gentleman yield?

Mr. BERG. I yield to the gentleman.

Mr. YOUNG of Florida. I thank the gentleman for yielding, and I thank him very much for bringing up this issue. I believe that the Berg amendment recognizes the world as it really is, the threats that we potentially face. I think he has done the Congress a real service today by emphasizing this issue with his amendment, and I support his amendment.

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

Mr. DICKS. Mr. Chairman, I rise in opposition to this amendment.

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

Mr. DICKS. The New START Treaty limits the total number of weapon delivery vehicles by 2017. According to the Air Force, they are funded for New START implementation, but are awaiting final force structure decisions to determine numbers of weapon delivery vehicles to be reduced in FY 13.

We should carry out our obligation under the New START Treaty and not restrict the Department's obligation to implement it. I urge my colleagues to oppose the amendment.

I want to make it clear to my colleagues just what we're talking about. Under the New START we will have 520 ICBMs with 420 warheads. We will have 60 bombers, 42 B–52s and 18 B–2s that are nuclear capable, and they have many warheads. We have 240 sub-launched missiles. The number of subs are not restricted, but we have 14 Trident submarines.

I would, with all due respect, just say this, this is one area where we can, if we can come down on a mutual agreement with the Russians to a lower level, we can save ourselves the money of not having to replace all of these weapons systems. A lot of very thoughtful people have looked at this issue, and they believe that the two most survivable legs of the triad are the ballistic missile submarines and the bombers. The land-based missiles are vulnerable. Now, we had great debates over the MX missile. We got into how many RVs coming in to take out an existing missile, usually it's two, so the enemy would be using up weapons.

But the point of it all is, the last thing that we're going to be using is nuclear weapons. It just is not going to happen; it would destroy the world. So we can come down to a lower level and still have a credible deterrent. We can't afford to do everything.

The most important thing today, I think, is to build up our Special Forces, build up our intelligence capabilities, and look at the threats that we're facing out there with al Qaeda and the terrorists. Frankly, nuclear weapons are a relic of the Cold War, and we should bring down the size of this.

General Cartwright, one of the most thoughtful former members of the Joint Chiefs, has suggested that we go to a DYAD, just having ballistic missile submarines and bombers. That's something that we should consider. The Markey amendment would have started us in a way of reducing the number of land-based missiles.

I just think it's not right for us to get in the middle of this. The Senate had long hearings. They went through a process of ratification. This treaty was ratified by the United States Senate.

Again, I just think if there is one area where we can make some reductions, it's in the area of nuclear weapons. We're just not going to need as many as we've had in the past, and we can have great deterrents at a lower level. I hope we can reach that.

I yield back the balance of my time.

Mrs. LUMMIS. Mr. Chairman, I move to strike the last word.

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

□ 1540

Mrs. LUMMIS. I'm pleased to work with Representative BERG on this amendment, which will protect our nuclear triad from the reductions scheduled under this treaty for the term of this 2013 budget year. Each leg of our nuclear triad—bombers, submarines, and land-based missiles—complement each other and they strengthen each other.

As a lifelong resident of southeast Wyoming, I have come to understand and appreciate the role of our intercontinental ballistic missiles. The 90th Missile Wing in Cheyenne keeps 150 of our ICBMs at nearly 100 percent alert. The bombers and subs have their own unique strengths, but no other leg of the triad comes close to this alert level. The constant alert, wide geographic dispersion and immediate, global response capability of our ICBMs make them an indispensable part of our triad.

ICBMs are the most cost-effective leg of the triad as well. At less than $3 million per ICBM, they are less than a third of the cost of a sub-launched missile or a nuclear bomber. It's because of ICBMs that we can say with confidence that we are fielding a nearly unbeatable nuclear force.

Those that want to slash our nuclear force forget that it was American strength that ended the Cold War. It was American strength, including the Peacekeeper and Minuteman III missiles, that allowed us to negotiate landmark reductions in American and Russian nuclear arsenals. Remember, we were able to retire the Peacekeeper missile silos in Wyoming. It was a victory for global stability; but we did it through American strength, not through unilateral disarmament.

That's what makes the New START Treaty so troubling. It is bilateral in name only. The United States bound itself to unilateral reductions in strategic nukes, but Russia can still expand its strategic arsenal. Russia can stack their bombers to the hilt with warheads and call it a single-delivery vehicle. Russia can deploy an unlimited number of the tactical nuclear weapons under which they hold an advantage. Russia can develop new, long-range nuclear-tipped cruise missiles. With New START, we negotiated away American strength and received little in return.

It is dangerous to assume that our nuclear competitors have the same motives and ideals that we do. If we roll over and capitulate to the demands of our competitors, we cannot assume that Russia, China, and Iran will follow. But if we maintain our strengths and our unbeatable nuclear posture, we will be far more effective at securing the peace that we all want.

Again, I want to thank Representative BERG and Mr. REHBERG. I encourage you to vote against unilateral disarmament. Vote for our amendment.

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

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

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

Mr. MARKEY. This debate has taken on the characteristics of ancestor worship, and I understand it. I know it's hard for individuals to let go of the Cold War, to let go of an era where foreign policy was characterized by this bitter rivalry between the United States and the Soviet Union. The reality: We won. It's over. We didn't just win. It was basically a world where there's unipower now. It's us.

The Chinese only have 40 to 50 nuclear missiles. The Russians have already dramatically reduced their weapons. The likelihood of a nuclear war between the United States and Russia is negative zero. And yet there are Members that don't want to see any reductions in our nuclear weapons force, notwithstanding the fact that those extra expenditures then would have to come out of other budgets, including the budget for the National Institutes of Health to find a cure for cancer or Alzheimer's or Parkinson's. And so we have this curious disconnect between the reality of the world that we live in today and the understandable but erroneous commitment that many Members on the other side have to a relic of a Cold War-era rivalry that no longer can withstand fiscal scrutiny.

So let's just take this debate about whether or not the United States is vulnerable.

Each one of our submarine-based nuclear weapons systems have 96 independently targetable warheads onboard. That is: each one of our sub commanders can destroy the 96 biggest cities in China; each one of our sub commanders can destroy the 96 biggest cities in Russia; each sub commander, with their first nuclear weapon, could destroy Tehran; each sub commander could destroy Pyongyang and still have 95 independently targetable nuclear weapons onboard that one submarine, much less every other submarine that we have out there.

And so to have an amendment that says, after New START was agreed to between Russia and the United States, after the Air Force and the Navy signed off on New START, to have Members of the House proposing that notwithstanding that agreement that was reached that does enhance American national security by reducing the likelihood that there would be a conflict between the United States and Russia, as low as that likelihood is, that we have this micromanagement that comes in of our military.

But it's more than that. Let's admit it. It's all about jobs. You're thinking about the defense bill as a jobs bill, and I understand that. But whenever we're talking about the defense bill, those jobs that are created should relate in some way to American national security. And what the Air Force and the Navy are saying is that they do not believe they need more nuclear weapons. In fact, they can agree to and have already accepted the reduction in nuclear weapons that is in the New START Treaty.

And so I understand from a jobs perspective why you want to lock in jobs that may have been created a generation ago in the height of the Cold War, but we have to redeploy for the 21st century not only militarily, but also into what strengthens us domestically in terms of medical research and educational programs.

So I can't really understand why we're even debating this issue. There is a treaty between our two countries. Our military has signed off. Our military says it actually enhances our security.

And I agree with the gentleman from Washington State: This is an area where we should actually give some respect to the United States Senate that ratified the treaty, to each one of your Joint Chiefs that signed off on it, and not allow a jobs bill to trump our national security; and that if you can find programs that actually enhance our security and you want to spend the money on it, let's debate that. But this is an area that is already resolved.

I urge a ''no'' vote on the Berg amendment, and I yield back the balance of my time.

Mr. REHBERG. Mr. Chair, we've got to do everything we can to stop New START in its tracks.

President Obama, with the support of the Senate put the United States on a dangerous path of unilateral disarmament. New START forced the United States to reduce our nuclear arsenal, while actually allowing Russia to increase theirs.

And for Malmstrom Air Force Base in Montana—home of the 341st ICBM Missile Wing—this does more than threaten our national security. For the Great Falls community, it threatens the foundation of our community and economy.

Last week, I heard from community leaders and activists in Great Falls. They made it clear that New START, and the deeper cuts it foreshadows, is a bad idea.

Today, the House of Representatives has an opportunity to protect our nuclear deterrent and derail this harmful treaty. I urge ''yes'' vote.

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Dakota (Mr. BERG).

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

Mr. BERG. 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 North Dakota will be postponed.

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

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

Mr. HOLT. I wish to engage in a colloquy with the ranking member of the Committee, but let me begin by thanking the gentleman from Washington and Chairman YOUNG for accommodating my request, for the second year in a row, for an additional $20 million to be included in the appropriations bill for suicide prevention and outreach programs.

□ 1550

The committee last year honored this request, and I think it's a clear demonstration of the committee's intent that the Department do more and more to end this epidemic of suicide among our Active-Duty, Guard and Reserve force.

I do have a clarifying question I would like to pose to the gentleman from Washington.

Is it the committee's intent that the $20 million in this legislation in additional suicide prevention funds be made available for successful suicide prevention programs, such as New Jersey's Vets4Warriors peer-to-peer counseling and outreach program?

Mr. DICKS. Will the gentleman yield?

Mr. HOLT. I would be pleased to yield to the gentleman from Washington.

Mr. DICKS. I can assure the gentleman from New Jersey that the committee intends to fund those programs that most effectively minimize suicides. And I'd point out that in most of these situations, this money is going to be competitively awarded. But I'm sure that the gentleman's New Jersey program will compete very well.

Mr. HOLT. I thank the gentleman.

I would also like under general leave to insert in the RECORD a letter from the American Legion, the Veterans of Foreign Wars, the Disabled American Veterans, AMVETS, and the Marine Corps League to Secretary Panetta concerning this Vets4Warriors program.

JUNE 15, 2012.

Hon. LEON E. PANETTA,
Secretary of Defense,
Defense Pentagon, Washington, DC.

DEAR MR. SECRETARY: As a group of the nations' leading veteran service organizations we take very seriously our commitment to the men and women who serve in uniform. They have answered the call and put their lives in mortal danger to protect the nation from adversaries and to advance our national security interests. One of the most important things we can do to honor their service and give something back to those who have given us so much is to ensure that they have healthy conduits to alleviate their mental and psychological anguish.

Unfortunately, the nation has not yet succeeded in bringing this to pass. Though many programs and alternatives have been explored by the Departments of Defense and Veterans' Affairs, few or perhaps none have been as successful as the Vets4Warriors program. The program is based on the New Jersey Vet2Vet program, a nationally-recognized peer support program that has received critical acclaim for over 7 years. Vets4Warriors, the nascent program of the Army National Guard—a mere six months old—is showing incredible promise and we are confident that it will be as successful nationally as Vet2Vet has been in New Jersey.

Already, this program has received over 7000 calls and nearly 500 inbound contacts through other means such as Internet-based chats. Vets4Warriors provides effective, ongoing peer support for men and women from all service branches—past and present. Any military personnel, family member or veteran can call this toll-free line 24/7 and have the call answered immediately by a carefully trained veteran peer counselor. We believe there are none better positioned to understand and assist with the rigors of military life than someone who has lived it. The calls are all confidential and can be anonymous. The peer counselors are able to triage the callers' needs, provide crisis intervention, local referrals for any needed services such as mental health, financial counseling, legal aid, or a host of other possible needs. At all times, a licensed mental health professional is immediately available to the peer counselor, should the situation warrant it. The goal is to create a stigma-free environment that encourages service members to contact Vets4Warriors when any concerns arise and the peer counselors help prevent these problems from becoming crises. There is also a formal relationship with the National Veterans Crisis Line, so calls to Crisis Line that are not crises are transferred to Vets4Warriors and crisis calls to Vets4Warriors can be ''warm transferred'' to the Veterans Crisis Line. Vets4Warriors strives to use all existing resources and not duplicate any of them.

These and other characteristics make this program unique and successful. However, what truly sets their work apart is that they show their commitment to individuals by proactively reaching back to each person that contacts Vets4Warriors to make sure they are getting the help they need, preventing problems from becoming crises. Vets4Warriors has made approximately 8400 follow-up calls to veterans who have contacted them—about 900 or 11% more than their incoming call volume. Every single call is logged into a database, so there is extensive information available on who is calling, why they are calling and the outcomes of the calls.

Vets4Warriors employs 27 veteran peer counselors representing all branches of service, so callers may even choose a peer counselor by their military experience. The same peer counselor will maintain contact with the caller over weeks or months, until the issues are resolved. They will also become advocates for the callers, should that be necessary. To our knowledge, no other program provides this kind of personal investment in the service member and offers the variety of services needed to meet the diverse needs of our military members and their families.

It is because of the enormous success of the program that we are so determined to ensure it receives the funding it needs to achieve long-term success. Recent developments have made us very concerned that the program will not be budgeted for in 2013, and we urge you to make funding this program a top priority. The investment is marginal, yet the impact is huge. The health and readiness of the military depends on personnel that are resilient against the stressors of military service, both on and off the battlefield. Having seen it first-hand, we believe Vets4Warriors is a tremendous program that must be given a legitimate opportunity to succeed. With your support, we have every reason to believe that it will make a measurable difference in the lives of many veterans, military personnel and family members, and we strongly urge you to ensure full funding for the program.

Respectfully,

STEWART M. HICKEY, National Executive Director, American Veterans, Forbes Boulevard, Lanham, MD.

BARRY A. JESINOSKI, Executive Director, Disabled American Veterans, Maine Avenue, SW., Washington, DC.

MICHAEL A. BLUM, Executive Director, Marine Corps League, Merrifield, VA.

PETER S. GAYTAN, Executive Director, The American Legion, K Street, NW., Washington, DC.

ROBERT E. WALLACE, Executive Director, Veterans of Foreign Wars of the U.S., Maryland Avenue, NE., Washington, DC.

In this letter, the five veteran service organizations note that of all the suicide prevention programs and alternatives explored by the Department, ''perhaps none have been more successful than the Vets4Warriors program.''

I raise this letter, Mr. Chairman, because just this past week, the National Academies of Science released a report on the DOD and the VA's response to this explosion of PTSD cases and suicide-related mental health problems for veterans from Iraq and Afghanistan.

We want to make sure that the successful programs are recognized; and to date, no servicemember or veteran who has used these Vets4Warriors or vet-to-vet program has taken his or her own life. They have been successful.

One of the shortcomings in our government's approach to dealing with the suicide epidemic among servicemembers and veterans is the assumption that only programs within the DOD and within the VA are capable of dealing with this crisis. Our experience in New Jersey strongly suggests otherwise, and I ask the gentleman from Washington and the chair of the committee for their help in prodding the National Academies and the government at large in evaluating the potential positive role that community-based programs like Vets4Warriors can play in helping defeat the suicide epidemic among our troops and veterans.

Mr. DICKS. Will the gentleman yield?

Mr. HOLT. I yield to the gentleman from Washington.

Mr. DICKS. The gentleman from New Jersey has my assurance we will work with him on this issue. And I would just say that our chairman has been a great leader on this issue. No one has done more than BILL YOUNG on this. I look forward to working with him and trying to make sure that this program is completely and thoroughly evaluated by the Army, by the National Guard, and by the VA.

Mr. YOUNG of Florida. Will the gentleman yield?

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

Mr. YOUNG of Florida. I thank the gentleman for yielding.

I appreciate the comments of Mr. DICKS, our former chairman, and would say that I agree strongly with him, as I do most of the time. We have a great history of working together for many, many years. We will be very happy to work together with you on this issue because it is a very, very important concern to all of us and to all the members of our committee and I know to all the Members of this House of Representatives.

Mr. HOLT. Reclaiming my time, I would reiterate my thanks to the chairman and to the ranking member for the strong attention and sensitive attention that they have given to this matter.

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

AMENDMENT OFFERED BY MR. FLORES

Mr. FLORES. 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 enforce section 526 of the Energy Independence and Security Act of 2007 (Public Law 110–140; 42 U.S.C. 17142).

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

Mr. FLORES. Mr. Chairman, I rise to offer an amendment which addresses another misguided and restrictive Federal regulation.

Section 526 of the Energy Independence and Security Act prevents Federal agencies from entering into contracts for the procurement of fuels unless their life-cycle greenhouse gas emissions are less than or equal to emissions from an equivalent conventional fuel produced from conventional petroleum sources.

The initial purpose of section 526 was to stop the Defense Department's plans to buy and develop coal-based or coal-to-liquid jet fuel. This restriction was based on the opinion of some environmentalists that coal-based jet fuel might produce more greenhouse gas emissions than traditional, petroleum-derived fuels.

My amendment is a simple fix, and that fix is to not restrict our fuel choices based on extreme environmental views, bad policies, and misguided regulations like those in section 526.

Placing limits on Federal agencies' fuel choices is an unacceptable precedent to set in regard to America's petroleum independence and our national security. Mr. Chair, section 526 restrictions make our Nation more dependent on unstable Middle Eastern oil. Stopping the impact of section 526 will help us promote American energy, improve the American economy, and create American jobs. In addition, and probably most important, we must ensure that our military has adequate fuel resources and that it can rely on domestic and more stable sources of fuel.

With increasing competition for energy and fuel resources and with the continued volatility and instability in the Middle East, it is now more important than ever for our country to become more energy independent and to further develop and produce all of our domestic energy resources.

In some circles, there is a misconception that my amendment somehow prevents the Federal Government and our military from being able to produce and use alternative fuels. Mr. Chair, this viewpoint is categorically false. All my amendment does is to allow Federal purchasers, particularly our military, to be able to acquire the fuels that best and most efficiently meet their needs.

I offered a similar amendment to the CJS appropriations bill for FY 2013, and it passed with strong bipartisan support. My identical amendments to four other FY 2013 appropriations bills also each passed by voice vote. My friend, Mr. CONAWAY, also had language added to the defense authorization bill to exempt the Defense Department from this burdensome regulation.

Let's remember the following problems with section 526: one, it increases our reliance on unstable Middle Eastern oil; two, it hurts our military readiness, our national security and our energy security; three, it prevents the increased use of some sources of safe, clean and efficient American oil and gas; four, it hurts American jobs and the American economy; five, last and certainly not least, it costs our taxpayers more of their hard-earned dollars.

My amendment fixes those problems. I urge my colleagues to support the passage of this commonsense amendment.

I yield back the balance of my time.

Mr. CONAWAY. Mr. Speaker, I move to strike the requisite number of words.

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

Mr. CONAWAY. Mr. Chairman, everyone in this House would sleep much easier at night if our airplanes flew on sunbeams and our ships steamed on rainbows, but they don't. They use diesel, and diesel they must have if they are to continue to protect this Nation.

I rise today in strong support of this amendment to lift the restrictions on the military's procurement of alternative fuels enshrined in section 526 of the Energy Independence and Security Act. I would also like to thank my colleagues, Mr. FLORES and Mr. HENSARLING, for their work with me on this issue.

Section 526 prohibits the military from purchasing alternative fuel products that have ''life-cycle greenhouse gas emissions''—that's a mouthful—that are ''less than or equal to such emissions from conventional fuel.'' Mr. Chair, this prohibition makes no sense to me.

Several months ago, Secretary of the Navy Mabus said:

> Our dependence on foreign sources of fossil fuel is rife with danger for our Nation, and it would be irresponsible to continue it. Paying for spikes in oil prices means we may have less money to spend on readiness, which includes procurement. We could be using that money for more hardware and more platforms.

□ 1600

If protecting fuel supply lines and avoiding price volatility are truly the goals of the military—and I do believe that these are worthy objectives—then lifting the restrictions imposed by section 526 should be a no-brainer.

Section 526 puts technology like coal-to-liquids, gas-to-liquids, oil shale, and oil sands out of reach for the United States military. These technologies are capable of meeting the Department's objectives for safeguarding production and reducing price volatility, and in most cases are far more advanced than the exotic biofuels project that the Navy is currently pursuing.

This amendment will offer us a stark choice: The military can meet its strategic fuel supply concerns or operational planning can take a backseat to environmental posturing.

Many of my colleagues on the other side of the aisle will spend their time talking about how dirty fuel derived from coal-to-liquids or oil sand technology is. They will offer up and knock down straw men dealing with global warming and carbon footprints. But what they will not talk about is the critical need for our Department of Defense to procure the cheapest, most readily available fuel that fulfils its strategic requirements.

I offer my full-throated endorsement for the Department's work to increase its energy efficiency, to reduce the need for fuel convoys, and to limit vulnerabilities in the fuel supply chain. However, those aren't the issues that we're dealing with with this amendment. The question this amendment asks is: Is it appropriate for Congress to continue to prohibit the military from purchasing certain domestically available synthetic fuels?

The Department of Defense's singular objective is to protect this Nation. Department of Defense leaders have made it clear that foreign sources of oil and price volatility present an obstacle to fulfilling that obligation. Lifting the restrictions contained in section 526 will free the military to utilize any technology it believes can help to confront that danger.

I urge my colleagues to join me to lift this irresponsible prohibition and provide the military with the options it needs to manage the long-term, strategic risks facing our Nation.

I thank my good friend for offering this amendment, and I look forward to its passage.

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 rise to support this very, very popular amendment.

Mr. FLORES offered the same amendment to each fiscal year 2012 appropriations bill, and all were accepted by a voice vote. Also, each fiscal year 2013 appropriations bill that has already passed the House includes this amendment. All passed by voice vote, with the exception of CJS, which had a rollcall and a positive vote of over 250 votes ''yes.'' Fifteen Democrats supported the amendment.

Mr. CONAWAY offered an amendment to the FY13 Armed Services Committee bill which has the same effect. The amendment was accepted into the House bill. This obviously is a very popular amendment, and I'm happy to be supportive of it.

I yield back the balance of my time.

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

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

Mr. GARAMENDI. I have a question to the author of the amendment and to those who are supporting it on the other side.

In listening to your discussion, you seem to be in a posture of the military—Navy in this case, and I suppose other branches—having access to alternate fuels. You spoke specifically of coal-based fuels. Are you speaking of all kinds of alternative fuels and that the military should pursue those fuels so that they might be available to pursue them in their development phase as well as when they are fully developed?

Mr. FLORES. Will the gentleman yield?

Mr. GARAMENDI. I yield to the gentleman.

Mr. FLORES. All my amendment does is remove any external restrictions from the Department of Defense being able to acquire fuels. It doesn't restrict their ability to acquire alternative fuels, such as the Green Fleet.

Now, I have issues with paying $56 a gallon for fuel, but I'm willing to battle that at a future date. I'm not endorsing the use of those expensive fuels. I think they're irresponsible uses of taxpayer funds when the purpose of the military is to defend our country, not to be trying to promote alternative fuels.

Mr. GARAMENDI. Reclaiming my time, sir, in listening to your discussion about the coal-based fuels, clearly those are in the development stage; they're not yet in place. I would assume that in the development stage, the U.S. military would be purchasing those for the purposes of testing as well as providing an early market, a development market, for those fuels. Therefore, I would assume that that same logic would apply to other kinds of biofuels, would it not?

I yield to the gentleman.

Mr. FLORES. The logic applies. But again, I think it's an order of magnitude.

For instance, technology to do coal-to-liquids fuels was used by the Germans in World War II. It's been tried in the past. It's still not cost effective. I think there's an order of magnitude. For instance, if the military can do it for, let's say, 50 percent more than it costs for conventional fuel, that's one thing; but if it has to pay 10 times more for biobase fuels, that's another issue.

Mr. GARAMENDI. Well, reclaiming my time, and thank you, sir, for the information.

The point here is that in the early development of all of these fuels, whether they are coal-based or other kinds of biofuels, there is a higher cost in the early stages that presumably and hopefully and, in fact, must be reduced if the Navy is to procure those fuels for the normal utilization of their fleet, or whatever the fuel might be used for. Therefore, in listening to your discussion, which I do support, I think it's important to understand that in the early development there is going to be a higher cost which could not and should not carry forward for the normal use of those fuels.

With that, I yield back the balance of my time.

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

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

Mr. VISCLOSKY. Mr. Chairman, I rise in opposition to the gentleman's amendment. It's been argued that section 526 harms our military readiness. This is simply not the case, particularly according to the Department of Defense.

The Department of Defense has stated this month, very clearly, the provision has not hindered the Department from purchasing the fuel we need today worldwide to support the military missions. But it also sets an important baseline in developing the fuels that we need for our future.

DOD, the Department of Defense, supports this section and recognizes that tomorrow's soldiers, sailors, airmen, and marines are going to need a greater range of energy sources. In fact, the Department says that repealing this section could, and I'm quoting the Department, ''complicate the Department's efforts to provide better energy solutions to our warfighters and to take advantage of the promising developments in homegrown biofuels.'' I would also emphasize the impact it would have on our economy and the creation of new jobs in our economy.

I believe the amendment would damage the development of biofuels, given the fact that the Department of Defense is such a huge procurer of energy, at the worst possible time for our economy. It could send a negative signal to America's advanced biofuel industry and could result in adverse impacts to the U.S. job creation efforts, rural development efforts, and the export of world-leading technology.

I would also emphasize to my colleagues the section does not prevent the sale of fuels that emit more carbon, nor does it prevent the Federal agencies from buying these fuels if they need to.

Government policies should help drive the development of alternative fuels that cut carbon emission, not increase it. I think that's a commonsense approach.

Again, I am opposed to the gentleman's amendment and, I yield back the balance of my time.

Mr. GINGREY of Georgia. Mr. Chair, I rise in strong support of the Flores amendment that will prevent funds in H.R. 5856—the FY13 Defense Appropriations Act—from being used to carry out Section 526 of the Energy Independence and Security Act of 2007.

Section 526 prohibits all federal agencies from contracting for alternative fuels that emit higher levels of greenhouse gas emissions than ''conventional petroleum sources.'' This means that if a federal agency—particularly the Department of Defense—attempts to utilize an alternative fuel that even has one scintilla more carbon emissions than conventional fuels, it is prohibited from doing so. As a result, Section 526 limits innovation from DoD to improve clean carbon capture technologies for alternative fuels, thereby increasing our dependence on foreign oil, and will only further increase fuel costs.

The amendment intends to remove the handcuffs placed on the agencies under this bill by Section 526. This means that the DoD will still be able to purchase Canadian fuels with traces of oil sands that may create more of a carbon footprint than completely conventional fuel.

Mr. Chair, I support a full repeal of Section 526 because the cost of refined product for DoD has increased by over 500% in the last ten years when volume only increased by 30%. Furthermore, within the last month, the U.S. Navy spent $26 per gallon and the U.S. Air Force just spent $59 per gallon for biofuels used for the Administration's Great Green Fleet Demonstration while conventional fuel bears less of a cost on the Pentagon.

When defense spending is already facing $600 billion in sequestration cuts, we must find commonsense ways to best utilize taxpayer dollars. This amendment takes a very important step of achieving this goal by prohibiting funding to carry out Section 526 for the upcoming fiscal year at the DoD.

With that in mind, I commend my colleague from Texas—BILL FLORES—for his continued leadership on this important issue. I urge this body to support this amendment.

The Acting CHAIR (Mr. BISHOP of Utah). The question is on the amendment offered by the gentleman from Texas (Mr. FLORES).

The amendment was agreed to.

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. I rise for the purpose of a colloquy between my friend, the chairman from Florida, and the ranking member, my friend from Indiana.

I was planning to introduce an amendment on this issue, an amendment that would require the Department of Defense to buy American flags that are made in America by American workers using American-grown and manufactured materials.

Wherever an American flag is flown, it's a symbol of the freedoms men and women throughout our history have marched, fought, and died to secure.

□ 1610

There's no greater symbol of our country, our unity, our freedom, and our liberty than our flag.

The Veterans Administration is already required, by law, to purchase 100 percent American-made flags of American-made materials to drape the caskets of each deceased war hero.

I understand that there are already requirements prohibiting the Department of Defense from purchasing certain items not produced in the United States, but there are no requirements for the Department of Defense to purchase American-made American flags.

I believe it's important that every American flag the Department of Defense buys should be made in America by American workers with American materials. It's as simple as that.

At a time when our domestic manufacturing sector is struggling, and millions in our country are out of work, it's a slap in the face to all Americans to have their tax dollars spent on flags that are made overseas.

I ask the gentlemen here today with me, do you share my concerns about this issue? Will you and the ranking member, Mr. Chairman, work with me to address this omission, and help to ensure that the brave men and women in uniform receive American-made American flags?

Mr. YOUNG of Florida. Will the gentleman yield?

Mr. THOMPSON of California. I yield to the gentleman.

Mr. YOUNG of Florida. I thank the gentleman for discussing this with us earlier on. We have had a very good conversation, and I would say that I am strongly supportive of what the gentleman has just said.

I believe that the American flag should be made in America, with American materials, whatever they might be. And so I do share that, and I guarantee him that we will continue to work with him to find a workable solution to see that this does happen.

I thank the gentleman for raising the issue. I thank him, again, for discussing this early on with me, and I'm here to be supportive.

Mr. THOMPSON of California. Reclaiming my time, thank you, Mr. Chairman. I look forward to working with you.

I yield to my friend, the gentleman from Indiana (Mr. VISCLOSKY), the ranking member.

Mr. VISCLOSKY. I appreciate the gentleman yielding, and would associate myself with the remarks of the chairman.

I really appreciate the gentleman raising this issue before the body, and certainly want to work with Mr. THOMPSON, as well as the chairman of the committee, on this very important issue, and certainly pledge myself to do that.

Mr. THOMPSON of California. Reclaiming my time, Mr. Chairman, I thank the gentleman from Florida and the gentleman from Indiana, and look forward to working with both of them and others in the House to ensure that we can bring this to resolution.

I yield back the balance of my time.

AMENDMENT OFFERED BY MR. RUNYAN

Mr. RUNYAN. 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 Operation and Maintenance funds made available in this Act may be used in contravention of section 41106 of title 49, United States Code.

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

Mr. RUNYAN. Mr. Chairman, I would like to thank the chairman of the committee for allowing me to bring this forward.

Congress has a responsibility to see that funds are spent appropriately by the Department of Defense to support missions and provide for our national security.

The Department has been using foreign-owned aircraft to carry equipment in and out of Afghanistan, totaling over $140 million year-to-date. These missions could have been completed by American carriers.

American carriers are regulated by the FAA and have a much better safety record than foreign airlines. And U.S. government dollars go to develop U.S. jobs.

The U.S. government specifically designated the Civil Reserve Air Fleet, or CRAF, to supplement national security air transport needs through partnership with private U.S.-based airlines. The program allows civilian airlift capability to integrate with military command structures on short notice.

Using foreign-owned aircraft is not only disadvantageous for our military carriers but also for U.S. commercial airlines that have dedicated aircraft to CRAF. It removes the incentive for American carriers to hire American workers and use American mechanics and suppliers, and ultimately harms a vital national security program.

This amendment requires that the Department of Defense use American-owned and operated aircraft whenever possible to move cargo and passengers. It ensures that troops in the field get what they need by allowing the Department to use foreign carriers when necessary. It strengthens this vital national security program and assures that American dollars are spent on American services.

Current law, the Fly CRAF Act, is not being complied with to the extent, again, of $140 million. It has gone to foreign carriers this year, and unapproved carriers are being assigned CRAF missions. This ''leakage'' from CRAF programs is a threat to the viability of our CRAF carriers, the program, and ultimately, our warfighters.

I would encourage all Members to support this 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 rise in support of this excellent amendment, and I thank Mr. RUNYAN for offering it today. And so I do accept the amendment.

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. RUNYAN).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GARAMENDI

Mr. GARAMENDI. 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 $12,670,355,000.

(b) The reduction in subsection (a) shall not apply to the following accounts in title IX:

(1) ''Afghanistan Security Forces Fund''.

(2) ''Defense Health Program''.

(3) ''Drug Interdiction and Counter-Drug Activities, Defense''.

(4) ''Joint Improvised Explosive Device Defeat Fund''.

(5) ''Office of the Inspector General''.

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

Mr. GARAMENDI. Mr. Chairman, this amendment is offered by Mr. JONES and myself. The current Overseas Contingency Operation budget is based on the assumption that we will have 68,000 troops in Afghanistan throughout the entire fiscal year 2013. However, this is not the plan that our Commander in Chief has put forth, nor is it the plan that many of us who would like to see the war come to a quick end would support.

As President Obama has repeatedly stated, we are winding down this war. After withdrawing the surge troops by the end of this summer, that will bring us to 68,000 troops at the beginning of the 2013 fiscal year. We will continue to bring our troops home from Afghanistan, and I quote the President, ''at a steady pace.''

This amendment captures the billions of dollars that we will save by pursuing this steady drawdown of troops, as opposed to maintaining troop levels at 68,000 throughout the entire fiscal year 2013, and then presumably, on October 1, bring 28,000 troops home.

This amendment would cut $12.67 billion from the Overseas Contingency Fund.

Let me be clear about what this amendment does not do. It does not cut funding for troops on the ground in Afghanistan. I believe, as do all of my colleagues who have advocated for an accelerated end to this war, that our troops in harm's way should have all the resources they need to safely execute their mission. And I am committed to ensuring that our troops on the ground have the best equipment and the compensation that they deserve.

This amendment does cut the OCO funds that are unneeded and would not be used if we pursue the President's steady drawdown plan. In these fiscal times, stringent as they are, we should not be paying for things that we're not going to buy and that we don't need, and we certainly don't need to further pad the OCO budget.

The committee has already approved an extra $3.25 billion cushion on the OCO fund that was not even part of the President's request. We have already spent half a trillion dollars of taxpayer dollars on the war in Afghanistan, and the Department of Defense can't even account for many of those funds, lost due to contractor fraud or Afghan corruption.

□ 1620

When we take into account the long-term costs of this war, such as servicing our debt and caring for the wounded warriors, the costs are even more staggering.

Many of us support a quicker timeline of withdrawing troops from Afghanistan than the President has proposed. After a decade of war, we recognize that our core national security objectives have been met in Afghanistan and that there is no U.S. military solution to the remaining challenges in the Afghanistan nation.

We began our military operations in Afghanistan to eliminate those international terrorist organizations that threaten the United States. Thanks to the remarkable bravery and competency of our men and women in uniform, al Qaeda has been virtually eliminated from Afghanistan; terrorist training camps have been demolished; and Osama bin Laden is dead. Thousands have given their lives to accomplish this, and tens of thousands have suffered life-altering wounds. It is now time for our troops to come home.

It is also time for this House not to waste further money. This amendment is not about ending the war. It is about reducing the deficit by $12.67 billion. We can do that by capturing the billions of dollars saved by the President's proposed troop drawdown and by redirecting those funds towards reducing the deficit and by bolstering our fiscal security here at home.

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. First, I would like to say that I understand the sincerity of the gentleman's presentation. It is very much like a number of other amendments that we have had.

Mr. Chairman, in Afghanistan, we are in a very critical position. I think it's important that we allow the military commanders—those who are commanding our troops, those who are leading our troops into combat—to tell us how we achieve our goal and then how we depart from Afghanistan. We need their advice.

I will tell you that I have been to Afghanistan, but I've seen more of the war at the hospital at Walter Reed in Bethesda. I've seen too many young folks—men and women—who are quadruple amputees, triple amputees, and who have more serious mental issues and traumatic brain injuries. From my weekly visits there, I can tell you that this is a mean, mean, nasty war with a mean, mean, nasty enemy.

We have got to let, not politics, but the wisdom, the vision, the knowledge, the advice of our military commanders in the field who are responsible for this operation make our decisions. Their advice is not compatible with this amendment, so I do strongly oppose it.

I yield back the balance of my time.

Mr. FRANK of Massachusetts. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. FRANK of Massachusetts. I yield to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. I thank the gentleman.

My apologies to Mr. JONES who was about to stand up and speak on this issue.

Mr. Chairman, I appreciate your sincerity and your extraordinary work on the issue—a very, very difficult issue. I share with you the obvious compassion that you have for our troops—those who are there and those who have been wounded. However, if I might pose a question:

The Commander in Chief, who presumably had the advice of the generals on the ground and in the Pentagon, has stated clearly that at the beginning of the next fiscal year, which would be October 1 of this year, there would be 68,000 troops on the ground in Afghanistan and that there would be a steady drawdown, or a steady pace, so that at the end of the fiscal year there would be some 40,000 troops, which would be September 30, 2013. Now, a steady drawdown would assume that you would take 28,000 troops, and you would remove them on a steady basis so that, over the course of that year, you would have half the troops in the country and the other half would be gone. That being the case, you don't need to budget for all 68,000 being there the entire year. In fact, you budget for something between 40,000 and 68,000. However, the appropriation that we have before us actually assumes that all 68,000 are going to be there until October 1 of 2013. That's not what the President has said. That's apparently not what the generals are planning and what the planning and execution is.

So what this amendment simply does is to recognize what it is that the generals intend to do as commanded by the Commander in Chief. Now, we may disagree with that, but the advice just given to me by the chairman is that we ought to pay attention to the generals, who are apparently saying a steady drawdown. There is $12.5 billion at stake here, and what we are trying to do is to capture that. Now, at least there would be concern that something would go awry and that the drawdown wouldn't occur. The appropriation actually places a $3.2 billion cushion for unexpected contingencies.

So what are we doing here? Do we care about the deficit or not? My amendment simply speaks to: let's be wise with the taxpayers' money. Let's not appropriate money that should not or is not apparently going to be necessary, and if there is a contingency, there is a $3 billion cushion built into this budget and into this appropriation already.

Mr. FRANK of Massachusetts. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman has 2 minutes remaining.

Mr. FRANK of Massachusetts. I strongly support the effort by my colleague from California.

I would say to the distinguished chairman of the subcommittee that it's certainly the case that, once the society through which democratic processes has determined what it wants to do in a military area, then we need the technical advice from the military experts. But there is a prior question with regard to Afghanistan: Should we be staying there?

It wasn't up to the military—and they never claimed that it was—to go in on their own. They went in pursuant to a vote of this House and of the Senate. It is the duty of the Members of this House to decide whether, in taking all of the factors into account, the time has come to wind it down or not. Once a decision is made, then we listen to the military.

Clearly, what is at stake here in this amendment is not simply a technical question of the way in which the logistics of a drawdown are handled but, really, whether or not the House wants to affirm that the time has come to begin a steady withdrawal. I might also add I would like to go more quickly than this amendment would allow, but we probably won't have the votes for that.

I disagree with the notion that this is a matter on which the elected representatives of the American people must defer to military experts. Yes, we will once we have made the democratic decision about what to do. But with all

of the factors taken into account, the time has come, just as this House authorized the military to go in, to reaffirm the decision that the time has come to begin to withdraw. So I very much support the gentleman's amendment in that particular context.

I yield back the balance of my time.

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

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

Mr. JONES. Mr. Chairman, I join my friend from California (Mr. GARAMENDI).

The President has said, with the advice from the military, it is time to bring the war in Afghanistan to an end and to bring our troops home.

I have the greatest respect for the gentleman who is the chairman and who was just here, Mr. YOUNG.

I've signed over 10,474 letters for those who have given their lives for this country. Many families are divorced. And I take the pain home every weekend. No, it's not like being in Afghanistan, but I don't forget the war. I don't think many of my colleagues here forget the war. I want to make that clear.

I go to Walter Reed and Bethesda—now that they've been consolidated—and I've seen four kids that have no body parts below the waist. One of them is from Florida. He is Corey Kent. I never will forget him. He is the first one I ever met who had no body parts below his waist. He is 23 years of age, and he is a private in the United States Army.

□ 1630

I look at all the waste in Afghanistan. It is a country that will never change, no matter what you do. History has proven that. What Mr. GARAMENDI's amendment says is let's stick to the plan that's been laid out by the President with the advice of the military.

I worry about the wounded. The $12 billion that Mr. GARAMENDI is talking about saving could be spent to take care of the wounded.

Mr. Chairman, there is a book called ''The Three Trillion Dollar War,'' written by Dr. Joe Stiglitz and coauthored by Professor Linda Bilmes at Harvard University. Dr. Stiglitz is now saying, no, it's not the three trillion dollar war when you factor in all the pain and the wounded from Afghanistan. I would rewrite the title of the book to be ''The Five Trillion Dollar War.''

Are we prepared for that tsunami that is coming? No. We are a country that is financially broke, but we owe those who have given so much. That's all this amendment is doing. It's saying let's follow the plan by the President and advice from the generals. Let's save $12 billion, spend it on the wounded and take care of their pain for the next 25 or 30 years.

I hope that my colleagues on both sides of the aisle will look seriously at this amendment. Let's do what is right first for the wounded and their families; and, secondly, let's do what's right for the taxpayers and their families and bring this war to an end. If we don't do it here in Congress, there will be no end. It will be 2014, 2015, 2016, 2017, and 2018.

Let's pass this amendment. Let's say to the President, Sir, we trust you. You listened to the generals, and this is the plan to bring an end to Afghanistan because it is a corrupt country, and nothing will change no matter what we do or how many lives we expend or how much money we expend. It will never change.

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. GARAMENDI).

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

Mr. FRELINGHUYSEN. 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 California will be postponed.

AMENDMENT NO. 1 OFFERED BY MR. MULVANEY

Mr. MULVANEY. 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:

At the end of the bill (before the short title), insert the following:

SEC. ____. (a) Appropriations made in this Act are hereby reduced in the amount of $1,072,581,000.

(b) The reduction in subsection (a) shall not apply to amounts made available for—

(1) accounts in title I;

(2) ''Other Department of Defense Programs—Defense Health Program''; and

(3) accounts in title IX.

The Acting CHAIR. The gentleman from South Carolina is recognized for 5 minutes.

Mr. MULVANEY. The amendment is fairly simple. It's an amendment to seek to freeze defense spending for 1 single year. It is not a cut. Only in Washington, D.C., could we spend more money from one year to the next and call it a cut.

This is not a ''cut'' amendment. This is an amendment to freeze spending for 1 year. It is an amendment to set the base defense spending levels at $518 billion, the exact same amount as last year's appropriation that was approved just a few months ago. It is $2 billion above what the Pentagon asked for. It is also $2 billion above what the President asked for. While the amendment gives control to the generals over the spending, it still protects military pay, the Defense Health Program, and the war budget.

We've heard arguments in favor of a 1-year freeze before. This amendment is entirely consistent with the Simpson-Bowles plan, and it is entirely consistent with the Domenici-Rivlin plan.

What arguments will we hear against it? We may hear, as we've heard earlier today, that the defense budget has already been cut $39 billion over the last 2 years. This is the base defense budget for the last 2 years and the base defense budget in this year.

The base defense spending has gone up from 2011 to 2012. If the bill passes unamended, it will go up again this year. Only in Washington, D.C., is that considered a $39 billion cut.

We may hear that the CBO says that the Pentagon is still $9 billion short based upon a report they released earlier this month. I have the report. The report reads:

To execute its base-budget plans for 2013, the Department would require appropriations 1.4 percent less than last year's appropriation.

We may also hear the argument that this amendment would compromise our defense in some fashion. That can only be true if the same exact appropriation that we passed just 6 months ago put our defense at risk, because this is the exact same spending level as we established 6 months ago.

The one thing we do know is that even with this amendment, if this amendment would pass, we will be spending more on defense spending than the Pentagon asked for and that the President asked for, and we will be spending exactly the same as we did last year.

We've heard a lot in the last day or two about ''austerity.'' It's another word that, I think, has lost its traditional meaning. It means something different in Washington than it does back home.

''Austerity,'' to me, means spending less. Total discretionary spending will be up this year. Total mandatory spending will be up this year. Total government spending will be up this year. We are still facing a $1 trillion deficit by the time that this year is over. We need to do better in getting our spending under control. It is easy to cut things that we do not like on both sides of the aisle; it is hard to cut things that we like.

The defense of this Nation means a tremendous amount to me, as I know it means to every Member of this Chamber. If I thought for a second that this amendment would put a single soldier at risk, if I thought for a second that this amendment would put a single citizen at risk, I would take it down immediately. All it does is freeze spending from last year. If we cannot do that simple task, do we really think we have an honest chance of solving our debts and our deficit problems?

With that, 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 amendment.

Mr. Chairman, respectfully, I think this is an appropriate time to remind our colleagues that under the Constitution, national defense is the top priority of the House and Senate. Article I, section 8 gives Congress specific authority to declare war, raise and support armies, provide for a navy, establish the rules for the operation of American military forces.

It was in this context that, under Chairman YOUNG, our subcommittee carefully reviewed, over many months, the President's budget and Secretary Panetta's new strategic guidance for the Defense Department. Frankly, we found the administration's approach lacking in many respects. In several key areas, the subcommittee was concerned that the level of risk tolerated by the Armed Forces was unacceptable. We've talked a lot about that on the floor over the last couple of days.

As the Constitution requires, we made adjustments, which is our duty and obligation. Yet even within the allocation that is $3.1 billion higher than our President's request, our subcommittee could have done more for our national security and for our troops, with more resources.

I want our colleagues to know that our subcommittee clearly recognizes the size and nature of the Nation's deficit and debt. That's why we found areas and programs for reduction that were possible without adversely impacting the warfighter or any efforts towards modernization and readiness.

Exercising our mandate to adhere to sound budgeting, we reclaimed funding for programs that were terminated or restructured since the budget was released by the President. We achieved savings from favorable contract pricing adjustments and schedule delays. We cut unjustified cost increases or funding requested ahead of need. We took recisions and surplus from prior years.

Even with these steps to stretch our defense dollars, there remains capability gaps:

In the Navy, we've heard a lot about that over the last couple of days. Our fleet needs more ships. They've got more responsibilities in the Asia Pacific;

The Air Force tactical fighters are aging rapidly. They've had a lot of activity in Iraq and Afghanistan;

The Army is struggling to modernize its ground combat inventory;

The Marines need their version of the F–35, the Joint Strike Fighter;

We need to be prepared to respond to every future crisis. Who knows where that may be.

□ 1640

Syria is engulfed in a civil war. North Korea is unpredictable. Russia wants to reclaim its former glory. China is on the fast track to a stronger military. Iran is working night and day to acquire nuclear weapons. Al Qaeda, Hezbollah and other terrorist groups continue to plot and plan.

Obviously, the future is challenging, to say the least; and we do our troops and our citizens a disservice if we do not prepare for the next crisis. 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.

The Department of Defense has already sustained significant budget reductions. Cuts to the military have accounted for over half the deficit reduction efforts achieved so far, nearly $500 billion, even though national defense accounts for only 20 percent of the entire Federal budget, which is sharply reduced from the 40 percent or more before and during Vietnam.

These are real cuts, not simply reductions to planned future spending. But given the military's urgent needs, their vital role in maintaining global stability, and this House's responsibility to protect America and Americans, I urge my colleagues to oppose this amendment.

I yield back the balance of my time.

Mr. FRANK of Massachusetts. Mr. Chairman, I move to strike the last word.

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

Mr. FRANK of Massachusetts. Mr. Chairman, I am very pleased to join my colleague from South Carolina in an effort to make a small reduction in the Appropriations Committee's recommendation. Our colleague from New Jersey is right, the Constitution gives this power to the Congress, not to the Appropriations Committee, to the entire Congress.

The cuts that are being talked about consist, in the numbers—that I have seen in light of the chairman of the Armed Services Committee—are entirely due to the fact that we have had a drawdown of the troops in Iraq. Now I shouldn't stop at the fact that we did reduce the money we're spending in Iraq, because that's the problem with this budget. Yes, we have threats. The problem with this budget is it is dealing with the current threats, and it's dealing with past threats. This budget fully funds a capacity to win a thermonuclear war with the Soviet Union. I do not think that's a significant threat today.

This continues the commitment made courageously by Harry Truman in a bipartisan way to defend Western and Central Europe against Stalin and his hordes because we went into Europe 65 years ago when the Communists were menacing and the European nations were weak, and we said we will protect you. We are still doing that. They're not weak, and they're not threatened; but we are still protecting them.

Look at the budgets as a percentage of gross domestic product from all of those wealthy nations in Western Europe. They are less than half of ours.

On the other hand, the French are now contemplating reducing the retirement age for certain people who worked a certain amount of years, the official retirement age, from 62 to 60, while we're being told we may have to raise ours. How come the French can do that? Very simple: we've picked up their tab.

Yes, there are problems with China, there are problems with Iran, there are problems with North Korea. Tens of thousands of troops in Western Europe have got nothing to do with that. Yes, we should have a nuclear capacity and the submarines and the airplanes are important, but we've got three ways to destroy the Soviet Union, which no longer exists, and it's replaced by a much weaker Russia.

Couldn't we say to the Pentagon—and I know there is a great reluctance here to appear to be anything but totally deferential to them—couldn't we say to them, you've got three ways to win a thermonuclear war with the Soviet Union. Could you pick two and save much less than this $1 billion.

There is also the question of the culture. The general response of this Agency when an agency is inefficient is to crack down. When the Pentagon is inefficient, the money keeps going.

I am told there are cuts. It was my understanding this budget, the base budget, leaving aside the war in Iraq, which has wound down, is larger than it's ever been. No, these are cuts from what the Pentagon was supposed to have.

Let's understand also this has now become a zero-sum game. Unless you are prepared to ignore the deficit problem, every dollar you put into the Pentagon over and above what I believe is needed is coming from somewhere.

I don't know how Members can go to people who are on Medicare and explain to them that there are going to be these cutbacks, or to tell people on Social Security who have been doing physical labor all of their lives not to work another year or two, and then put money in the Defense budget that is not necessary.

We are told that, well, we have to be able to protect ourselves. Against whom do we need it all?

One of the things, we are told we need more ships because we have got to protect the shipping lanes between here and China. These are, of course, shipping lanes on which the Chinese make an enormous amount of money.

The notion that the Chinese plan to shut down the shipping lanes, which are the basis for their enormous surplus of trade with America, seems to me somewhat skeptical; but we still have a greater defense than the Chinese. I noted that the Chinese recently launched an aircraft carrier, their first one. They bought it, I believe, from the Ukraine and outfitted it with model airplanes so they can learn how to do it. Now, I don't deny that there are some threats there.

The question is not whether or not we should be the strongest Nation in the world. Of course we should be, and we are. The question is by how many

multiples do we need to be stronger than any combination of enemies.

My only reluctance on this amendment is I'm embarrassed by the fact that it's only a billion, but I think the gentleman from South Carolina made a correct decision. Members will have their choices. If there is any seriousness about deficit reduction across the board in this House, this amendment will pass.

I yield back the balance of my time.

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

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

Mr. GARAMENDI. Mr. Chairman, I yield to the gentleman from South Carolina (Mr. MULVANEY).

Mr. MULVANEY. I thank the gentleman from California.

I rise very briefly to respond to a few points made by my colleague and friend from New Jersey. Yes, North Korea is a threat. Yes, Iran is a difficulty. Yes, China's role in the world is growing, and we will need to deal with that. No, Syria was not a problem last year, but Egypt was. All of these were challenges to us last year. All of these were challenges to us just 6 months ago when we set the base Defense appropriation at $518 billion, and $518 billion was good enough 6 months ago. It should be good enough today.

I received a letter regarding this particular amendment, and it used a lot of the same language the gentleman from New Jersey did. It mentioned that these were real cuts already, that the cuts we have put in place regarding the defense budget were real cuts, not cuts in future growth. This is the CBO's estimate of the defense-based budget for the next 15 or 20 years.

Can someone please show me in this dark line, which is the base budget, where the cuts are? Because in my world, when we cut spending, those graphs go down. The only reductions that we have seen, the only real reductions that we have seen in defense spending are in the overseas on the global war on terror, which we all agree was a good thing because it came as a result of winding up operations in Iraq and reducing operations in Afghanistan.

But what we do in this town is when we increase spending on the global war on terror, we don't count it as an increase; but when we cut spending on that same thing, we do count it as a cut, and that is simply not right. It's not fair, and it's not honest with people back home. We should tell people how we spend their money.

To sit here and say that the cuts that the Defense Department has incurred already are real cuts is not accurate. The sequester is. This is not a debate about the sequester, because I am as opposed to the sequester as anybody in this room. I have voted several times to replace it with spending reductions in other places. That's not what this discussion is about. This is about whether or not the $518 billion that was good enough 6 months ago is good enough today.

With that, I ask once again for support for the amendment.

Mr. GARAMENDI. Reclaiming my time, I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Chairman, I submit for the RECORD a June 28 article from The Hill:

But U.S. dominance in every dimension of military power is clear. In recent years we have been building ''strategic depth'' into this dominance without regard to its costs—to our Treasury and to our other priorities. A responsible rollback of our military budget is achievable with no sacrifice to our security.

The author is Lawrence Wilkerson, chief of staff to Colin Powell when he was Secretary of State, and he was special assistant to Colin Powell when General Powell was chairman of the Joint Chiefs of Staff.

So, yes, there were times when I think: let's take some advice from some military experts.

[From The Hill, June 28, 2012]

THE EXECUTIVE VIEWPOINT—TIME TO BITE THE BULLET

(By Lawrence Wilkerson)

Though the U.S. budget process has been going through the motions in 2012, the real action will take place at the end of the year, when several budget overhaul strategies will converge. Around town, the train wreck metaphor is getting the most use to describe what will happen. But whatever does happen, it is certain that large cuts are coming.

Those cuts come as three wars—Afghanistan, Iraq and the global war on terror—are driving national security spending to levels not seen since World War II. Since these wars have been paid for by borrowing, they have contributed mightily to our budget deficit and diverted resources from other investments in our domestic strength.

It is time for a responsible build-down of the post-9/11 build-up. But an extraordinary feature of the dysfunctional policies of Washington is the strenuous expenditure of time and money devoted to ensuring this doesn't happen. Most of this intensity has focused on exempting the military budget from the coming sequestration of funds mandated by current law. This is unwise, because the military—or better said, the national security account—can and should contribute to our getting our fiscal house in order. In fact, we could cut our national security budget by a trillion dollars over the next decade without jeopardizing our security. Moreover, we could rebalance that budget as we cut and actually enhance our security.

The national security budget includes the Intelligence, Veterans Affairs and Homeland Security agencies, as well as bureaus dealing with international affairs and nuclear weapons issues (mostly in the Department of Energy) and, of course, the Pentagon. Last year the total was about $1.2 trillion. The huge component in that budget is the Pentagon, at more than 50 percent of the total spending. So that is where everyone concentrates what he or she wants to cut, keep or increase. That's where most of the rhetoric is expended, too.

But this view is myopic.

National security is composed as much of good intelligence and competent diplomacy as it is of bombs, bullets and bayonets; indeed, one hopes more so. Thus, looking at the national security budget as a whole, with all its components, demonstrates clearly that it is out of balance. Too much money is going to the iron and steel part of the budget and too little to the velvet glove.

That's the first problem that needs correcting, the balance. The second is the Pentagon. As the largest item by far in the discretionary budget. not to mention in the security budget, Pentagon spending has the largest influence over the reducing/rebalancing equation.

The United States began the new millennium with a string of military budget increases, paid for by borrowing, that swelled the deficit while bringing us to the highest levels of Pentagon spending since World War II. Our current military expenditures account for more than half of the world's total. We spend as much as the next 17 countries put together, most of them our allies. And we spend more in real terms now than we did on average when we did have a formidable adversary—the Soviet Union—that was spending about as much as we were and arguably constituted an existential threat to America. No such threat exists today, nor can we see a comparable one in the future, China's rise notwithstanding.

Guaranteeing perfect security is impossible. But U.S. dominance in every dimension of military power is clear. In recent years we have been building ''strategic depth'' into this dominance without regard to its costs—to our treasury and to our other priorities. A responsible rollback of our military budget is achievable with no sacrifice to our security.

The specifics of this judicious rollback are contained in the Unified Security Budget (USB) published by the Institute for Policy Studies and the Center for American Progress, a budget I helped compile. Not only does this USB cut a trillion dollars over 10 years, it rebalances the budget so that the steel and the glove are in better proportions.

It is time for wise men and women to put partisanship aside, ignore the siren calls of defense contractors, stop taking counsel of their fears and get down to business with the national security budget. No aspect of the federal budget should be exempt from helping the nation get its fiscal act together. This soldier of 31 years knows that national security—including the Pentagon—can join this effort with no danger to the republic.

□ 1650

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

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

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

Mr. KUCINICH. I rise in support of the amendment.

There's a news report out today that suggests that very soon the United States will have over 1,000 bases of various kinds around the world, and it raises the question as to whether or not we're overextending. As the budget keeps growing, the tendency is to keep overextending.

We already know that our basic force is being taxed with an overextension of duty. So if you introduce a notion of fiscal discipline here that will not in any way undermine the Air Force, the Army, the Navy, but fiscal discipline that will send a message to this administration: Don't go overextending. We know what our core mission is. We know that we have the ability to defend this country. Be careful you don't overextend.

This amendment, which has bipartisan support, is something that is an important moment for this House because, on one hand, the budget that is being prepared through DOD appropriations is sufficient enough for a strong defense, and, on the other hand, we're saying part of a strong defense is fiscal accountability. The two actually go hand in hand.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY).

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

Mr. MULVANEY. 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 South Carolina will be postponed.

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

The Acting CHAIR. The gentleman from Rhode Island is recognized for 5 minutes.

Mr. LANGEVIN. I rise to engage in a colloquy with my colleagues and good friends, a member of the Appropriations Subcommittee on Defense, Mr. FRELINGHUYSEN, and the ranking member of the subcommittee, Mr. DICKS.

First of all, I'd like to thank the chairman and the ranking member for their hard work on this very important legislation. Their efforts to strengthen our national defense and support our men and women in uniform have been tireless, and they truly should be commended. Moreover, I'm very pleased that they make key investments in areas of great interest and concern to me, the first of which is the Virginia class submarine, as well as cybersecurity.

I believe that our technological edge is critical to ensuring that our warfighters not only can do what we ask them to do in the future, but can do so as safely and efficiently as possible. In addition to the Virginia class submarine and cybersecurity, no family of technologies shows as much promise to this end as directed-energy weapons.

With that, I would yield to the gentleman.

Mr. FRELINGHUYSEN. I thank the gentleman and welcome the opportunity to engage with him.

Mr. LANGEVIN. In this vein, I'd like to talk about the decades of investment that this Congress and the Department of Defense have made into directed-energy weapons research. More specifically, I'd like to direct them to a recent report by the Center for Strategic and Budgetary Assessment that clearly showed many directed-energy technologies have actually matured to the point that cultural factors, not technological maturity, are the most significant barriers to operational deployment.

To this end, I offered an amendment to this year's National Defense Authorization Act that would require a report detailing how we can accelerate the deployment of the most promising directed-energy initiatives; and I recognize the commitment that this bill before us today continues in terms of investing in directed-energy weapons technology, and I would encourage the committee to support these efforts in future appropriations measures.

With that, I yield to the gentleman.

Mr. FRELINGHUYSEN. The committee is aware of the Department's research into directed-energy capabilities and shares the gentleman from Rhode Island's interest in ensuring that our warfighters have the capabilities they need to operate in the complex environments of the future.

I would assure the gentleman that the committee will continue to make every effort to ensure that the Department of Defense is adequately and effectively resourced to meet the challenges of the future, including the transformational technologies such as directed energy.

Mr. DICKS. Will the gentleman yield?

Mr. LANGEVIN. I yield to the gentleman.

Mr. DICKS. I, too, echo the gentleman's interest in the field of directed energy and solid-state laser technology. With the threats and environment that the warfighter and the intelligence community are facing, the addition of new technologies that provide a tactical and strategic edge should be examined more rigorously.

I appreciate the gentleman yielding.

Mr. LANGEVIN. I thank the chairman for his and the ranking member's commitment, and I certainly look forward to working to realize the potential of directed-energy weapons and to harvest the Nation's past investments in this family of technologies.

With that, I yield to the chairman.

Mr. FRELINGHUYSEN. We appreciate the gentleman's view. And I will assure him that we'll look forward to working with him and the ranking member, Mr. DICKS, to make sure that our warfighters can realize the benefits of our Nation's research and development investments, including directed energy.

Mr. DICKS. I thank the gentleman for his hard work on this issue and look forward to working with him.

Mr. LANGEVIN. I thank the ranking member and the chairman, and I yield back the balance of my time.

AMENDMENT OFFERED BY MR. ENGEL

Mr. ENGEL. 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 by the Department of Defense or any other Federal agency to lease or purchase new light duty vehicles, for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum-Federal Fleet Performance, dated May 24, 2011.

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

Mr. ENGEL. Mr. Chairman, let me just say very, very briefly, on May 24, 2011, President Obama issued a memorandum on Federal fleet performance that requires all new light-duty vehicles in the Federal fleet to be alternate-fuel vehicles, such as hybrid, electric, natural gas, or biofuel, by December 31, 2015. My amendment simply echos the Presidential memorandum by prohibiting funds in the Defense Appropriations Act from being used to lease or purchase new light-duty vehicles except in accord with the President's memorandum.

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. ENGEL. I will yield to the gentleman.

Mr. FRELINGHUYSEN. We're very pleased to accept your amendment.

Mr. ENGEL. I thank the chairman, 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. ENGEL).

The amendment was agreed to.

AMENDMENT NO. 9 OFFERED BY MR. MULVANEY

Mr. MULVANEY. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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.

The Acting CHAIR. The gentleman from South Carolina is recognized for 5 minutes.

Mr. MULVANEY. This is a follow-up amendment to an amendment that I had offered and we had a chance to debate, and once again I thank the chairman for the opportunity yesterday to discuss the issue before the amendment was ruled out of order.

As you recall, very briefly, $5.6 billion this year has been moved out of the base defense budget and into the war budget. It violates a policy that we have tried to follow in this House since 9/11, and actually violates a policy that the bill, itself, says we should not violate going forward, beginning in 2014.

□ 1700

I simply tried to draw attention to that in yesterday's amendment which was ruled out of order.

This amendment deals with the exact same thing, and it simply takes that $5.6 billion out of the budget and puts

it right back in, which sounds like a strange thing to do, but it's the only way within the rules to draw attention to the fact that this $5.6 billion is in the war budget when it actually should be in the base defense budget.

This is not a spending amendment; this is a good-governance amendment. This is not a spending amendment; it is an accountability amendment. It is a bipartisan amendment. Mr. JORDAN from Ohio and Mr. WELCH from Vermont are amongst those joining me in sponsoring this particular amendment.

Again, this is a good-government amendment, and I would think that it would have bipartisan support. I ask for its support.

With that, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY).

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

Mr. MULVANEY. 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 South Carolina will be postponed.

AMENDMENT OFFERED BY MR. ELLISON

Mr. ELLISON. 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. ____. Not later than 30 days after a contract is awarded using funds appropriated under this Act, the relevant contractor and subcontractor at any tier (and any principal with at least 10 percent ownership interest, officer, or director of the contractor or subcontractor or any affiliate or subsidiary within the control of the contractor or subcontractor) shall disclose to the Administrator of General Services all electioneering communications, independent expenditures, or contributions made in the most recent election cycle supporting or opposing a Federal political candidate, political party, or political committee, and contributions made to a third-party entity with the intention or reasonable expectation that such entity would use the contribution to make independent expenditures or electioneering communications in Federal elections.

Mr. FRELINGHUYSEN. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. The gentleman from New Jersey reserves a point of order.

The gentleman from Minnesota is recognized for 5 minutes.

Mr. ELLISON. Mr. Chairman, Representative ESHOO and I have submitted this very straightforward amendment for a very simple reason. We believe that it's simply fair and it's good for public disclosure to require defense contractors to publicly show and disclose their political contributions. Money, secret money in particular, can breed corruption. Sunlight will banish it away.

When government contractors make political contributions, there's no doubt that the officeholder knows who gave the money. The only ones in the dark are the American public. This can lead to pay-to-play corruption where contractors donate to candidates they believe will benefit them, and this would misserve our democracy. We need full disclosure so that the public can ensure that contracts are awarded based on merit rather than money.

Now, some have expressed a concerns in the past with disclosure pre-contract. A pre-contract disclosure requirement could be a problem because they fear that agencies would choose contractors for partisan reasons. While I think this is an overstated concern and I don't agree with it, our bill doesn't do that. Our amendment requires disclosure post-contract to avoid any fear of that.

So I just want to say that we are in an era where the public needs to trust Congress and government more than it does. In order to promote real trust and real confidence, we need to implement amendments that will promote transparency and that will let the public know that we are doing the right thing with the public dollar, particularly as it relates to the defense industry.

Let me close by saying I think this amendment is a first step. I'm a proud cosponsor of the DISCLOSE Act by Representative VAN HOLLEN, which requires reporting of all corporate campaign activity.

Also, we won't be able to truly tackle money in politics until we overturn Citizens United, in my opinion. The public agrees with that as a proposition by 82 percent.

I yield back the balance of my time.

POINT OF ORDER

Mr. FRELINGHUYSEN. 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 imposes additional duties.

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 is prepared to rule.

The Chair finds that this amendment includes language imparting direction. 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.

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

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

Ms. ESHOO. Mr. Chairman, this is the, I believe, sixth time that I've come to the floor during this Congress to call for disclosure and full transparency throughout the Federal Government. So this is not my first time on the floor on this issue. I've risen on many bills, and I will continue to because I think it's really critical to help restore the confidence of the American people in their government and how it operates.

I maintain the view, and it's shared by the majority of the American people, that transparency in the use of our tax dollars is absolutely critical. I want to pay tribute to my colleague, Mr. ELLISON, for offering this amendment, and together we support it and offer it to the full House.

I believe that with public dollars come public responsibilities. There are thousands of companies who do business with the Federal Government, and they receive billions of dollars—of public dollars—for their services and products. And I think that all of our constituents deserve to know whether and how they spend these dollars and whether they are used to influence our elections.

The amendment I'm offering with Congressman ELLISON will provide this transparency by requiring that post-award contractors or subcontractors—which is very important, we don't want to interfere with the contracting process whatsoever, but once they have been awarded a contract—disclose all political contributions. This should be the norm of the day.

Disclosure is extraordinarily powerful because it puts the American people in the driver's seat. Constituents deserve to know who is involved in their elections and what their purpose might be. I think it's sad that just a few days ago the United States Senate killed the DISCLOSE Act. It was a sad day for the Congress. But I think the American people are taking note.

Anyone who supports the Citizens United decision, which I don't, legalizing corporate expenditures, should know that eight out of nine Supreme Court Justices endorsed prompt disclosure. Justice Anthony Kennedy wrote:

Disclosure permits citizens and shareholders to react to the speech of corporate entities in a proper way.

Now, Republicans supported disclosure before they were against it, and I would hope that my Republican colleagues would come back into the fold. There's no reason to oppose transparency and disclosure unless someone really wants to hide anything. And I don't think any of us wants to hide behind the hiding. It just is not good government. The American people, the people that we are here to represent and have the privilege of representing, deserve more information and not less.

We can bring this about by adopting this policy. I urge my colleagues to support the amendment, and I yield back the balance of my time.

PARLIAMENTARY INQUIRY

Mr. STEARNS. Mr. Chairman, I have an amendment at the desk, but I do have a question for the Chairman, if I could.

The Acting CHAIR. The gentleman will state his inquiry.

Mr. STEARNS. The gentlelady from California (Ms. ESHOO) was talking about an amendment that was ruled out of order.

Is it germane for her to be talking about an amendment that is ruled out of order?

□ 1710

The Acting CHAIR. The gentlewoman offered a pro forma amendment to the bill under the 5-minute rule.

Is the gentleman prepared to go forward with his amendment?

Mr. STEARNS. Yes.

AMENDMENT OFFERED BY MR. STEARNS

Mr. STEARNS. 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), insert the following:

SEC. ____. None of the funds made available by this Act may be used by the Secretary of Defense to implement an enrollment fee for the TRICARE for Life program under chapter 55 of title 10, United States Code, that does not exist as of the date of the enactment of this Act.

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

Mr. STEARNS. Mr. Chairman, I rise today to offer an amendment that prohibits funds made available through this act to implement a new enrollment fee for TRICARE for Life beneficiaries.

The Department of Defense may have the authority to raise fees and implement new enrollment fees unless specified by Congress prohibiting such authority. Last year, through the FY 2012 DOD authorization and appropriations process, the administration increased enrollment fees for TRICARE prime beneficiaries for the first time since 1995. My amendment will ensure the administration does not implement a first time ever enrollment fee for TRICARE for Life beneficiaries.

For fiscal year 2013, the administration proposed additional fees and cost-sharing increases, a new annual enrollment fee for TRICARE for Life, aggressive increases in pharmacy copayments, and a cap of $3,000 per family.

On April 17, 2012, I expressed my opposition to these proposals that were made by this administration on the House floor to raise such fees for our servicemembers and veterans. I quoted the President in a speech he gave about veterans being ''shortchanged.'' Then Senator Barack Obama said on May 18, 2006: ''When a young man or woman goes off and serves the country in the military, they should be treated with the utmost dignity and respect when they come home.'' Mr. President, this is at least one thing I can fully agree with you on.

Passage of this bill will mark the third consecutive annual decrease in total DOD funding, including Overseas Contingency Operations, since FY 2010. I understand budget cuts need to be made and obviously we need to get our fiscal house in order, but, my colleagues, we owe our veterans quality health care for their service and their sacrifice. We promised to take care of our troops when they came home. As a veteran myself, I can appreciate knowing that our country's support for our troops is not limited to strictly the battlefield.

It is unconscionable that this administration seeks to raise health care costs on more than 9.3 million veterans and their families that are currently eligible for TRICARE when there are other excesses that can surely be cut. For example, we should limit funds to Pakistan before giving DOD the option to raise costs on our veterans. We heard adequately yesterday on Members' opposition to Pakistan for closing supply routes since November 2011 that are necessary for providing our troops in Afghanistan necessary supplies and resources. So I ask Members of this Congress to consider alternative avenues to cut spending before we require 3.3 million veterans that are eligible for TRICARE for Life to sacrifice even further.

I'd like to submit for the RECORD letters of support from the Veterans of Foreign War, VFW, and the American Legion for my amendment prohibiting funds from this act to be used to implement an enrollment fee for the TRICARE for Life program. The Military Association of America also is in support of this effort.

Mr. Chairman, the administration's proposal to increase health care costs on our military represents a very serious breach of faith, as it taxes the oldest cohort of military retirees and their families.

So I conclude by asking my colleagues to support my amendment. By doing so, we honor the promises made to our brave men and women who have sacrificed so much for the freedom that we all enjoy.

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

THE AMERICAN LEGION,
Washington, DC, July 19, 2012.

Hon. CLIFF STEARNS,
House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR REPRESENTATIVE STEARNS: The American Legion offers its full support to the Stearns Amendment to H.R. 5856.

The proposed amendment to the 2013 Defense Appropriations Act (H.R. 5856) would mandate that no funds made available by this Act may be used by the Secretary of Defense to implement an enrollment fee for the TRICARE for Life program.

As you know, both the House and Senate Armed Services Committees have turned aside the Pentagon's call for higher health care fees, to include a first-ever TRICARE for Life enrollment fee, in the 2013 Defense Authorization bill. However, the president has threatened a veto of the defense bill, in part, because it does not include increased health care fees for members of the military. As such, the threat of higher health care fees continues.

By resolution, The American Legion requests that all proposals to implement any increases in military retirees' Tricare enrollment fees, deductibles, or premiums be reconsidered; especially before all efforts have been exhausted to remove waste, fraud, and abuse from the Tricare program.

Once again, The American Legion fully supports this amendment and we appreciate your leadership in addressing this critical issue that is important to America's service members, veterans and their families.

Sincerely,

FANG A. WONG,
National Commander.

DEPARTMENT OF FLORIDA VETERANS OF FOREIGN WARS OF THE UNITED STATES,
Florida, July 18, 2012.

Hon. CLIFF STEARNS,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE STEARNS: On behalf of the nearly 90,000 members of Florida's Veterans of Foreign Wars and its Auxiliaries, it gives me great pleasure to endorse your proposed amendment to the Defense Appropriations Act for 2013 that if adopted would prevent the Department of Defense from implementing an enrollment fee for TRICARE for Life.

It has been the long standing position of the Veterans of Foreign Wars that TRICARE in its present form is a contract between America and her military retirees. That contract is just as binding now as the contract a young service member signs when he or she joins the military. The Administration's proposal is a most egregious break of faith as it ''taxes'' the oldest cohort of military retires and their families.

Once again thank you for your enduring support of Florida's veterans, military retirees, active service members and their families.

Respectfully,

WAYNE E. CARRIGNAN,
State Commander.

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, the Stearns' amendment would prohibit funds from being used to implement an enrollment fee for the TRICARE for Life program.

The Department of Defense does not currently have the authority to establish such a fee, but did submit a legislative proposal to do so. The House-passed National Defense Authorization Act chose not to adopt the legislative request that would give the Department this authority.

While this Defense Appropriations bill does not have jurisdiction on TRICARE issues, we support strongly what Mr. STEARNS intends to do, so we accept the amendment.

Mr. STEARNS. Will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman.

Mr. STEARNS. I thank my colleague from Florida.

I just want to say to the distinguished former chairman of the Appropriations Committee, chairman emeritus, and also the chairman of the Defense Appropriations Subcommittee, that I appreciate his endorsement. Notwithstanding that, I would say to him that his acceptance is good, but I think the floor should have a vote 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 Florida (Mr. STEARNS).

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

Mr. STEARNS. 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 Florida will be postponed.

AMENDMENT OFFERED BY MR. FITZPATRICK

Mr. FITZPATRICK. 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 using procedures that do not give to small business concerns owned and controlled by veterans (as that term is defined in section 3(q)(3) of the Small Business Act (15 U.S.C. 632(q)(3)) that are included in the database under section 8127(f) of title 38, United States Code, any preference available with respect to such contract, except for a preference given to small business concerns owned and controlled by service-disabled veterans (as that term defined in section 3(q)(2) of the Small Business Act (15 U.S.C. 632(q)(2)).

Mr. YOUNG of Florida. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FITZPATRICK. Mr. Chairman, for generations, brave young men and women from across the United States have answered the call of duty in service of our Nation. Now, as the conflicts on foreign fields continue to wind down, we must ensure that we do not lose sight of the need to care for and provide for our returning veterans.

Our Nation has learned from generations of veterans that war does not end when the camps are packed in, the planes are grounded, the ships are docked, and our soldiers set foot on American soil.

General Washington once reminded us that the willingness with which our young people are likely to serve in any war, no matter how justified, shall be directly proportional to how they perceive the veterans of earlier wars were treated and appreciated by their nation. However, during these difficult economic times, our veterans are still faced with challenges as they return to civilian life.

In March of this year, the Bureau of Labor and Statistics reported that among veterans who have served in the post 9/11 era, the unemployment rate is 12 percent higher than the national average. Among young male veterans under the age of 24, the unemployment rate is 29 percent—nearly one-third are unemployed. One unemployed veteran is one too many, but these statistics demonstrate an economic reality which is quite unacceptable.

It is important to understand that this hardship comes not from a lack of willingness to work by our veterans but rather from a lack of opportunity. Consider that according to the most recent census, over 2.4 million of our Nation's veterans are now small business owners. Veteran-owned companies now make up 9 percent of all U.S. firms. The Small Business Administration now estimates that one in seven veterans is self-employed or is a small business owner. And finally, nearly a quarter of veterans say they're interested in starting or buying their own business. So our veterans continue to do their part.

□ 1720

It is clear that our Nation's veterans are ready and willing to invest in our economy if we provide them with the opportunities they seek and, quite frankly, with the opportunities that they deserve.

With the President's announcement earlier this year that all of our young men and women will be home from Afghanistan within the next 2 years, we, as a community and as a country, must begin working now to ensure that we are providing our returning servicemen and -women with job opportunities as they seek to reintegrate into civilian life.

To address this, I've offered legislation called the Fairness to Veterans Act to provide the same preferences given to other preference groups in Federal contracting. It levels the playing field for veteran-owned businesses to help get our economy moving and our veterans back to work. This amendment furthers the goal of the Fairness to Veterans Act.

As our Nation struggles to achieve an economic recovery, we should be looking to utilize the talent and leadership skills of our Nation's veterans. These men and women volunteered to selflessly serve our country and, in order to succeed, must display self-discipline and leadership. It is character traits like these that should be nurtured and fostered to help our economy grow again.

Ultimately, all of our efforts in the House must be focused on putting our constituents back to work, and this legislation will do just that by creating new opportunities for our veterans. With the passage of this amendment, we will be one step closer to leveling the playing field for our veterans.

The guidelines included in this amendment will provide veteran-owned businesses with the access they need to grow and to create jobs. The skill sets possessed by our highly trained veterans are unmatched across the globe. In fact, our fighting men and women are, unquestionably, the most highly trained, highly skilled workforce in history. It is critical that we fully utilize their expertise to put our economy back on the right track.

The men and women of the military have risked their lives in service to us. This amendment is our opportunity to begin to repay that incredible debt.

With that, Mr. Chairman, I ask unanimous consent to withdraw the amendment in furtherance of working with staff to institute this policy of fairness to veterans in a way that will benefit our returning veterans and benefit our country.

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

Mr. YOUNG of Florida. Mr. Chairman, reserving the right to object. I would say to the gentleman from Pennsylvania that what he wants to do, I want to share with him and to help him do that.

I had to, under the rules, reserve the point of order, but I would hope that the gentleman would let us be part of this effort to accomplish what it is he wants to do within the rules.

I withdraw my reservation on his request to withdraw.

Mr. FITZPATRICK. I thank the chairman, and I look forward to working with you.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT OFFERED BY MR. KUCINICH

Mr. KUCINICH. 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 with any person or other entity listed in the Federal Awardee Performance and Integrity Information System (FAPIIS) as having been convicted of fraud against the Federal Government.

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

Mr. KUCINICH. My amendment is simple. It says, if you seek to be a Department of Defense contractor and you have previously defrauded the Federal Government, you shouldn't be able to receive a contract from the DOD.

According to the Congressional Research Service, in fiscal 2010, the Department of Defense obligated $366 billion to contracts, which is 54 percent, more than half of the total of Department of Defense obligations. There are rules and regulations in place that prevent Federal contracts from going to entities that have broken the law.

Under the Federal acquisitions regulation, Federal agencies are required to

award contracts only to responsible sources. And Federal acquisition regulation subpart 9104–1 states that a satisfactory record of integrity and business ethics is one of the general standards of responsibility. But the term ''responsible'' is not explicitly defined anywhere in the law, and I know that we cannot try to define new terms using the amendment process, and that's not what we're trying to do here.

The fact is that someone could commit fraud against the government and still get a contract with the Department of Defense, and that's wrong. We have to make clear that companies who've defrauded the taxpayers should not be able to get more DOD contracts.

I'd like to point out that the underlying bill being debated here contains a specific prohibition against the use of Department of Defense funds in contracts with anyone who has an unpaid tax liability. Again, a party bidding on government contracts is supposed to affirm that they have no unpaid tax liability.

So the point of this amendment is to make it absolutely clear that contract fraud against the American taxpayer will not be tolerated. According to groups like the Project on Government Oversight, which is only able to track the number of known and disclosed settlements, there have been dozens of instances of contractors committing government contract fraud since 1995. And of those dozens that are known to have committed this fraud, a total of $544 million in fines was paid. That's a tiny amount, really, when you're talking about in terms of fines, compared to the billions appropriated for Department of Defense contracts in the last decade.

Bottom line, if you defraud the taxpayer, you should lose your privilege to receive more taxpayer money. So I would urge the adoption of this 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 will not oppose this amendment because I want to make sure that the Defense Department does not hire bad contractors. And I agree with Mr. KUCINICH strongly on this issue.

The only comment that I would make is we've just seen this amendment just a few minutes ago, and we have not really had time to analyze it, so if we could make any further explanation. But I'm not going to oppose the amendment. I suspect it's going to pass. It probably should because none of us want the Defense Department to hire bad contractors.

Good job, Mr. KUCINICH.

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 NO. 17 OFFERED BY MR. JONES

Mr. JONES. 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:

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.

Mr. YOUNG of Florida. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

The gentleman from North Carolina is recognized for 5 minutes.

Mr. JONES. Thank you very much.

Even though the chairman has a point of order, I want to explain why I think this amendment is important. I am working with ROSA DELAURO on this amendment.

This amendment simply says that any long-term security agreement with Afghanistan must be conducted as a treaty or authorized by Congress.

In 2008, this Congress was outraged that a long-term security agreement would be concluded without input from Congress. I wonder where the outrage is today? We're in worse financial shape than we were in 2008, and I would hope that Congress would see that we have a need and a responsibility.

This agreement, signed last month, was submitted to the Afghan Parliament, but not to the United States Congress. Where is the outrage?

My colleague, Ms. DELAURO, led the effort in the House in 2008 to return Congress to its constitutional responsibility. We must decide when and where our men and women go to fight.

I would like to commend Ms. DELAURO for having the courage to help lead this effort again today. No matter who is the President, it is the responsibility of Congress to commit U.S. troops and fund this agreement.

Mr. Chairman, there are estimates that say we will be up to 30,000 U.S. troops in Afghanistan until 2024. This will cost over $500 billion.

□ 1730

Yet, if we don't support legislation like we are talking about today, we will have no say, no say at all. I don't know why the taxpayers aren't outraged by what is happening with this national security agreement with Afghanistan. The fact remains we simply don't have what the numbers are going to be and what the cost is going to be with this national security agreement with Afghanistan.

We in Congress have a responsibility. Our responsibility is to make sure that we have checks and balances with any administration. When our country is in such a bad financial situation, hopefully we will not allow a 10-year agreement to just slide by Congress with $500 billion at stake and with maybe even more of our young men and women being killed.

Mr. Chairman, just a couple of more minutes.

I have a very dear friend who is the former Commandant of the Marine Corps. I have an arrangement with him that I will not use his name in a public forum, but if any of my friends here today—the chairman or the ranking member—asks me his name, I'll come up and tell you. I sent him an email after we signed this security agreement with Afghanistan.

I said to the former Commandant: What do you think about this agreement?

I got three paragraphs back, but I will read just a couple of sentences. He wrote:

Simply put, I am not in favor of the agreement signed. It basically keeps the United States in Afghanistan to prop up a corrupt regime. It continues to place our troops at risk.

I know that my friend from Connecticut will speak in just a moment, and I look forward to her words.

I hope that the Congress in 2013, no matter who the President is, will bring this issue back. Let's have a debate in the House of Representatives, and let's say to the American people that we will meet our responsibility: that we will not send troops, that we will not send money to Afghanistan unless the Congress, itself, approves it.

Again, Mr. Chairman, I have great respect for you and for the ranking member. I am sorry he is leaving. He has been a great Member of the Congress. I hope, Mr. Chairman, if we all get back in 2013 that we will have an opportunity to bring this issue to the floor of the Congress and to debate the role of Congress when any President, Democrat or Republican, reaches a security agreement that obligates our troops and the taxpayers. We must meet our constitutional responsibility.

With that, Mr. Chairman, 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 requires a new determination.

I ask for a ruling from the Chair.

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

Ms. DELAURO. Mr. Chairman, I rise against the point of order.

The Acting CHAIR. The gentlewoman from Connecticut is recognized.

Ms. DELAURO. The bipartisan amendment that Congressman JONES and I offer ensures that any security agreement between the United States and Afghanistan will not be legal unless it comes in the form of a treaty or is specifically authorized by a law.

The gentleman's point of order argues that this amendment requires the Secretary of Defense to know the definition of ''any agreement with the Government of the Islamic Republic of Afghanistan that includes security assurances for mutual defense.'' While this definition is not written into statute, it is common sense.

I also believe our responsibility under the Constitution takes precedence over this point of order. As it is, this point would cut into the heart of our constitutional duties as a Congress under article I, section 8. The power to declare war has been entrusted to the Congress and to the Congress alone.

At the recent NATO summit in Chicago, President Obama and NATO leaders announced an end to combat operations in Afghanistan in 2013 and the transition of lead responsibility for security to the Afghan Government by the end of 2014. But even though Bin Laden is dead and al Qaeda has been decimated, the administration has also announced an agreement with the Government of Afghanistan that would keep an untold number of American troops there until 2024, which is 12 years from now.

The Acting CHAIR. The Chair would ask the gentlewoman to confine her remarks to the issue of the point of order.

Ms. DELAURO. Whether you agree or disagree with the policy, it is imperative for our form of government that Congress be consulted on any such agreement that maintains our troops abroad or, for that matter, any defense or Status of Forces agreement that is made by the United States. It is our task as representatives of the people to debate the critical issues and to make the ultimate decision of whether to put or keep our troops in harm's way.

This amendment will simply ensure in our relationship with Afghanistan that no defense agreement will be enacted without the ultimate consent of Congress, as is mandated by our Constitution.

The Acting CHAIR. Again, the gentlewoman needs to address the point of order and not the policy issue.

Ms. DELAURO. I will conclude by saying that I urge the Chair to overrule the point of order and to allow this amendment to receive an up-or-down vote.

I yield back the balance of my time.

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

If not, the Chair is prepared to rule.

The Chair finds that this amendment addresses funds in other acts and includes language requiring a new determination of the Secretary. It, therefore, constitutes legislation in violation of clause 2 of rule XXI.

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

Mr. DICKS. I move to strike the last word to engage in a colloquy with Chairman YOUNG.

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

Mr. DICKS. I rise to seek the chairman's support in addressing an issue of which he is deeply and painfully aware: the rapidly increasing numbers of cases of amputations, post-traumatic stress disorder, and traumatic brain injury suffered by our brave young men and women returning from combat theaters. Of course, these conditions can have a devastating impact on military dependents. They are also having an increasingly devastating impact on the military health care system that serves our soldiers, sailors, marines, airmen, and their families.

There is no one who has worked harder than the chairman of our subcommittee to ensure that the very best medical care is available to the 9 million Americans who have earned the benefits of our military health care system. Yet I remain concerned that newer, innovative practices are not being sufficiently integrated into the military medical system.

One such innovative practice is systems medicine. By more rapidly and accurately quantifying wellness and deciphering disease, systems medicine will promote translational research by linking the Department's research and development programs, initiatives, and laboratories with its clinical care programs, initiatives and facilities.

Mr. YOUNG of Florida. The former chairman of this subcommittee is absolutely correct.

Current strains on our military and fiscal resources are causing unprecedented challenges in maintaining a viable, cost-effective military health care system. He has probably heard me discuss this more than he has wanted to over the years, but it is a serious, important issue. It is essential that new, innovative approaches be more quickly included in military medical practice.

Mr. DICKS. I ask the chairman to join me in urging the Department to implement systems medicine into the medical practices of all service branches.

To facilitate the training of DOD medical personnel in systems medicine, the Defense Department should consider systems medicine pilot projects that address post-traumatic stress disorder, traumatic brain injury, and amputee health, along with other high-priority concerns that impact all aspects of total readiness, including mental resilience.

Mr. YOUNG of Florida. Again, I just want to thank the gentleman for highlighting this issue today. Obviously, I plan to continue to work with him in order to do the best we can to make this happen.

Mr. DICKS. Thank you, Mr. Chairman.

I yield back the balance of my time.

Mr. ROGERS of Kentucky. I move to strike the last word.

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

Mr. ROGERS of Kentucky. Mr. Chairman, as we begin to wind down the debate on this defense bill, I wanted to take just a moment to pay tribute to this dynamic duo that we have—BILL YOUNG and NORM DICKS. The collective experience, wisdom, and knowledge of this defense bill and the actions of our military is almost unprecedented in this House.

□ 1740

They have put forward a great bill in the highest bipartisan traditions of the House, and all of us in this body say ''thank you'' for the great service of these two stalwarts in this body. They have conducted themselves during this debate in the highest traditions of this House. They have collaborated together in a bipartisan way to help defend this country. I think I speak for all Members of the House of Representatives in saying ''thank you'' to these two great stalwarts of this body.

This will be the last defense bill that NORM DICKS will take part in. He is departing this body in retirement, and we will miss his wisdom and his camaraderie and his knowledge of the needs of our country and its defense. I think I speak for all of the House when I say ''thank you'' to NORM DICKS for great service to his country, to this body, and to the defense of our country especially. We will miss his presence. We will miss his expertise. We will miss the fact that he is a jolly good fellow, among other things.

Mr. LEWIS of California. Will the gentleman yield?

Mr. ROGERS of Kentucky. I will be happy to yield to the chairman.

Mr. LEWIS of California. I very much appreciate my chairman yielding just for a moment.

I would like to associate myself with your remarks regarding these two fabulous leaders and the jobs they have done over the years on our behalf and for our national security. Thank you, Mr. Chairman.

Mr. ROGERS of Kentucky. I thank the gentleman, and I can't help but mention the great service the former chairman of this committee has rendered to the body, as well.

Mr. YOUNG of Florida. Will the gentleman yield?

Mr. ROGERS of Kentucky. Mr. Chairman, I am happy to yield.

Mr. YOUNG of Florida. Thank you for yielding, and I wanted to say the same thing.

Mr. LEWIS chaired this subcommittee, as well as the full committee. He did an outstanding job. Many innovations came about during his 6 years as chairman of this subcommittee. He is with us today, and he will continue to be with us. The House is losing another great talent, another great dedicated public official. I thank you for calling attention to his service.

Mr. DICKS. Will the gentleman yield?

Mr. ROGERS of Kentucky. I will be happy to yield to the gentleman from Washington.

Mr. DICKS. The three of you have grayer hair than I do, and that means you have wisdom and experience along with it.

I just want to say that I've enjoyed working with all three of you. BILL YOUNG and I have worked together for many years. JERRY LEWIS and I have worked together many years. We've taken many trips to Afghanistan and Iraq to try to be with the troops and find out what was going on. We've had a good group.

It bothers me greatly when there's this sense out there that we can't work together. This committee works together. I'm proud of that, and I'm proud to be associated with my colleagues.

Mr. ROGERS of Kentucky. Mr. Chairman, Chairman YOUNG has mentioned briefly the service of our friend from California (Mr. LEWIS), who, as we all know, served as chairman of the full committee for a period of time, and, of course, chairman of this great subcommittee. We're going to miss his presence because he is seeking greener pastures out there as well in retirement.

JERRY LEWIS has been a stalwart Member of this body for many years and he has rendered great service to his country, certainly to this House, and most importantly, I think, on this subcommittee, because this subcommittee is in charge of defending our country, and there is no higher calling for any of us than to say we've been a part of that.

Mr. Chairman, I wind my remarks up. We've had some 60 or 70 amendments on this bill, and I think the debate that took place is in the highest traditions of this body. I wish Mr. LEWIS and Mr. DICKS happy retirements and other pursuits in life, and we wish you Godspeed.

With that, I yield back the balance of my time.

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. DICKS. One issue that didn't come up today was this question of what are we going to do at the end of this year with sequestration, and there was some discussion of an amendment that didn't happen because of points of order and other possible reasons.

I really believe that somehow we've got to avoid sequestration and that collectively we've got to work together in the next several months, because I honestly believe that the economy of this country will be severely and adversely affected if we allow sequestration not just for defense, which we're talking about here today, but for the other part of the government, the discretionary domestic part of the government. We have got to avoid this.

I would love to see an agreement reached between the parties and between the leadership so that we can get an agreement that is fair and balanced and equitable. I think with the four of us and a couple of others I can think of, I think we could put something like that together. Somehow it's got to happen, because the consequences to defense—and not only to defense, but the economy of the country is at stake here.

The CBO says that the difference in growth, if we do sequestration, if we don't deal with the tax issue, will go from 4.4 percent to 5 percent. It is a 4½ percent difference in economic growth. That means unemployment will be greater. That means the deficit will be greater. The whole idea of the Budget Control Act was to get the deficit under control.

Again, I hope that we will all continue to think about how we can come up with a solution that's bipartisan, bicameral. We have got to work with the administration. From a national security and a defense perspective, there is nothing more treacherous out there than sequestration. We've got to avoid it.

With that, I yield back the balance of my time.

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:

The second amendment by Mr. KING of Iowa.

The fourth amendment by Ms. LEE of California.

The fifth amendment by Ms. LEE of California.

An amendment by Mr. MORAN of Virginia.

An amendment by Mr. TURNER of Ohio.

Amendment No. 18 by Mr. COFFMAN of Colorado.

An amendment by Mr. BERG of North Dakota.

An amendment by Mr. GARAMENDI of California.

Amendment No. 1 by Mr. MULVANEY of South Carolina.

Amendment No. 9 by Mr. MULVANEY of South Carolina.

An amendment by Mr. STEARNS of Florida.

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

AMENDMENT OFFERED BY MR. KING OF IOWA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the second amendment offered by the gentleman from Iowa (Mr. KING) 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 vote was taken by electronic device, and there were—ayes 247, noes 166, not voting 18, as follows:

[Roll No. 487]

AYES—247

Adams
Aderholt
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Heck
Hensarling
Herger
Herrera Beutler
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
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
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross (AR)

Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (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)

NOES—166

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

NOT VOTING—18

Akin
Bishop (NY)
Boren
Brown (FL)
Buerkle
Cantor
Davis (IL)
Deutch
Filner
Fleischmann
Hirono
Jackson (IL)
Jackson Lee (TX)
Polis
Reyes
Stark
Stivers
Wasserman Schultz

□ 1815

Mr. THOMPSON of California changed his vote from ''aye'' to ''no.''

Messrs. YOUNG of Alaska, MURPHY of Pennsylvania, and ADERHOLT changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 487, 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 MS. LEE OF CALIFORNIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the fourth 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 87, noes 326, not voting 18, as follows:

[Roll No. 488]

AYES—87

Amash
Baldwin
Bass (CA)
Becerra
Blumenauer
Bonamici
Braley (IA)
Campbell
Capuano
Carnahan
Carson (IN)
Castor (FL)
Chu
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Coble
Crowley
Cummings
Davis (IL)
DeFazio
DeGette
Doyle
Duncan (TN)
Edwards
Ellison
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Grijalva
Gutierrez
Hahn
Hastings (FL)
Higgins
Hinojosa
Holt
Honda
Johnson (IL)
Johnson, E. B.
Jones
Keating
Kucinich
Lee (CA)
Lewis (GA)
Lofgren, Zoe
Markey
Matsui
McCollum
McDermott
McGovern
Michaud
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Paul
Pingree (ME)
Quigley
Rangel
Richardson
Roybal-Allard
Rush
Sánchez, Linda T.
Schakowsky
Serrano
Slaughter
Speier
Stark
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Velázquez
Waters
Watt
Welch
Wilson (FL)
Woolsey

NOES—326

Ackerman
Adams
Aderholt
Alexander
Altmire
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Barber
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boswell
Boustany
Brady (PA)
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Canseco
Cantor
Capito
Capps
Cardoza
Carney
Carter
Cassidy
Chabot
Chaffetz
Chandler
Cicilline
Clyburn
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
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
Fincher
Fitzpatrick
Flake
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 (WA)
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Himes
Hinchey
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
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lipinski
LoBiondo
Loebsack
Long
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
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)
Price (NC)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Richmond
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
Sarbanes
Scalise
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell
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
Tonko
Turner (NY)
Turner (OH)
Upton
Van Hollen
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Waxman
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—18

Akin
Bishop (NY)
Boren
Brown (FL)
Buerkle
Cuellar
Deutch
Filner
Fleischmann
Hayworth
Hirono
Jackson (IL)
Jackson Lee (TX)
Lowey
Polis
Reyes
Stivers
Wasserman Schultz

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1819

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

Mr. DAVIS of Illinois 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 488, 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 fifth 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 171, noes 243, not voting 17, as follows:

[Roll No. 489]

AYES—171

Ackerman
Amash
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berman
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Campbell
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chaffetz
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Cohen
Connolly (VA)
Conyers
Costa
Costello
Crowley
Cummings
Davis (IL)
DeFazio
DeGette
DeLauro
Dicks
Dingell
Doyle
Duffy
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gibson
Gonzalez
Goodlatte
Green, Al
Green, Gene
Griffith (VA)
Grijalva
Gutierrez
Hahn
Hastings (FL)
Higgins
Himes
Hinchey
Hinojosa
Holt
Honda
Hoyer
Huelskamp
Johnson (IL)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kucinich
Labrador
Langevin
Larsen (WA)
Lee (CA)
Levin
Lewis (GA)
Lofgren, Zoe
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McClintock
McCollum
McDermott
McGovern
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Paul
Pelosi
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Posey
Price (NC)
Quigley
Rahall
Rangel
Renacci
Ribble
Richardson
Richmond
Rohrabacher
Rokita
Rothman (NJ)
Roybal-Allard
Royce
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Stearns
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOES—243

Adams
Aderholt
Alexander
Altmire
Amodei
Austria
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
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chandler
Coffman (CO)
Cole
Conaway
Cooper
Courtney
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (CA)
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Doggett
Dold
Donnelly (IN)
Dreier
Duncan (SC)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Grimm
Guinta
Guthrie
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Hochul
Holden
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Lamborn
Lance
Landry
Lankford
Larson (CT)
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Loebsack
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Pence
Pitts
Platts
Poe (TX)
Pompeo
Price (GA)
Quayle
Reed
Rehberg
Reichert
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Runyan
Ruppersberger
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sessions
Sewell
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
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—17

Akin
Bishop (NY)
Boren
Brown (FL)
Buerkle
Deutch
Filner
Fleischmann
Hirono
Israel
Jackson (IL)
Jackson Lee (TX)
Lowey
Polis
Reyes
Stivers
Wasserman Schultz

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1822

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 489, 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. MORAN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. MORAN) 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 407, noes 5, not voting 19, as follows:

[Roll No. 490]

AYES—407

Ackerman
Adams
Aderholt
Alexander
Altmire
Amash
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barber
Barletta
Barrow
Bartlett
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonamici
Bonner
Bono Mack
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Buchanan
Bucshon
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Flake
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck
Heinrich
Hensarling

Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
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
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
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
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
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)
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—5

Barton (TX)
Hayworth
Long
Paul
Smith (WA)

NOT VOTING—19

Akin
Bishop (NY)
Blumenauer
Boren
Brown (FL)
Buerkle
Deutch
Filner
Fleischmann
Hirono
Jackson (IL)
Jackson Lee (TX)
Johnson (IL)
Lowey
Olver
Polis
Reyes
Stivers
Wasserman Schultz

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1826

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 490, 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. TURNER OF OHIO

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 235, noes 178, not voting 18, as follows:

[Roll No. 491]

AYES—235

Adams
Aderholt
Alexander
Amodei
Austria
Bachmann
Bachus
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)
Buchanan
Bucshon
Burgess
Burton (IN)
Calvert
Camp
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
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
Palazzo
Paulsen
Pearce
Pence
Peters
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schrader
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—178

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

NOT VOTING—18

Akin
Bishop (NY)
Boren
Brown (FL)
Buerkle
Deutch
Filner
Fleischmann
Gutierrez
Hirono
Jackson (IL)
Jackson Lee (TX)
Lowey
Polis
Reyes
Stivers
Sullivan
Wasserman Schultz

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1829

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. PRICE of Georgia. Mr. Chair, on rollcall No. 491, I inadvertently voted "no". It was my intention to vote "aye."

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 491, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

AMENDMENT NO. 18 OFFERED BY MR. COFFMAN OF COLORADO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. COFFMAN) 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 123, noes 292, not voting 16, as follows:

[Roll No. 492]

AYES—123

Amash
Baca
Bachmann
Baldwin
Bass (CA)
Bass (NH)
Becerra
Benishek
Blumenauer
Bonamici
Braley (IA)
Camp
Capuano
Carney
Chabot
Chandler
Chu
Cicilline
Clarke (MI)
Clay
Coble
Coffman (CO)
Cohen
Conyers
Cooper
Cummings
Davis (CA)
DeFazio
DeGette
Doggett
Doyle
Duffy
Duncan (TN)
Edwards
Farr
Flores
Frank (MA)
Gibson
Gohmert
Goodlatte
Griffith (VA)
Grijalva
Gutierrez
Hahn
Harris
Heinrich
Himes
Holt
Honda
Huelskamp
Huizenga (MI)
Johnson (IL)
Jones
Keating
Kind
Kingston
Kucinich
Labrador
Landry
Langevin
Larsen (WA)
Lee (CA)
Loebsack
Lofgren, Zoe
Luján
Lummis
Markey
McClintock
McDermott
McGovern
McMorris Rodgers
Meehan
Michaud
Miller (MI)
Miller, George
Moore
Mulvaney
Murphy (CT)
Nadler
Napolitano
Neal
Nunes
Olver
Pallone
Paul
Perlmutter
Peters
Petri
Pingree (ME)
Posey
Quigley
Ribble
Richardson
Rohrabacher
Rokita
Ross (FL)
Royce
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Schakowsky
Schock
Schrader
Serrano
Sherman
Slaughter
Stark
Stearns
Sutton
Tiberi
Tierney
Tonko
Upton
Van Hollen
Velázquez
Walden
Walsh (IL)
Waters
Waxman
Welch
Woodall
Woolsey
Yarmuth

NOES—292

Ackerman
Adams
Aderholt
Alexander
Altmire
Amodei
Andrews
Austria
Bachus
Barber
Barletta
Barrow
Bartlett
Barton (TX)
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boswell
Boustany
Brady (PA)
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Burgess
Burton (IN)
Butterfield
Calvert
Campbell
Canseco
Cantor
Capito
Capps
Cardoza
Carnahan
Carson (IN)
Carter
Cassidy
Castor (FL)
Chaffetz
Clarke (NY)
Cleaver
Clyburn
Cole
Conaway
Connolly (VA)
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Davis (IL)
Davis (KY)
DeLauro
Denham
Dent
DesJarlais
Diaz-Balart
Dicks
Dingell
Dold
Donnelly (IN)
Dreier
Duncan (SC)
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Fattah
Fincher
Fitzpatrick
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gonzalez
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Grimm
Guinta
Guthrie
Hall
Hanabusa
Hanna
Harper
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Higgins
Hinchey
Hinojosa
Hochul
Holden
Hoyer
Hultgren
Hunter
Hurt
Israel
Issa
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jordan
Kaptur
Kelly
Kildee
King (IA)
King (NY)
Kinzinger (IL)
Kissell
Kline
Lamborn
Lance
Lankford
Larson (CT)
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Marino
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McHenry
McIntyre
McKeon
McKinley
McNerney
Meeks
Mica
Miller (FL)
Miller (NC)
Miller, Gary
Moran
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunnelee
Olson
Owens
Palazzo
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Peterson
Pitts
Platts
Poe (TX)
Pompeo
Price (GA)
Price (NC)
Quayle
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Sanchez, Loretta
Sarbanes
Scalise
Schiff
Schilling
Schmidt
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stutzman
Sullivan
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tipton
Towns
Tsongas
Turner (NY)
Turner (OH)
Visclosky
Walberg
Walz (MN)
Watt
Webster
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—16

Akin
Bishop (NY)
Boren
Brown (FL)
Buerkle
Deutch
Filner
Fleischmann
Hirono
Jackson (IL)
Jackson Lee (TX)
Lowey
Polis
Reyes
Stivers
Wasserman Schultz

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1832

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 492, 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. BERG

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from North Dakota (Mr. BERG) 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 232, noes 183, not voting 16, as follows:

[Roll No. 493]

AYES—232

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

NOES—183

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

NOT VOTING—16

Akin
Bishop (NY)
Boren
Brown (FL)
Buerkle
Deutch
Filner
Fleischmann
Hirono
Jackson (IL)
Jackson Lee (TX)
Lowey
Polis
Reyes
Stivers
Wasserman Schultz

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1835

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

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 493, 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. GARAMENDI

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. GARAMENDI) 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 137, noes 278, not voting 16, as follows:

[Roll No. 494]

AYES—137

Amash
Andrews
Baldwin
Bass (CA)
Becerra
Benishek
Berman
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Conyers
Costello
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Doggett
Doyle
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Holt
Honda
Johnson (IL)
Johnson, E. B.
Jones
Keating
Kildee
Kind
Kucinich
Larsen (WA)
Larson (CT)
Lee (CA)
Lewis (GA)
Loebsack
Lofgren, Zoe
Lynch
Maloney
Markey
Matsui
McCollum
McDermott
McGovern
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Paul
Perlmutter
Peters
Petri
Pingree (ME)
Price (NC)
Quigley
Rahall
Rangel
Richardson
Richmond
Rokita
Roybal-Allard
Rush
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Serrano
Sewell
Sherman
Sires
Slaughter
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Velázquez
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOES—278

Ackerman
Adams
Aderholt
Alexander
Altmire
Amodei
Austria
Baca
Bachmann
Bachus
Barber
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Berg
Berkley
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Cooper
Costa
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dicks
Dingell
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
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
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
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
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance

Landry
Langevin
Lankford
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
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, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Peterson
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Royce
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schwartz
Schweikert
Scott (SC)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stearns
Stutzman
Sullivan
Terry
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
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—16

Akin
Bishop (NY)
Boren
Brown (FL)
Buerkle
Deutch
Filner
Fleischmann
Hirono
Jackson (IL)
Jackson Lee (TX)
Lowey
Polis
Reyes
Stivers
Wasserman Schultz

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1840

Mr. PRICE of North Carolina 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 494, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''aye.''

AMENDMENT NO. 1 OFFERED BY MR. MULVANEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY) on which further proceedings were postponed and on which the 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 247, noes 167, not voting 17, as follows:

[Roll No. 495]

AYES—247

Amash
Amodei
Andrews
Baca
Baldwin
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berkley
Berman
Bishop (GA)
Black
Blumenauer
Bonamici
Boswell
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Buchanan
Bucshon
Burgess
Butterfield
Campbell
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chabot
Chaffetz
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dicks
Dingell
Doggett
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Eshoo
Farr
Fattah
Fincher
Fitzpatrick
Flake
Flores
Fortenberry
Frank (MA)
Fudge
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Graves (GA)
Green, Al
Green, Gene
Griffith (VA)
Grijalva
Guinta
Gutierrez
Hahn
Hanabusa
Harris
Hastings (FL)
Heinrich
Hensarling
Herrera Beutler
Himes
Hinchey
Hinojosa
Holden
Holt
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hurt
Johnson (IL)
Johnson, E. B.
Jones
Jordan
Kaptur
Keating
Kildee
Kind
Kingston
Kucinich
Labrador
Lance
Landry
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lummis
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Matheson
Matsui
McCarthy (NY)
McClintock
McCollum
McDermott
McGovern
McHenry
Meeks
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Nadler
Napolitano
Neal
Neugebauer
Olver
Pallone
Pascrell
Pastor (AZ)
Paul
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Rahall
Rangel
Reed
Renacci
Ribble
Richardson
Richmond
Roe (TN)
Rohrabacher
Rokita
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sessions
Sherman
Shuler
Shuster
Sires
Slaughter
Smith (WA)
Southerland
Speier
Stark
Stearns
Stutzman
Sutton
Terry
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Tsongas
Van Hollen
Velázquez
Visclosky
Walberg
Walsh (IL)
Waters
Watt
Waxman
Welch
Westmoreland
Wilson (FL)
Woolsey
Yarmuth
Yoder

NOES—167

Ackerman
Adams
Aderholt
Alexander
Altmire
Austria
Bachmann
Bachus
Barber
Barletta
Barrow
Bartlett
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Bonner
Boustany
Brooks
Burton (IN)
Calvert
Camp
Canseco
Cantor
Capito
Carter
Cassidy
Chandler
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Ellmers
Emerson
Engel
Farenthold
Fleming
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Gerlach
Gingrey (GA)
Granger
Graves (MO)
Griffin (AR)
Grimm
Guthrie
Hall
Hanna
Harper
Hartzler
Hastings (WA)
Hayworth
Heck
Herger
Higgins
Hochul
Hunter
Israel
Issa
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, Sam
Kelly
King (IA)
King (NY)
Kinzinger (IL)
Kissell
Kline
Lamborn
Lankford
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lungren, Daniel E.
Marino
McCarthy (CA)
McCaul
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Miller (FL)
Miller, Gary
Murphy (PA)
Myrick
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Pitts
Platts
Poe (TX)
Quayle
Rehberg
Reichert
Rigell
Rivera
Roby
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Runyan
Ruppersberger
Ryan (WI)
Sanchez, Loretta
Schilling
Schmidt
Schock
Scott, Austin
Sewell
Shimkus
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Sullivan
Thompson (PA)
Thornberry
Tiberi
Tipton
Towns
Turner (NY)
Turner (OH)
Upton
Walden
Walz (MN)
Webster
West
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—17

Akin
Bishop (NY)
Bono Mack
Boren
Brown (FL)
Buerkle
Deutch
Filner
Fleischmann
Hirono
Honda
Jackson (IL)
Jackson Lee (TX)
Polis
Reyes
Stivers
Wasserman Schultz

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1843

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 495, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''aye.''

AMENDMENT NO. 9 OFFERED BY MR. MULVANEY

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 238, noes 178, not voting 15, as follows:

[Roll No. 496]

AYES—238

Adams
Amash
Amodei
Bachus
Baldwin
Barletta
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Benishek
Berg
Berkley
Berman
Biggert
Bilirakis
Black
Blackburn
Bonamici
Boswell
Boustany
Brady (PA)
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Burgess
Burton (IN)
Campbell
Cantor
Capito
Capps
Cardoza
Carney
Carson (IN)
Cassidy
Chabot
Chaffetz
Chu
Coble
Coffman (CO)
Cohen
Conyers
Costa
Cravaack
Crawford
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
Denham
DesJarlais
Doggett
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Eshoo
Farenthold
Fincher
Flake
Flores
Frank (MA)
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hahn
Harper
Hastings (FL)
Heinrich
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holt
Honda
Huelskamp
Huizenga (MI)
Hultgren
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Jones
Jordan
Keating
Kind
King (IA)
Kingston
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lee (CA)
Lipinski
Loebsack
Long
Luetkemeyer
Lummis
Mack
Manzullo
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McClintock
McGovern
Meeks
Mica
Michaud
Miller (MI)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Nadler
Napolitano
Neugebauer
Noem
Nunes
Nunnelee
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Pearce
Pence
Peters
Peterson
Petri
Pingree (ME)
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Rangel
Reed
Renacci
Ribble
Richardson
Richmond
Rivera
Roby
Roe (TN)
Rogers (AL)
Rohrabacher
Rokita
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Rush
Ryan (WI)
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schrader
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Serrano
Sessions
Sherman
Shuler
Shuster
Sires
Smith (NE)
Smith (WA)
Southerland
Speier
Stearns
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tipton
Towns
Tsongas
Van Hollen
Velázquez
Walberg
Walden
Walsh (IL)
Waters
Webster
Welch
West
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (IN)

NOES—178

Ackerman
Aderholt
Alexander
Altmire
Andrews
Austria
Baca
Bachmann
Barber
Barrow
Becerra
Bilbray
Bishop (GA)
Bishop (UT)
Blumenauer
Bonner
Bono Mack
Braley (IA)
Butterfield
Calvert
Camp
Canseco
Capuano
Carnahan
Carter
Castor (FL)
Chandler
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cole
Conaway
Connolly (VA)
Cooper
Costello
Courtney
Crenshaw
Critz
Culberson
Davis (KY)
DeLauro
Dent
Diaz-Balart
Dicks
Dingell
Donnelly (IN)
Doyle
Edwards
Ellison
Ellmers
Emerson
Engel
Farr
Fattah
Fitzpatrick
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Granger
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall
Hanabusa
Hanna
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Herger
Hinchey
Hochul
Holden
Hoyer
Hunter
Israel
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Kaptur
Kelly
Kildee
King (NY)
Kinzinger (IL)
Kissell
Langevin
Larsen (WA)
Larson (CT)
Levin
Lewis (CA)
Lewis (GA)
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Luján
Lungren, Daniel E.
Lynch
Maloney
Marchant
McCaul
McCollum
McDermott
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Miller (FL)
Miller (NC)
Myrick
Neal
Nugent
Olson
Olver
Owens
Pelosi
Perlmutter
Platts
Price (NC)
Quigley
Rehberg
Reichert
Rigell
Rogers (KY)
Rogers (MI)
Rooney
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schock
Schwartz
Scott (VA)
Scott, David
Sewell
Shimkus
Simpson
Slaughter
Smith (NJ)
Smith (TX)
Stark
Thornberry
Tiberi
Tierney
Tonko
Turner (NY)
Turner (OH)
Upton
Visclosky
Walz (MN)
Watt
Waxman
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOT VOTING—15

Akin
Bishop (NY)
Boren
Brown (FL)
Buerkle
Deutch
Filner
Fleischmann
Hirono
Jackson (IL)
Jackson Lee (TX)
Polis
Reyes
Stivers
Wasserman Schultz

□ 1848

Mr. FRANKS of Arizona changed his vote from ''aye'' to ''no.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 496, 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. STEARNS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. STEARNS) 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 399, noes 17, not voting 15, as follows:

[Roll No. 497]

AYES—399

Ackerman
Adams
Aderholt
Alexander
Altmire
Amash
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barber
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonamici
Bonner
Bono Mack
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Buchanan
Bucshon
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Diaz-Balart
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Flake
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hochul
Holden
Holt
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
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
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Moore
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
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
Sewell
Sherman
Shimkus
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Speier
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
Walberg
Walden
Walsh (IL)
Walz (MN)
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—17

Blumenauer
Cooper
Dicks
Honda
Hoyer
Johnson, E. B.
Larsen (WA)
McDermott
Miller, George
Moran
Olver
Ruppersberger
Shuler
Smith (WA)
Stark
Visclosky
Woolsey

NOT VOTING—15

Akin
Bishop (NY)
Boren
Brown (FL)
Buerkle
Deutch
Filner
Fleischmann
Hirono
Jackson (IL)
Jackson Lee (TX)
Polis
Reyes
Stivers
Wasserman Schultz

□ 1852

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 497, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

This Act may be cited as the "Department of Defense Appropriations Act, 2013".

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

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOODALL) having assumed the chair, Mr. BISHOP of Utah, 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, directed him to report the bill back to the House with sundry amendments adopted in the Committee of the Whole, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The SPEAKER pro tempore. Under House Resolution 717, the previous question is ordered.

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

The amendments were agreed to.

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

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

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

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

The vote was taken by electronic device, and there were—yeas 326, nays 90, not voting 15, as follows:

[Roll No. 498]

YEAS—326

Ackerman
Adams
Aderholt
Alexander
Altmire
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Barber
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boswell
Boustany
Brady (PA)
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Canseco
Cantor
Capito
Capps
Cardoza
Carnahan
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Cicilline
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
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
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
Hinojosa
Hochul
Holden
Hoyer
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jenkins
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jordan
Kaptur
Kelly
Kildee
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
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)
McCaul
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Moran
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
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 (WI)
Sanchez, Loretta
Sarbanes
Scalise
Schiff
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell
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
Tsongas
Turner (NY)
Turner (OH)
Upton
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Waxman
Webster
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—90

Amash
Baldwin
Bass (CA)
Becerra
Blumenauer
Bonamici
Braley (IA)
Campbell
Capuano
Carney
Chu
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Cohen
Conyers
Davis (IL)
DeFazio
DeGette
Doyle
Duncan (TN)
Edwards
Ellison
Eshoo
Farr
Flake
Frank (MA)
Fudge
Grijalva
Gutierrez
Hahn
Hinchey
Holt
Honda
Huelskamp
Johnson (GA)
Johnson (IL)
Jones
Keating
Kind
Kucinich
Lee (CA)
Levin
Lewis (GA)
Lofgren, Zoe
Markey
Matsui
McClintock
McCollum
McDermott
McGovern
Michaud
Miller, George
Moore
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Paul
Pingree (ME)
Price (NC)
Quigley
Rangel
Rohrabacher
Roybal-Allard
Royce
Rush
Ryan (OH)
Sánchez, Linda T.
Schakowsky
Schrader
Schwartz
Serrano
Slaughter
Speier
Stark
Thompson (CA)
Tierney
Tonko
Towns
Van Hollen
Velázquez
Waters
Watt
Welch
Woolsey
Yarmuth

NOT VOTING—15

Akin
Bishop (NY)
Boren
Brown (FL)
Buerkle
Deutch
Filner
Fleischmann
Hirono
Jackson (IL)
Jackson Lee (TX)
Polis
Reyes
Stivers
Wasserman Schultz

□ 1911

Messrs. BUTTERFIELD and CICILLINE changed their vote from "nay" to "yea."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 498, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

PERSONAL EXPLANATION

Mr. AKIN. Mr. Speaker, on rollcall Nos. 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497 and 498 I was delayed and unable to vote. Had I been present I would have voted "aye" on rollcall No. 487, "no" on rollcall No. 488, "no" on rollcall No. 489, "aye" on rollcall No. 490, "aye" on rollcall No. 491, "no' on rollcall No. 492, "aye" on rollcall No. 493, "no" on rollcall No. 494, "no" on rollcall No. 495, "aye" on rollcall No. 496, "aye" on rollcall No. 497 and "aye" on rollcall No. 498.

PRESENTATION OF CONGRESSIONAL GOLD MEDAL TO ARNOLD PALMER

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of the concurrent resolution (H. Con. Res. 133) authorizing the use of the rotunda of the United States Capitol for an event to present the Congressional Gold Medal to Arnold Palmer, in recognition of his service to the Nation in promoting excellence and good sportsmanship in golf, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 133

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF THE ROTUNDA OF THE UNITED STATES CAPITOL TO PRESENT THE CONGRESSIONAL GOLD MEDAL.

(a) AUTHORIZATION.—The rotunda of the United States Capitol is authorized to be used on September 12, 2012, for the presentation of the Congressional Gold Medal to Arnold Palmer, in recognition of his service to the Nation in promoting excellence and good sportsmanship in golf.

(b) PREPARATIONS.—Physical preparations for the conduct of the event described in subsection (a) shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

NATIONAL BASEBALL HALL OF FAME COMMEMORATIVE COIN ACT

Mr. HUIZENGA of Michigan. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2527) to require the Secretary of the Treasury to mint coins in recognition and celebration of the National Baseball Hall of Fame, with the Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will report the Senate amendment.

The Clerk read as follows:

Senate amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the 'National Baseball Hall of Fame Commemorative Coin Act'.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) On June 12, 1939, the National Baseball Hall of Fame and Museum opened in Cooperstown, New York. Ty Cobb, Walter Johnson, Christy Mathewson, Babe Ruth, and Honus Wagner comprised the inaugural class of inductees. This class set the standard for all future inductees. Since 1939, just one percent of all Major League Baseball players have earned induction into the National Baseball Hall of Fame.

(2) The National Baseball Hall of Fame and Museum is dedicated to preserving history, honoring excellence, and connecting generations through the rich history of our national pastime. Baseball has mirrored our Nation's history since the Civil War, and is now an integral part of our Nation's heritage.

(3) The National Baseball Hall of Fame and Museum chronicles the history of our national pastime and houses the world's largest collection of baseball artifacts, including more than 38,000 three dimensional artifacts, 3,000,000 documents, 500,000 photographs, and 12,000 hours of recorded media. This collection ensures that baseball history and its unique connection to American history will be preserved and recounted for future generations.

(4) Since its opening in 1939, more than 14,000,000 baseball fans have visited the National Baseball Hall of Fame and Museum to learn about the history of our national pastime and the game's connection to the American experience.

(5) The National Baseball Hall of Fame and Museum is an educational institution, reaching 10,000,000 Americans annually. Utilizing video conference technology, students and teachers participate in interactive lessons led by educators from the National Baseball Hall of Fame Museum. These award-winning educational programs draw upon the wonders of baseball to reach students in classrooms nationwide. Each educational program uses baseball as a lens for teaching young Americans important lessons on an array of topics, including mathematics, geography, civil rights, women's history, economics, industrial technology, arts, and communication.

SEC. 3. COIN SPECIFICATIONS.

(a) DENOMINATIONS.—In recognition and celebration of the National Baseball Hall of Fame, the Secretary of the Treasury (hereafter in this Act referred to as the "Secretary") shall mint and issue the following coins:

(1) $5 GOLD COINS.—Not more than 50,000 $5 coins, which shall—

(A) weigh 8.359 grams;

(B) have diameter of 0.850 inches; and

(C) contain 90 percent gold and 10 percent alloy.

(2) $1 SILVER COINS.—Not more than 400,000 $1 coins, which shall—

(A) weigh 26.73 grams;

(B) have a diameter of 1.500 inches; and

(C) contain 90 percent silver and 10 percent copper.

(3) HALF-DOLLAR CLAD COINS.—Not more than 750,000 half-dollar coins which shall—

(A) weigh 11.34 grams;

(B) have a diameter of 1.205 inches; and

(C) be minted to the specifications for half-dollar coins contained in section 5112(b) of title 31, United States Code.

(b) LEGAL TENDER.—The coins minted under this Act shall be legal tender, as provided in section 5103 of title 31, United States Code.

(c) NUMISMATIC ITEMS.—For purposes of sections 5134 and 5136 of title 31, United States Code, all coins minted under this Act shall be considered to be numismatic items.

(d) SENSE OF CONGRESS.—It is the sense of Congress that, to the extent possible without significantly adding to the purchase price of the coins, the $1 coins and $5 coins minted under this Act should be produced in a fashion similar to the 2009 International Year of Astronomy coins issued by Monnaie de Paris, the French Mint, so that the reverse of the coin is convex to more closely resemble a baseball and the obverse concave, providing a more dramatic display of the obverse design chosen pursuant to section 4(c).

SEC. 4. DESIGN OF COINS.

(a) IN GENERAL.—The design for the coins minted under this Act shall be—

(1) selected by the Secretary after consultation with—

(A) the National Baseball Hall of Fame;

(B) the Commission of Fine Arts; and

(2) reviewed by the Citizens Commemorative Coin Advisory Committee.

(b) DESIGNATIONS AND INSCRIPTIONS.—On each coin minted under this Act there shall be—

(1) a designation of the value of the coin;

(2) an inscription of the year "2014"; and

(3) inscriptions of the words "Liberty", "In God We Trust", "United States of America", and "E Pluribus Unum".

(c) SELECTION AND APPROVAL PROCESS FOR OBVERSE DESIGN.—

(1) IN GENERAL.—The Secretary shall hold a competition to determine the design of the common obverse of the coins minted under this Act, with such design being emblematic of the game of baseball.

(2) SELECTION AND APPROVAL.—Proposals for the design of coins minted under this Act may be submitted in accordance with the design selection and approval process developed by the Secretary in the sole discretion of the Secretary. The Secretary shall encourage 3-dimensional models to be submitted as part of the design proposals.

(3) PROPOSALS.—As part of the competition described in this subsection, the Secretary may accept proposals from artists, engravers of the United States Mint, and members of the general public.

(4) COMPENSATION.—The Secretary shall determine compensation for the winning design under this subsection, which shall be not less than $5,000. The Secretary shall take into account this compensation amount when determining the sale price described in section 6(a).

(d) REVERSE DESIGN.—The design on the common reverse of the coins minted under this Act shall depict a baseball similar to those used by Major League Baseball.

SEC. 5. ISSUANCE OF COINS.

(a) QUALITY OF COINS.—Coins minted under this Act shall be issued in uncirculated and proof qualities.

(b) PERIOD FOR ISSUANCE.—The Secretary may issue coins minted under this Act only during the 1-year period beginning on January 1, 2014.

SEC. 6. SALE OF COINS.

(a) SALE PRICE.—The coins issued under this Act shall be sold by the Secretary at a price equal to the sum of—

(1) the face value of the coins;

(2) the surcharge provided in section 7(a) with respect to such coins; and

(3) the cost of designing and issuing the coins (including labor, materials, dies, use of machinery, winning design compensation, overhead expenses, marketing, and shipping).

(b) BULK SALES.—The Secretary shall make bulk sales of the coins issued under this Act at a reasonable discount.

(c) PREPAID ORDERS.—

(1) IN GENERAL.—The Secretary shall accept prepaid orders for the coins minted under this Act before the issuance of such coins.

(2) DISCOUNT.—Sale prices with respect to prepaid orders under paragraph (1) shall be at a reasonable discount.

SEC. 7. SURCHARGES.

(a) IN GENERAL.—All sales of coins minted under this Act shall include a surcharge as follows:

(1) A surcharge of $35 per coin for the $5 coin.

(2) A surcharge of $10 per coin for the $1 coin.

(3) A surcharge of $5 per coin for the half-dollar coin.

(b) DISTRIBUTION.—Subject to section 5134(f) of title 31, United States Code, all surcharges received by the Secretary from the sale of coins issued under this Act shall be promptly paid by the Secretary to the National Baseball Hall of Fame to help finance its operations.

(c) AUDITS.—The National Baseball Hall of Fame shall be subject to the audit requirements of section 5134(f)(2) of title 31, United States Code, with regard to the amounts received under subsection (b).

(d) LIMITATION.—Notwithstanding subsection (a), no surcharge may be included with respect to the issuance under this Act of any coin during a calendar year if, as of the time of such issuance, the issuance of such coin would result in the number of commemorative coin programs issued during such year to exceed the annual commemorative coin program issuance limitation under section 5112(m)(1) of title 31, United States Code (as in effect on the date of the enactment of this Act). The Secretary of the Treasury may issue guidance to carry out this subsection.

SEC. 8. FINANCIAL ASSURANCES.

The Secretary shall take such actions as may be necessary to ensure that—

(1) minting and issuing coins under this Act will not result in any net cost to the United States Government; and

(2) no funds, including applicable surcharges, are disbursed to any recipient designated in section 7 until the total cost of designing and issuing all of the coins authorized by this Act (including labor, materials, dies, use of machinery, winning design compensation, overhead expenses, marketing, and shipping) is recovered by the United States Treasury, consistent with sections 5112(m) and 5134(f) of title 31, United States Code.

SEC. 9. BUDGET COMPLIANCE.

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 Committee on the Budget of the House of Representatives, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Without objection, the reading is dispensed with.

There was no objection.

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

There was no objection.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 6085

Mr. WOMACK. Mr. Speaker, I ask unanimous consent to remove myself as a cosponsor of H.R. 6085.

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

There was no objection.

LEGISLATIVE PROGRAM

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

Mr. HOYER. Mr. Speaker, for the purpose of inquiring of the schedule for the coming week, I yield to the chief deputy whip.

Mr. ROSKAM. I thank the gentleman from Maryland, the Democratic whip, for yielding to me.

Mr. Speaker, on Monday the House will meet at noon for morning-hour and 2 p.m. for legislative business. Votes will be postponed until 6:30 p.m. On Tuesday and Wednesday, the House will meet at 10 a.m. for morning-hour and noon for legislative business. On Thursday, the House will meet at 9 a.m. for legislative business. The last votes of the week are expected no later than 3 p.m.

Mr. Speaker, the House will consider a number of bills under suspension on Monday and Tuesday, and of particular note will be H.R. 459, the Federal Reserve Transparency Act, a bipartisan bill sponsored by Congressman RON PAUL. A complete list of the suspensions will be announced by the close of business tomorrow.

Beginning on Tuesday, the House will consider H.R. 6082, the Congressional Replacement of President Obama's Energy-Restricting and Job-Limiting Offshore Drilling Plan. And finally, the balance of the week will be spent on H.R. 4078, the Red Tape Reduction and Small Business Job Creation Act. This is a compilation of bills that are sponsored by Representatives TIM GRIFFIN, REID RIBBLE, BEN QUAYLE, DENNIS ROSS, VIRGINIA FOXX, SCOTT GARRETT, and MIKE CONAWAY.

Mr. HOYER. I thank the gentleman for that information. I appreciate it. I know the majority leader could not be here this afternoon, but he said last week that we should expect legislation on the floor the week of July 30 dealing with the tax questions; in particular, the tax cuts of 2001 and 2003. The gentleman may remember my discussions at that point in time. I don't think decisions had been made.

We are hopeful on this side of the aisle that there will be hearings next week, obviously, because it's going to be the week of the 30th it'll be on the floor, and also there will be a markup of that bill before it comes to the floor. Can you tell us whether or not in fact there will be a hearing on that legislation and also whether, pursuant to those hearings, there will be a markup on that bill?

Mr. ROSKAM. As the gentleman knows, the 2001 and the 2003 tax rates have been well vetted and well discussed. They're not news or breaking ground in any way, shape, or form. So my understanding is that the current thinking is to bring those directly to the floor and that there's not a plan for a markup.

Mr. HOYER. I thank the gentleman for that information. As the gentleman understands, although they may be well known, the situation that exists today is radically different than existed in 2001 and 2003 when President Bush, who recommended both of those tax cuts, projected a $5.6 trillion surplus, as the gentleman may recall. Unfortunately, that prediction was radically wrong. And when I say radically wrong, in fact, we increased the debt by over $4 trillion rather than have a surplus—a $10 trillion turnaround in the projections.

As a result, I would suggest to the gentleman and his party that the situation confronting us, as I said, is very, very different than it was in 2001 and 2003 when the Bush administration projected those surpluses, which it inherited, of course, from the Clinton administration.

In addition to that, the Republican majority has said that we'll govern based on their pledge to America. Openness in the House is a key part of that pledge that you made.

I want to read you a quote:

''We have nothing to fear from letting the House work its will, nothing to fear from the battle of ideas.''

The Speaker of the House, Mr. BOEHNER, went on to say:

''That starts with the committees. The result will be more scrutiny and better legislation.''

He said that in October 2010. Of course, it was in the throes of a campaign. But I would hope and I tell my friend very sincerely that that premise prevails today. In light of the change of circumstances, but much more than that, in light of the significant differences between the two parties in the Ways and Means Committee, the transparency and openness to which Speaker BOEHNER referred, referencing that that would apply in committees as well, would almost dictate that you would have a markup in the committee and give members of the committee the opportunity to vote on that legislation, offer amendments, offer alternatives, and offer their opinions for the consideration of other members on the committee as to the ramifications of the actions proposed in the committee by the majority party.

□ 1920

I would ask my friend if he has a view on whether or not, notwithstanding the fact that the position of the majority is that the subject matter is well known—it is also well known there are differences of opinion on this. And what the Speaker said in his quote was, let that difference be spread across the RECORD, let Members have the opportunity to express their differences through their vote; and that premise applied to the committees. I would hope that the gentleman could assure us that, in fact, there would be a markup in the committee.

I have talked to Mr. CAMP, who is a good friend of mine and for whom I

have a great deal of respect, and asked him to have a markup. I would hope the leadership would support that effort and urge that markup to occur consistent with what Speaker BOEHNER said in October of 2010.

And I yield to my friend.

Mr. ROSKAM. I thank the gentleman for yielding.

One of the points I think that's important to focus in on is the last time this Congress dealt with the '01 and the '03 tax rates was not in '01, not in '03, but in December of 2010 when President Obama signed these into law. So this is an arena where we do reflect back, but ultimately we need to look forward. So the question is how do you create a sense of predictability by which businesses can deal with these situations?

So the gentleman is right to point out past forecasts that were incorrect. But it's also correct to point out that the White House made one error after another—this White House—one error after another as it relates to the predictions of the stimulus, for example, where unemployment was promised to peak at 8 percent, and it didn't turn out to be so.

So as we move forward, this is not new ground, these are not new concepts, and it's consistent with what then-Minority Leader BOEHNER said in the Pledge to America. This process has been open, this process has been dynamic, this process has been participatory, and this bill will be considered under the same rules and the same commitments that were made in the Pledge to America.

Moving forward, what I would like to announce to the gentleman and to the membership is that there will be an opportunity, I'm told, for the minority party to offer the President's alternative as an amendment on the floor, to have the debate. Because as the gentleman and I both know, that's really the crux of the matter. So to have an up-or-down vote, as I would characterize it, is a bad idea. I know the gentleman has a different view of that, but I think, particularly in light of this week's study from Ernst & Young, I think we should be chastened, actually, with the notion of moving forward and raising taxes on anybody.

I accept the world view of the gentleman who has been articulate in the past in communicating that. But I think that really is the crystallization of these two competing views of how to create economic growth, and I think the gentleman will be fully satisfied.

Mr. HOYER. I thank the gentleman for those comments. That is new information for us. I will tell you, please, I would still like to have a markup in the committee, which I think is consistent. No matter how much this has been discussed, there has been no markup of this bill. So while it may have been discussed for a long period of time and while there have been hearings on tax reform, there has been no markup of this bill in the committee, as the gentleman well knows.

But I'm pleased to hear that the minority will be allowed an amendment to be made in order of our choosing to offer on this floor. I think that's a positive sign. I appreciate the gentleman's notice of that, and I will certainly notice our Members of that ability. We're pleased at that.

I will say, however, to the gentleman that I did note the Ernst & Young story. I noticed it was paid for by people who may, absent its conclusions, receive a tax increase to help us bring down the deficit. But notwithstanding that, I was sure we were going to hear about that on the floor. I'm not surprised, and you're not going to be surprised that there will be other studies referenced on the floor as well. So I thank the gentleman for his information, and I'm pleased with that.

As I said, I will note that, in fact, there will be an amendment, and hopefully that amendment will be allowed some significant period of time for debate. That is much superior to the only other alternative that we would have had, which was an MTR 5 minutes on each side. So I thank the gentleman, and I thank the leadership for that information.

Let me ask the gentleman, does the gentleman expect the farm bill to come to the floor before the August break?

I yield to my friend.

Mr. ROSKAM. I thank my friend for yielding.

As the gentleman knows, the farm bill has created a lot of concern on our side of the aisle. It's my understanding that there is concern on the gentleman's side of the aisle. Your ranking member supports the bill. It's my understanding that Leader PELOSI does not support the bill. So we're in conversation with our Members, as I'm sure you are with yours; and we're not prepared to make an announcement today in light of continuing to get Member feedback.

Mr. HOYER. I thank the gentleman.

For the gentleman's information, which may help you in determining whether or not you have the votes for the farm bill, I think it fair to say that we would have a majority of our party for the Senate-passed bill which passed, as the gentleman knows, with 62 votes, 12 Members of the Republican Party voting for that bill, 50 members of the Democratic Party. Obviously, it is a significant bipartisan bill. If the gentleman perhaps is talking to Mr. MCCARTHY, you can convey to him information that if that bill were to come to the floor, we would try to work with you to pass that piece of legislation.

Obviously, there are a lot of farmers in our country who are struggling right now. We have an extraordinary drought in America. They are suffering, they're at risk, and the gentleman talked about certainty. I agree with him on certainty. By the way, because I didn't ask him when he brought it up, does that certainty mean that you would be suggesting that the tax cuts that were in effect in '01, '03 be made permanent?

I yield to my friend.

Mr. ROSKAM. Well, as the gentleman knows, making things permanent in this arena with this conundrum of rules and limitations—and limitations particularly in the other body—make that difficult. I, speaking on behalf of myself, think that that rate at that level permanent is a wise course. But as the gentleman knows, based on the difficulty of the rules, what I have to say on that is fairly limited based on the reality of the rules.

Mr. HOYER. I thank the gentleman for that answer.

Going back to the crisis that the agriculture community is confronted with by the drought, if the farm bill—and we would urge that the bipartisan farm bill be brought to the floor for consideration to give certainty to farmers, to give some sense to farmers as to what they might rely on in the coming year or coming years; but absent that, the gentleman did not mention, do we have any expectation that we will deal with drought emergency legislation vis-a-vis the farm community prior to our August break?

I yield to my friend.

Mr. ROSKAM. I don't have information to announce at this point in terms of the timing. I have a high level of confidence that no one is going to be going home for very long absent a remedy and a joint response on all of our parts.

Mr. HOYER. I thank the gentleman for that answer.

Lastly, Mr. CANTOR is not on the floor, but both Mr. CANTOR and I have made representations that we are going to work together, as we do from time to time, cooperatively and effectively, I might say. We are very concerned that the Iran sanctions legislation, which is in conference, be passed by this Congress prior to our leaving on August 2 or 3—I'm not sure which days we are going to be leaving, but one of those days.

Does the gentleman have any information on the status of the Iran sanctions legislation which we passed overwhelmingly in this House and the Senate has passed? It's in conference, and I know Mr. CANTOR and I both support getting this done before we leave.

I yield to my friend.

Mr. ROSKAM. I thank the gentleman for yielding.

Yes, there is every intention to move forward on that which the gentleman and the majority leader have been working so cooperatively on, and there is an expectation that that will be done before the August recess.

Mr. HOYER. I'm very pleased to hear that. I thank the gentleman for that information, and I yield back the balance of my time.

□ 1930

PERMISSION TO FILE REPORT ON H.R. 4078, REGULATORY FREEZE FOR JOBS ACT OF 2012

Mr. ROSKAM. Mr. Speaker, I ask unanimous consent that the Committee on Oversight and Government Reform have until midnight on July 20, 2012, to file its report to accompany H.R. 4078.

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

There was no objection.

ADJOURNMENT TO MONDAY, JULY 23, 2012

Mr. ROSKAM. I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon on Monday next for morning-hour debate and 2 p.m. for legislative business.

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

There was no objection.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 5856, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2013

Mr. ROSKAM. I ask unanimous consent that in the engrossment of H.R. 5856, the Clerk be permitted to make technical and conforming changes, including numerical changes, in the amendment offered by the gentleman from Minnesota (Mr. WALZ).

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

There was no objection.

HONORING THE LIFE OF LLOYD CHITTUM

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

Mr. WITTMAN. Mr. Speaker, I rise today to pay respect to an admirable individual from America's First District who passed away earlier this week, who is truly admirable.

Earl Lloyd Chittum of Stafford County lived an honorable life, full of service to his fellow man and faith in a higher power. Lloyd served his community in many different ways, including as a little league baseball and football coach, a member of the Falmouth Volunteer Fire Department, and a member of the Stafford County Board of Supervisors. He was also a proud member of the Fairview at River Club Church and served as a deacon at the Falmouth Baptist Church.

I knew Lloyd for many years through his roles in local government and politics, and I am honored that I was able to call him a friend.

Lloyd leaves behind a large, loving family, including his wife of 55 years, Gloria Payne Chittum.

My prayers are with his family during this time of mourning, and I ask my colleagues to join me in honoring the life of Earl Lloyd Chittum.

DENOUNCING ACCUSATIONS AGAINST HUMA ABEDIN

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

Mr. SHERMAN. Mr. Speaker, I rise to add my voice to those who have come forward to denounce the unwarranted attacks on Huma Abedin, a key aid to Secretary of State Hillary Clinton and a woman who has given years of service to this Nation and to the State Department.

As it happens, my wife has given her entire career to the State Department, and I know how angry I would be if she were attacked based on some twisted exaggeration of something that her relatives may have done decades ago, notwithstanding her absolutely spotless record.

No one in this House is more dedicated to combatting radical Islamist ideologies and the governments and organizations that espouse them, but the unwarranted attacks on Huma Abedin undermine our effort to do just that.

Now we face, in Egypt and elsewhere, the outrageous attack that our decision to engage with the Muslim Brotherhood in Egypt is not a decision made in our own national interest, but somehow is the result of undue influence.

Let me simply say that I join Senator JOHN MCCAIN in calling for these dangerous accusations, unwarranted accusations, to be withdrawn.

STOP PREDATORY LENDING TO MILITARY

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

Mr. CARNAHAN. Mr. Speaker, I rise to warn of the danger to our Armed Forces and their families not on the battlefield, but here on American soil.

The Military Spending Act, passed in 2006, stopped much of the predatory lending that once sunk its claws into our military families, but loopholes remain.

The rent-to-own industry constructs stores outside our military bases, while car title lenders and Internet payday lenders find ways around the law by creating open-end loans with interest topping 500 percent.

A counselor at Ft. Leonard Wood, Missouri, reports that most servicemembers seeking financial counseling are burdened with expensive rent-to-own contracts. One soldier earning less than $1,000 a month paid nearly $500 a month in furniture rent.

The Senate recently held hearings on this, and the Senate version of the National Defense Authorization Act for 2013 would mandate regulating open-end credit loans and close the loopholes.

This must change. I will continue to work with my colleagues in the House and the Senate to address this problem. We must add rent-to-own and open-ended loans to ''covered'' credit and stop the use of allotments for military pay for credit.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BISHOP of New York (at the request of Ms. PELOSI) for today on account of a death in the family.

Ms. JACKSON LEE of Texas (at the request of Ms. PELOSI) for the week of Monday, July 16, 2012, to Friday, July 20, 2012, on account of ongoing medical treatment in Houston, Texas.

Ms. SEWELL (at the request of Ms. PELOSI) for July 17 and 18 on account of events and commitments in the district.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 4155. An act to direct the head of each Federal department and agency to treat relevant military training as sufficient to satisfy training or certification requirements for Federal licenses.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, repoted that on July 19, 2012, she presented to the President of the United States, for his approval, the following bills.

H.R. 205. 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. To award a Congressional Gold Medal to Raoul Wallenberg, in recognition of his achievements and heroic actions during the Holocaust.

H.R. 4155. To direct the head of each Federal department and agency to treat relevant military training as sufficient to satisfy training or certification requirements for Federal licenses.

ADJOURNMENT

Mr. WITTMAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 37 minutes p.m.), under its previous order, the House adjourned until Monday, July 23, 2012, at noon 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:

6977. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Sedaxane; Pesticide Tolerances [EPA-HQ-OPP-2010-0615; FRL-9345-8] received June 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6978. A letter from the Administrator, Housing and community Facilities Programs, Department of Agriculture, transmitting the Department's final rule — Reserve Account (RIN: 0575-AC66), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6979. A letter from the Assistant Secretary for Special Education and Rehabilitative Services, Department of Education, transmitting the Department's final rule — Final priority; National Institute on Disability and Rehabilitation Research (NIDRR)-Disability and Rehabilitation Research Projects and Centers Program-Disability Rehabilitation Research Project (DRRP)-National Data and Statistical Center for the Burn Model Systems received June 21, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

6980. A letter from the Assistant Secretary for Special Education and Rehabilitative Services, Department of Education, transmitting the Department's final rule — Final priority; National Institute on Disability and Rehabilitation Research (NIDRR)-Disability and Rehabilitation Research Projects and Centers Program-Disability Rehabilitation Research Project (DRRP)—Traumatic Brain Injury Model Systems Centers received June 21, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

6981. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Mississippi; Regional Haze State Implementation Plan [EPA-R04-OAR-2009-0784; FRL-9691-9] received June 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6982. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Indiana; Central Indiana (Indianapolis) Ozone Maintenance Plan Revision to Approved Motor Vehicle Emissions Budgets [EPA-R05-OAR-2012-0214; FRL-9689-6] received June 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6983. 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; South Carolina; Emissions Statements [EPA-R04-OAR-2008-0177; FRL-9689-5] received June 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6984. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; South Carolina; Regional Haze State Implementation Plan [EPA-R04-OAR-2009-0785; FRL-9691-7] received June 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6985. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Alabama; Regional Haze State Implementation Plan [EPA-R04-OAR-2009-0782; FRL-9691-8] received June 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6986. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Iowa: Regional Haze [EPA-R07-OAR-2012-0150; FRL-9687-9] received June 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6987. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Missouri: Regional Haze [EPA-R07-OAR-2012-0153; FRL-9688-1] received June 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6988. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of North Carolina; Regional Haze State Implementation Plan [EPA-R04-OAR-2010-0219; FRL-9691-5] received June 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6989. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Significant New Use Rule on Certain Chemical Substances; Withdrawal of Significant New Use Rule [EPA-HQ-OPPT-2012-0182; FRL-9353-2] (RIN: 2070-AB27) received June 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6990. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Significant New Use Rules on Certain Chemical Substances; Withdrawal of Significant New Use Rules [EPA-HQ-OPPT-2011-0577; FRL-9352-7] (RIN: 2070-AB27) received June 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6991. A letter from the Chief, Branch of Listing, Department of Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Revised Designation of Critical Habitat for the Pacific Coast Populations of the Western Snowy Plover [Docket No.: FWS-R8-ES-2010-0070] (RIN: 1018-AX10) received June 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6992. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Indiana Regulatory Program [STATS No.: IN-160-FOR; Docket ID: OSM-2011-0008] received July 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6993. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Wyoming Regulatory Program [STATS No.: WY-042-FOR; Docket ID: OSM-2012-0001] received July 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6994. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Biennial Specifications and Management Measures [Docket No.: 120207106-2428-02] (RIN: 0648-BB85 and 0648-BB27) received June 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6995. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries [Docket No.: 110210132-1275-02] (RIN: 0648-XC006) received June 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6996. A letter from the Acting Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Final 2012 Spiny Dogfish Fishery Specifications [Docket No.: 120213130-2435-02] (RIN: 0648-XA973) received June 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6997. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Bering Sea and Aleutian Islands Management Area [Docket No.: 111213751-2102-02] (RIN: 0648-XC013) received June 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6998. A letter from the Deputy Office Director, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Flower Garden Banks National Marine Sanctuary Regulations [Docket No.: 100222109-2171-02] (RIN: 0648-AY35) received July 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6999. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Modification of Class D and Class E Airspace and Revocation of Class E Airspace; Bellingham, WA [Docket No.: FAA-2011-0363; Airspace Docket No. 11-ANM-8] received June 21, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7000. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Modification of VOR Federal Airways V-135 and V-137; Southwest United States [Docket No.: FAA-2011-0654; Airspace Docket No. 11-AWP-8] (RIN: 2120-AA66) received June 21, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7001. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Modification of Multiple Compulsory Reporting Points; Continental United States, Alaska and Hawaii [Docket No.: FAA-2012-0130; Airspace Docket No. 12-AWA-2] (RIN: 2120-AA66) received June 21, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7002. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and Class E Airspace; Leesburg, FL [Docket No.: FAA-2012-0445; Airspace Docket No. 12-ASO-27] received June 21, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7003. A letter from the Program Analyst, Department of Transportation, transmitting

the Department's final rule — Amendment of Class E Airspace; Orlando, FL [Docket No.: FAA-2011-0503; Airspace Docket No. 11-ASO-19] received June 21, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7004. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Tallahassee, FL [Docket No.: FAA-2012-0240;Airspace Docket No. 12-ASO-15] received June 21, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7005. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule — Airport Concessions Disadvantaged Business Enterprise: Program Improvements [Docket No.: OST-2011-0101] (RIN: 2105-AE10) received June 21, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7006. A letter from the Regulatory Ombudsman, Department of Transportation, transmitting the Department's final rule — Inspection, Repair, and Maintenance; Driver-Vehicle Inspection Report for Intermodal Equipment [Docket No.: FMCSA-2011-0046] (RIN: 2126-AB34) received June 21, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7007. A letter from the Trial Attorney, Department of Transportation, transmitting the Department's final rule — Systems for Telephonic Notification of Unsafe Conditions at Highway-Rail and Pathway Grade Crossings [Docket No.: FRA-2009-0041, Notice No. 2] (RIN: 2130-AC12) received June, 21, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7008. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2011-1259; Directorate Identifier 2011-NM-181-AD; Amendment 39-17059; AD 2012-10-10] (RIN: 2120-AA64) received June 21, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7009. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Gulfstream Aerospace Corporation Airplanes [Docket No.: FAA-2012-0494; Directorate Identifier 2012-NM-088-AD; Amendment 39-17069; AD 2012-11-06] (RIN: 2120-AA64) received June 21, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7010. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bell Helicopter Textron Canada Limited Helicopters [Docket No.: FAA-2012-0084; Directorate Identifier 2010-SW-089-AD; Amendment 39-17050; AD 2012-10-01] (RIN: 2120-AA64) received June 21, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 5958. A bill to name the Jamaica Bay Wildlife Refuge Visitor Contact Station of the Jamaica Bay Wildlife Refuge unit of Gateway National Recreation Area in honor of James L. Buckley (Rept. 112–608). Referred to the House Calendar.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 2834. A bill to recognize the heritage of recreational fishing, hunting, and shooting on Federal public lands and ensure continued opportunities for these activities; with an amendment (Rept. 112–609, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 6029. A bill to amend title 18, United States Code, to provide for increased penalties for foreign and economic espionage, and for other purposes (Rept. 112–610). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 2467. A bill to take certain Federal lands in Mono County, California, into trust for the benefit of the Bridgeport Indian Colony; with an amendment (Rept. 112–611). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 4484. A bill to provide for the conveyance of a small parcel of National Forest System land in the Uinta-Wasatch-Cache National Forest in Utah to Brigham Young University, and for other purposes; with an amendment (Rept. 112–612). Referred to the Committee of the Whole House on the state of the Union.

Mr. MICA: Committee on Transportation and Infrastructure. H.R. 3742. A bill to designate the United States courthouse located at 100 North Church Street in Las Cruces, New Mexico, as the ''Edwin L. Mechem United States Courthouse'' (Rept. 114–613). Referred to the House Calendar.

Mr. MICA: Committee on Transportation and Infrastructure. H.R. 4347. A bill to designate the United States courthouse located at 709 West 9th Street in Juneau, Alaska, as the ''Robert Boochever United States Courthouse'' (Rept. 112–614). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Agriculture discharged from further consideration. H.R. 2834 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. SLAUGHTER:

H.R. 6150. A bill to reauthorize appropriations for the National Women's Rights History Project Act; to the Committee on Natural Resources.

By Mr. TURNER of Ohio (for himself, Mr. CARNAHAN, Mr. BURTON of Indiana, and Mr. POE of Texas):

H.R. 6151. A bill to amend the Internal Revenue Code of 1986 to allow rehabilitation expenditures for public school buildings to qualify for rehabilitation credit; to the Committee on Ways and Means.

By Mr. PASCRELL (for himself, Mr. LEVIN, Mr. RANGEL, Mr. STARK, Mr. MCDERMOTT, Mr. LEWIS of Georgia, Mr. NEAL, Mr. BECERRA, Mr. DOGGETT, Mr. THOMPSON of California, Mr. LARSON of Connecticut, Mr. BLUMENAUER, Mr. KIND, Mr. CROWLEY, and Ms. BERKLEY):

H.R. 6152. A bill to amend the Internal Revenue Code of 1986 to encourage domestic insourcing and discourage foreign outsourcing, and for other purposes; to the Committee on Ways and Means.

By Mr. MCNERNEY (for himself, Mr. ROONEY, Mr. CARDOZA, Mr. NUGENT, Mr. GEORGE MILLER of California, Mr. COSTA, and Ms. LEE of California):

H.R. 6153. A bill to require the holder of a subordinate lien on the property that secures a federally related mortgage loan, upon a request by the homeowner for a short sale, to make a timely decision whether to allow the sale; to the Committee on Financial Services.

By Mr. GOSAR (for himself, Mr. THOMPSON of California, Mr. DENHAM, Mr. POLIS, Mr. COFFMAN of Colorado, Mr. COSTA, Mr. TIPTON, Mr. DEFAZIO, Mrs. MCMORRIS RODGERS, and Mr. SIMPSON):

H.R. 6154. A bill to promote the development of renewable energy on public lands, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, 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. ENGEL (for himself, Ms. SCHWARTZ, Ms. DEGETTE, Ms. RICHARDSON, and Mr. FARR):

H.R. 6155. A bill to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, and other programs, to promote education in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine; to the Committee on Energy and Commerce.

By Mr. CAMP (for himself, Mr. LEVIN, Mr. BRADY of Texas, Mr. MCDERMOTT, Mr. REICHERT, Mr. RANGEL, Mr. ROSKAM, Mr. BLUMENAUER, Mr. PAULSEN, and Mr. CROWLEY):

H.R. 6156. A bill to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to products of the Russian Federation and Moldova and to require reports on the compliance of the Russian Federation with its obligations as a member of the World Trade Organization, and for other purposes; to the Committee on Ways and Means.

By Mr. CLEAVER (for himself and Mr. BACHUS):

H.R. 6157. A bill to create a patient-centered quality of care initiative for seriously ill patients through the establishment of a stakeholder strategic summit, quality of life education and awareness initiative, health care workforce training, an advisory committee, and palliative care focused research, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GARY G. MILLER of California:

H.R. 6158. A bill to amend the S.A.F.E. Mortgage Licensing Act of 2008 to specify that courses offered by lenders for their own employees may not satisfy the pre-licensing education or continuing education requirement; to the Committee on Financial Services.

By Mr. THOMPSON of Mississippi (for himself, Ms. JACKSON LEE of Texas, Mr. DAVIS of Illinois, and Mr. RICHMOND):

H.R. 6159. A bill to amend title 49, United States Code, to require that individuals seeking training in the operation of certain aircraft be checked against the terrorist watchlist to ensure that such individuals are non-threats to aviation; to the Committee on Homeland Security.

By Mr. KEATING (for himself, Mrs. BONO MACK, Mr. ROGERS of Kentucky,

Mr. LYNCH, Mr. RAHALL, Mr. TOWNS, and Mr. TIERNEY):

H.R. 6160. A bill to amend the Federal Food, Drug, and Cosmetic Act to incentivize the development of tamper-resistant drugs; to the Committee on Energy and Commerce.

By Mr. FITZPATRICK:

H.R. 6161. A bill to provide an exemption for low-revenue companies from certain SEC regulations; to the Committee on Financial Services.

By Mr. CASSIDY (for himself, Mr. BURGESS, Mr. PAUL, Mr. WESTMORELAND, Mr. HECK, Mrs. ELLMERS, Mrs. BONO MACK, Mr. DESJARLAIS, Mr. HARRIS, Mrs. BLACK, Mr. LANCE, Mrs. BLACKBURN, Mr. BOUSTANY, Mr. BROUN of Georgia, Mr. FORTENBERRY, and Mr. TERRY):

H.R. 6162. A bill to amend the Internal Revenue Code of 1986 to permit health plans without a deductible for prenatal, labor and delivery, and postpartum care to be treated as high deductible plans with respect to health savings accounts; to the Committee on Ways and Means.

By Mrs. MCMORRIS RODGERS (for herself, Mrs. CAPPS, Mr. HARPER, Mr. KING of New York, and Ms. DEGETTE):

H.R. 6163. A bill to amend title IV of the Public Health Service Act to provide for a National Pediatric Research Network, including with respect to pediatric rare diseases or conditions; to the Committee on Energy and Commerce.

By Mr. GOHMERT (for himself, Mr. FRANKS of Arizona, Mr. POSEY, Mr. WALSH of Illinois, Mrs. BLACKBURN, Mr. PITTS, Mr. HARRIS, Mr. BROUN of Georgia, Mrs. SCHMIDT, Mr. BARTLETT, and Mr. ROE of Tennessee):

H. Res. 735. A resolution expressing the sense of the House of Representatives that the Patient Protection and Affordable Care Act of 2009 violates article I, section 7, clause 1 of the United States Constitution because it was a ''Bill for raising Revenue'' that did not originate in the House of Representatives; to the Committee on Ways and Means.

By Mr. MORAN:

H. Res. 736. A resolution expressing opposition to the use of carbon monoxide, carbon dioxide, nitrogen, nitrous oxide, argon, or other gases to euthanize shelter animals and support for State laws that require the use of the more humane euthanasia by injection method; to the Committee on Agriculture.

By Ms. WATERS (for herself, Mr. TOWNS, Mr. CLAY, Ms. NORTON, Ms. RICHARDSON, Ms. CLARKE of New York, Mr. BUTTERFIELD, Ms. LEE of California, Mrs. CHRISTENSEN, Mr. JOHNSON of Georgia, Ms. JACKSON LEE of Texas, Ms. ROYBAL-ALLARD, Mr. RUSH, Ms. BASS of California, Ms. WOOLSEY, Ms. LORETTA SANCHEZ of California, and Mr. HASTINGS of Florida):

H. Res. 737. A resolution supporting the goals and ideals of National Clinicians HIV/AIDS Testing and Awareness Day, and for other purposes; to the Committee on Energy and Commerce.

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 Ms. SLAUGHTER:

H.R. 6150.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8 of Article I of the Constitution.

By Mr. TURNER of Ohio:

H.R. 6151.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the U.S. Constitution

By Mr. PASCRELL:

H.R. 6152.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

Sixteenth Amendment

''The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.''

By Mr. MCNERNEY:

H.R. 6153.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution.

By Mr. GOSAR:

H.R. 6154.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2.

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; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

Currently, the federal government possesses approximately 1.8 billion acres of land. The U.S. Constitution specifically addresses the relationship of the federal government to lands. Article IV, §3, Clause 2—the Property Clause—gives Congress plenary power and full authority over federal property. The U.S. Supreme Court has described Congress's power to legislate under this Clause as ''without limitation.'' This bill falls squarely within the express Constitutional power set forth in the Property Clause.

By Mr. ENGEL:

H.R. 6155.

Congress has the power to enact this legislation pursuant to the following:

The bill is enacted pursuant to the power granted to Congress under the following provisions of the United States Constitution:

Article I, Section 1;

Article I, Section 8, Clause 1; and

Article I, Section 8, Clause 18.

By Mr. CAMP:

H.R. 6156.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I of the U.S. Constitution.

By Mr. CLEAVER:

H.R. 6157.

Congress has the power to enact this legislation pursuant to the following:

The United States Constitution, Article I, Section 8, Clause 1.

By Mr. GARY G. MILLER of California:

H.R. 6158.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 (relating to the general welfare of the United States); and

Article I, Section 8, Clause 3 (relating to the power to regulate interstate commerce).

By Mr. THOMPSON of Mississippi:

H.R. 6159.

Congress has the power to enact this legislation pursuant to the following:

The U.S. Constitution including Article 1, Section 8.

By Mr. KEATING:

H.R. 6160.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. FITZPATRICK:

H.R. 6161.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. CASSIDY:

H.R. 6162.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mrs. MCMORRIS RODGERS:

H.R. 6163.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority in which this bill rests is the power of the Congress to regulate Commerce, which is significantly affected by genetic disorders and can be enhanced by research breakthroughs therein, as enumerated by Article I, Section 8, Clause 3 of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 181: Mr. ISRAEL and Mr. CANSECO.

H.R. 360: Mr. LAMBORN.

H.R. 361: Mr. AUSTIN SCOTT of Georgia.

H.R. 814: Mr. MICHAUD.

H.R. 891: Mr. KING of Iowa.

H.R. 931: Mr. OWENS, Mr. BARTLETT, and Mr. BARLETTA.

H.R. 942: Mr. DAVID SCOTT of Georgia, Mr. KING of New York, Mr. SHERMAN, Mr. LATHAM, and Mr. WALZ of Minnesota.

H.R. 965: Mr. LEVIN.

H.R. 1054: Mr. FARR.

H.R. 1182: Mrs. HARTZLER.

H.R. 1219: Ms. NORTON.

H.R. 1277: Mr. HEINRICH.

H.R. 1311: Mr. BACA.

H.R. 1370: Mr. WEBSTER and Mr. GOWDY.

H.R. 1381: Mr. COHEN, Ms. CASTOR of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. MORAN.

H.R. 1404: Mr. WAXMAN.

H.R. 1422: Mr. BOUSTANY.

H.R. 1426: Mr. LATTA and Ms. TSONGAS.

H.R. 1489: Ms. NORTON and Mr. HINCHEY.

H.R. 1543: Mr. LOEBSACK.

H.R. 1546: Mr. ANDREWS.

H.R. 1639: Mr. SHULER.

H.R. 1675: Mr. PALLONE, Mr. LOEBSACK, Mr. DOYLE, Mr. FILNER, Mr. GENE GREEN of Texas, Mr. HINOJOSA, Mr. COSTA, and Mr. GRIFFIN of Arkansas.

H.R. 1681: Mr. MICHAUD.

H.R. 1755: Mr. DANIEL E. LUNGREN of California.

H.R. 1774: Ms. SPEIER.

H.R. 1946: Mr. WESTMORELAND.

H.R. 1960: Mr. BENISHEK.

H.R. 2040: Mr. ROONEY.

H.R. 2082: Mr. DOYLE.

H.R. 2094: Mr. LUJÁN.

H.R. 2108: Mr. SAM JOHNSON of Texas and Mr. TIBERI.

H.R. 2139: Mr. KING of Iowa, Ms. TSONGAS, Mr. LOBIONDO, and Ms. CHU.

H.R. 2382: Mr. GENE GREEN of Texas, Ms. SLAUGHTER, Mr. CARNEY, and Mr. PETERS.

H.R. 2479: Mr. COSTELLO, Mr. QUIGLEY, and Mr. GRIJALVA.
H.R. 2547: Mr. HONDA and Mr. SCOTT of Virginia.
H.R. 2557: Ms. DEGETTE, Ms. BASS of California, and Ms. PINGREE of Maine.
H.R. 2563: Mr. BUTTERFIELD, Mr. YOUNG of Florida, Mr. KING of New York, and Mr. COLE.
H.R. 2655: Mr. CRENSHAW and Mrs. DAVIS of California.
H.R. 2696: Mr. CAPUANO.
H.R. 2721: Ms. WOOLSEY, Mr. HASTINGS of Florida, Ms. BASS of California, Mr. CLYBURN, and Mr. AL GREEN of Texas.
H.R. 2730: Mr. DANIEL E. LUNGREN of California and Mr. CASSIDY.
H.R. 2741: Mr. BLUMENAUER.
H.R. 2746: Mr. CICILLINE, Mr. PETERS, Mr. LARSEN of Washington, Mr. LOBIONDO, and Mr. BISHOP of New York.
H.R. 2787: Mr. BOSWELL.
H.R. 2925: Mr. WALSH of Illinois.
H.R. 3091: Mr. POE of Texas.
H.R. 3109: Mr. BISHOP of New York.
H.R. 3187: Mr. RICHMOND and Ms. EDWARDS.
H.R. 3242: Ms. EDWARDS.
H.R. 3264: Mr. LONG.
H.R. 3415: Mrs. DAVIS of California.
H.R. 3432: Mr. STARK.
H.R. 3510: Mr. SCOTT of Virginia.
H.R. 3591: Mr. NADLER.
H.R. 3634: Mr. LOEBSACK.
H.R. 3798: Mr. AL GREEN of Texas.
H.R. 3816: Mr. YOUNG of Alaska.
H.R. 3849: Mr. SCOTT of South Carolina.
H.R. 4000: Mr. COBLE.
H.R. 4091: Mr. LEVIN.
H.R. 4169: Ms. EDWARDS and Mr. PITTS.
H.R. 4209: Mrs. DAVIS of California and Mr. JOHNSON of Georgia.
H.R. 4215: Mr. ANDREWS.
H.R. 4228: Mr. GARRETT.
H.R. 4345: Mr. PITTS and Mr. BACHUS.
H.R. 4405: Mr. ROE of Tennessee, Mr. POE of Texas, Mr. GENE GREEN of Texas, Mr. HULTGREN, Mr. COURTNEY, Mr. FALEOMAVAEGA, and Mr. GRIFFIN of Arkansas.
H.R. 4818: Mr. YOUNG of Alaska and Mr. CONNOLLY of Virginia.
H.R. 5542: Mr. GEORGE MILLER of California, Ms. PINGREE of Maine, Mr. COSTELLO, Ms. TSONGAS, Mr. LOEBSACK, and Ms. BONAMICI.
H.R. 5684: Mr. MCNERNEY and Mr. WELCH.
H.R. 5741: Mr. SHIMKUS and Mr. KINZINGER of Illinois.
H.R. 5744: Mr. LAMBORN.
H.R. 5796: Mr. YOUNG of Alaska.
H.R. 5822: Mr. FORBES.
H.R. 5846: Mrs. HARTZLER and Mr. WALBERG.
H.R. 5865: Mr. DAVIS of Kentucky.
H.R. 5871: Mr. SCHIFF.
H.R. 5925: Mr. HARRIS.
H.R. 5943: Mr. BARLETTA and Mr. HALL.
H.R. 5944: Mr. GRIJALVA and Mr. THOMPSON of Mississippi.
H.R. 5965: Mr. BILBRAY.
H.R. 5969: Mr. ROE of Tennessee.
H.R. 5970: Mr. ROE of Tennessee.
H.R. 5977: Mr. CASSIDY.
H.R. 5978: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. PETERS.
H.R. 5980: Mr. ELLISON.
H.R. 6063: Mr. SCHIFF.
H.R. 6067: Mr. KING of Iowa and Mrs. MYRICK.
H.R. 6085: Mr. GRIFFIN of Arkansas and Mr. SCOTT of South Carolina.
H.R. 6087: Mr. HONDA.
H.R. 6088: Mr. NUNNELEE.
H.R. 6089: Mrs. LUMMIS.
H.R. 6092: Ms. TSONGAS.
H.R. 6097: Mr. BACHUS, Mr. BILIRAKIS, Mr. KELLY, and Mr. DUNCAN of Tennessee.
H.R. 6099: Mr. BRADY of Pennsylvania.
H.R. 6102: Mr. SENSENBRENNER.
H.R. 6118: Mr. BURGESS and Mr. TIBERI.
H.R. 6124: Mr. STARK.
H.R. 6134: Mrs. DAVIS of California and Ms. DEGETTE.
H.R. 6139: Mr. SCHWEIKERT, Mr. MEEKS, and Mr. FINCHER.
H.R. 6140: Mr. SOUTHERLAND, Mr. DAVIS of Kentucky, Mr. BOUSTANY, Mr. REED, Mrs. BLACK, Mr. SAM JOHNSON of Texas, Mr. HERGER, Mr. PRICE of Georgia, Mr. MARCHANT, Mr. SCOTT of South Carolina, Mr. GRAVES of Georgia, Mr. POSEY, Mr. NEUGEBAUER, Mr. LANCE, Mr. ROE of Tennessee, Mr. WESTMORELAND, Mr. HUIZENGA of Michigan, Mr. BUCSHON, Mr. SCALISE, Mr. MCCAUL, Mrs. ELLMERS, Mr. MCKINLEY, Mr. ADERHOLT, Mr. GRIFFIN of Arkansas, Mr. AUSTRIA, Mr. OLSON, Mr. WEST, Mr. DENHAM, Mr. NUNNELEE, Mr. WALBERG, Mr. ROSS of Florida, Mrs. BLACKBURN, Mr. SHIMKUS, Mr. LANKFORD, Mrs. MCMORRIS RODGERS, Mr. GOODLATTE, Mr. ROKITA, Mr. QUAYLE, Mr. HENSARLING, Mr. BRADY of Texas, Mr. PAULSEN, Mr. ROSKAM, Mr. MCCLINTOCK, Mr. THORNBERRY, Mr. WILSON of South Carolina, Ms. FOXX, Mr. KELLY, Mr. HUELSKAMP, Mr. PITTS, Mr. GOWDY, Mrs. MYRICK, Ms. JENKINS, Mr. HASTINGS of Washington, Mr. LAMBORN, Mr. POMPEO, Mr. BROOKS, Mr. BURTON of Indiana, Mrs. ROBY, Mr. NUGENT, Mr. SCHWEIKERT, Mr. SMITH of Texas, Mr. GIBBS, Mrs. ADAMS, Mr. COBLE, Mr. CONAWAY, Mrs. CAPITO, Mr. COLE, and Mr. LANDRY.
H.J. Res. 110: Mr. BROOKS.
H.J. Res. 111: Mr. STARK, Mr. CAPUANO, and Mr. MICHAUD.
H.J. Res. 112: Mrs. BLACKBURN, Mr. ISSA, Mr. HUELSKAMP, Mr. WALSH of Illinois, Mr. LAMBORN, Mr. GRAVES of Georgia, Mr. WILSON of South Carolina, Mr. GOHMERT, Mrs. SCHMIDT, Mr. STUTZMAN, Mrs. LUMMIS, Mr. PAUL, Mr. BOUSTANY, and Mr. BROUN of Georgia.
H. Con. Res. 109: Mr. BARTLETT.
H. Con. Res. 121: Ms. JACKSON LEE of Texas and Mr. TOWNS.
H. Con. Res. 129: Mr. POSEY.
H. Res. 134: Mr. GOWDY.
H. Res. 262: Mrs. CAPITO.
H. Res. 298: Mr. RYAN of Ohio, Ms. SPEIER, Mr. OLVER, Ms. MCCOLLUM, Ms. TSONGAS, and Mr. SCHIFF.
H. Res. 353: Mr. SCHOCK and Mr. AL GREEN of Texas.
H. Res. 407: Mr. LOBIONDO.
H. Res. 506: Ms. ZOE LOFGREN of California.
H. Res. 684: Mr. SIRES.
H. Res. 690: Ms. MCCOLLUM.
H. Res. 713: Ms. MATSUI, Mr. MORAN, Mr. GUTIERREZ, Mr. CAPUANO, Ms. SCHAKOWSKY, Mr. GRIJALVA, Mr. SCHIFF, Mr. SERRANO and Mr. NADLER.
H. Res. 725: Mr. LEWIS of Georgia, Mr. BUTTERFIELD, Mr. BISHOP of Georgia, and Mr. MCGOVERN.
H. Res. 727: Mr. GRIJALVA.
H. Res. 729: Mr. CICILLINE, Mr. LEVIN, Mr. PERLMUTTER, Ms. RICHARDSON, Mr. HIGGINS, Mr. MICHAUD, Mr. HINCHEY, Mr. BISHOP of New York, Mr. SERRANO, MR. TONKO, Mr. OWENS, and Ms. NORTON.
H. Res. 732: Ms. ZOE LOFGREN of California, Mr. SCOTT of South Carolina, and Mr. LEVIN.

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.R. 6085: Mr. WOMACK.

DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petition:

Petition 4 by Mr. VAN HOLLEN on the bill (H.R. 4010): Dennis A. Cardoza, Daniel Lipinski, Norman D. Dicks, Charles B. Rangel, John D. Dingell, Nita M. Lowey, Gary L. Ackerman, Cedric L. Richmond, Bobby L. Rush, Shelley Berkley, Earl Blumenauer, Luis V. Gutierrez, Richard E. Neal, Emanuel Cleaver, Martin Heinrich.

The following Member's name was withdrawn from the following discharge petition:

Petition 4 by Mr. VAN HOLLEN on the bill (H.R. 4010): Ben Chandler, Henry Cuellar.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 5856

OFFERED BY: MR. BROOKS

AMENDMENT NO. 30: 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 Department of Defense or a component thereof to provide the government of the Russian Federation with any information about the missile defense systems of the United States that is classified by the Department or component thereof.

H.R. 5856

OFFERED BY: MR. JOHNSON OF ILLINOIS

AMENDMENT NO. 31: 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 for any further operations in Afghanistan other than for a full and immediate withdrawal.

H.R. 5856

OFFERED BY: MR. JOHNSON OF ILLINOIS

AMENDMENT NO. 32: 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 for oversees operations may be used for strikes against targets by unmanned aerial vehicles.

H.R. 5856

OFFERED BY: MR. ELLISON

AMENDMENT NO. 33: At the end of the bill (before the short title), insert the following:

SEC. ____. Not later than 30 days after a contract is awarded using funds appropriated under this Act, the relevant contractor and subcontractor at any tier (and any principal with at least 10 percent ownership interest, officer, or director of the contractor or subcontractor or any affiliate or subsidiary within the control of the contractor or subcontractor) shall disclose to the Administrator of General Services all electioneering communications, independent expenditures, or contributions made in the most recent election cycle supporting or opposing a Federal political candidate, political party, or political committee, and contributions made to a third-party entity with the intention or reasonable expectation that such entity would use the contribution to make independent expenditures or electioneering communications in Federal elections.

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PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, SECOND SESSION

Vol. 158 WASHINGTON, THURSDAY, JULY 19, 2012 No. 109

Senate

The Senate met at 9:30 a.m., and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by Reverend Elizabeth Evans Hagan, Senior Pastor of Washington Plaza Baptist Church in Reston, VA.

The guest chaplain offered the following prayer:

Let us pray.

Gracious God, we thank You for being the source of all life, wisdom, and grace in this world. And truly, as Your people, we are so very blessed. We are blessed with breath as we rose to this new day. We are blessed with communities of friends and family that support us. We are blessed with hope that gives our gifts and talents opportunities to be channeled into meaningful work.

Help all of us, O God, as we begin this new day, to remember the richness of our blessings so that we may work together courageously for all of those You have given us to serve. To whom much is given, much is also expected. May we give more today into Your holy work than we gave yesterday.

It is in thanksgiving that we pray in Your most holy Name. Amen.

The PRESIDING OFFICER. The Senator from Virginia.

WELCOMING THE GUEST CHAPLAIN

Mr. WEBB. Mr. President, I rise today to speak about today's guest chaplain, the Reverend Elizabeth Evans Hagan, Senior Pastor at Washington Plaza Baptist Church in Reston, VA. I am pleased to welcome Reverend Hagan and her husband, Kevin, to the United States Senate today.

Reverend Hagan holds a degree in education from Samford University, and received her Master of Divinity in 2006 from Duke University. Prior to serving at Washington Plaza, Reverend Hagan served as Associate Pastor for Education and Youth at First Baptist Church of Gaithersburg, MD, and several pastoral internships in Alabama, North Carolina, and Washington, DC. She is passionate about building a strong community of faith, and has traveled extensively to places such as Uganda, Rwanda, Kenya, Burma, Thailand and Argentina.

Since March of 2009, Reverend Hagan has led the large and growing congregation at Washington Plaza, which includes a large African-American, Chinese, and growing Hispanic representation. It is welcoming and affirming of all people, and a church where seekers feel at home.

Through the many ministries and programs at Washington Plaza Baptist Church, Reverend Hagan has made a profound impact on the lives of many members of my constituency. I am certain that she will continue to guide her congregation for many years to come, and I look forward to seeing the direction of Washington Plaza under her leadership.

PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 19, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Mr. UDALL of New Mexico thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

BRING JOBS HOME ACT—MOTION TO PROCEED

Mr. REID. Mr. 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.

SCHEDULE

Mr. REID. Mr. President, the first hour today will be equally divided and controlled between the two leaders or their designees. The Republicans will control the first half and the majority the final half. At 2:15 p.m. there will be a cloture vote on the motion to proceed to the Bring Jobs Home Act I just moved to.

MEASURE PLACED ON THE CALENDAR—S. 3401

Mr. REID. Mr. President, I am fairly confident that S. 3401 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title for the second time.

The assistant legislative clerk read as follows:

A bill (S. 3401) to amend the Internal Revenue Code of 1986 to temporarily extend tax

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

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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 object to any further proceedings with regard to this bill.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar under the provisions of rule XIV.

Mr. REID. Mr. President, over the last decade, American companies outsourced about 2½ million jobs, often to countries where they can hire workers for half the price. And 21 million Americans, including nearly 7 million manufacturing workers, live with the fear their jobs could be shipped overseas tomorrow. More than 130,000 of those at-risk workers live in Nevada. In the Presiding Officer's home State of New Mexico, more than 100,000 jobs in manufacturing, sales, management, the financial sector, and other industries are in jeopardy. And more than 300,000 jobs in the State of Kentucky, the State of my Republican counterpart, are also at risk. So I was surprised yesterday when the minority leader dismissed efforts to end taxpayer incentives for companies that outsource jobs overseas. To quote the minority leader, he said:

> Why aren't we doing anything? It's time to bring up serious legislation that affects the future of the country.

At a time when millions of Americans are looking for work, I am not sure what could be more serious than protecting good-paying, middle-class jobs. The Bring Jobs Home Act, the measure before this body, would end tax incentives for corporations that ship jobs overseas. Every time an American company closes a factory or a call center in America and moves operations to another country, taxpayers pick up part of that moving bill. Hard to comprehend, but it is true. The legislation before this body would end that senseless series of tax breaks for outsourcers. It would offer a 20-percent tax credit to help with the cost of moving production back to the United States.

In the last few years, major manufacturers such as Caterpillar have brought jobs back to the United States from Japan, Mexico, and China. Smaller manufacturers such as Master Lock have moved facilities home as well. Congress must do everything in its power to encourage this trend.

But let me remind the entire Senate that we must break a Republican filibuster—a record-breaking filibuster—before we can even begin debating the Bring Jobs Home Act. This obstruction is unfortunate, but it is not surprising. After all, the Republicans' nominee for President made a fortune working for a company that shipped jobs overseas.

Yesterday, my friend Senator MCCONNELL said he wants to debate serious legislation. If that is the case, he should urge his Republican colleagues to drop their filibuster. The Bring Jobs Home Act is a commonsense strategy to protect American workers. To 21 million Americans whose jobs could be the next sent to China or India, it is a very serious proposal. To the 2½ million Americans whose jobs have already been shipped offshore, it doesn't get any more serious than that. The only ones who aren't taking this measure seriously are the Republicans in Congress.

RECOGNITION OF THE MINORITY LEADER

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

Mr. MCCONNELL. Mr. President, could I ask the majority leader one question related to the vote we are going to have later today?

A number of my Members are asking, in connection with voting to proceed to the bill, whether the bill will be open for amendments.

Mr. REID. The only amendments I have seen are three in number that the Republicans have suggested—to do away with the Affordable Care Act, to reestablish the Bush tax cuts, and then the Hatch tax measure. As has been the tradition with Republicans, those have absolutely nothing to do with outsourcing. So unless the Republicans get serious about legislating on the legislation we have, the answer would be: Very doubtful.

Mr. MCCONNELL. Well, I would say to my Republican colleagues, apparently the bill will not be open for amendment, and we will take that into consideration in deciding whether to support cloture on the motion to proceed.

FISCAL CLIFF

Mr. President, earlier this week, Senate Democratic leaders made clear to the American people where their priorities lie. In case you are wondering, the middle class came in pretty low on the list.

At a moment when more Americans are signing up for disability than finding jobs—listen to that, Mr. President, because this is where the American economy stands today. More Americans are signing up for disability than are finding jobs—Democrats said they think it is a good idea to drive the country off what economists are calling America's fiscal cliff this coming January. You might call it Thelma and Louise economics—right off the cliff.

But whatever one calls it, Democrats are evidently so determined to raise taxes on America's job creators that if we don't let them do it—if we don't let them do it—they would actually welcome an economic calamity that would rock not only the American economy but the global economy as well. They want to drive us right off the cliff. They would threaten our own economy and the global economy as well.

Needless to say, this isn't a program for jobs or economic growth. It is an ideological crusade—an ideological crusade. Following the President's lead, Democrats are declaring ideological warfare, and the banner they are marching under is emblazoned with a single word: Fairness. Fairness.

Here is the problem: Fairness turns out to be a lot like hope and change. Fairness turns out to be a lot like hope and change. We don't know what it means until it is put into practice. But one thing history, common sense, and basic economics tell us is that it doesn't mean what the Democrats say it does. Because when they say tax the rich, we can be sure the middle class isn't far behind.

Just ask yourself: When was the last time a government program stuck to its original mission? When was the last time?

Federal income taxes initially were only supposed to apply to those with taxable incomes above $500,000 a year, equal to about $11.3 million in today's dollars. And even then the top rate was only 7 percent. Today the Federal income tax starts to pinch as soon as you earn a dollar more than $9,750.

The Social Security tax started out at 2 percent. What is more, Americans were told it would never rise above 6 percent. Yet today the Social Security tax stands at 12.4 percent. And all other things being equal, it will likely have to rise above 20 percent to keep the program solvent. That is the condition of Social Security today.

The alternative minimum tax was designed to hit 155 households back in 1969—155 households. Today it threatens to hit nearly 30 million households at the end of this year.

ObamaCare was supposed to tax the rich. Yet now it turns out the very core of the bill includes a tax on the middle class. In my view, that particular deception turned out to be the difference between the law passing and not passing. They said: Oh, it is not a tax. The Supreme Court says it is a tax, with 77 percent of it hitting people making $120,000 a year and less. And it passed by just a single vote—just one vote. Every single Democrat who supported it is responsible for the law itself and the middle-class tax at the heart of it.

But the bottom line here is that a law we were told didn't hit the middle class, does—big time. And the same goes for the President's latest proposal to raise taxes on those earning more than $200,000 a year. It may be aimed at the top 2 percent now, but like every other program that is supposedly aimed at a few, very quickly this tax will increase to apply to many.

Even the senior senator from New York has said this tax hike will hit a lot of people who aren't rich. I agree with the senior Senator from New York. After all, the revenue from the Democrats' tax increase will only cover 6 percent of next year's projected budget deficit. So who is expected to cover the rest? The middle class, of course.

That is the fine print under every Democratic proposal. They say they are coming after the rich, but the middle class is always next. And America's small businesses are already on the

line. That is one reason Republicans are so adamantly opposed to these proposals.

Yes, it is a terrible idea to raise taxes in the middle of an economic downturn. Yes, government is already way too big. Yes, Democrats have absolutely no more intention of using this new revenue for deficit reduction than they have had in the past. Yes, the President's latest proposal wouldn't even raise enough money to fund the government for a week. And yes, we have no reason whatsoever to believe the President wouldn't continue his crony capitalist ways, spending that money on the pet projects of his political allies.

But the larger point is this: Not only is all this terrible economics, it is completely and totally unfair. The American people shouldn't be on the defense when it comes to keeping what they have earned.

The President may think those who have succeeded in life haven't done so on their own, but anybody who has ever turned a dream into reality knows he is totally wrong about that. They know the sacrifices they have made for their success: the hours of work they have put in, the time away from family, the constant worry about whether they will succeed.

Those who have made it know that what is unfair is being told—being told—they have to now hand over even more than they already are to a President who has done nothing to show he knows how to spend it.

Democrats may think it is good politics to play Russian roulette with the economy. They may think it helps their radical, ideological goals for the country to go off the fiscal cliff at the end of the year. They may look down on any enterprise that isn't controlled by the government. But nobody—nobody—should ever attempt to pretend it is a good idea for the economy or for jobs or for middle-class Americans, because it isn't. That is why Republicans think we should solve these problems now.

That is what I have been calling for all week. It is what I and my colleagues will continue to call for until Senate Democrats realize we weren't sent to play politics—we were sent to serve the American people.

HONORING OUR ARMED FORCES

SPECIALIST NATHANIEL D. GARVIN

Mr. President, it is with great sadness that I rise to commemorate an honored Kentuckian who has fallen in service to his country.

SPC Nathaniel D. Garvin of Radcliff, KY, died on July 12, 2010, in Kandahar, Afghanistan, while in support of Operation Enduring Freedom. He was 20 years old.

For his service in uniform, Specialist Garvin received several awards, medals, and decorations, including the Army Commendation Medal, the Army Good Conduct Medal, the National Defense Service Medal, the Afghanistan Campaign Medal with Bronze Service Star, the Global War on Terrorism Service Medal, the Army Service Ribbon, the Overseas Service Ribbon, the NATO Medal, the Basic Aviation Badge, and the Overseas Service Bar.

Specialist Garvin had the nickname ''Tater,'' given to him by his father Cliff. That is because when he was born on July 4, 1989, he weighed a little more than 5 pounds. ''Wow,'' said Cliff to his wife, Nate's mother Melanie, ''He is not much bigger than a sack of taters.'' The nickname stuck.

Nate may have been on the small side, but he did not shy away from risk. ''He was the daredevil of the family,'' Melanie remembers.

> As soon as he was old enough to walk, he had no fears. As he grew, he would climb trees to the tiptop to get on top of roofs—scaring his mother, of course.

One story goes to show just how tough Nate was. When he was still just in grade school, Nate's shoulder blade got dislocated, and the school nurse called his parents to come and pick up Nate and take him to the doctor. They did, but somehow in the short time between picking up Nate from school and driving to the doctor's office, Nate managed to pop his own shoulder back into place. ''[He did it] showing no pain at all,'' says Melanie. ''The doctor was shocked, along with his dad and I.''

Nate's toughness included sticking up for his family. He grew up with three older brothers and a little sister. They may have at times picked on each other, but if someone outside the family ever picked on his brothers or sister, ''Nate would say, 'I am not afraid, let me handle it,' '' said Melanie. ''He didn't care how big the other person was; he would not back down.''

Nate was smart, funny, loving, and loyal. ''He could say something that . . . in an instant would either make you laugh or have you laughing so hard you would be crying,'' Melanie remembers. Nate liked to fish and he enjoyed playing video games. He was so good at them, other people didn't want to play against him. He also could take apart and put back together the video game machines or almost anything else electronic.

After Nate met and married his wife Brittany, both he and one of his older brothers decided to use the buddy system and join the military at the same time, following in the footsteps of another Garvin brother. Nate felt it would be a good way to provide for not only his wife but also his then-unborn child.

Nate entered the Army in July 2008. He scored highly enough on his entrance exams to have his pick of any field he wanted. Nate chose avionics. He did his training at Fort Jackson, SC, and Fort Eustis, VA, and was assigned to B Company, 96th Aviation Support Battalion, 101st Airborne Division, based in Fort Campbell, KY.

Nate was able to come home from the Army for Christmas in 2008, and his timing was good. On December 26, 2008, his daughter Kayleigh was born. ''[That was] the happiest day in his short life. He loved her with all he had,'' said Melanie.

In the short time they had together, Kayleigh became her daddy's little girl. Her grandmother Melanie says:

> She looks so much like him at that age we say she is Tater made over, just in a dress. She has his smile and her eyes light up just like his did. She also has her daddy's stubborn streak and smartness.

Nate would play video games and Kayleigh would sit beside him with an old game controller Nate gave her, pretending she was also playing the game. When Nate bobbed and weaved, she did too.

Nate was deployed to Afghanistan for Operation Enduring Freedom in March 2010. As Melanie put it:

> Tater was due to come home for his R&R in August 2010, but unfortunately didn't make it. He lost his life one day before his mother's birthday and two days before his 21st. He never got to meet his son, who was born April 9, 2010.

We are thinking of SPC Nate Garvin's loved ones as I recount his story for my colleagues. That would include his wife Brittany; his parents Melanie and Cliff; his daughter Kayleigh Jo; his son Wyatt Boone; his brothers, TJ, Alex, and Jeremy; his sister Whitney; and many other beloved family members and friends. The Garvin family is also thankful for the assistance given them by CPT Erik Heely during the difficult events of 2 years ago.

The loss of SPC Nathaniel D. Garvin is tragic, and it is only appropriate that this Senate pause to honor his service and recognize his sacrifice.

I hope his family, particularly his two young children, can take some comfort from the fact that both the Commonwealth of Kentucky and this country are grateful for and honored by the heroism and courage Nate showed, both in and out of uniform. The example he set for his loved ones and his country will not be forgotten.

I yield the floor.

RESERVATION OF LEADER TIME

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

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the following hour will 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.

The Senator from New Hampshire is recognized.

Ms. AYOTTE. Mr. President, I ask unanimous consent to enter into a colloquy with my colleagues.

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

Ms. AYOTTE. Mr. President, I rise to talk about an issue that is of deep concern to our country, one of the greatest national security threats facing our country right now; that is, what is called sequestration.

To bring that down to plain terms for the American people, our Department of Defense is facing an additional $500 billion across-the-board meat ax in cuts in addition to the already planned $487 billion in reduction over the next 10 years if we do not act as a Senate, as a Congress, and if the Commander in Chief does not act to come up with more responsible ways to cut spending.

We all know we have a nearly $16 trillion debt. We all know debt threatens our country not only as a national security threat but also as a threat to the quality of life of my children—I am the mother of a 7-year-old and a 4-year-old—and future generations in this country. However, what we did last August was a kick-the-can exercise, where we left it to a supercommittee to come up with $1.2 trillion in savings, rather than sitting down and coming up with the savings we should have at the time.

So where we are left is with a meat-ax, across-the-board approach, instead of prioritizing our spending, and we are putting at risk the most fundamental constitutional responsibility we have to the American people; that is, to keep them safe.

Daniel Webster, who was born in New Hampshire, served as a Senator from Massachusetts, was a great statesman, said in 1834: ''God grants liberty only to those who love it and are always ready to guard and defend it.''

We know from our men and women in uniform that they have been there for us to guard and defend this great Nation—not only the current men and women who serve but generations of brave men and women have served our country. Where we are right now, we do a disservice to them not to resolve this sequestration, these across-the-board cuts, by coming up with alternative spending reductions, which we can do.

To put it in perspective, 1 year of sequestration is about $109 billion, and that also covers nondefense. If we could live within our means for 1 month with this government, we could come up with the spending reductions. We need to do that on behalf of our Department of Defense and for the American people.

Some of the things that have been said about the impact of these across-the-board cuts:

Our Chairman of the Joint Chiefs of Staff has said we will face the potential for increased conflict. He also said: ''We are living in the most dangerous times in my lifetime, right now''—meaning, right now. ''I think sequestration would be completely oblivious to that, and counterproductive.''

We also know every leader of our military from every branch has spoken to both the House Armed Services Committee and the Senate Armed Services Committee. What they have said is shocking and should be a wakeup call to Members of both sides of the aisle, that we owe it to our military and to the American people to address it.

Just some of the things that have been said about sequestration:

The Chief of Naval Operations has said: We will do ''irreversible damage'' to our Navy. ''It will hollow out the military, and we will be out of balance in manpower, both military and civilian, procurement and modernization.''

The Chief of Staff of the Army has said: It ''would be catastrophic to the military . . . '' and we will ''reduce our capability and capacity to assure our partners abroad, respond to crises, and deter our potential adversaries,'' while threatening our readiness.

The Air Force Chief of Staff has said:

> We will be left with a military with aging equipment, extremely stressed human resources with less than adequate training and ultimately declining readiness and effectiveness.

As I said yesterday on this floor, the Assistant Commandant of the Marine Corps has said that the Marine Corps will be unable to respond to one major conflict on behalf of this country.

There are many things we can predict. One of the things we know we can predict is what is going to happen with sequestration. We know that if we do not address our debt now, we will be facing the fate of Europe. But one thing we have been very bad at predicting is where the next conflict will come from for our country, where the next threat our country will face will come from. If our Marine Corps is unprepared to respond to one major contingency, our country is at risk. That is why we need to address this.

It is not only the impact on our men and women in uniform—from the Chief of Staff, from the Commandant of the Marine Corps, of all the branches that have spoken—but I had the chance to participate in a panel yesterday, to hear the concerns of our enlisted about this. I heard from the former head, the top enlisted person in the Marine Corps, Sergeant Major Kent. He expressed deep concern that we would be breaking faith with our troops. Our military leaders have expressed real concerns that we will not only undermine our national security, but we will fail to keep faith with those who have sacrificed so much for our country and to whom we owe everything.

In addition to the dire national security impacts of allowing this irresponsible across-the-board approach to occur in January, we also know there are nearly 1 million jobs at issue. In fact, yesterday, before the House Armed Services Committee, the CEOs of some of our major defense employers testified. In fact, the CEO of Lockheed Martin Bob Stevens said:

> I have spent decades of my professional working life in the national security arena and I have never been as concerned over the risk to the health of our industry and our Government [as now].

He said:

> The effects of sequestration are being felt, right now, throughout our industry. Every month that goes by without a solution is a month of additional uncertainty, deferred investment, lost talent and ultimately increased cost.

You see, it is not just our service men and women who keep our country safe, it is those who work to make sure we have the right equipment, that we have the best technology, that we have the best capability of gathering intelligence to prevent future attacks against our country.

Our defense industrial base is incredibly important—not to mention 1 million jobs at issue.

Yesterday, Dave Hess, president of Pratt & Whitney and chairman of the Aerospace Industries Association, said:

> As an industry, we are already seeing the impact of potential sequestration budget cuts today. Companies are limiting hiring and halting investments—largely due to the uncertainty about how sequestration cuts would be applied.

A small business owner, Della Williams—it is not just our large employers, a lot of small businesses make parts for our weapons systems, for our equipment for our military. They cannot take this uncertainty we have created for them in Congress, and these cuts, and many of them will be forced to go out of business.

Della Williams said:

> What is being billed as a stop-gap budget fix will have lasting effects on our defense capabilities for years to come. The switch will not just get flipped back on to reverse that trend.
>
> Moreover, the deep personnel and program cuts will threaten our national security. Indeed, the United States could lose our technological and strategic advantage and never get it back.

This is why this is so important.

By the way, yesterday the CEO of Lockheed Martin had to issue—believed he had to issue a memo to his employees. In that memo his employees will receive, he said:

> We believe sequestration is the single greatest challenge facing our company and our industry. Defense Secretary Leon Panetta has said sequestration will have catastrophic consequences for our nation's defense. . . . With little guidance from the government on the specifics of sequestration, it is difficult to determine the impact . . . on our employees.

He said: We do know that we have a responsibility to tell you that you could potentially be laid off and that we have a duty to issue what are called Warn Act notices now.

Under Federal law, these defense employers are going to have to, 60 days before January 1, issue potential layoff notices to their employees. Of course, that will also create lots of uncertainty and consternation in many American families, which is unnecessary if we would come to the table right now and address this issue.

We can find spending reductions that do not threaten our national security. Just to put a couple of numbers in perspective, some States just had in job losses on this: Virginia, according to AIA—there was a new report issued this week done by George Mason University—Virginia: 136,000 defense industrial base jobs; Florida, 41,000; Pennsylvania, 39,000; my home State of New Hampshire, just on the defense end, 3,600 jobs.

We owe it to the American people to act now. This is too important to be used as a bargaining chip in December because people want to use it to put our national security at risk because of other issues they want addressed. We have always treated national security as a bipartisan issue in this Chamber. I hope we will not use our Department of Defense and put our men and women in uniform in this uncertain position. We need to let them know we have their back. As Members of Congress, we should be together right now, sitting at the table, resolving this, coming up with alternative spending reductions.

I also call on the President as Commander in Chief of this country to lead that effort, to stop sitting on the sidelines. This is too important to the security of the United States of America.

I see my colleague from South Dakota here today, JOHN THUNE, who is a leader in our conference, someone who I know has been very focused on this issue.

I ask Senator THUNE, yesterday the House was focusing on this issue. We know there were hearings before the House Armed Services Committee. In fact, we should point out that the House, through reconciliation, has already passed a bill to address sequestration, to make sure our national security is protected. They have done that. It has not been taken up in the Senate yet, unfortunately. I call on the majority leader of the Senate to act now because the House has passed something.

Yesterday, they also held a hearing. The House passed another measure by 414 to 2 that is called the Sequestration Transparency Act. It is a companion bill to one Senator THUNE introduced in this Chamber. I know how focused he has been on this issue. The Senate passed a similar amendment to the farm bill.

One of the issues we saw from the CEOs who testified yesterday, from our defense industrial bases, the Department of Defense, OMB—they have gotten no guidance on where these cuts will be implemented. Therefore, I know that yesterday the House actually passed this act to address that piece of it.

I ask, does the Senator from South Dakota agree that the Senate should immediately pass the legislation he introduced, this bipartisan House bill that is coming over, a version, so that we, the American people, can know right away—have the agencies tell them specifically what the impacts of sequestration are? Of course, most important, we need to address this before the elections because we should not play political football with this.

With that, I ask the Senator from South Dakota what he thinks we should do here in the Senate right now.

Mr. THUNE. I thank the Senator from New Hampshire for yielding on that point—more important, for the great work she is doing as a member of the Armed Services Committee. She has been a very active member of that committee and a strong and clear voice for New Hampshire and for America's national security interests.

I might also add that we serve together on the Budget Committee, where really this should have originated. Unfortunately, since we did not pass a budget, it is very hard to have a plan for how to proceed with spending the taxpayers' money, and this is what you end up with.

Because we have this process put in place where, if action is not taken to avoid it, we have an across-the-board sequester that would occur at the first of next year—half of which would come out of the defense budget—we need to be able to find out exactly how these cuts would be implemented.

The thing we do not know is how the administration plans to implement this. I think that is what the transparency act that passed in the House of Representatives is designed to get at. By the way, it was an overwhelming vote, 414 to 2. The House of Representatives, in an overwhelmingly bipartisan way, weighed in on the issue about whether the administration ought to spell out in clear detail to the Congress and the American people how it intends to implement its sequestration plan.

I might say, it is going to be very difficult for us as Members of the Congress to come up with an alternative replacement plan if we do not know what their plan is for implementation. We know half the reductions are going to come out of defense—at least that is the plan—the other half out of nondiscretionary spending. It is clear this would have a profound impact on the defense budget on top of the $½ trillion in cuts as part of the Budget Control Act last summer.

I say to my colleague from New Hampshire, she has very clearly and well laid out the impacts—as have been delineated and described by many of our service chiefs, by many of our military leaders in this country—what those impacts would be on our national security, on our readiness. Also, I think she has elaborated extremely well about the economic impact, what it is going to mean in terms of jobs in our economy.

For a moment, I want to come back to this fundamental point because I believe it is one that should not be missed by people who are following this debate; that is, if the Budget Committee and the Senate had done their work in the first place and passed a budget, we would not be where we are today—if we had actually passed a budget.

The Senator from New Hampshire—I think this is her second year on the Budget Committee. Even before she got here, we had not passed a budget. I got on the Budget Committee in this last session of Congress, so it has been 2 years since I have been on the committee, but it is a committee without a purpose, without a mission. If you are not going to pass a budget, I am not sure why you want to have a budget committee.

The other thing that is interesting about this is that we are not going to pass any appropriations bills. Not only not a budget, but in the Appropriations Committee here in the Senate are usually 12 bills that come across the floor. The majority leader said he is not going to bring appropriations bills to the floor.

I think the House of Representatives passed nine appropriations bills. They passed a budget. The Appropriations Committee here in the Senate has been moving and passing appropriations bills out of committee, but the leader of the Senate has said we are not going to move appropriations bills this year.

We did not move a budget. We are not moving appropriation bills. So what you end up with is a budget control act like what we passed last summer that takes these Draconian whacks out of the defense budget and puts America's national security interests at risk and in great peril.

I ask my colleague from New Hampshire, who, as I said, is a member, along with me, of the Senate Budget Committee, might this situation have been avoided had the Senate done its work as it is supposed to do in an orderly way, followed the law, actually passed a budget, actually worked on getting appropriations bills on the floor of the Senate? Might we have avoided what is before us; that is, these devastating, disastrous, and what some have described as catastrophic cuts in our defense budget? It seems to me at least that is where you end up when you do not do your work in the first place.

To my colleague from New Hampshire, I simply ask her, as a member of the Budget Committee, might we not be in a different situation if we had passed a budget now for 3 years?

Ms. AYOTTE. I would say my colleague from South Dakota is absolutely right. If we had done a budget for this country and the Senate Budget Committee functioned in the way it was intended to function, then we would not be in this situation in the first place. If we did regular budgeting and if we did the responsible thing for our country—as every business does, as every family does; on an annual basis we are supposed to do it as opposed to it being over 3 years since we have had a budget—then we would not be in this situation right now where our Department of Defense is at risk. I know the Senator from South Dakota voted for a budget the House passed, and I did as well. Had that budget passed, then the House did its job. Had we done that, we wouldn't be here with sequestration today. We are doing what we owe to the American people. If we can't do a budget for this country, how are we going to get the trillion dollar deficit in check?

Unfortunately, we know why we don't have a budget. The majority leader of the Senate has not shown the

leadership he should because he said it would be foolish for us to pass a budget and has not allowed the Senate Budget Committee—the Senator is right, I am not sure why we have that committee. I have been on there for a year and half. We have not marked up a budget. We have not done it, and that is because the majority leader of the Senate has said it would be foolish for us to do a budget. Why? Because when we do a budget, we do have to make choices, as families and businesses do, and prioritize where we are going to spend the money and the taxpayer dollars that are sent to Washington by our constituents, the American people. Where we are today is unfortunate. Had we done that, then I don't think we would be in the position we are with sequestration.

Mr. THUNE. I think the Budget Control Act, which passed last summer, created this process, and led us to sequestration, which is where we are today. This is a function and a clear outcome of having not passed a budget. It is ironic in many respects because, as the Senator from New Hampshire has pointed out, the first fundamental responsibility we have as Members of Congress is to tell the American people—the taxpayers who pay the bills for this government—how we are going to spend their money. This is now the third year in a row that the Senate has failed to do that.

Again, I might simply add that the House of Representatives did do a budget, has been passing appropriation bills, has been following the law in accordance with what has been the practice around here up until the last 3 years of actually working on a budget. When we are borrowing 40 cents out of every dollar we spend, it would strike me that it would be important we go through an exercise and figure out how we are going to start whittling away at the deficit and get the debt at a more manageable level and how we are going to spend the American taxpayers' dollars.

As the Senator from New Hampshire pointed out—again, I don't think we can emphasize this enough. Last summer we already called for $1/2 trillion in defense cuts, and that was half of the amount of reductions that were made last summer. It was about $1 trillion, a little over that, overall in spending cuts last summer. Those were immediate spending cuts, half of which came out of defense; $487 billion was already taken out of the defense budget.

So what we are talking about now is another $1/2 trillion over the next 10 years on top of that $1/2 trillion. In other words, $1/2 trillion out of the national security budget. The President's own Secretary of Defense has said it would lead to the smallest ground force since 1940, since before World War II, and the smallest fleet of ships since 1915, almost a century, and the smallest tactical Air Force we have had literally in the history of the Air Force. That is what we are talking about. That is the dimension of the problem we are referring to. It completely impairs our ability to project power in many of these critical areas of the world.

The world is a dangerous place, and it is not getting any less dangerous. It is getting literally more dangerous, according to the headlines, every single day. Our ability to project power in the Middle East, Asia, and all the areas of the world we need to keep an eye on will be in serious jeopardy.

I want to make a serious observation about that, and it is important to me. My State of South Dakota is home to a bomber base. One of the key ways our Nation projects power is through the use of the bomber fleet. Our bomber fleet is aging. Nearly half of the fleet was built before the Cuban missile crisis of 1962, if you can imagine that. So it is highly important we modernize our bomber fleet and Secretary Panetta has stated that the development of the next-generation bomber would be delayed by sequestration until well toward the middle of this century. So we are talking about dramatic reductions in our ground forces, Navy, and Air Force. All the assets we use to protect this country and defend America's interests around the world would be at great risk if this sequestration goes into effect.

As the Senator from New Hampshire has appropriately pointed out, the No. 1 priority we have is to defend this country. If we don't get national security right, the rest of this conversation, including all the other things we talked about, is secondary to defending and protecting America and the American people.

This is a very serious debate, and I would come back to the question the Senator from New Hampshire posed in the first place, and that is yesterday the House of Representatives passed by a 414-to-2 vote a piece of legislation that would require the administration to tell us how they intend to implement these cuts by program, project, and activity level. That way we know with some detailed specificity how these proposed cuts are going to take effect, and that would allow us to come up with an alternative plan and perhaps be able to replace and substitute other cuts elsewhere in the budget for what are going to be disastrous cuts in the defense budget.

I introduced companion legislation here in the Senate very similar to what the House passed yesterday. I hope the Senate will pick up the House bill and move it and pass it so we can get the administration and the President to engage in this discussion about what they intend to do in terms of implementing sequestration. Then perhaps they can work with us to avoid the catastrophe we are referring to and talking about. This has been documented and validated by all of our military leadership and would be a very serious and dangerous reduction in America's national security resources and in our ability to keep our country ready and able to defend America and America's interests around the world.

I appreciate so much the leadership of the Senator from New Hampshire on this issue. I know the Senator has been very active in trying to get the administration to provide more information with regard to what the impact should be on the defense budget as a member of the Armed Services Committee.

I also think they ought to furnish all the information on these cuts not only on the defense part but the nonnational security part of the budget. Defense represents 20 percent of all Federal spending, but we are going to get half of the cuts. The proportionality of this is a real issue, in my view. That happened last summer. Half of the cuts made last summer came out of defense even though it is only 20 percent of Federal spending. Half of the cuts in this sequestration would come out of the defense budget, even though it represents 20 percent of all Federal spending.

I would hope, as my colleagues here in the Senate continue to hear from people around the country who are impacted by this—not only our military leadership but also those whose jobs are going to be impacted by this—that there will be a new sense of urgency, a new intensity to try to resolve this issue, and that is to get the administration to show how they intend to implement sequestration.

I look forward to working with my colleague from New Hampshire to make that happen. I hope our colleagues on the other side, the Democratic leadership, will agree to moving that legislation.

Ms. AYOTTE. I thank my colleague from South Dakota for his leadership on this issue, and I too hope we will get that passed immediately in the Senate, and that we have clarity from our Department of Defense as well as the nondefense agencies so the American people can know what the real impact is; also, so we can act immediately. I can't emphasize enough that this needs to be done before the elections. We need to do it before the elections because we have already—I talked about some of the testimony from the CEOs from our defense industrial base, and there will be, unfortunately, layoff notices which will have to be issued because of responsibilities they have under Federal law. Let's face it, we should not have this cloud of uncertainty for our men and women in uniform, many of whom have served multiple tours for us and defended our country so admirably and so courageously. That is why I think this is an issue that deserves action now and should not be used as a bargaining chip for other issues. This is an area we have always, on a bipartisan basis, been able to do. For example, I serve on the Senate Armed Services Committee. We voted out the Defense authorization bill unanimously. Well, this is an issue I hope we would be unanimous on and that we are not

going to break faith with our men and women in uniform, we are not going to put our country in jeopardy, and I am hopeful we will also see leadership.

I call upon the President again to be a leader here, to be the Commander in Chief of this country and to call us to action to resolve this before the election.

The ACTING PRESIDENT pro tempore. The Senator from Michigan is recognized.

Ms. STABENOW. Mr. President, I want to speak as the chair of the Agriculture Committee about what is happening on the droughts across the country.

First, I want to take a moment as the author of the Bring Jobs Home Act to say that this afternoon we are going to have an opportunity to come together—as we did on the farm bill when we came together on a bipartisan basis—to focus on growing things in America and the need to strengthen our economy, provide economic certainty around agriculture and the food industry in America. It was a wonderful opportunity for us to get something done.

This afternoon, we are going to have the same kind of opportunity to come together and recommit ourselves to making things in America. The Bring Jobs Home Act is a very simple, straightforward way to eliminate a subsidy that should have been gone a long time ago, and that is the tax writeoff for shipping jobs overseas.

When someone is losing their job because a plant is closing to go overseas, to add insult to injury, as a taxpayer, they get to pay the cost of the moving. It is outrageous. What we want to do is stop that. That is what the bill does. It gives a business tax deduction for the cost of bringing jobs home and then adds another 20-percent tax deduction on top of it to encourage businesses to do that. We will be talking more about that later, but it is very important and I hope my colleagues will come together and send a very strong message about American jobs. Let's bring those jobs home.

DROUGHT CONDITIONS

Mr. President, I also want to talk today about the terrible weather conditions across the country. It started with an early spring and then a returning frost and snow in Michigan. Areas around the country have orchards and fruit crops that have gone from frost to an extension of a drought situation that is absolutely terrible. It is a very serious crisis around the country.

Not since the days of the Dust Bowl have we seen this lethal combination of scorching heat and bone-dry weather in the production regions across our country. As I speak, 80 percent of the country is suffering from abnormal dry or drought conditions; 64 percent is suffering from moderate or severe drought. That is the highest percentage in 56 years.

As we can see on the map, any area that is in color here has had some kind of a drought. The black areas are the worst. Either it is from abnormally dry, moderate, severe, or exceptional drought in almost every area of the country. This is extremely severe, and we need to take action to support our growers and ranchers.

We have almost 1,300 counties across the country rated as drought disaster areas, and that is one-third of all the counties in the United States. Every day it seems the Secretary of Agriculture is adding more to the list. More than 75 percent of the Nation's corn and soybean crops are in drought-affected areas and more than one-third of those crops are now rated poor to very poor. This is devastating our crops and our livestock producers.

Only one-third of our soybean crop is considered good to excellent right now, which is down by about 30 percent from last year.

According to the Department of Agriculture's weekly progress report, less than one-third of the Nation's corn crop is in good or excellent condition. Nearly 40 percent is rated poor or very poor. So we are talking about a massive effect on farmers, on livestock producers, and ultimately on consumers in America.

Facing higher food and feed costs and pastures that are withering due to the heat, our ranchers and livestock producers could see significant losses. I had an opportunity a number of months ago with Senator ROBERTS to be in Kansas and to see what was happening then, even before all of this. I understand how very serious this is for our livestock producers. The livestock sector could face significant declines in margins, and we could see a sharp increase in consumer prices for meat and eggs and dairy.

At a time when middle-class families are still trying to recover from the great recession, paying more at the grocery store is not going to help. In fact, it is going to hurt a lot.

The USDA has opened their Conservation Reserve Program so that land will be there for grazing, but we know it is not going to be enough for producers. There is no crop insurance equivalent for livestock. More producers may lose their ranches because of this drought. Livestock disaster assistance expired last year. We need the farm bill to become law so we can make this help available again because in the farm bill we extend the livestock disaster assistance program permanently, and we make it available for this year.

This drought is a serious problem, devastating all of our farmers, and will come home to families here and around the world, unfortunately, all too soon. We can't control the weather. We know that. In fact, farming and ranching are the riskiest businesses in the world. I should say even though they are the riskiest businesses, we have the safest, most affordable food supply in the world, and it is part of our national security. We can't control the weather and the risks the farmers face, but this drought underscores the need for improved risk management tools and better crop insurance. It underscores the need for a farm bill.

We need to get a farm bill done now more than ever. We have 16 million people who work in this country because of the agriculture and food industries—almost one out of four in Michigan. We came together—and it was a lot of work, a lot of bipartisan effort, and I am very proud of what we did together in the Senate a couple of weeks ago—to pass a farm bill.

We now have the House having acted in committee and passed a strong bipartisan farm bill. It is different. There are some things, certainly, we need to work out in our conference committee. Our bill has more reforms in it, and we certainly are concerned about the nutrition cuts. But I will say this: We need the House to pass their farm bill so we can come together in conference committee and find the right balance that is good for families, consumers, farmers, ranchers, and businesspeople across the country. I am very confident we can do that, but we need the House to act to be able to make that happen. Weather disasters are getting worse every day, which makes it even more important that we have our legislation and, frankly, that we work together to add some pieces to it in a conference committee so we can address what is happening.

In our bill that passed, as I said, we extended a livestock disaster assistance program and made it retroactive to this year. We also included a provision for fruit commodities that don't currently have crop insurance to allow them to be able to buy into a program that is in law. We actually strengthened it, made it better. For those who don't have crop insurance, we also said they could get help this year. So we do have some things in the bill we passed, and we can work together to strengthen that even more.

Senator BAUCUS, the chairman of the Finance Committee, is working, and we are working closely with him, on something that would be a more comprehensive disaster assistance program. In order to be able to do that, we have to have a farm bill.

This is not, as we know, a partisan issue. We came together across the aisle. Consumers, Democrats, Republicans, Independents, people who vote, and who don't vote—people across this country—care about a safe, reliable, and affordable food system, and that certainly goes for our farmers and ranchers and their families in communities all across America who were hit so hard by the drought.

This drought is evidence that we need to come together and act. When we look at this kind of weather map and what is happening and the fact that the majority of communities in our country are facing disaster as a result of the droughts and other things that happened relating to the weather,

we need to act. We need to act in a responsible bipartisan manner. We can do that. We did that in the Senate. The House committee did it, and I commend them for that. We need the support and help of the leadership in the House to be able to get this to the floor and get it passed so we can get it done.

Thank you very much, Mr. President.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

Mr. CARDIN. Let me compliment Senator STABENOW for her leadership as chair of the Agriculture Committee. I want the Senator to know I was on the phone yesterday with our soil conservation district managers talking about the provisions that are in the Senate bill, and I wish to personally thank the Senator from Michigan for reaching out to all of us. Our negotiations were tough, but they were fair, and I believe the reforms the Senator has in the bill will help our region and all the regions of our country deal with the underlying problems of agriculture in America.

So I particularly wish to thank her for that. The process she followed is how the legislative process should work: a very open process, a very bipartisan process. We have a good product, and I hope the House will bring forward a bill and get it to conference so we can continue the dialogue. It is important to give the predictability to farmers that this 5-year reauthorization provides. So I thank the Senator from Michigan for her extraordinary leadership in this area on behalf of the agricultural community of my State of Maryland.

I really came to the floor to talk about another one of the efforts of the Senator from Michigan today; that is, the Bring Jobs Home Act. I thank Senator STABENOW for her leadership on this bill as well.

Senator STABENOW understands that outsourcing is devastating to our country. Americans understand that. Marylanders understand that. When we are outsourcing, we are losing jobs. Families are devastated by outsourcing. What is most shocking is that our laws encourage companies to take jobs out of America. Our Tax Code should encourage companies to keep their workers in the United States. We need to make it in America.

I think we were all shocked to hear about the U.S. Olympic team and the fact that they are going to be outfitted by clothing manufactured in China. That is outrageous. It never should have happened. We can make it in America.

I must tell my colleagues, I hear from people in Maryland all the time—and I am sure the Presiding Officer hears the same thing in New Mexico, as does my colleague from Colorado as well. When we get a call from a call center, we think the person is in our neighborhood talking to us about a local issue. Then we discover that person is halfway around the world pretending to be our neighbor and friend or representing a local business, when in reality we have outsourced that service—not we, the company has outsourced it—and the worst thing is they don't tell us about it. They are misleading the consumers, and I know we have some legislation to correct that.

That is outsourcing. That is costing America jobs, and it is wrong. We can compete. Americans can compete with any other workforce in any other country, as long as we have a level playing field. So we want to make it in America. Yes, we can.

First, let me talk about some success stories. Not too long ago I visited Marlin Steel in Baltimore City. This is a steel wire manufacturer that uses raw material from America and manufactures its product in America, in Baltimore City, a high-quality wire steel product. They sell their product in America, export their product to other countries, and create more jobs in America. That is a success story.

A lot of people have given up on steel. We can't give up on steel. We need to make it in America.

Let me tell my colleagues about another success story. Tomorrow I will be at English American Tailoring, which is located in Westminster, right near Baltimore, in Maryland. They manufacture suits in America. They make it in America. We are able to do it. All they ask for is a level playing field.

We took some steps in the Senate Finance Committee yesterday to provide that level playing field by what we call the wool trust fund, which deals with inverted tariffs. We must make sure our laws are fair. The shocking thing about clothing is it actually has higher tariffs on the raw material—making it impossible to manufacture in America—than the finished product coming into America. We correct that with the wool trust fund. We need to make sure we have a level playing field.

Let me tell my colleagues another success story, about Pacific Trade International. This is a success story. This company was located in Asia, an American company located in Asia, making candles known as the Chesapeake Bay Candles—being made in Asia. Well, this is a success story. They are back in Maryland. They are located in Glen Burnie, MD, in the United States of America, making those candles, selling them to Kohl's and Target and other retailers, creating 100 jobs that are now in my State of Maryland as a result of this company bringing jobs back to America.

In the last 28 months alone, we have seen 500,000 new manufacturing jobs in America. We have talked about the U.S. auto manufacturing industry and how we have seen that industry take off because we can make it in America.

That brings me to the efforts of Senator STABENOW and others on the Bring Jobs Home Act. It is shocking—and I think the people in Maryland and around the Nation are shocked—to understand that our Tax Code actually encourages companies to take jobs overseas. American taxpayers are actually footing the bill because, under current law, if an American company decides to take its jobs and export them overseas, the moving costs are deductible per our Tax Code.

Why do we allow that? Why do we ask the taxpayers to subsidize moving jobs overseas? Well, the Bring Jobs Home Act says: Let's get rid of that tax deduction. Instead, let's make sure if companies bring jobs back to America, yes, we will consider those necessary expenses. We don't consider it necessary business expenses to export jobs. And we will give them some additional help with a 20-percent credit.

This is what we should be doing: creating policies that encourage keeping jobs in America. Make it in America. Yes, we can.

We are going to have a chance to bring this bill forward, and I hope my colleagues will support it. Then let's try to move this bill quickly.

This is a pretty simple bill which does three things: It eliminates the deduction for moving jobs overseas, it makes sure we have that deduction if companies bring jobs back home, and we provide a credit as part of the cost to bring the jobs back home. It is very simple. Why don't we keep it that way. Why don't we just pass this bill by itself and do something about creating jobs in America.

I say to my colleagues, this shouldn't be a partisan issue. We all know we have to keep jobs in America. This is a simple bill. Let's get it done. Let's not confuse it or mix it with other issues. Let's show the American people we can act in the best interests of our country.

With that, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Colorado.

PRODUCTION TAX CREDIT

Mr. UDALL of Colorado. Mr. President, I wish to commend my colleague from Maryland for his singleminded and crucial focus on jobs in America. I rise to speak about another opportunity to produce in America, and that has to do with harvesting of wind that we can do and keep jobs in America.

I have been rising every day the Senate has been in session to talk about the necessity of extending the production tax credit for wind power. And every day I come to the floor of the Senate to talk about a different State and how important wind energy is to supporting economic growth and job creation in those individual States.

Today marks the 11th time I have come to the floor to urge all of us—all of my colleagues—to act by extending the PTC for wind. Today I am going to talk about my 9th State out of 50, and I just want to say, in case anybody's wondering, I am not tired yet. I am committed to coming to the floor until Congress does what our constituents expect us to do; that is, to extend the production tax credit. It is simply that important.

If we fail to extend the PTC, our economy will suffer, jobs will be lost,

and our clean energy leadership will truly be in jeopardy when we look across the world.

So where are we going to travel to today? We are going to the great State of Georgia. The wind industry in Georgia has quickly multiplied over the last few years. Nearly 1,000 wind energy jobs have been created. Equally important, there is real potential for significant continued growth.

I want to focus on ZF Wind, which invested nearly $100 million in a manufacturing plant in the city of Gainesville, GA, which is located northeast of Atlanta. This new plant will manufacture gearboxes for wind turbines, and that will bring several hundred good-paying jobs to Georgia. ZF Wind is a German-based manufacturer. They made the decision to invest in Georgia and in America. So I just have to ask my colleagues, if a foreign company can see the potential for wind energy in America, why can't we in the Senate? Do we really want to turn these jobs away? If Congress does not decide to invest in America by extending the production tax credit, I have no doubt these jobs will be shipped back overseas.

If we continue to support the wind energy industry, ZF's gearboxes will be shipped all over our country. In fact, in the interest of full disclosure, I would say ZF is a major supplier of gearboxes for Vestas, which has a large manufacturing presence in my home State of Colorado. The point I want to make is this is one small example of the wind energy supply chain that is being built all over our country and extends in every direction.

Let me share another example of what is happening in Georgia. There is the small town of Tybee Island, which is located on the northeastern coast of Georgia. If I have my geography right, that would be up in this area, as shown on this map I have in the Chamber. They have taken a stand to show how important wind energy is to their future.

In February, their city council passed a resolution recognizing the importance of Georgia's onshore and offshore wind resources. Tybee Island is saying: Look, let's encourage the development of wind energy projects near our community and all over Georgia. They see that Georgia has enough offshore wind potential to power over 1 million homes. One million homes could be powered solely from Georgia's offshore wind potential. That is significant.

We need—all of us all across our country; all of us elected officials—to stand for the future of American manufacturing in energy. It is an economic and environmental imperative, and the choice, frankly, is stark. If we do not act, if we do not act to extend the production tax credit, and it expires, 37,000 jobs may be lost around our country. However, if we extend the PTC, conservative estimates suggest 54,000 jobs would be created. That is the choice: job loss or job creation. I can tell you what I know the answer will be in Colorado: Extend the PTC.

Without the PTC, foreign countries will extend their energy advantage over the United States. Manufacturing jobs that could be created here, that should be created here, will go instead to China and other foreign competitors. There is simply no reason to do that. Instead, we need to extend the PTC.

The PTC equals jobs. We ought to pass it as soon as possible.

I want to end on this note. This is not a partisan issue. The production tax credit has long been a bipartisan idea. Senator GRASSLEY from Iowa, our colleague who has served for many years in the Senate with great distinction, supports this idea and brought the idea forth almost 20 years ago, along with others.

Now more than ever the American people are asking us to take action and invest in clean, renewable made-in-America energy. Let's not let the production tax credit be a casualty of election-year gridlock. Now is the time for us to do the right thing: Extend the PTC.

I am going to keep coming back until we do so. I am enjoying the tour of our great country, the United States of America. Every State has a wind energy stake in the future. Let's extend the wind PTC as soon as possible to protect American jobs before it is too late.

I thank the Acting President pro tempore and yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. BROWN of Ohio.) Without objection, it is so ordered.

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

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

KOCH INDUSTRIES

Mr. MORAN. Mr. President, Koch Industries is a company which is headquartered in Wichita, KS, and is an American job creator that employs 2,600 citizens of my State. The corporation, a longstanding U.S. manufacturing company, employs around 50,000 people with good-paying jobs across the country, including around 15,000 employees who are represented by unions.

Depending on the year, Koch Industries is either the first or second largest privately held company in America, with about $100 billion in revenues. I am pleased by its presence in our State, where the company and its owners are respected corporate citizens.

The Koch family, the owners of Koch Industries, has made a statewide impact through foundations and charitable work which has given millions of dollars to help education of the poor, at-risk youth, the arts, and environmental causes.

The investments they make primarily go to Kansas and to Kansas citizens. I am grateful this company has chosen to invest in our State's economy and its people. I am pleased they are a corporate citizen of Kansas.

During the debate this week of the DISCLOSE Act, Koch Industries and its owners were mentioned numerous times. While I could come to the floor and complain about the lack of balance, if we are having a debate about the desirability of disclosing contributions to political causes, certainly the debate I heard on the Senate floor, the rhetoric, was about those who contribute to what are described as conservative causes, free-market causes. I could come to the floor and complain about the lack of balance in that discussion. But in my view, if we are going to have a discussion about the DISCLOSE Act, what we ought to all stand for is the opportunity for free speech, the opportunity for those of a variety of political points of view to be able to express those views in the political process.

Those positions, the ability to do that—perhaps not the positions, but the ability to promote your position ought to be something defended by all. We need more participation in American democracy, not less. In my view, the discussion we had this week was a distraction from the real issues our country faces, mostly related to the economy and job creation. So rather than spending our time on the Senate floor discussing the DISCLOSE Act, in my view we should be on the Senate floor creating policies that put in place those that Koch Industries has shown in my State to create jobs rather than arguing about political contributions of those job creators.

I come to the floor today to suggest that, one, Koch Industries is a great corporate citizen of the State of Kansas, contributing in many ways to the economy and to the well-being of our citizens; to suggest that if we are going to have a debate about the DISCLOSE Act there be some balance, and that those who believe in free speech and participation in democracy ought to always rise to the occasion to defend those who engage in the political process; and finally to suggest that rather than having a debate about the DISCLOSE Act, what we should be doing is finding ways to replicate what the Founders and shareholders of Koch Industries have done in Kansas, the United States, and around the globe: create jobs for Americans in our country's economy.

We are off track here. It is time for us to get back on track and to focus on what matters, a growing economy, so we can help families across America put food on their family's table, save for their kids' education, save for their own retirement, and promote a free-

market enterprise system that does just that.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

BUS SAFETY

Mrs. HUTCHISON. Mr. President, because the Senator from Ohio is in the chair, I wish to say that I am very pleased we have been able to pass a bus safety bill that was in response to two tragic bus accidents, one in Ohio and one in Texas, and the many other bus accidents that have happened, because the buses that often transport people in our country are not safe.

I think we have strengthened those safety regulations, working together, and I appreciate very much the effort the Senator from Ohio made.

LOOMING FISCAL CLIFF

Mr. President, I rise today to speak about the looming tax cliff that will affect every American who pays taxes at the end of this year. The Senate must be clear with the American people about what our priorities are and where ownership of the money made by hard-working Americans belongs. Does the money belong to the government to decide what will be done with it—except for our responsibility to add to the things the Federal Government should do—or should that money belong to the people who earned it? I think that is one of the key issues we are facing right now in this Congress, and most certainly in the campaign.

The American dream is that anyone—anyone—who is willing to work hard in this country can start from nothing and, through hard work and sacrifice, become a success. It is the defining characteristic of our country and it is what has made us a shining example for people all over the world. But that dream is under threat if, at the end of this year, all of a sudden, because we don't address the major tax hikes that will affect all Americans, that hard work and sacrifice will simply result in giving a larger portion of people's paychecks to the government. If we do not enact relief, every single person who pays taxes will face an increase on January 1—every single person. Every person will move into a higher bracket and face a higher rate of taxation.

If we do not enact relief, small businesses will be hit with higher taxes, entrepreneurship will be discouraged, owners will not invest in growing their businesses, and hiring will remain in a deep freeze. And there can be no argument in this country that hiring is in a deep freeze. We have had unemployment rates above 8 percent over the last 3½ years. That is on the path to stagnation.

If we do not enact relief, marriage will be penalized at a greater rate than it is today. The marriage penalty, which is an issue that I have championed since I was elected to the Senate, pushes people who are working and single and get married into a higher bracket. If two single people pay taxes on their own earnings, it is at a lower rate than when they get married. One of the highest priorities I have had in the Senate has been to relieve Americans from this punitive burden. After years of fighting for fairness, the 2001 and 2003 tax cuts included my bill as an amendment. It made great strides toward eliminating the marriage penalty by lowering the tax rates, doubling the standard deduction—which had not been the case before—and simplifying other elements of the Tax Code. Prior to this tax relief, an estimated 25 million couples paid a penalty for being married—let's use 1999—of approximately $1,400.

Along with doubling the standard deduction, we have been able to give relief since 2001. But if we don't do something before the end of this year, the marriage penalty will return, and we will not have doubling of the standard deduction.

Let's say a Houston policeman with a taxable income of $50,000 and a San Antonio schoolteacher with a taxable income of $30,000 are getting married this year. How would their taxes compare if they were filing jointly as a married couple or as two single taxpayers? For this year, filing jointly as a married couple, they would save approximately $500 because we have marriage penalty relief. However, when the relief expires at the end of this year, they would pay approximately $800 next year, not save $500, because they are filing jointly as a married couple. This is the time when they need the money the most—they are starting a family, they would like to buy a house—yet we would penalize them for entering the institution of marriage. In this economy, every dollar matters, and many households do rely on two incomes. So how is it that Congress has decided that we should penalize people who are working extra hours, extra hard, to begin their lives as a family?

My bill, S. 11, provides permanent relief by raising the standard deduction for married couples, doubling it—when two single people get married, the standard deduction should double—increasing the 15-percent tax bracket for married joint filers to twice that of single filers. That is very key because starting next year the 15-percent bracket is the people making the lowest amount who are paying taxes. So if we double it before they have to go into the next bracket, that is going to give them significant relief. We also extend the earned-income tax credit marriage penalty relief.

I offered my bill as an amendment last week, but we were not able to vote on amendments. So I am going to continue to offer this as an amendment as we consider a myriad of options for tax relief for our countrymen because if we don't do something by the end of the year, not only are these taxes going to go into effect but many others. I urge my colleagues to work with me on extending this relief.

We have an outsourcing bill that is going to be coming to the floor for a vote today. We must create a job creators bill, which is what this bill purports to do. It is very important, though, that we look at some of the major issues facing corporations and small businesses, which are our job creators in many instances, and see what they really need for relief.

Today we have the dubious honor in America of having the highest corporate tax rate in the world. We used to be second, but just recently Japan changed their corporate tax rate and lowered it so that they would not have the confiscatory taxes that would discourage Japanese companies from investing in Japan. So now America has the highest corporate tax rate in the world—at 35 percent. So on top of punishing businesses with that high tax rate, our homefront looks even less business-friendly when you consider the mountain of regulations, the burdens of the President's new health care mandate, and the lack of a long-term, comprehensive tax plan.

The bill the Senate is now considering would be another punitive attack on companies and will hamper business growth. Instead, with unemployment rates above 8 percent for 41 straight months, we should be doing everything in our power to spur hiring in the private sector.

We need the President of the United States, the leader of the greatest Nation on Earth, to recognize, respect, and encourage the job creators who are investing in our country, which helps everyone get a shot at success. Unfortunately, last Friday the President shocked many Americans with his comment, ''If you've got a business—you didn't build that. Somebody else made that happen.'' This highlighted the fundamental difference in the way the President and many in Congress view the hard work Americans put into achieving the American dream. The American dream is that somebody can come to this country, they can start with nothing, and they can build and work and sacrifice and give their kids a better chance than they had. That is why people have been coming to this country.

My office received calls and letters from all over Texas when they heard the President's comment last week. I am going to give some excerpts from one small business owner in Beaumont, TX.

I have to say that I am appalled by President Obama's recent statement about small businesses not being responsible for their own success. I am a small-business owner, and I can assure you that I built the business from nothing. I sure didn't get any government help. I gave my all to grow this business. I was not given the idea or the plans for

building a successful business. An idea, a dream, and a risk—that's what mine and all of America's small businesses have been built on.

He goes on to say:

I put everything on the line, including my wife's wedding ring. With over 20 years of hard work, my wife and I have grown the company from four employees to over 40. When we first began our venture, she worked a full-time job that supplemented our income, while I ran the operation, and together raised our children. Nobody did that for us, we worked hard. We take pride in customer service and the quality of our work as well as giving back to our community. This has created customer loyalty and allowed us to expand, not a government handout.

Our goal should be to spur growth, encourage hiring, and support the millions of small businesses that serve as the backbone of our economy, not to extinguish the entrepreneurial spirit and innovation that built this country. It just doesn't seem as though our President relates. What built this country is innovation, taking risk, and entrepreneurship. We have established an education system, and at least we used to have a regulatory system that encouraged business, that encouraged the private sector.

A few weeks before the President said that these small businesspeople didn't do it on their own, he said, and I am paraphrasing here, ''You know, the private sector isn't in trouble. It is the government sector that is in trouble.'' Oh my gosh. You just think, ''Who is he talking to? Who is he relating to?'' because it is small businesspeople and big businesspeople and all businesspeople who are creating the jobs that create more jobs that make a vibrant economy. It isn't government. Government sometimes gets in the way and sometimes worse—it takes away from the vibrance of our economy.

So it is time for the leaders of our country—in Congress and in the White House—to get a perspective on who can create a vibrant economy. My definition of ''who'' is not the government; it is the business sector and especially the small business sector because they are growing, and if they grow, they create jobs for more people.

I hope that this Congress at some point will start working on tax reform and relief from regulations and the oppressive health care system that is going to also have a major effect at the beginning of next year and say: What can we do together to spur private sector growth that will create jobs in the private sector, that contributes to the economy, not withdraws from it?

I only hope we can all pursue the American dream and be the leaders who can make it happen for everyone.

Mr. President, I yield the floor.

Mr. President, I ask unanimous consent to have printed in the RECORD the letter from which I read.

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

EARTH ANALYTICAL SERVICE, INC.,
Beaumont, TX, July 17, 2012.

HON. KAY BAILEY HUTCHISON,
U.S. Senator, Senate Office Building, Washington, DC.

DEAR SENATOR HUTCHISON, I have to say that I am appalled by President Obama's recent statement about small businesses not being responsible for their own success. I am a small business owner, and I can assure you that I built the business from nothing. I sure didn't get any government help. I gave my all to grow this business. I was not given the idea or the plans for building a successful business. An idea, a dream, and a risk, that's what mine and all of America's small businesses have been built on.

I put everything on the line, including my wife's wedding ring. With over 20 years of hard work, my wife and I have grown the company from 4 employees to over 40. When we first began our venture, she worked a full-time job that supplemented our income, while I ran the operation and together raised our children. Nobody did that for us, we worked hard! We take pride in customer service and the quality of our work as well as giving back to our community. This has created customer loyalty and allowed us to expand, not a government hand out.

For someone who has never had to make a payroll or pay his own way to tell me I didn't build my business is insulting. He clearly lacks understanding of opportunity and business, and he is not the person that can lead our country into economic recovery.

Sincerely,

WILLIAM H. ROBBINS,
President.

Mrs. HUTCHISON. Mr. President, I yield the floor, and I suggest the absence of a quorum.

Mr. MERKLEY. 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 DISCLOSE ACT

Mr. MERKLEY. Mr. President, I come to the floor today to address several issues. First, I would like to talk a little bit about the DISCLOSE Act.

Earlier this week we had two votes on whether to end debate on whether to debate the DISCLOSE Act. The DISCLOSE Act is a very simple concept, and it is that folks who make very large donations to the political system disclose who they are so the citizens of America can know where that money is coming from. Is it coming from this particular sector or that particular sector? Is the group that is posing as Blue Skies for a Healthier America actually working to create dirty skies for a less healthy America? Is the group that says it is for clean streams actually a group that is trying to weaken the pollution control standards and put more pollution into the streams?

Citizens have a right to know where the money is coming from in a public discourse, especially very large contributions, because right now what we have are folks who are putting in millions of dollars. I ask you, how many Americans can put $1 million into a campaign? In the world I live in, $100 is a lot of money. People can't connect that there are folks out there who are saying they are going to put in $1 million, and they certainly can't connect with the folks out there who are saying: I am going to put $100 million in.

I think the Koch brothers have been bragging across this country about how they are going to buy the elections so they can control where this country heads. That is perhaps the most ill-conceived notion there is, but at least they are willing to stand in public and say what their plan is. At least they are willing to say: We are not going to hide and do it secretly. They are going to tell us they are putting in their money. Now, where they put their money and whom that money is used to attack we may not know, so even in their case we need the DISCLOSE Act.

It is confounding that so many Members of this body argued for the fact that disclosure is the disinfectant, so many Members of this body argued that citizens have a right to know, so many Members of this body said this is fundamental to fair debate in a democracy, and then when the time came to decide whether this would happen, they said: Oops. I am benefiting from this a lot. I guess I will set that principle aside and not argue for disclosure after all.

So we had two votes this week in which the outcome did not reach a supermajority because we had individuals in this body who objected to a simple majority vote to get to the bill. So we had to have a supermajority under the arcane rules of this body, and we didn't get that supermajority because we didn't have bipartisan support for debating this issue.

I must say to my colleagues who voted against it, if they believe in the debate in this society, they should at least say, yes, let's debate the bill. Maybe they do not like the bill at the end, maybe they want to filibuster the bill at the end, but at least we should be discussing it. It is such a huge factor in this Nation.

There was a time not so long ago when we had the muckraker era, and there were a series of articles that were written about how Senators in this body—I believe it was 20 articles over 20 months—were owned by different companies around this land. Those articles helped the American public understand what was going on in this body, in this very Chamber. The result was a constitutional amendment, a constitutional amendment that shifted from indirect election of Senators to direct election, to try to free the system in favor of ''We the people.''

When we came to this country, when our ancestors came to this country from overseas, they came from a system where wealth and power made all the decisions. They did not have a voice. They came to America, and they said we want to do it differently. We want to have a voice. The first three words of the Constitution captured that, ''We the people''—not we the rich and powerful who write the rules but ''We the people'' will decide how we are governed.

The Citizens United decision of the Supreme Court, which allows unlimited secret oceans of money being spent with no identification, goes completely against ''We the people.'' It is going to be up to this Chamber to wrestle with this idea. That is why we should be on the DISCLOSE Act right now. We should be debating the impact. We should be debating the history of Montana.

One hundred years ago, folks in Montana said our State is ruled by the copper kings and we are tired of we the rich and powerful setting rules and we are going to take it back because we believe in ''We the people,'' we believe in our Constitution. So they changed the rules in their State and our supreme court just a couple weeks ago gave them a 100th anniversary present, which was to strike down ''We the people'' in Montana, with no debate. The supreme court, five justices, said we don't want to have any information about how Montana politics were corrupted by vast pools of money. We don't want to know that history. We do not want to know how the people of that State, exercising their power as a State, reclaimed their democracy for the ordinary person. They put their hands over their eyes, they put their hands over their ears, and they said: We summarily decide against this case, against Montana, taking no evidence.

That is a dark moment for our supreme court. It follows on from the dramatically terrible decision of Citizens United. We must debate those issues on the floor of this Senate.

There are folks here who like to say in the tradition that the Senate is the world's greatest deliberative body. Then let's deliberate. Let's not vote against even having a conversation about some of the most monumental issues of our age.

This is a conversation that must continue. We must wrestle with how to honor the very premise at the heart of our Constitution, at the heart of our Republic, and not have ''We the people'' crossed off, out of the Constitution.

I turn to another issue; that is, the bill that is on the floor right now, the Bring Jobs Home Act. We have a manufacturing sector in crisis in America. Since the year 2000, America has lost about 5 million manufacturing jobs, according to the Bureau of Labor Statistics, and more than 42,000 factories. Today, America has only about the same number of workers employed in manufacturing as we did in 1941, more than 70 years ago. My home State of Oregon has been hit particularly hard. This trend, the loss of manufacturing jobs, strikes at the heart of the middle class because these are often living-wage jobs. These are full-time jobs. These are jobs with benefits. They provide a foundation for our families to succeed, a foundation for families to raise their children so the children will have opportunity and promise.

Put simply, if we do not make products in America, we will not have the middle class in America. We can see the middle class shrinking year by year, right now, as we lose our manufacturing base. These jobs are not disappearing into thin air. Yes, some factories shut down because of the consolidation and some jobs are limited due to automation streamlining. But in most cases, those jobs are still there; they are just not in America, not in Oregon. Indeed, those jobs have gone overseas.

China has a four-tier industrial policy that says we are going to put people to work here even if we violate the WTO agreement we have with the United States of America. That is a huge problem that we should, in a bipartisan effort, fully address.

Today, I would like share a couple letters from people who are in the frontline of the disappearance of manufacturing jobs. Virginia, from the city of Hillsboro in my State, wrote:

> In February 2010, my department at my company was advised we would be laid off after transitioning our job duties to a replacement staff in India.
>
> It felt like quite a blow. I had been there the shortest time at 10 years, the longest person there was 35 years. Half of our department was laid off within a few months, the rest of us sweated every Friday wondering when we would receive our lay off dates. We were finally all let go on March 11th, 2011.
>
> Four months after my layoff, my husband was advised the rest of his department is being laid off after their job duties were transitioned to an off-shore site. My daughter, myself, and my husband are all looking for work.
>
> We have four generations living in our home—I have no idea what will happen to all of us if none of us can find work. My husband served his time in the Army and he and I have always worked full-time, steady jobs, it feels like we're being punished for spending our lives working to take care of our family and keep a roof over our heads.
>
> Americans need jobs! We want to work and need to work! We are not lazy, instead we are innovators and always have been! We need to regain our pride in our country, help each other and quit focusing on greed.
>
> My mother reminded me that just 25 short years ago, it would have been considered un-American to take a job from an American and send it to a person in another country. People would stop doing business with any company who did choose to do so. I'm mentioning this to state there's been a definite change of the way businesses are run, which isn't all bad. Technology and business processes change. The problem is, the bottom line has become more important than the health of America and its citizens and that, I believe, is the cause of our current woes.
>
> I love my country and want it back!!! I'll admit I'm tired of giving our money, resources, and jobs to other countries while American's lose their jobs, their homes, and their security. Please help.

Duwayne writes from St. Helens:

> I worked at an Oregon high-tech company for 15 years, until I was laid off during the middle of the Bush depression. When I joined, the company had over 18,000 employees—most of them in Oregon. These were high-paid professionals and assembly workers with family-wage jobs.
>
> When I was laid off the company employed only about 4,500 people—still mostly in the US, and mostly in Oregon. But today the company has moved virtually all its manufacturing to China, and their software engineering to India. Even though the company payroll is growing, the number of employees in the US continues to shrink. Almost all the new jobs are in foreign countries.
>
> You want to know where all the jobs went? I'll tell you. They went to Mexico and China. That's because our government policies are aimed at helping corporations, and have little to no regard for American workers.
>
> Companies like these need to be harshly penalized for moving their jobs overseas—but instead they are rewarded, and American workers pay the price.

The policies we are talking about on the floor are all about the issues Virginia and Duwayne are talking about. The bill ends rewards for outsourcing jobs overseas. Currently, a company can deduct the moving expenses of offshoring and actually save money on their tax that way. That would end. If a company wants to move a factory overseas, we cannot stop them, but we should not give them tax breaks to do so. I would love to be in a forum of hundreds of people and I would ask this question: Do any of you love the idea that under the Bush administration, we started subsidizing the shipment of jobs overseas?

I can tell you virtually no one would say they love that policy because the jobs in America mean so much to our families.

The second thing this bill does is it creates new tax credits to reward businesses that bring jobs home. If a company wants to take a production line from overseas and move it back to the United States, let's help them pay for the moving expenses.

This spring I went on a tour called ''Made In Oregon,'' a tour of manufacturing in my home State. It was spectacular to see how many cool things were being made. In Bend, OR, AE Solar Energy is building inverters for solar energy on roofs and putting that power into the electric grid. Bike Friday in Eugene is doing specialty, made-to-order, the best folding bikes. Ordering over the Internet, they are shipping their best folding bikes all over our globe. Kinro West RV Windows in Pendleton and Pendleton Woolen Mills had two very different types of manufacturing: Woolen mills, they go back a century, and then an RV window manufacturer that is playing a key role in our recreational business and providing these windows to manufacturers throughout the RV world, the recreational vehicle world.

Then there is Oregon Iron Works. Oregon Iron Works is building trolley cars. We are building streetcars in America again so cities putting in streetcars can buy an American-made product. They are building a prototype of a wave buoy that will generate energy as it bobs up and down in the waves off the Oregon coast. That is going to go down the river and be installed later this year, and perhaps it will lead the way for a new source of clean, renewable energy.

Vigor Industrial is building barges. Greenbrier is building railroad cars.

These are the jobs, the companies that are the heart of living-wage jobs and making products in America. We must do all we can to support them.

Let's end the subsidies for shipping jobs overseas. Let's instead provide incentives and support for moving jobs back to the United States, to the benefit of our economy and the benefit of our families. I strongly urge my colleagues to support this bill and help bring jobs back to Oregon and back to America.

The PRESIDING OFFICER (Mrs. HAGAN). The Senator from Utah.

TRIBUTE TO STEPHEN R. COVEY

Mr. LEE. Madam President, I rise today to honor an extraordinary American from the great State of Utah—the world-renowned author and speaker Stephen R. Covey, who passed away on Monday, July 16, 2012. He was regarded as a legendary thought-leader throughout the global business community yet showed over the course of his 79 years that the true measure of life is not in making a dollar, but in making a difference.

Stephen leaves behind a legacy filled with meaningful words and memorable deeds. His prolific and powerful writing contained the kind of personal insight and inspiration that transformed the hearts, minds and lives of countless individuals. He is best remembered for his 1989 New York Times best seller, The Seven Habits of Highly Effective People. The book sold more than 20 million copies worldwide and has been translated into 38 different languages. Seven Habits served to prove Stephen's passionate belief that talking about principles changes behavior better than talking about behavior changes behavior.

Ever the teacher and ever the student of strategies for achieving personal and professional excellence, Stephen followed his pursuit of these life-changing principles in subsequent books including First Things First, The 8th Habit, and The Leader in Me. Covey's words, ideas, principles and practices have been used in a variety of educational settings, from college management classes to corporate business seminars. In 2011, Time magazine listed Seven Habits as one of the 25 most influential business management books of all time.

While Covey's words propelled him to become a global titan of bold business strategies and tactics, it was his deeds, often in family settings, which provided the notably personal touch found in his teaching and training. His poignant examples and anecdotes from his personal life illuminated how to actually live the principles he taught. Covey often shared a humorous experience he had with one of his sons when taking a business call at home. His son felt that Stephen had been on the phone for far too long, so he took out a jar of peanut butter and began spreading it on Covey's balding head. Covey pretended to ignore it, so the son added a layer of jam and eventually a piece of bread. Stephen used this experience to teach the principles of proper priorities, life balance, and building relationships. He demonstrated it was possible to complete an important phone call, indulge his son's mischievous antics, and create a meaningful memory.

One of his best known principles, Sharpen the Saw, focused on the need for rest and renewal. Covey stressed the important impact of family dinners, family vacations, family service in the community, and families working together at home. He recalled ''work parties'' in which his whole family would tackle a project. Instead of just laboring for hours, they would laugh and talk and eat snacks while they worked and then go to a movie once they finished. Stephen continually showed that when you put your family first you can create a legacy that will truly last. His deeds as a father, husband, neighbor, and friend are the kind that communities, States, and nations would do well to promote and emulate.

Covey's contributions to the leadership community extend far beyond his literary works. He revolutionized the field of leadership and management development with the creation of the Covey Leadership Center in Utah. The Covey Leadership Center eventually merged with Franklin Quest to form FranklinCovey, a worldwide management firm specializing in training and consulting services for individuals, teams and businesses. His extensive client list includes a vast majority of the Fortune 500 companies, world leaders, celebrities, national governments, and numerous charitable organizations. In 1996, Time magazine named him one of the 25 most influential Americans, and in 2011 Thinkers50 named him one of the top 50 business leaders in the world.

He was an inspiration to millions, a revolutionary problem solver, and an icon for business managers everywhere. It is impossible to calculate the immense amount of good that Stephen Covey did for so many people. His insight helped to shape the future of an untold number of businesses, resulting in better jobs and indeed better lives for people around the world. Stephen Covey's life mission is reflected in the mission of FranklinCovey: ''We Enable greatness in people and organizations everywhere.'' Stephen Covey's words and deeds helped people discover and deploy the principles that would ultimately enable them to achieve greatness in life and in business.

My wife Sharon and I extend our thoughts and prayers to the family and friends of Stephen Covey. His wife Sandra, his 9 children, 52 grandchildren and 6 great-grandchildren have a tremendous legacy to cherish and follow. Stephen taught his family and indeed the world that ''to live, to love, to learn and to leave a legacy'' is what life is all about. We honor his memory, celebrate his service and recognize that while his presence will be missed, his principles and practices will live on for generations to come.

No words of tribute to Stephen Covey could be complete without a challenge to do something, to produce personal deeds that match the words and the principles he loved and lived. So I conclude this tribute with a challenge for each of us to remember: We honor best those who have gone before by living our lives with excellence today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN of Ohio. Madam President, I ask unanimous consent following my remarks that the Senator from Nevada be recognized.

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

Mr. BROWN of Ohio. Madam President, I rise because too many elected officials, too many pundits, editorial writers, elite economists, and leaders of big corporations have simply gotten too comfortable and too used to sending American jobs overseas. We have seen outsourcing time and again from the U.S. Olympic Committee's decision to crown our Nation's top athletes with a ''Made in China'' beret to leaders of American companies far too eager to cash in and shutter U.S. manufacturing plants and open doors to cheaper labor in foreign countries. They don't just have a cheap labor advantage, they also have weak environmental rules, nonexistent or nonenforced labor laws, subsidies for currency, energy, land, and for capital.

In other words, in some sense, in this whole Olympic debacle, with hundreds of American athletes at the opening ceremonies in London, the U.S. Olympic Committee has simply said: We will give the gold medal to China for cheating.

In far too many cases, U.S. investors and executives have gotten richer at the largest companies while U.S. workers in places such as Hamilton, Youngstown, Lorain, Lima, and Solon, OH, struggle to make ends meet. That is why I am here with a simple message: Let's replace outsourcing with insourcing. Let's see the ''Made in America'' label sewn into the blazers that Members of Congress wear and on football helmets worn by our student athletes.

I am wearing a suit made by union labor in Cleveland, OH, today. Let's see the letters ''U.S.A.'' stamped in every steel beam used in our country and the armored steel purchased by our U.S. Armed Forces. We must encourage companies to return to the United States and discourage them from ever leaving.

Right now we have it backward. Our Tax Code is upside down. As it stands, businesses can classify moving personnel and company components to a foreign country as a business expense and therefore deduct the cost of offshoring from their taxes. So when a plant moves from Youngstown to Beijing, when a plant moves from

Freemont to Shihan, when a plant moves from Toledo to Wuhan, that company can deduct those moving expenses on its taxes and get a tax break for moving overseas. Combined with our outdated trade policy, with PNTR with China and no real reporting requirements and even fewer enforcement rules and mechanisms, the current American tax law encourages companies to move jobs offshore, where labor is cheap and environmental and health standards are weak.

We saw a decade of manufacturing job loss. From 2000 to 2010, we lost more than 5 million manufacturing jobs in our country. One-third of our manufacturing jobs disappeared from 2000 to 2010. Fortunately, in part, because of the auto rescue which was such a resounding success in Ohio, for instance, we have seen a 500,000 manufacturing job increase in the last 2 years. We know what happens with manufacturing job loss. It can destroy a family which had a decent wage and then can't find a job with any kind of decent wage. It weakens communities and undermines the tax base. It means police, firefighters, librarians, mental health counselors, and teachers get laid off.

But now the manufacturing sector is turning around. As I said, over the last 2 years, our country, led by the revitalization of the auto industry, is beginning to manufacture jobs. It is clear why our country and why my State of Ohio are good places to do business. We have a first-class workforce, a strong network of colleges and universities, and manufacturing know-how that is second to none.

Not only that, companies are returning to the United States because of higher costs associated with doing business abroad, whether that be transportation costs, higher wages in places such as China, and the legal difficulties of doing business overseas. We are seeing some return, but unfortunately it is more anecdotal and not extensive enough. We obviously have to keep looking ahead and make more of it happen. That is the good news.

In Ohio, we see more and more evidence that demonstrates how companies are beginning to move operations back to the United States. For instance, Apex Sports, based in Zanesville in eastern Ohio, produces softballs with an engineered foam core. They were once made in China. Apex Sports now makes its softballs in the United States. They got their start at the Muskingum County Business Incubator, which I visited not too long ago.

Roesweld Equipment is a small exporter in Columbus that now makes its products in Ohio rather than China. Columbus-based Priority Designs manufactures dsolv, a compostable netting bagging system for yard waste. Its product is now made in the United States but was previously produced in Asia. We can do more to get Americans back to work. It makes plain sense to put U.S. tax dollars back into the U.S. economy. The U.S. tax dollars pay for some products such as American flags that fly over our post offices, outfits for a Federal agency, any kind of products bought by taxpayers and by the government. It makes sense on every level that those products be made in the United States.

Let me tell you about a 22-year-old family-owned company in Akron called American Made Bags. They are making bags for Olympians and the Army National Guard. They are making them here in America. Why shouldn't our national policies support American companies and support American workers? The Bring Jobs Home Act, sponsored by Senator STABENOW and many others, makes two commonsense changes in our tax laws. It is a carrot-and-stick approach. It gives a tax credit that any business can use against their overall tax liability for costs associated with moving a production line, such as a trade or business located outside the country, back into the United States. That is the opposite of what we do now.

By providing this tax credit, we give incentives to companies to reshore and bring back jobs that might have been moved abroad earlier to places such as China, Mexico or India. In 2006 alone, U.S. manufacturers claimed $45 billion in foreign tax credit—a huge financial advantage to companies that have sent jobs to China, Mexico, and India.

Instead of promoting job growth, U.S. tax policy rewards those companies for outsourcing. That is why we need to end the backward practices that allow businesses to deduct from their taxes the cost of shipping jobs overseas. We need to turn our Tax Code right side up when it comes to U.S. jobs by promoting their creation and discouraging their elimination. That is what the business bill does, and it is about time.

One of the things that happened out of the auto rescue is a bit of an untold story. It has to do with an assembly plant in Toledo, OH, where the Wrangler and Liberty are put together. Prior to the auto rescue, only 50 percent of the components at the Chrysler Jeep plant were made in the United States. Today, 75 percent of those components are made in the United States. The glass comes out of Crestline and the seats come from Northwood. Much of the rest of the Jeep Wrangler comes from suppliers in Ohio and Michigan. Those are American jobs, and it is a huge increase in American jobs when we consider three-fourths of those components are made in the United States, when only 3 years ago it was half those components.

Those Jeeps are selling, as is the Chevy Cruze that is made in Youngstown, OH. The components come from Ohio, Michigan and others States and manufacturing plants. It makes a huge difference in building a middle-class society.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. HELLER. I thank the Chair.

(The remarks of Senator HELLER pertaining to the introduction of S. 3405 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. HELLER. Thank you, Madam President. I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mrs. SHAHEEN. Madam President, today the Senate is considering legislation to end tax breaks included in our own Internal Revenue Code that actually help companies that want to ship American jobs overseas. The Bring Jobs Home Act provides not only a tax credit to encourage companies to move jobs back to the United States, but it would end those tax breaks that help companies ship jobs overseas.

Offshoring of American jobs has hurt the middle class and it continues to be a real problem. There is no good reason we should continue giving companies an incentive to offshore good American jobs.

We can address high unemployment by encouraging companies to bring jobs back to the United States, and the tax credits in this bill will help to reverse the trend and put Americans back to work. In fact, this incentive could help bring 2 million to 3 million jobs back to the United States, according to some economic estimates. So I hope all of our colleagues will support this bill.

I also wish to take a few minutes to talk about another way that I think we in the Senate and in Congress could work together in a bipartisan way to create jobs and help the economy. Today I filed an amendment, along with Senator PORTMAN from Ohio, that provides us with a great opportunity to create jobs in America. This amendment is the text of S. 1000. It is the Energy Savings and Industrial Competitiveness Act, which is a bipartisan bill sponsored by Senator PORTMAN and myself that will create a national energy efficiency strategy for the United States.

Energy efficiency is the cheapest and fastest way to improve our Nation's energy infrastructure and our economy's energy independence. It is also something we can all agree on. Whether we are from the Northeast, as I am in New Hampshire, from the South, from the West—all of us can benefit from energy efficiency.

What our bill would do, which is the amendment we filed today, is create jobs for our workers, lower energy costs for consumers, and make businesses more competitive. In fact, a recent study by the American Council for

an Energy Efficient Economy concluded that our bill would create almost 80,000 jobs and save consumers $4 billion by 2020.

Also, S. 1000 has broad support on both sides of the aisle. It passed out of the Senate Energy and Natural Resources Committee with an 18-to-3 vote. In addition, there is a large and diverse group of industry, energy efficiency, and environmental stakeholders who have endorsed the bill. That list includes the Chamber of Commerce, the National Association of Manufacturers, the Alliance to Save Energy, the National Resources Defense Council, Best Buy, and the Environmental Defense Fund just to name a few of the organizations on the list.

Anytime we can get organizations as diverse as the ones I just listed to endorse one piece of legislation, it is clear there is broad bipartisan support for the effort. This legislation contains a broad package of low-cost and effective tools to reduce barriers for businesses, homeowners, and consumers who want to adopt off-the-shelf technologies, so we don't have to wait for something to happen in order for the bill to make a difference. These are all efforts that will help consumers, businesses, and homeowners save money.

This is an easy first step to make our economy more competitive and our Nation more secure while still meeting pent-up demand for these energy-saving technologies from individuals and business alike.

The American public is desperately looking for Congress to work in a bipartisan way on policies to spur growth and create jobs. Energy efficiency legislation represents our best chance to achieve both of those goals this year.

We need to get some energy legislation to the floor. I have had the great opportunity to work for the last 4 years with Senator JEFF BINGAMAN and Senator LISA MURKOWSKI, the chair and ranking members of the Energy Committee. We have done some great work in our committee. We passed significant pieces of bipartisan legislation out of the committee. In fact, there are 15 pieces of legislation that have been passed and all but one of those with strong bipartisan votes. Those pieces of legislation are just sitting in committee because we have not been able to get an agreement to bring them to the floor.

We can get an energy efficiency policy in place. We can pass this legislation. That kind of an energy efficiency policy would be one that enhances our national security, addresses our energy needs, and puts Americans back to work. We can do it in this Congress if we can bring the Shaheen-Portman energy bill to the Senate floor for a vote. That is what this amendment would do. I hope we have that opportunity.

Thank you very much, Madam President. I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HATCH. 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. HATCH. Madam President, today we are debating a bill called the Bring Jobs Home Act. We live in serious times. We have a debt fast approaching $16 trillion, millions remain out of work, and economic and job growth has slowed to a crawl. Times such as these demand serious economic answers. So it is important that we all understand the utter lack of seriousness of this proposal. The only things serious about the Bring Jobs Home Act are its flaws.

The Bring Jobs Home Act would deny the deduction for ordinary and necessary business expenses to the extent that such expenses were incurred for outsourcing; that is, to the extent an employer incurred costs in relocating a business unit from the United States to outside the United States, the employer would be disallowed a deduction for any of the business expenses associated with such outsourcing.

The Bring Jobs Home Act would also create a new tax credit for insourcing; that is, if a company relocated a business unit from outside the United States to inside the United States, the business would be allowed a tax credit equal to 20 percent of the costs associated with such insourcing.

On the surface, this proposal might sound reasonable. As sound bites go, the President's reelection campaign and the Senate Democratic leadership have apparently decided they can make some political hay with this proposal, but as substantive tax policy goes, this proposal is a joke.

First of all, the amount of money involved is trifling. According to the nonpartisan Joint Committee on Taxation, this bill's deduction disallowance provision will only raise about $14 million per year. That is $14 million, not billion with a ''b,'' it is million with an ''m.'' Let's put that in perspective. This bill is supposedly a critical tax incentive to create jobs here in the United States. Yet, according to the Joint Committee on Taxation, a nonpartisan committee, it will only raise about $14 million per year in this multitrillion-dollar economy. Meanwhile, President Obama's campaign has now spent $24 million on ads attacking his opponent and attacking what he considers to be outsourcing, which his opponent has not done.

The American people want us to address our fiscal situation and to create the conditions for robust economic and job growth. And how are the President and Senate Democrats spending their time? Advancing a proposal that raises less money in 1 year than the amount the President's campaign has spent attacking Republicans on this topic on television. If Democrats meant this as a serious revenue raiser for the government, we would all be better off if the Obama campaign had simply sent its $24 million to the Treasury Department for disbursement to insourcers rather than spend it on ads attacking American global businesses. And I think the President might get more credit for that.

Simply put, this bill is misleading. Its supporters would have you believe that under current law there is some special deduction that exists for moving jobs outside of the United States of America. That is simply false. Rather, there has always been a deduction allowed for a business's ordinary and necessary expenses, and expenses associated with moving have always been regarded as deductible business expenses. So allowing a deduction for these expenses is not a special thing, it is the rule. Disallowing this deduction would be the exception, an extraordinary deviation from current tax policy.

Yesterday I heard my friends from the other side say we need to end a tax deduction for jobs that a business sends overseas.

I have a letter from the Joint Committee on Taxation, addressed to the bill's authors, that includes an analysis of their bill and a score. I ask unanimous consent to have a copy of the letter printed in the RECORD.

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

CONGRESS OF THE UNITED STATES,
JOINT COMMITTEE ON TAXATION,
Washington, DC.

Hon. DEBBIE STABENOW,
U.S. Senate,
Washington, DC.
Hon. BILL PASCRELL,
House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR SENATOR STABENOW AND MR. PASCRELL: This letter is in response to your request of June 5, 2012, for an estimate of the revenue impacts of the ''Bring Jobs Home Act'' (S. 2884/H.R. 5542). This bill provides a 20-percent tax credit for eligible expenses associated with relocating business units from overseas and disallows a deduction for business expenses associated with relocating business units to foreign countries.

Under present law, there are no specific tax credits or disallowances of deductions solely for locating jobs in the United States or overseas. Deductions generally are allowed for all ordinary and necessary expenses paid or incurred by the taxpayer during the taxable year in carrying on any trade or business, which includes the relocation of business units.

Under the proposal, corporations would be granted a credit equal to 20 percent of the expenses associated with the relocation of business units from a foreign country to within the United States. In order to qualify for the credit, the firm must increase its domestic employment when compared to the year prior to the first taxable year in which eligible insourcing expenses were paid or incurred. Corporations also would be disallowed from taking a deduction for expenses associated with the relocation of business units from within the United States to a foreign country.

In estimating this proposal, we assume that there will be a behavioral response in how firms classify their reorganization expenses in order to maximize their expenses

eligible for the insourcing credit and to minimize their disallowed deductions associated with the outsourcing credit.

The following estimate provides the effect of this proposal on Federal fiscal year budget receipts. This estimate assumes a date of enactment of July 1, 2012, and that the proposal is effective for all expenses paid or incurred after the date of enactment.

Fiscal years, in millions of dollars													
Item	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2012–17	2012–22
Provide a 20 percent credit for expenses associated with insourcing jobs	−3	−21	−21	−22	−23	−24	−26	−27	−28	−29	−31	−115	−255
Disallow deduction for expenses associated with outsourcing jobs	2	14	14	14	15	16	17	18	18	19	20	76	168
Total	−1	−7	−7	−8	−8	−8	−9	−9	−10	−10	−10	−39	−87

NOTE: Details may not add to totals due to rounding.

I hope this information is helpful to you. If we can be of further assistance in this matter, please let me know.

Sincerely,

THOMAS A. BARTHOLD.

Mr. HATCH. Paragraph two of the letter says, and I quote:

Under present law, there are no specific tax credits or disallowances of deductions solely for locating jobs in the United States or overseas. Deductions generally are allowed for all ordinary and necessary expenses paid or incurred by the taxpayer during the taxable year in carrying on any trade or business, which includes the relocation of business units.

Now, perhaps my friends on the other side take issue with a description of tax policy from Congress's nonpartisan official scorekeeper. Well, if they do, I invite them—or the President, for that matter—to show me the provision of the Internal Revenue Code that contains a special deduction for shipping jobs overseas.

Let me just mention that this is the Internal Revenue Code I have in my hand. It is getting so big you can hardly handle it. Maybe Joint Tax and I are wrong, so I will keep the Tax Code right at my desk, and if one of my friends wants to leaf through the Code and show me the section that provides a special deduction for shipping jobs overseas, I will stand corrected.

They cannot. It is not in here, this huge conglomerated mess that we would like to reform, which will not be reformed until there is a change in administration.

This administration is in the habit of pointing fingers every which way, blaming everyone but themselves for our weak economy and pathetic job growth. Just the other day the Treasury Secretary blamed Europe and rising oil prices for our economic slowdown. Yet he did not discuss the pall of uncertainty that Democratic politicians, including his boss, are putting over the economy with their refusal to extend the 2001 and 2003 tax relief unless they get their way on tax increases for small businesses.

According to an analysis by the American Action Forum, the fiscal cliff facing American taxpayers is now twice the size of total GDP growth this year. If we drive over this fiscal cliff, as the President and Senate Democratic leadership are now threatening, the likelihood that small businesses will hire will decrease by 18 percent, and the effective marginal tax rate for many workers and small businesses will go over 50 percent.

At least in part, and I would say in significant part, is the complete failure to provide certainty and progrowth tax policies to America's families and businesses that is dragging our economy down. Proposals such as the one before the Senate today are not helping either. They increase uncertainty for the businesses that will grow our economy and hire new workers.

It is another example of the Obama administration's ''Washington-knows-best philosophy.'' Disallowing the business expense deduction means income will now be measured less accurately. Gross receipts minus business expenses equals income. That is what both accountants and economists tell us. But even through economists, accountants and businesses all measure income one way, Washington will now measure it another way. Not only is this bad for business, but by disallowing deductions for certain business expenses, this proposal would measure income less accurately.

When the government's main source of revenue is income tax, it is rather important to measure income accurately. Ultimately, we know this bill is devoid of serious content because it is the product of political, not economic necessity. This bill is a sound bite, not sound tax policy. There really are not a lot of dots to connect.

Really, the genesis of this bill's prioritization can be traced in a straight line from 1600 Pennsylvania Avenue to the President's reelection headquarters in Chicago. This bill is called the Bring Jobs Home Act, but its Democratic proponents have not presented any evidence of the number of jobs, if any, that will return to America if the proposal becomes law.

During comments in support of the bill, the sponsor referred to a chart that said, ''[i]n the last decade, 2.4 million jobs were shipped overseas.'' But the sponsor tellingly did not say the bill will bring 2.4 million jobs back to America. The proponents of this bill have not even told us that jobs will return to America if this bill becomes law, much less how many jobs. The answer is probably none.

That is exactly the sort of question we would have explored had this bill been produced by the Senate Finance Committee rather than by some campaign consultant in Chicago. The Senate Finance Committee would have held hearings, we would have talked to the experts, and we would have looked at comments on both sides of the issue. Then we would probably have had a markup. It could have been brought to the floor with full Finance Committee support—except we would never pass a bill such as this in the Finance Committee, in my eyes. Well, not with any real good intent.

It is disappointing that even though the sponsor of this bill is a member of the Senate Finance Committee, the bill's sponsor chose to bypass that committee. This bill has come straight to the Senate floor without being vetted by the committee. Her colleagues on the committee would likely have had some valuable feedback for her. Both staffs on the committee would likely have had valuable expertise they could have brought to bear on this proposal. That is why I anticipate moving to commit this bill to the Senate Finance Committee.

How does this bill fit with tax reform? Many on the other side say they want tax reform. I think it is fair to say there is a consensus that tax reform means getting rid of tax expenditures so as to decrease tax rates. The mantra is broaden the base and lower the rates, but this proposal would create new tax expenditures. It would narrow the base.

Another major goal of tax reform is simplification, but this proposal would make the tax laws even more complicated. This proposal is the antithesis of true tax reform. Rather than coming up with more sticks to punish American businesses that compete globally, as this proposal does, we should be coming up with more carrots to encourage American businesses as well as foreign businesses to make America a more attractive place to expand, hire, and invest. Of course, the best way to do that, consistent with free-market principles, would be to lower the corporate tax rate.

By creating new tax expenditures, as this act would do, it becomes all the more difficult to lower the corporate tax rate. If we want businesses to locate and hire in the United States, then we need to do what we can to make sure they are glad they are incorporated in the United States and that their headquarters is in the United States.

As it stands right now, because of our worldwide tax regime, many global corporations have their parent company in the United States as a matter of historical accident. If they had to do it all over again, they very well might decide to incorporate elsewhere in the world. The way to address that, the way to make sure the United States is the place that global businesses want to incorporate is to transition our current worldwide system of taxation to a territorial tax system.

A territorial tax system would only tax businesses on the profits they make in the United States. This way businesses would not be discouraged from incorporating in the United States. If a business incorporates in the United States, all of its worldwide profits are subject to U.S. tax. It is certainly true that a territorial tax regime must be done right and that the devil is in the details, but it is also clear that territorial tax regime proposals could lead to greater investment in the United States and more headquarters jobs in the United States.

A territorial tax regime would put American businesses at a more competitive position when competing internationally. A territorial tax system would make us more consistent with major developed countries. So it is amazing that President Obama has decided to demagogue this issue as well, undermining the future jobs prospects of millions of Americans for years to come in order to secure his own job for another 4 years.

Not content to grossly misrepresent the issue of outsourcing, he is now doing the same with territorial taxation; that is, in spite of the fact that his own agencies have been for it.

And it's really quite strange. President Obama's Export Council, his Council on Jobs Competitiveness, his National commission on Fiscal Responsibility and Reform, and his Steering Committee on Advanced Manufacturing have all recommended that make the U.S. more competitive it shift to taking income on a territorial basis. For a person who claimed last week that he just cares so darn much about policy, he has an odd way of showing it when he campaigns.

In the 2008 election, he fundamentally misled the American people about key aspects of the health care proposal put forward by my friend and colleague from Arizona, Senator MCCAIN. In doing so, he kicked the legs out from a reasonable and growing consensus about how best to reform the Nation's health care system, and he did so only for his own political gain.

His selfish acts on a territorial tax system have a similar flavor, and they promise to make tax reform much more difficult in the future. It is hard to see how this President could lead the country on tax reform. He attacks territorial tax regimes with a $4.5 trillion tax increase looming at the end of the year, essentially freezing job creation and economic growth. His allies in the Senate are debating this effectively useless bill on outsourcing.

His administration called for the so-called Buffett tax, essentially creating a new alternative minimum tax that would provide trivial revenues and tax capital gains at higher rates than even President Carter wanted. Some say it would have given us maybe 8 days' of spending in Washington.

After waiting years for a corporate tax reform proposal, this past February President Obama's administration put out a series of bullet points, the so-called framework for corporate tax reform—all fluff and no details.

Tax reform is critical if we want our economy to grow and if we are going to get out of our current jobs deficit. But given this mediocre track record, I do not think the President can be relied upon to lead this Nation on this issue—not in 2012 and not in a second term either.

To the extent the President's tax agenda is not attributable to politics, it can be blamed on his odd view of our economy and the businesses that grow it. I think it is fair to say the President's world view is fundamentally out of step with that of ordinary American taxpayers. Just the other day, while campaigning in Virginia, the President laid out his economic vision, channeling the economic know-how of Harvard Law's faculty lounge. He told the crowd, ''If you've got a business—you didn't build that, somebody else made that happen.'' As Charles Krauthammer put it, spoken by a man who never created or ran so much as a candy store.

I do not want to demean candy stores, but that is a fact. The President made clear for all to see just what he thinks of all the hard-working, risk-taking entrepreneurs who sacrifice daily to build their businesses. His perception is that the hard work and sacrifice of those business owners and their families has nothing to do with their success. Any success they have is owing to good luck and big government, the fact that we have built some roads and so forth.

My guess is that not only American business owners, but most Americans disagree fundamentally with this assessment. The President clearly does not understand or deliberately ignores economic incentives and the way they lead to business growth and job creation. This is certainly on display in the policy that will forever define this President, ObamaCare. Good intentions are not enough, and ObamaCare's small business tax credit is a case in point.

This credit was designed to encourage small employers to offer health insurance. The promise was that over 4 million employers would claim $2 tax in credits to help pay for health insurance. In reality, only 309,000 taxpayers claimed the credit for a total of less than $466 million.

Why was the credit such a failure at achieving its well-intentioned goal? Well, a picture is worth 1,000 words. So please look at this chart.

Can you imagine what a business owner must think when they encounter an administrative nightmare like all of this? The ObamaCare tax credit for small businesses gives redtape a bad name. Talk about a bureaucratic straightjacket. No wonder the business community has failed to embrace ObamaCare.

This issue of ObamaCare's manipulation of the Tax Code and its historic tax increases are deserving of extended remarks. For now, let me just say we should be pursuing laws that will help not harm businesses and middle-class taxpayers. The bill we are discussing on the floor today, like ObamaCare, is not going to help.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. MCCASKILL). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEVIN. 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. LEVIN. Madam President, 1 week ago yesterday was a fairly typical day in the Senate. The CONGRESSIONAL RECORD shows Senators used the word ''jobs'' more than 150 times. The following day, a week ago today, the word ''jobs'' appears in the RECORD 131 times. Just this Monday, a few days ago when the Senate came in at 2 o'clock, ''jobs'' appears in the RECORD 36 times.

So we are talking—and talking a lot—about jobs. Today, Senator STABENOW's bill offers a chance to do more than talk; we can act.

The legislation addresses a fundamental flaw in our tax law. At a time when Americans desperately want us to defend American jobs and to give employers the incentives and support they need to hire new workers, our tax law perversely rewards employers for moving jobs to other countries. Today, an American corporation can decide to close a factory in this country, build a new one in another country, claim a tax break for the expense of moving those jobs out of our country, and pay no U.S. taxes on the income that foreign factory earns as long as they leave that income overseas.

Our Tax Code, in effect, tells employers: Here is a tax deduction to help you cut your American workforce and move those jobs offshore. That is the effect of our Tax Code. American employers have responded, unhappily. Statistics released in April by the Bureau of Labor Statistics show that since 1999, U.S.-based multinational corporations have reduced employment in the United States by about 1 million workers but they have added more than 3 million workers overseas.

A recent Gallup Poll found that only 13 percent of Americans believe this trend of shipping jobs overseas is good for our economy. Almost 8 of every 10 Americans believe it does harm. In a poll for the Alliance for American Manufacturing, 83 percent of respondents said they disapprove of companies that move jobs to countries such as China.

The people in Michigan and every other State can no longer afford to watch their tax dollars subsidize shipping their jobs overseas.

Earlier this spring, along with Senator CONRAD, I introduced the Cut Unjustified Tax Loopholes Act or the CUT Loopholes Act. Our legislation would cut several loopholes that enable tax avoidance, which adds to the deficit

and to the tax burden of those who pay the taxes they owe. Our bill would cut offshore tax loopholes that allow corporations and individuals to avoid paying taxes by concealing their income and assets in offshore tax havens. One provision of the CUT Loopholes Act would ensure that companies aren't taking a tax deduction for the expense of moving jobs overseas. Under our bill, companies couldn't take a deduction for the expense, for instance, of moving a U.S. factory to another country until that company pays U.S. taxes on the income generated by that foreign factory.

Senator STABENOW's Bring Jobs Home Act takes a similar approach, ending the taxpayer subsidy that helps firms to move American jobs overseas. In addition, it would offer a 20-percent tax credit to companies that move production back to the United States.

Surely it makes sense for us to offer employers a tax cut if they bring jobs back to the United States. Surely it makes sense to reform a law that adds insult to injury, that forces our taxpayers to watch companies move their jobs abroad with the assistance of our taxpayer dollars.

We have already seen the enormous benefits to our economy and our workers when American companies make the decision to return jobs to our shores. Ford Motor Company is returning thousands of offshore jobs to Michigan and other States. Companies such as Whirlpool are making the decision to hire American workers for work they once did abroad. American manufacturing has built great momentum in the last 3 years, adding thousands of jobs. We should add to that momentum and adopt the Bring Jobs Home Act. We should end existing tax incentives to export American jobs, and we should provide a tax break for companies that bring jobs back to American workers.

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

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

AID TO PAKISTAN

Mr. PAUL. Madam President, there is a doctor in Pakistan by the name of Shakil Afridi. He has been identified as a doctor who helped us with information in order to get bin Laden. The Pakistan Government has now put him in prison for 33 years. I think this is an abomination. While we can't tell countries what they must do with their internal affairs, we certainly don't have to reward them with taxpayer money when they put someone in prison for attempting to help America.

My point and my message to Pakistan is that if they want to be an ally, they should act like it. Putting this man in prison for 33 years for helping America get bin Laden, which Pakistan was ostensibly supposed to be doing, is a real travesty of justice. Bin Laden lived for nearly a decade in Pakistan, in a city, living comfortably a mile or two from one of their military academies. We finally got him, but it doesn't appear as if we got him with much help from the Pakistani Government.

Now this doctor is in prison for 33 years. And how does President Obama respond? President Obama, this week, gave them $1 billion—an additional $1 billion. We are rewarding bad behavior with more of our money—money we don't even have. We have a $1 trillion deficit and we are giving them an extra $1 billion.

Yesterday he was supposed to have an appeal. Dr. Afridi, the doctor who helped us, was supposed to get a chance to help prove his innocence. His trial has been indefinitely delayed. We have requested from the Pakistani Embassy whether there is going to be a trial. We want to know the date, and has the date been set for his appeal. We have gotten no answer. We have requested this information from President Obama's administration, from his State Department. Will Dr. Afridi get a trial? When will his trial be? We have gotten no answer.

If we can't get an answer—if they are going to continue to hold this man—I see no reason to send taxpayer money to Pakistan. I have the votes and the ability to force a vote on this issue. My plan is to force a vote on this issue next week. The vote will be on ending all aid to Pakistan, ending the aid until this doctor is freed.

This is not something I take lightly. This doctor's life is now being threatened. The information minister from that particular province in Pakistan says they want him transferred because they receive death threats on a daily basis toward him. They are worried about other prisoners killing him. I would hate for the Obama administration to have on their conscience the fact that this doctor, who helped us get bin Laden, is killed in prison. I would hate to have on my conscience the death of an innocent man, if he were to be killed in prison, whose only crime was helping America. At the very least, the Pakistani Government ought to immediately get him into a safe prison in one of the larger cities outside the tribal regions.

We are concerned about Dr. Afridi's safety, we are concerned about imprisoning him for life for helping America, and we are also concerned about American taxpayers' money being taken from hard-working Americans and sent to a country that seems to disrespect us. I am all for cooperating with Pakistan. I hope they will continue to work with us. But we shouldn't have to buy our friends. We gave them an extra $1 billion. Yet they continue to disrespect us by holding this man in prison.

I am very concerned about Dr. Afridi's safety. I am concerned his appeal was not heard today and his trial was canceled. So next week, if we don't have answers on his trial, we will be here on the floor until I get a vote on whether we should continue sending money to Pakistan while they hold him. This is a very important issue for Americans, and I hope all across America people are going to call their Senators and say: You know what. I am not so sure we should send our hard-earned dollars to Pakistan when they treat us this way.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

WATER INFRASTRUCTURE INVESTMENT

Mr. CARDIN. Madam President, I have taken to the floor of the Senate on previous occasions to talk about our aging water infrastructure and the need for financing. I have talked about the State revolving funds, which are the principal funding sources for our local governments' ability to upgrade their water infrastructure. I have talked about the need for safe drinking water and how that is being compromised. I have also talked about the way we treat our wastewater and the health risks involved in an aging infrastructure. And when I have taken to the floor on different occasions to talk about the consequences of our failure to act, I have made it clear if we move forward with water infrastructure projects it will not only provide the type of infrastructure we need for public health but it will also create jobs and opportunities in our communities.

I have the honor of representing the State of Maryland in the Senate, and we have some very aged communities in Maryland. One of those, of course, is my home city of Baltimore, where the water infrastructure is as historic as some of its buildings—well over 100 years old. And although I have talked about this issue before, I want to bring to the Senate's attention that this past Monday, in Baltimore, a 120-year-old water main broke, creating a massive crater in downtown Baltimore on one of the busiest streets in our city. I have been told it will take a couple of weeks before that can be fixed. I have also been told that, as a result, downtown Baltimore was flooded, sending thousands of workers home and costing businesses countless loss of revenue.

One might say: Well, these things happen. But in Baltimore we have a water main break at the rate of about two or three a day, costing a great deal of money because our city workers have to go out, dig it up, and cut off water service to homes and businesses, which are inconvenienced by not having the ability to get water. And we experience this expense again and again.

What we need to do is upgrade our water infrastructure. We all understand that. We need to make that investment. These major water main breaks are becoming more and more a reality. In 2008, we saw River Road in Bethesda turn literally into a river. We

had to use helicopters to rescue people because of a water main break. In October 2009, we had a major break in Dundalk, MD, outside Baltimore, which flooded thousands of homes, causing incredible inconvenience to that community. One year ago, not far from where we are right here, we saw a major water main break in Prince George's County, closing the Washington beltway and causing a lot of homeowners to be without water for an extended period of time.

The water infrastructure in this country is in desperate need of new attention and greater investment. That is true in our wastewater treatment facility plants and it is true in the way we transport our clean water. Wastewater treatment plants are critically important in preventing billions of tons of pollutants each year from reaching America's rivers, lakes, and coastlines. These facilities prevent waterborne disease and make our water safe for fishing and swimming.

Similarly, some 54,000 community drinking water systems provide drinking water to more than 250 million Americans, keeping water supplies free of contaminants that cause disease. The ongoing degradation of these systems puts our human health directly at risk.

Many of our water and wastewater systems are outdated, with some components across the country over a century old. This aging infrastructure contributes to the 75,000 sanitary sewer overflows that occur in the United States per year—75,000 sewage overflows a year in the United States. It causes an estimated 5,500 annual illnesses due to these contaminations which occur on our beaches and in our streams and lakes where American families vacation.

The Environmental Protection Agency has estimated that more than $630 billion will be needed over the next 20 years to meet the Nation's drinking water and wastewater infrastructure needs.

As chair of the Subcommittee on Water and Wildlife, I held a hearing where we brought in some of our local officials to talk about some of these needs. They told us they can't possibly do this with the resources they currently have available, that they need a Federal partner—they need a stronger Federal partner—and they need a Federal Government that will give them new innovative tools in order to deal with these critical needs.

Mayor Stephanie Rawlings-Blake of Baltimore testified she would like to see some form of trust fund established so we can leverage money and make these types of investments. She pointed out—which we already know—that for the money we spend on water infrastructure we will cause a multiplier effect. By a ratio of 3-to-1, it actually creates more money in our economy. If we put $1 billion in water infrastructure improvement, it creates $3 billion of economic activity in our communities, allowing us to create more jobs at the same time we improve our water infrastructure for public health and for economic development.

This makes sense. We need to do this. I don't know how many more times I will have to come to the floor of the Senate and point out these horrible water main breaks that are occurring all over. What is happening in Baltimore—what is happening in Maryland—is happening in every one of our States. This is not a one-State problem. This is a national problem. People are outraged by these situations, and they are going to be more outraged when they realize their public health is at risk and the availability of safe drinking water is at risk, as well as the inconvenience that is caused when their basements are flooded or they can't get to their businesses or have to leave their businesses early or pay additional local taxes in order to repair the damage done as a result of the failure to replace aged infrastructure.

I urge my colleagues to work together on this issue. Let's make sure we have a budget that makes sense for this country but that allows us to invest in the types of investments that are important for America's future. We have talked about that with transportation infrastructure, we have talked about that with energy infrastructure, but the same thing is true with water infrastructure. So I look forward to working with my colleagues on both sides of the aisle to provide the tools and resources that will allow our economy to grow and our local governments to upgrade their water infrastructure systems.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

OSCE'S MAGNITSKY RESOLUTION

Mr. WICKER. Madam President, I come to the floor today to call Members' attention to recent action taken at the Parliamentary Assembly meeting of the Organization for Security and Cooperation in Europe, which convened in Monaco earlier this month.

The OSCE considered and passed with overwhelming support a resolution on the rule of law in Russia and the case of Sergei Magnitsky. This is a resounding and much welcomed rebuke of Russia's deplorable human rights record and systemic corruption.

With the Magnitsky resolution, the OSCE—made up of 56 participating states spanning Europe, Central Asia, and North America—reaffirms the widespread call for justice and rule of law. The international group has sent a clear signal to human rights violators that they will be held accountable.

The OSCE resolution supports government efforts to ban visas, freeze assets, and employ other financial sanctions against those connected to the illegal detention and tragic death of Sergei Magnitsky. The young lawyer was beaten and denied medical care in a Russian prison after uncovering a vast conspiracy by Russian officials involving $230 million in tax fraud. Sergei Magnitsky died as a result of his treatment, and no one has ever been held responsible for his death.

I have been a member of the Helsinki Commission for the last several years, and I have seen firsthand the contributions the OSCE has made to advance democratic, economic, security, and human rights issues. I was unable to attend the Parliamentary Assembly meeting, but I am grateful our colleague Senator JOHN MCCAIN was able to be there to highlight the importance of this particular issue.

The Magnitsky case is just one example of the gross human rights abuses and official impunity in Russia. But as Senator MCCAIN noted in his statement before the OSCE meeting in Monaco, ''The demand for justice for Sergei is what has mobilized the world in his memory.''

Senator MCCAIN is right to point out that the OSCE resolution—as well as national initiatives to punish those implicated in Sergei Magnitsky's death—is not anti-Russia. Indeed, a return to the rule of law would be of great benefit to the Russian people. To quote my colleague Senator MCCAIN:

> Defending the innocent and punishing the guilty is pro-Russia. . . . The virtues that Sergei Magnitsky embodied—integrity, fair-dealing, fidelity to truth and justice, and the deepest love of country, which does not turn a blind eye to the failings of one's government, but seeks to remedy them by insisting on the highest standards—this too is pro-Russia, and I would submit that it represents the future that most Russians want for themselves and their country.

Senator MCCAIN then goes on to encourage the assembly to align ''with the highest aspirations of the Russian people—Sergei's aspirations—for justice, for equal dignity under the law, and for the indomitable spirit of human freedom.''

Like the OSCE, Members of this Senate will also have an opportunity to lend our voices to the call for justice and accountability. The Sergei Magnitsky Rule of Law Accountability Act would impose travel and financial sanctions on those associated with human rights crimes.

I urge my colleagues to support this bill and to uphold this country's commitment to the protection of human rights. I salute the leadership of my colleague and friend Senator BEN CARDIN of Maryland for his leadership in this regard, and I am pleased to note that the Magnitsky Act was included during consideration of extending normal trade relations to Russia in yesterday's Senate Finance Committee markup. We are making great progress on this issue, and I look forward to a vote on the Senate floor.

In conclusion, I ask unanimous consent to have printed in the RECORD

Senator MCCAIN's full remarks at the OSCE Parliamentary Assembly.

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

STATEMENT BY SENATOR JOHN MCCAIN AT THE OSCE PARLIAMENTARY ASSEMBLY—SUNDAY, JULY 8, 2012

Thank you for the opportunity to join you this afternoon.

Let me recognize my fellow members of Congress, Dennis Cardoza and Robert Aderholt, who are doing great work on behalf of the American delegation. I am pleased that Robert is standing for vice president of this assembly, and I want to voice my full support for his candidacy.

It is also my pleasure to support this resolution on rule of law in Russia and the case of Sergei [SERgay] Magnitsky. What happened to Sergei was a horrific crime. But it is also an example—an extreme example, to be sure, but an example nonetheless—of the pervasive and systemic corruption in the Russian government. To this day, no one—not one person—has ever been held responsible for Sergei's death. This, despite the fact that the Russian Human Rights Council, established by the Russian President, found that Sergei's arrest was illegal, that he was denied access to justice, and that his treatment amounted to torture. This resolution correctly notes these disturbing facts.

The demand for justice for Sergei is what has mobilized the world in his memory. In the United States, Senator Ben Cardin and I introduced legislation that would impose an array of penalties on those believed to be responsible for Sergei's death, but also on other human rights abusers in Russia and beyond. The Sergei Magnitsky Rule of Law Accountability Act has been passed by our Foreign Relations Committee, and no matter what you hear, make no mistake: It will become law. And it will contain the full array of essential measures—visa bans, asset freezes, and financial sanctions. I assure you of it.

The Congress now has a path to pass this legislation. I and others have made clear that doing so is the condition for repeal of the Jackson-Vanik amendment and extension of Permanent Normal Trade Relations to Russia, which I have also sponsored legislation to enact.

Other European legislatures, as well as the European Parliament, have condemned Sergei's murder and may take legislative action as well. Now, this resolution offers an opportunity for all of us, legislators from more than 50 nations, to speak with one voice in favor of the justice that Sergei and his family deserve. It is essential that we do so.

I know that some will try to paint this resolution as anti-Russia. I could not disagree more. Indeed, I believe it is pro-Russia, as are the pieces of national legislation that would punish those guilty of Sergei's death. I believe that supporting the rule of law is pro-Russia. I believe that defending the innocent and punishing the guilty is pro-Russia. And ultimately, I believe the virtues that Sergei Magnitsky embodied—integrity, fair-dealing, fidelity to truth and justice, and the deepest love of country, which does not turn a blind eye to the failings of one's government, but seeks to remedy them by insisting on the highest standards—this too is pro-Russia, and I would submit that it represents the future that most Russians want for themselves and their country.

The example that Sergei set during his brief life is now inspiring more and more Russian citizens. They are standing up and speaking up in favor of freedom, democracy, and the rule of law. They, like us, do not want Russia to be weak and unstable. They want it to be a successful and just and lawful country, as we do. Most of these Russian human rights and rule of law advocates support our efforts to continue Sergei's struggle for what's right, just as they are now doing.

Let us now add our voices to theirs by passing this important resolution today. And in doing so, let us align this Assembly with the highest aspirations of the Russian people—Sergei's aspirations—for justice, for equal dignity under the law, and for the indomitable spirit of human freedom.

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

The PRESIDING OFFICER (Mr. SANDERS). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Ms. STABENOW. Mr. President, in just a couple minutes we are going to be voting on a very important policy, a very important bill I am proud to sponsor with a number of cosponsors, a number of colleagues, called the Bring Jobs Home Act. It goes to the heart of what has been happening in a global economy when we have not been paying attention to our Tax Code or other things that we ought to be doing to be able to bring jobs home and other countries are aggressively working to take our manufacturing base, to take our middle class. They know when they look at our country we have a middle class because we make products and grow products, so they are rushing to be able to make products and to innovate and so on and to create incentives for our jobs to be shipped overseas.

We know we are in a global economy. We know our companies are competing with countries. We have a whole range of things we have been working to do to be able to support and incentivize and help manufacturers and other businesses here to innovate, expand advanced manufacturing, IT services, among others. But what we have not been paying attention to is how our own Tax Code actually is incentivizing or supporting—at the very least supporting and helping companies ship jobs overseas.

There is a very important, very basic policy we will be voting on today. If a company decides to pack up and move overseas, should they be able to write that off their taxes and you and I—all of us as American taxpayers—pay for it? I do not think there are too many people in the country who would say yes to that. In fact, I can't imagine why anybody would say yes to that. The reality is, if somebody loses their job at a plant and then they find out they get the privilege, as an American taxpayer, to help pay for the move, folks say: Are you kidding me or they say a whole lot of other things.

This bill, the Bring Jobs Home Act, is very straightforward. It simply says we are not going to pay for that anymore. That loophole will be gone. However, if they want to bring jobs back, we will be happy to let them deduct those costs as a business expense, for bringing a job home. In fact, we will give them another 20-percent tax credit for 20 percent of their costs on top of it. So we are happy to incentivize coming home and to support their efforts to come home, but we are not paying for them to leave. That is basically what this is about.

We are going to have a vote on whether to proceed to this bill. As we know around here, unfortunately, we have seen the process that used to be used rarely now used on every bill, to where we cannot even get to the bill to vote on that with a majority vote without going through a supermajority to be able to stop a filibuster, which is right now what basically has been happening. There is an objection. We have to get 60 votes to overcome it; otherwise, the filibuster continues.

We will need to do that today. We need bipartisan support to do that. I hope we will have that. A couple weeks ago we came together in strong bipartisan support. We worked together very hard, long hours, to pass a farm bill. That is about growing products in America. Now we have an opportunity to work together, come together in a bipartisan basis to support making products in America.

We do not have a middle class unless we make products and grow products. It is not going to make any sense if we continue to have a tax policy that actually encourages or helps you to leave America.

What we have seen now is that we are actually losing jobs. We know in the last decade 2.4 million jobs were shipped overseas. Those are just the ones they are able to count at this point. So 2.4 million jobs have been shipped overseas, at a minimum, and we help to pay for it. The good news is we have a lot of companies now, for a lot of reasons—the fact that we have the most productive, the smartest, most talented workforce in the world, we have high productivity in our country—we have companies now bringing jobs back and we want to accelerate that, to support that effort.

I am proud that in our automobile industry we are seeing jobs come back with support and help from policies that allowed loans to retool older plants. Ford Motor Company has taken their largest plant in Wayne, MI, and retooled it, along within investment in advanced batteries. Jobs are coming back from Mexico. Some are coming from other countries as well. GM is doing the same kind of thing, Chrysler—I am sure other companies as well. We know many companies, large and small, are looking at this.

Yesterday, I had the opportunity to have in a businessman from Michigan who is the CEO of a company called GalaxE.Solutions. He actually lives in New Jersey but is now having a major

presence in Michigan, in Detroit, hiring 500 people in IT, information technology. Those are jobs coming back from India, Brazil, China.

One of the things I heard, as he was talking yesterday, is when we look at the bottom line, costs matter. If we have a Tax Code that helps him bring jobs back rather than supporting him to take jobs away, to ship them overseas, it makes a difference. It matters. It matters not only for the cost but for the signal it sends about how serious we are in creating jobs in America.

I cannot imagine anybody who doesn't want to see ''Made in America'' again on everything. We are not going to get there if we do not start with the basics. That is what this is. I know you have talked about this so many times as well. This is about the basic premise of saying we are going to stop loopholes in the Tax Code that reward companies that are shipping jobs overseas and we are instead going to support and incentivize jobs coming back.

We know there are many other things, in addition to this, that we need to do. We need comprehensive tax reform in a global economy. There is no question about that. That is something I am confident we will be doing in the months ahead and into the next year. We need to do that. We need to do it on a bipartisan basis. But that is not a reason not to close this loophole, to stop this policy that makes no sense.

We have a lot more to do. We know that. We need to come together around policies that focus on innovation and education and rebuilding America and supporting the great entrepreneurs of the country—small businesses, large businesses. We know that. There is much to do. But today we have a chance to do something. We have a chance to do something. This is very straightforward. We have a chance to simply say the Tax Code in America is not going to reward or pay for the costs of American jobs being shipped overseas. It is as basic as that. No other country in the world would do this. They think we are crazy to have this kind of policy in place. So today is a chance to say: No, we are not crazy. We get it.

We know there is a lot to do, but let's come together on this issue and then we can come together on the next and the next and continue to build and rebuild our economy for the future.

But today is very simple. Today is the day to say no to American taxpayers helping to pay the costs for American jobs being shipped overseas. It is a day to say yes to supporting, through tax deductions, jobs coming back and additional incentives on top of that. I hope my colleagues will come together and very strongly vote yes on this measure so we can proceed to debate and to pass something that I know is strongly supported across our country.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the clerk will report the motion to invoke cloture.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to calendar No. 442, S. 3364, a bill to provide an incentive for businesses to bring jobs back to America.

Harry Reid, Debbie Stabenow, Sheldon Whitehouse, Al Franken, Richard J. Durbin, Sherrod Brown, Richard Blumenthal, Jeff Merkley, Christopher A. Coons, Robert P. Casey, Jr., Benjamin L. Cardin, Jeanne Shaheen, Kirsten E. Gillibrand, Charles E. Schumer, Jack Reed, Barbara A. Mikulksi, John D. Rockefeller IV.

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

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 3364, a bill to provide an incentive for businesses to bring jobs back to America, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Wisconsin (Mr. KOHL) is necessarily absent.

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

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

The yeas and nays resulted—yeas 56, nays 42, as follows:

[Rollcall Vote No. 181 Leg.]

YEAS—56

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

NAYS—42

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

NOT VOTING—2

Kirk	Kohl

The PRESIDING OFFICER. On this vote, the yeas are 56, the nays are 42. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader.

Mr. REID. Mr. President, I am not in a position now to announce no more votes today. I hope we can be there in just a little bit, but we are trying to work through some procedural matters now, and hopefully we can do that within the next half hour or so.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Thank you, Mr. President. I wish to take a moment to speak about what just happened and my deep concern about what just happened with this vote.

On the one hand, we have 56 Members, a majority—a substantial majority of Members who voted yes, that they want to bring jobs home, that they want to stop paying for jobs that have been shipped overseas, and that we want to support and provide assistance through the Tax Code to bring jobs home. Fifty-six Members—that is a majority. What we didn't have is a supermajority to stop a filibuster.

So this is basically what has been happening here. We have a situation where, despite the will of the majority of the people here, the majority of Senators who want to move forward to this legislation and pass it, because we have 56 votes to pass it, we don't have a supermajority. This is what has been happening over and over in the Senate despite the fact that people want us to work together and get things done.

What we are trying to do—and we are going to continue to push forward—is to say very clearly to businesses that if they are going to close shop and ship jobs overseas, it is on their dime, not the American taxpayers' dime. We are not going to help pay for it. If they want to bring jobs back, we are happy to have our Tax Code allow businesses to write off those costs. In fact, we will give businesses an extra 20 percent toward those costs.

This is deeply concerning to me today. I think those watching around the country are probably scratching their heads or saying things that we probably can't say on the Senate floor about what in the world is going on when we can't come together on the simple premise that Americans should not be paying for jobs shipped overseas.

So we are going to keep at it until we get it done. What we ought to be unified around is having the words ''Made in America'' on everything again in this country. We are going to keep fighting until we can get that done.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, while the distinguished Senator from Michigan is still on the floor—and she has done such commendable work here, as somebody who brought together the Senate Agriculture Committee on a very complex farm bill, and in a record amount of time got it passed with a heavy bipartisan majority—I think she would

agree with me that is the way we used to and should do legislation.

For the life of me, I cannot understand why any Senator would not be supporting the Senator from Michigan on the bill. We want jobs here in the United States. Everybody will say: We want jobs in the United States. Everybody says they want to have tax laws that actually help this country. So what do they do? By refusing to allow us to go forward, they vote to allow jobs to go overseas. But worse than that, it gives special tax breaks. It is almost like saying: Hey, this company of yours, these jobs you have, come on, I know a great place for you to go overseas. By the way, here is the airplane ticket. Here is the special deal. We are not going to give that to a small business owner in Vermont or Michigan, but we will give that to you to ship your jobs overseas.

Come on, let's get real. If you took a poll of the American people on this: Do you want to close loopholes for shipping jobs overseas or do you want to give encouragement to have jobs here in the United States? I guarantee you, it would be overwhelmingly passed. The U.S. Senate better wake up and say: We will pass it too.

So I thank the Senator from Michigan.

RELEASE OF CAMP LEJEUNE DOCUMENTS

Mr. President, the distinguished Presiding Officer and I are both from Vermont, where we have open and available government. He did in his role as mayor of our largest city. He has encouraged it all the way through.

We know that the ''right to know'' is a cornerstone of our democracy. During my three decades in the Senate, I have urged Democratic and Republican administrations alike to be open and transparent to the American people.

That is why in March I joined a bipartisan group of Members of Congress—Senator GRASSLEY, Senator BURR, Senator HAGAN, Senator BILL NELSON, and Senator RUBIO—in writing to Secretary of Defense Panetta to request the release of government records regarding the contamination of drinking water that occurred over several decades at Camp Lejeune Marine Base, in North Carolina.

The drinking water contamination at Camp Lejeune was one of the worst environmental disasters in American history to occur at a domestic Department of Defense installation. Unfortunately, the Department of Defense initially refused to provide this important information to the Congress. But I am pleased to report that after I pursued it further with Secretary Panetta, the Department finally provided more than 8,500 files about this issue to the Judiciary Committee on July 9.

I commend Secretary Panetta for accommodating the committee's request for this information. But I believe that much more transparency is needed. I believe it as a U.S. Senator. I believe it as one who believes in transparency. I also believe it as a father of a Marine.

Today, thousands of active and retired Marines who lived on or near Camp Lejeune prior to 1987, and their family members, are extremely interested in learning more about what occurred, and why.

In my own State of Vermont, 402 Vermonters have signed in saying they are looking to their government to provide more information about this calamity.

Open government is neither a Democratic issue nor a Republican issue. It is an American value. It is a virtue that we all have to uphold.

It is in this bipartisan spirit that I announce I will make all the documents the Department of Defense has provided to the Judiciary Committee about what happened at Camp Lejeune available to the public. These documents can be seen on the Judiciary Committee's Web site. Go to www.judiciary.senate.gov. Find out what the documents say about what happened at Camp Lejeune.

To protect the personal privacy of our servicemembers and other private information, information that would be subject to the Privacy Act, has been redacted from these files. But the Marines and any other Americans who have been touched by this environmental disaster deserve complete candor from their government. Our uniquely American tradition of a government that is open, accountable, and accessible to its people demands nothing less.

Again, I thank Senator GRASSLEY, the committee's distinguished ranking member, and Senators BURR, HAGAN, NELSON, and RUBIO for working closely with me on this important transparency issue.

I say to those Marines, we will find out what happened.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, we have been able to work things out. We are not going to have to be in session—we thought we had it all worked out but now we do not.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. MCCAIN. Madam President, I ask unanimous consent that Senator LIEBERMAN and I and Senator GRAHAM—if he shows up—be allowed to engage in a colloquy.

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

SYRIA

Mr. MCCAIN. Madam President, I join my friend Senator LIEBERMAN again on the floor on the issue that has, in my view, transcendent consequences not just for the people being massacred in Libya, but also for a definition of what the United States of America is all about.

Yesterday's attack in Syria killed some key leaders of the Assad regime, including one of its most notorious and brutal henchmen. It is a sign of victory and progress for the Syrian opposition and, hopefully, it could be a sign that Assad is losing his hold on power. But it is hardly time to celebrate or claim credit.

I see in the various organs of the administration, such as the New York Times that, well, the administration's hands-off policy has been successful. Successful? Seventeen thousand Syrians have been massacred while this administration has done nothing, and the President has refused to even speak up. The President of the United States talks about Bain Capital all the time. Why doesn't he talk about the capital of Syria where thousands of innocent people have been tortured, raped, and murdered?

So Assad will fall, as the Senator from Connecticut and I have said time and time again. But how many more will die before the United States of America, first, speaks up for them and, second, helps with other countries to provide them with arms and an ability to defend themselves and a sanctuary—a no-fly/no-drive sanctuary—and work with other countries in the region, accelerating the departure of Bashar Assad.

I will make another point before I ask my friend from Connecticut to speak. It seems now that U.S. national security rests not with the decisions that should be made in the Halls of Congress and at the White House, but that the decisions concerning what actions the United States of America may take is now dictated by Russia and China in the United Nations. How many times have we heard the administration say: We would like to do more and have more happen, but Russia vetoes it in the U.N. Security Council?

Does that mean when these people are being massacred and are crying out for our help and moral support, because Russia vetoes a resolution—as they did today again, supported by China—in the Security Council, therefore we can do nothing?

Former President Clinton went to Kosovo without a United Nations Security Council resolution because he knew the Russians would veto any resolution concerning Kosovo. He went and we saved Muslims' lives. The administration continues to assume what they call a ''Yemen solution'' is possible in Syria. They believe that with Russia's backing, we can compel Assad and his top lieutenants to leave power

and the apparatus of the Syrian State will continue to function under new management.

I wish this could be so. Let me also point this out: I ask my friend from Connecticut, isn't it true that the predictions that the longer this conflict lasts, the more likely it is that extremists will come in and take this revolution, which began peacefully?

Isn't it true that our concern about weapons of mass destruction and the stockpile become more valid every day this goes on? Isn't it a valid assumption that Bashar Assad, in his desperation, may use these weapons against his own people, and the whole stockpile of those weapons becomes more and more tenuous by the day?

Isn't it true that the likelihood of further chaos, further inability to put that country and its people back together after this conflict is over and, as we agree, Bashar Assad relieved—but isn't it true that every day that goes by and he remains in power the situation becomes worse in all respects as far as American national security interests are concerned, whether it be weapons of mass destruction, whether it be Islamic extremists taking over that country and, by the way, including the continued Iranian presence in Syria propping up Hezbollah in Lebanon and all of the ramifications of their continued presence there?

I ask my friend, finally, doesn't this argue and cry out that rather than saying, well, what happened yesterday, that was good, and it shows Assad is on his way out—but doesn't this indicate it is now more in our interest to accelerate his departure, not with American boots on the ground but through moral, physical, and logistic support, working with our allies?

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Madam President, I say to my friend from Arizona, of course, I agree with him. The reality is that the premature judgment about the victory of the Syrian freedom fighters is exactly that—premature. The assassination, elimination of these critical leaders of this dictatorial government yesterday by the Syrian opposition was a very significant development.

Apparently, the fighting continues in Damascus in a way that may bring exactly what my friend from Arizona says—more chaos in Damascus. But this fight is not over. This regime has a devastating inventory of weapons, including weapons of mass destruction, and as the Senator from Arizona said, Bashar Assad's father used those weapons—in that case, chemical weapons—against his own people decades ago, killing thousands of them on a single day.

No, this fight is not over. The danger is that, as he said, it gets worse the more it goes on without the involvement of the civilized nations of the world that have to be led by the United States of America.

I want to put in juxtaposition two significant events of the last 24 hours, which my friend has described. One is the suicide bombing, apparently, or the death of these leaders of the Assad government. Second is the vote in New York at the U.N. today. After months in which too much of the civilized world has been pleading with Russia and depending on Russia to change its mind and come in and get Bashar Assad out of there, this veto today shows they are not going to do it.

I will yield in a moment because I see the presence of the majority leader. First, I will finish this thought.

The reality is now that the figleaf has been taken off of the plan since it went into effect and allegedly brought a cease-fire in Syria, thousands more Syrians have been killed. The reality is that Russia will not join in trying to stop the slaughter in Syria, and the slaughter will only be stopped by facts on the ground, and those facts are military. It will not get better until the United States leads a coalition of the willing to support the opposition and bring about the early end of this horrific regime that now rules Syria.

With that, I yield the floor to the majority leader.

ORDER OF BUSINESS

Mr. REID. Madam President, there will be no further rollcall votes today. The next vote will be Monday at 5:30 p.m. on the nomination of Michael A. Shipp to be a U.S. district judge for the District of New Jersey.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. MCCAIN. Madam President, I thank the majority leader. I urge him, however possible, to bring up the Defense authorization bill, which I hope we can do sooner rather than later, as we have done for the last 50 years. I thank the majority leader.

Mr. REID. Madam President, I had a long conversation yesterday with the chairman of the committee and with his ranking member, Senator MCCAIN. I understand the importance of the legislation. I know Senator MCCAIN is trying to work to narrow the focus of what we do when we get on that bill. We will get on that; it is only a question of when.

Mr. MCCAIN. Madam President, I want to mention to my friend from Connecticut, as we continue this colloquy, there is another aspect of this that I would appreciate his comments on.

We all agree that Bashar Assad will go. We know that. Now, the question is how many will die, how many are wounded, how many are killed, and what happens to the weapons of mass destruction? I think we have established that the longer it goes on, the more those threats increase, and the more dangerous the situation becomes, the harder it will be to resolve once Bashar Assad does leave.

I also ask my friend from Connecticut, how will the Syrian people feel about the United States of America if we continue to sit by and provide them not even moral assistance, much less the physical and logistical assistance the Senator and I discussed being necessary. Senator LIEBERMAN and I have been to Libya on numerous occasions. I was there at an exhilarating moment—at the time of their elections.

I can tell you firsthand from seeing a couple hundred thousand people celebrating that they are grateful to the United States of America for what we did. I wonder what the attitude of the people who will emerge as the new leaders of Syria—whoever they are—what their attitude will be toward the United States, I ask my colleague. Taking into consideration that the challenges that whoever takes over power in Libya will face are myriad, and there are incredible obstacles to a path to a free and democratic nation, that would cry out for American assistance, how willing and eager will they be for the United States to be engaged in any way in assisting them as they try to achieve the goal they have already sacrificed 17,000 lives for?

Mr. LIEBERMAN. Well, the Senator makes a very important point. Let me relate it back to one of the excuses that has been given for the United States not to have become more involved on the side of the opposition to Assad, which is the side of freedom, which is where our national values call us to be. One of the excuses for not getting involved is this argument: We don't know who is going to follow Assad. It could be Islamist extremists.

Well, my reaction to that is that the longer we sit back, the more likely it will be people who are not friendly toward the United States because in their hour of need—unlike the situation in Libya that the Senator just described—we were not with them. The Senator and I have been to Turkey together, and I made a trip to Lebanon. In each case, we talked to the leaders. In one case, in Turkey, we spoke to the leaders of the Syrian opposition, the Syrian National Council, and we met with the heads of the Free Syrian Army and met with individual refugees.

My own judgment is that these people are not extremists or radicals; they are patriots, nationalists, people who want a better life than they were living under Assad. Now, increasingly, they are people whose relatives or friends have been killed by Assad's military, and so they have a fury in them, an anger that they didn't have before because now they have been victims.

Now, can I say that there are no Islamist extremists who are now fighting in Syria against Assad? I cannot say that. I think the longer we stand back and don't partner openly and strongly with the Syrian freedom fighters, the greater the danger is that, one, extremists will be what follows Assad and, two, even if we are lucky enough and it is not extremists, it will be a leadership group that will not feel any particular sense of gratitude toward the United States because we

were not with them when they needed us.

Mr. MCCAIN. First of all, I wish to point out that I understand—as I know my friend from Connecticut does—the focus of the American people is on our economy, on jobs, and the severe recession we are in. But I say to my friend from Connecticut, I just wish every American could have been with us or had seen on film a recording of our visit to the refugee camp on the Turkish-Syrian border, with 25,000 refugees—I understand now that is up to 35,000 or 40,000 refugees—from Syria. These are people who have been driven out of their homes, living not in squalid conditions but certainly very crowded and unpleasant conditions. They are certainly not the same conditions which they enjoyed in Syria. I wish the American people could have seen when we met those young children who have been displaced from their homes or when we met a group of men who told us about watching their children being murdered in front of their eyes and of the young women who had been gang raped and hear the defectors from the Syrian military who told us their instructions are—in order to try to subdue the people—to torture, murder, and rape. We know from human rights organizations there are torture centers set up around Syria by the Assad military, where people are taken and, obviously, tortured.

The American people are the most generous people in the world. The American people, where we can, try to stop these kinds of atrocities and offenses that are against everything we stand for and believe in. I wish more Americans would know how terrible and dire this situation is for the average citizen and not just for those who are demonstrating but anybody who happens to be in one of these areas where the tanks roll in and the artillery starts firing and the helicopter gunships start slaughtering people in the streets.

I hope I am not saying this in a partisan fashion, but I wish the President of the United States would speak up for these people. That is the job of the President of the United States—to lead. I wish we in Congress would do more in order to help these people because that is a long American tradition. Yes, it may require some financial sacrifice and maybe materiel sacrifice on the part of the American people, but I think the cause is one of transcendent importance.

I wish to thank my friend from Connecticut for his compassion, his concern, and his commitment to these people who live far away.

Mr. LIEBERMAN. Madam President, I thank Senator MCCAIN for his leadership. This is one of those cases where we have the opportunity—and it is painful that we have not taken it over these many months of the uprising in Syria—not only to do what is right but to do what is best for our country diplomatically. In other words, what is right is to be on the side of freedom, to be with the people fighting against a brutal dictator. That is the right thing to do. What is right is to enter this fight to stop the slaughter of innocent men, women and, literally, children. But there also happens to be a strategic opportunity.

I ask my friend from Arizona about this. Does he agree Syria's Assad is not only the best friend but the only friend and ally Iran has in the Middle East? Iran is our No. 1 strategic threat in the world today; the No. 1 state sponsor of terrorism, in a headlong effort to build nuclear weapons that will totally change the peace of the world if they get them. So here we have an opportunity not only to do what is morally right but to help overthrow the best friend of our worst enemy—Iran.

As the Senator remembers—we were there together—when GEN James Mattis, a great American military leader and head of Central Command overseeing the Middle East, said that if Assad is overthrown, it will be the worst setback Iran has suffered in more than a quarter of a century. That will, in turn, I think, open tremendous new possibilities in Lebanon, which has been under the Syrian-Iranian influence. Even in Iraq, where the new Iraqi Government has felt, I think, pressured on both sides from Iran and Iran's ally Syria on the other side, if Syria is not controlled by an Iranian puppet, I think we may see some more independence from Iraq that we would like to see.

I ask the Senator from Arizona if he agrees there is not just a moral imperative but an extraordinary strategic opportunity here to get in and shape history.

Mr. MCCAIN. I would say my friend from Connecticut is exactly right. Both he and I visited Lebanon recently, and the fact is that Hezbollah basically controls the government with a Prime Minister who is not Hezbollah but who was put into power by Hezbollah, and their country is basically gridlocked as well. If Syria goes, Bashar Assad goes. That connection between Iran and Hezbollah will be severed and the people of Lebanon will have a great opportunity to have what once was a very thriving democracy restored.

Finally, I would like to mention to my friend one of the things that surprises me from time to time as I have traveled to places such as Burma, whose people were recently freed. I met three men there who were in prison, one of whom had been there for 18 years and another for 22 years. When I have traveled to Libya, as I was for the elections the other day, when I have been in Egypt and I have met some of the young people who were part of the revolution, and in Tunisia, where we met the young people there and the new government there, much to my surprise, to some degree, they pay attention to what we say. They pay attention.

These three men who were imprisoned for over 20 years said: Thank you for what you said. We listened to you in prison. The people in Libya on election night, waving little Libyan flags, were saying thank you. Thank you, America. Thank you. Thank you, Senator MCCAIN, for saying that. The people in Syria are listening and will find out what we are saying today on the floor of the Senate.

Does it matter much? I don't know. But the people in Syria know there are some of us who are committed and will not rest until this massacre stops, until these terrible atrocities cease, and that we will continue to do everything we can to provide them with the kind of moral assistance, which is a vital ingredient in continuing their resistance, and the materiel assistance which provides them the wherewithal to gain their freedom.

Mr. LIEBERMAN. I thank the Senator. I want to make clear, as we finish, what we are talking about.

What are we asking our government to do? We are not asking our government to put American troops on the ground in Syria. They do not need American troops. They have fierce patriotic fighters. What they need first from us is an open declaration that we are on the side of the Syrian opposition.

The second is, I believe they need us to organize a coalition of the willing, just as Senator MCCAIN said President Clinton did in the case of Kosovo, without the United Nations supporting it. Again, it was a Russian veto that stood in the way.

Mr. MCCAIN. President Clinton said his greatest regret was that we did not intervene in Rwanda, where some 800,000 people were massacred.

Mr. LIEBERMAN. Absolutely. So we have to learn from those lessons of history. There is a coalition of the willing waiting to be formed here, if only we in the United States will show leadership. Nobody is asking us and we are not asking for unilateral American action.

There is no question we have allies in the Arab world who are already involved in supporting the opposition in Syria—namely Saudi Arabia and Qatar, which would join us. I believe there may be one or more European countries that would join us. There are other Arab countries that would join us.

What are we asking? Let us increase the flow of weapons and training to the opposition. I think it is time for us to use American air power to at least impose a no-fly zone over Syria because the Syrians are now using gunships, and I fear they will begin to use fighters to attack their civilian population and create and spread the kind of fear they now depend upon.

It is a coalition in support of the opposition, it is weapons and training, it is sanctuaries where they can be trained and equipped, and it is the use of air power against this regime which I think will not only deal a devastating blow to their regime but will make the remaining supporters it has in the

military and in the business community despair and see the end is near and abandon Assad.

Have I stated correctly what the Senator from Arizona feels we want this government of ours to be doing now in regard to Syria?

Mr. MCCAIN. I think the Senator is exactly right and has described it well.

There is an element also that adds more urgency, of which I know the Senator from Connecticut is very well aware; that is, that published media reports have talked about the fact that weapons of mass destruction—which, apparently, Bashar Assad has significant stocks of—have been moved around. For what purpose those weapons have been moved around is not known. But it is not an unbelievable scenario that, in final desperation, Bashar Assad would behave as his father did and use these chemical weapons and slaughter unknown numbers of people.

Again, that information lends urgency to bringing him down, to having it happen as quickly as possible, and that, of course, means the kind of engagement the Senator from Connecticut just described.

Mr. LIEBERMAN. I thank my friend. I feel disappointed we continue to have to return to the floor to make these pleas. I hope we come to a day soon when we come to the floor to celebrate the victory of freedom and the defeat of Assad the dictator. May it happen soon.

Mr. MCCAIN. Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. 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. WHITEHOUSE. Madam President, I ask unanimous consent that for the next half hour, myself, Senator MIKULSKI, Senator BLUMENTHAL, Senator COONS, and Senator BLUNT, and also, should they come, Senator GRAHAM and Senator KYL be allowed to engage in a colloquy.

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

CYBER AND CRITICAL INFRASTRUCTURE

Mr. WHITEHOUSE. Our topic is the urgency of the need to protect our privately held critical infrastructure—the power grid, the machines that process our financial transactions, and the communications networks that connect our BlackBerrys and our phones.

In this area, no one is more expert than Senator MIKULSKI, who is a senior member of the Senate Intelligence Committee, helped draft the Senate intelligence report on cyber, and has the pen as the cardinal for the budgets of most of the agencies that are relevant to this discussion. So let me lead immediately to Senator MIKULSKI, who has been enormously helpful in this arrangement.

Ms. MIKULSKI. I thank the Senator from Rhode Island, a former member of the Intelligence Committee and an activist in this area.

Madam President and colleagues, I am happy to be on the floor with a bipartisan group of people who are really worried about our country, and we are worried about its survivability in the event of a cyber attack.

Cyber attacks are not the work of science fiction, though they were once written about. That which was once science fiction is now a hard reality that could cripple our country and bring it to the ground. We have to come up with the legislative framework to be able to protect dot.com and also be able to protect critical infrastructure. I am talking about something that could create catastrophic economic damage, severe degradation.

Why am I obsessed about it? Let's take the grid. There are those who say America runs on oil. BARBARA MIKULSKI says it runs on electricity. You cannot have a community without electricity. Look at what happened to us in this north capital region when, 2 weeks ago, we had this freaky storm. We nearly came to our knees. Metro couldn't function, stoplights were out, and communication went down. People didn't have access to many communications. Their homes were without electricity, food went bad, and tempers rose. We could not function as a community.

The good news is that no matter how late the utilities were in coming in to respond, they could turn the lights back on, they could turn the electricity back on. But I will tell you, in a cyber attack, that international predator will fix it so that we won't be able to turn it back on or not turn it on for hours, days, or weeks. Do you know what that means? They want to humiliate us, they want to intimidate us, and they want to terrorize us.

We have it within our hands to pass legislation that would bring the appropriate sources together for our privately owned critical infrastructure to be able to make the significant efforts, and I believe we need to incentivize them to be able to protect us. I don't want to wake up one day and find out America has been hit because of gridlock here. And I will tell you, if we are hit, we will overreact, we will overspend, we will overregulate, and we will go over the top.

I want to listen to my other colleagues, but we have to get off of our pet peeves here and move America to a safe result.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Madam President, I am very honored and proud to follow the Senator from Maryland, who has been such an extraordinary leader in so many areas and, most prominently and recently, this one that involves the future of our country. I thank the Senator from Rhode Island for his leadership and my colleague, Senator COONS of Delaware, because he has been at the forefront. This issue truly is bipartisan. Senator BLUNT has played a leading role, as have Senator GRAHAM and Senator KYL and, of course, Senators LIEBERMAN and COLLINS and Senator MCCAIN, who was on the floor before, and Senator CHAMBLISS. This kind of amassing senatorial consensus reflects the urgency and immediacy of this problem. Our Nation is under attack.

I came today from a meeting with one of the major accounting and consulting companies in the United States, whose name would be immediately recognizable to you, and by happenstance, sheer coincidence, he said to me that his company is attacked literally 1,000 times a day. His company has information that is intensely valuable and private and has taken steps to safeguard itself. But the magnitude of this attack on this single company and others like it that may have intellectual property lost to this country if it gets stolen by hackers and by other nations reflects the seriousness and importance of this issue.

Time is not on our side. We must act immediately. The Senate must follow its duty and make sure we meet the challenge, No. 1, of bringing together all the stakeholders to enhance the resiliency of our critical infrastructure systems. Much of this infrastructure lies beyond the purview of the Federal Government. Cybersecurity is a major concern of both the government and the private sector. There must be a partnership between them; it is not for either to do alone.

Today, the computers that control energy and manufacturing, water, and chemical facilities across the country are connected via the Internet. None of them is an island. No one is an island in the Internet age. We are all under attack when any one of us is under attack.

I believe we have a path forward to strengthen protection of our Nation's network industrial control systems without heavyhanded regulation and in partnership with the businesses that own the systems. Many are already pursuing best practices. Many already are addressing this threat. And my hope is that the legislation coming forward as a result of the leadership by my colleagues here today will make sure these best practices become common practices and uniform to every industry so that access to controls and audits and monitoring is done systemically.

Finally, let me emphasize—and I think this point is especially critical to many who are watching this process today—we can make progress in strengthening the privacy and civil liberties protection in cybersecurity while preserving its underlying goal of safeguarding the Nation.

Americans have become aware of the need to protect online privacy. As I

have seen personally in my contacts with the citizens of Connecticut, they are outraged and fearful about frequent reports of massive data breaches and the theft of personal information as a result of the very hacking that threatens private industry and the government. Hacking and spear phishing attacks that have become a daily occurrence in our lives threaten our privacy, our financial integrity, and our security.

A recent United Technologies National Journal poll found that 62 percent of respondents believe that government and businesses should not be allowed at all to share information because it would hurt privacy and civil liberties. That same poll found that 67 percent of those surveyed said they were either very or somewhat concerned about threats to our country's computer networks. The two anxieties go hand in hand, they fit together, and we must find a path forward on this legislation reconciling these views.

I personally believe this cybersecurity is compatible with privacy protection and with the liberties—including the liberty to go to court and protect the individual rights—that are so integral and fundamental to our constitutional protections and American civil liberties. We can make sure adequate protections are in place.

Again, this task is one we must address—and address it now.

I again thank the Senator from Rhode Island, and I yield to him.

Mr. WHITEHOUSE. Let me welcome Senator BLUNT to the discussion and invite him to chime in now. He has been a very important voice in the bipartisan discussions on how we can find a proper way to protect American privately owned critical infrastructure. He is a consummately experienced legislator from the House and has been a great addition to the Senate, and we welcome him to the discussion.

Mr. BLUNT. I thank the Senator from Rhode Island for his kind comments.

I wish to comment on a couple of things that have been said, and one by my friend from Connecticut that there are competing concerns here and they don't need to be mutually exclusive at all.

When we talk about cybersecurity, we are not talking about the government somehow securing everything that happens in the cyber world; we are talking about, what are the things we can identify and agree on as critical infrastructure? There is a lot of security about what happens on the military cyberspace, dot-mil, and a lot of comfort about what happens in the government part, the dot-gov. What we are concerned about is what is outside those two networks that doesn't have the kind of protection those networks have, not about controlling everything—in fact, about defining specifically in the most limited way possible what is critical to the ongoing daily operation of the country. Senator MIKULSKI talked about that. She also said that if something happens, there is no telling what kind of legislation will pass. And I couldn't agree more with that comment in every way I can think of.

We are going to pass a cybersecurity bill at some time, I believe, in the not too distant future, and it will either be in the kind of environment the four Senators along with me here on the floor have been working to create, where we do this in the most thoughtful way, we do this in a way that has taken time to bring people together and have a discussion, or in a post-cyber attack moment, like a post-9/11 moment, and who knows what we might do. I think Senator MIKULSKI said wisely and rightly that it will go further than it should go and it will cost more than it should cost because then we are reacting, and that is what we need to avoid.

We can do this in the right way or the wrong way, and the wrong way would be waiting too long. The right way is to do this now. You don't have to be well read into the intelligence community. I have a chance to be on that committee with Senator MIKULSKI. I served on the House committee when Senator WHITEHOUSE was on the Senate committee and know they have long been advocates of securing this part of our vulnerability. But you don't have to be on the Intelligence Committee or even have access to the information that all Senators have to know that this is believed to be our greatest area of vulnerability. And why is it? Because it involves everything. It involves how we communicate, it involves how we get gasoline, and it involves how we power everything from the drinking water system to the electricity at home.

A windstorm created all kinds of problems. Two different 30-minute-or-so stops on the Metro system in the Washington area because the screen went blank caused all kinds of problems. Imagine that multiplied by whatever multiple you want to use, and the country would quickly not be functioning in any way—traffic in Washington, traffic anywhere in the country, trying to get from one gas station to the other only to find out that, by the way, the gas pumps don't work because the electricity is out and your car doesn't have enough gas.

This is a huge problem. How do we define that critical infrastructure, and how do we do that in a way that is the most responsible, as Senator BLUMENTHAL said, protecting civil liberties at the same time that we are carefully carving out that spot where government does have some obligation to make that area secure, and if we can do that in a way that encourages people to get into that environment.

One of the things Senator COONS has been talking about—a former local government executive who knows all of the impact of police and fire and the court system and everything else he had to be responsible for, as well as his private sector work—has brought real value to this discussion. Somebody told me the other day, if you are in almost any kind of business, you have either been attacked, are going to be attacked, or you are being attacked right now as people are trying to figure out—maybe for malicious purposes, maybe just to see if they can do it—how they can get into your system. And Senator COONS has been so helpful in these discussions. I would like to hear what his thinking today is on this and where you are, talking about this on the floor.

Mr. COONS. I very much thank Senator BLUNT. Thank you for helping to contribute to the bipartisan, positive tone of our deliberations. I thank my friend, the Senator from Rhode Island, for his leadership both in today's colloquy and in pulling together the language and partners, and Senator MIKULSKI, who started off our conversation today by reminding us as Senator BLUNT has that it was a terrible storm in this area that knocked out power for a couple of days that gave a bracing reminder to the community around Washington, DC, just how much we rely in this modern economy of ours, on continuous, uninterrupted power.

That storm was an act of God. That storm was a random meteorological event. But as all of us have spoken—Senator BLUMENTHAL also commented on this—we know as Members of the Senate that there are daily efforts at attacks on the United States far more devastating, far more far-reaching than that transitory storm. For us not to act, for us to fail to act in a bipartisan, thoughtful, and responsible way would be the worst sort of dereliction of duty.

All of us have been in secure briefings with folks from four-star and three-letter agencies with the most central roles in our intelligence community, in our national security agencies. But this is not something that only those of us in the Congress know or only those in the higher reaches of executive branch leadership know. This is now broadly, publicly well known. The water is rising, the storms are coming, and we need to incentivize the private sector that is responsible for running most of our essential infrastructure to man the barricades, to fill the sandbags, and to take on the responsibility in a thoughtful, balanced, and responsible way of preparing for the wave of highly effective cyber-attacks that are currently underway and that will crescendo soon.

We have heard public comments that are remarkable. The Chairman of the Joint Chiefs, General Dempsey, has said an effective cyber-attack could literally stop society in its tracks. As Senator BLUNT mentioned, as a county executive I was responsible for emergency response, and all over this country cities, counties, and States are trying to understand how to prepare for the consequences of a cyber-attack.

We are not talking about trying to craft legislation that would deal with

every possible cyber harm, every possible cyber crime. We are talking about those few incidents that would be likely driven by a nation state or by a terribly advanced and sophisticated terrorist group that would strike at the very heart of what makes our modern society vibrant and that would have mass casualty consequences, dramatic impact on our economy, or wipe out whole sectors for days or weeks, such as a failure of the power grid.

This is not exotic. We just had another public hearing on the Energy and Natural Resources Committee and were warned yet again of what the Department of Homeland Security documented back in 2007 in their Aurora exercise, that our power grid, nationally interconnected, vital to the modern economy, is fragile, is vulnerable to cyber-attacks. We have seen this unfold overseas. The small Baltic nation of Estonia was the victim of a comprehensive cyber-attack. They saw also in 2007 banks, media outlets, government entities that collapsed, bank cards, mobile phones, government services over a 3-week period completely shut down.

Is there a real threat? Absolutely. Are we doing enough to face it? I don't think so. I don't think we have yet done enough. There is legislation that has been brought forward by a whole group of Senators led by Senators LIEBERMAN and COLLINS that I hope this body will turn to in the days ahead and find ways to balance. As Senator BLUMENTHAL said previously, we live in a country where we must continue to respect the powerful, passionate commitment to individual privacy and civil liberties. But I think we can, with narrowly targeted, appropriately crafted legislation that incentivizes and encourages the private sector, take on the role, appropriately informed by those from throughout Federal Government, to strengthen their defenses against these coming attacks. I don't think we have to make a choice between privacy and security and I do think we can give the private sector the tools to make our country safe and strong.

But those who view new cyber regulations as onerous, as burdensome, as overly expensive for the private sector, as threatening needlessly our privacy, have an obligation to come forward with a credible alternative before it is too late.

Today we are, frankly, leaving our country wide open to attack. As we recently heard in floor speeches by both Senator BLUMENTHAL and Senator WHITEHOUSE, when private sector companies, even the most technically sophisticated, are contacted by our government and told they have been the victim of a successful intrusion and attack, in nearly 90 percent of the cases they were utterly unaware. We need to strengthen information sharing. We need to develop robust standards of defense. We need to help invest in building up the infrastructure protection of this country, and it is the most vital thing I can think of that this country could turn to.

Let me close with this for my moment, if I could. I had a chance to have lunch last week with Senator DANIEL INOUYE. That was for me a great honor, a chance to sit with him and visit and ask his advice. He made one comment to me in closing. He is the only Member of this body who was at Pearl Harbor. He shared with me that in his view the next Pearl Harbor, the next unexpected massive attack that could hurt the United States, will come from cyber. It is our obligation to take that lesson seriously and to legislate in a bipartisan, thoughtful but swift and effective way.

So, I say to Senator WHITEHOUSE, I am grateful for his leadership of our efforts in this regard.

Mr. WHITEHOUSE. I agree with Senator COONS, and more important than me agreeing with him, the Secretary of Defense of the United States of America agrees with him. He has said, ''The next Pearl Harbor we confront could very well be a cyberattack,'' and that is an exact quote.

I wish to turn back to Senator MIKULSKI for a moment, as the person who is in charge of the appropriations for these key agencies, because there is a sense in some quarters that if you leave the private sector on its own to do this, they will be fine. I think the evidence we have heard in a series of hearings that Senator MIKULSKI, Senator BLUNT, myself, and Senator KYL cochaired, bipartisan hearings—Senator COONS came to virtually all of them, and to their great credit Senator LIEBERMAN and Senator COLLINS came to virtually all of them—the testimony we heard was that was not the case.

Some of the public commentary, our Deputy Secretary of Defense Ashton Carter says:

> There is a market failure at work here . . . companies are not willing to admit vulnerabilities to themselves, or publicly to shareholders, in such a way as to support the necessary investments or lead their peers down a certain path of investment and all that would follow.

That is a bipartisan sentiment. Mike Chertoff, who is the former head of DHS, said:

> The marketplace is likely to fail in allocating the correct amount of investment to manage risk across the breadth of the networks on which our society relies.

Senator COONS pointed out 9 out of 10 of the companies contacted by the NCI JTF, when they became aware they were attacked, had no idea they had been attacked.

I will turn to Senator MIKULSKI to make her comment on this. It is a public-private partnership here.

Ms. MIKULSKI. I thank Senator WHITEHOUSE for what he said and the fact we really had a great study group, both sides of the aisle eager for information, eager to come up with the best policies.

Much has been said about the private sector. I talk to the private sector a lot because of our work on the committees, and the private sector is looking for leadership. They are looking for a framework. They worry that overregulation could be both costly and strangulating; would we be so prescriptive that we mandate—first of all, that we mandate, and that we essentially mandate dated technology because this is a fast-moving, evolving field. They are looking for us to give a legislative framework where they could work with their government on what they want to bring to the table and feel free, because of certain proprietary concerns, to do it.

I talked to people who have responsibility for delivering power in Maryland. They are working. Edison Institute, which represents essentially the electric companies and the grid, would like us to have a framework. They want to be at the table. They want to know who is in charge, who do you call, what do you do in the event of an attack.

When you say to them how can we prevent the attack, they say that is where we need government, to tell us where you think we are heading, to bring the great Federal labs to bear with their ideas and how do you do this in a way that encourages not whatever government is going to do but voluntary efforts, but voluntary efforts with some teeth, some standards to be met—standards that are not prescriptive, that could be dated, but again the ever evolving of the state of science.

I think we have the elements. Where the problem is, is not do we know what to do, but the problem is are we going to do it and can we put aside where we make the perfect the enemy of the good. Colin Powell had a great phrase: ''America always needs to seek the sensible center.'' That is what I am talking about here. I want to protect civil liberties. I certainly do want to protect civil liberties. But you know the first civil liberty is that you can turn your lights on, and when you go to bed you know your refrigerator is going to be working; the stoplights are going to be working when you wake up the next day; or if your child is at school or at camp, you are going to be able to get to that child, and that 911 is going to be working if you call 911. That is civil liberty. It means you can function in a free and democratic society but that you are not terrified that you are literally in the dark, you are literally in the cold, you have no power politically, you have no power with electricity. It is all because we failed that.

I think we can do that. I think Senators LIEBERMAN and COLLINS have given us a great only starting point. I think to use the language of our future Super Bowl champions, the Ravens, which will happen, we are beyond the 50-yard line. We can do this.

I hope in the spirit we came here today, we need a sense of urgency, we need a bipartisan effort, and we need the will to serve America and put that interest first.

Mr. WHITEHOUSE. Senator BLUNT.

Mr. BLUNT. I think Senator MIKULSKI made the case so well here, too. When we looked at this, when we have gone through exercises, the power grid is where you go first because it is the most dramatic, I suppose. But there are so many other places you could go—the description of the financial networks. Suddenly business stops. I was making a list here. We were talking of the kinds of things that could be at risk through some kind of cyber-attack—everything from electromagnetic pulse attack to literally a cyber-attack that comes into these various networks.

There are 111 powerplants in Missouri. In our State alone, there are 111 powerplants. They are all in some way or another hooked into the grid. They can be disabled in a significant way. I was talking to a friend of mine who, during the last few days, was in West Virginia with their family. Driving to West Virginia, the electricity was out and they began to see abandoned cars because nobody could get to a gas station, and if they could get to a gas station, it was closed. So there were cars all over the place. That is assuming you can even get out of the traffic mess you would be in in more urban areas. But where would you go? What would you do? The desperation we understand. It would be something that is preventable if we prevent it. It is something that is preventable in ways that—particularly Senator WHITEHOUSE has been thoughtful in putting together ideas of how you encourage people to voluntarily want to get into this space, to where they have assistance that they would not otherwise have, where they have assurances that they have done everything they could do to prevent this from happening.

Frankly, if we do everything we can do to prevent this from happening, there is a chance it will not happen. But if we do not, there is certainty it will happen. We know that. I am glad my colleagues are here. I hope the Senate turns to this issue and we have a full and free debate because if we are united on this in a bipartisan way, that finds that sensible answer Senator MIKULSKI was talking about.

Senator WHITEHOUSE.

Mr. WHITEHOUSE. I thank the Senator from Missouri. I will wrap up by making three points and I will make them briefly. I have given remarks at greater length in these areas before so I think my position on this is pretty clear.

One is, protecting our critical infrastructure, the privately owned systems our way of life depends on, is the weak point we need to address. We do well with dot-mil, we do well with dot-gov. The government has the authority to provide all of its resources to protect those. We don't particularly care about ordinary Web sites, about chat rooms—we do not want to interfere with those anyway. It is just the critical infrastructure that is important, the privately held infrastructure. We really need to work on that. The warnings from our national security leaders are across the board: Secretary of Defense Panetta, NSA Cyber Command and Director Keith Alexander, Director of National Intelligence Clapper, Secretary of Homeland Security Janet Napolitano, Attorney General Holder, and Chairman of the Joint Chiefs of Staff Mark Dempsey have all clearly expressed the danger of this threat.

The second point, it is bipartisan. The former Director of National Intelligence and NSA Director Mike McConnell has said:

> The United States is fighting a cyber-war today, and we are losing. It's that simple. As the most wired nation on Earth, we offer the most targets of significance, yet our cyber-defenses are woefully lacking. . . . [W]ith cybersecurity, the time to start was yesterday.

Former Assistant Secretary for Policy at the Department of Homeland Security Baker said:

> We must begin now to protect our critical infrastructure from attack.

A great number of national security officials, bipartisan, wrote a letter to us in the Senate and said:

> The threat is only going to get worse. Inaction is not an acceptable option.
>
> Protection of our critical infrastructure is essential in order to effectively protect our national and economic security from the growing cyber threat.

As I said earlier in introducing Senator MIKULSKI, there is indeed a market failure that has been identified in a bipartisan fashion. The facts prove it because so often when public or private sector folks respond to an intrusion, they find 90 percent of the time the company had no idea it was hacked.

Even the Chamber of Commerce was hacked and had Chinese infiltrators with access to all of their computers for months. When the Aurora bug hit Google and others, only 3 out of 30 companies were aware of it. So the private sector does need a supportive government. We, in turn, from the government side have to make sure the burden is not unreasonable and make sure we are doing this in as light, as sensible, and voluntary as is possible and consistent with the mission of actually protecting our cybersecurity.

In the Bush administration, the Assistant Attorney General was Jack Goldsmith, who is now at the Harvard Law School. He has written about this very issue. He wrote:

> [T]he government is the only institution with the resources and the incentives to ensure that the [critical infrastructure] on which we all depend is secure, and we must find a way for it to meet its responsibilities.

I thank Senator MIKULSKI, Senator BLUNT, Senator BLUMENTHAL, and Senator COONS for participating in this colloquy today. I thank our group and the group I just mentioned. In addition I would like to thank Senator KYL, Senator GRAHAM, and Senator COATS for the bipartisan work that has been done to try to find a way forward to protect critical infrastructure.

Again, I thank Senator BLUNT, Senator KYL, and Senator MIKULSKI for the series of private briefs and classified briefings that have helped build the momentum toward this effort.

I think we can get this done. It is essential we do. I appreciate the work of my colleagues in making this happen.

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

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER (Mr. BLUMENTHAL). The Senator from Rhode Island.

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

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

GLOBAL WARMING

Mr. WHITEHOUSE. Mr. President, I come to the floor most every week to discuss the issue that I think is the one that Members of Congress in this era are most likely to be judged on in the future; that is, the relentless carbon pollution of our atmosphere that we are engaged in and the changes in our climate and in our oceans that are very visibly happening as a result.

I know there are many interests in Washington that would prefer us to ignore this issue, but just because they ignore it and just because they want us to ignore it doesn't mean it is going anywhere. The country, as we have heard in the last few weeks, has baked in record heat. I think it was Bloomberg News that described the Midwest farmers as farming in hell. It has been scorched by drought, driven by unprecedented wildfires, and that has resulted in an increasing amount of chatter in the news and even some conversation on the Senate floor about climate change.

Some have tried to say there is no relation, but I want to talk a little bit about the science of what we see happening around our country and around the world.

There is an interesting report that I would mention. I am not going to put it in the RECORD because it is too large. It is called ''The State of the Climate in 2011,'' a special supplement to the bulletin of the American Meteorological Society.

What we see is that 2012 is shaping up to look a lot like 2011, which Deputy NOAA Administrator Kathryn Sullivan called ''a year of extreme events, both in the United States and around the world.'' The report I just showed is a peer-reviewed report. It was compiled by 37 scientists from 48 countries.

As explained by Dr. Sullivan, and I quote her:

> Every weather event that happens now takes place in the context of a changing global environment. This annual report provides scientists and citizens alike with an analysis of what has happened so we can all prepare for what is to come.

Here are some of the highlights from the American Meteorological Society report. The first generally is that

warm temperature trends are continuing. Four independent datasets show 2011 was one of the 15 warmest years since recordkeeping began in the late 19th century, and yet one of the coolest since 2008. The average temperature for 2011 was higher than the 30-year annual average temperature. The Arctic continued to warm at about twice the rate compared with lower latitudes.

On the opposite pole, the South Pole Station recorded its all-time highest temperature of 9.9 degrees Fahrenheit on December 25, Christmas Day, breaking the previous record for warm weather around the South Pole by more than 2 degrees.

So the warm temperature trends continue. The other major finding of the report is that greenhouse gases continue to climb. Major greenhouse gas concentrations like carbon dioxide, methane, and nitrous oxide continued to rise. Carbon dioxide steadily increased in 2011, and the yearly global average exceeded 390 parts per million for the first time since instrumental records began. This represents an increase of 2.10 parts per million over the previous year.

I would note that the Arctic sampling stations have for the first time in history recorded concentrations over 400 parts per million. That is an ominous number because the Arctic tends to be the leading edge for these indicators. There is no evidence that natural emissions of methane in the Arctic have increased significantly during the last decade, so they have not yet contributed to this steady increase. But there could be significant increases of methane in the future as the tundra thaws and as methane captured under the permafrost is released.

Arctic sea ice is decreasing. Arctic sea ice extent was below average for all of 2011 and has been since June of 2001. It is a span of 127 consecutive months through December of 2011. Both the maximum ice extent, which was 5.67 million square miles on March 7, and the minimum extent, 1.67 square miles on September 9, were the second smallest measurements for maximum and for minimum of the satellite era.

A fourth finding is that sea surface temperature and ocean heat content continue to rise. Even with La Nina conditions occurring during most of the year, the 2011 global sea surface temperature was among the 12 highest years on record. Ocean heat content measured from the surface down to 2,300 feet deep continued to rise since records again being taken in 1993, and ocean heat content was at a record high.

In addition to putting 2011 into the context of these longer trends and timelines, the researchers from NOAA and the U.K. Meteorological Office also examined the link between climate change and extreme weather events that occurred in 2011. Here is what they say:

> In the past it was often stated that it simply was not possible to make an attribution statement about an individual weather or climate event. However, scientific thinking on this issue has moved on and now it is widely accepted—

Widely accepted—

> that attribution statements about individual weather or climate events are possible, provided proper account is taken of the probabilistic nature of attribution.

So let me be clear. It is still not correct to say that any weather event specifically is or is not directly caused by climate change. However, what these researchers have done is evaluate methods to see if the probability of this event occurring has changed by a particular percentage given the changing climate. Have we, in effect, loaded the dice in our atmosphere to make extreme weather events more likely? And not only have we loaded the dice, but how loaded are the dice? How are the odds changing?

This paper evaluated six events from last year, and here are some of those findings:

La Nina-related heat waves such as that experienced in Texas in 2011 are now 20 times more likely to occur during La Nina today than during La Nina years 50 years ago. So we have loaded the dice for these events to happen during the La Nina years by a factor of 20. That is a pretty heavy increase.

Researchers evaluated a very warm November that the United Kingdom experienced in 2011. They found that warm Novembers are now 62 times more likely for the region. Again, not only are the dice loaded for unusual weather events, they are loaded with big numbers.

The next month, December 2011, was very cold. Researchers found that cold Decembers were 50 percent less likely to occur now versus 50 years ago.

Moving on to 2012, I wish to mention another event that happened this week. On Monday, researchers at the University of Delaware and the Canadian Ice Service reported that a 46-square-mile chunk of ice broke off from the Petermann Glacier on the northwest coast of Greenland. This piece of ice is two times the size of Manhattan. In August 2010, a piece four times the size of Manhattan separated from the glacier. This most recent breakoff of the Petermann Glacier puts the glacier's end point where it has not been for 150 years.

Andreas Muenchow, a researcher at the University of Delaware, said:

> The Greenland ice sheet as a whole is shrinking, melting and reducing in size as a result of globally changing air and ocean temperatures and associated changes in circulation patterns in both the ocean and the atmosphere.

When we change the temperature, we change the circulation patterns. Those go hand in hand.

Relatedly, an article published in Science magazine examined data from not the Arctic areas but the tropic areas from coral reefs around the world. The researchers concluded that sea levels during the last warming period, which is most similar to today's climate, were roughly 18 to 30 feet higher than today. That is about 6 to 10 feet higher than previous estimates had projected. The likely culprit: more melting of the Greenland and Antarctic ice sheets than was previously assumed.

All of this evidence, these changing trends and emerging science evaluating increased probability of extreme weather events, ought to be enough for us to consider limiting our greenhouse gas emissions. It ought to be enough of a warning for us to stop what is presently an uncontrolled experiment that we are conducting on our planet. We should do this while we still can.

Yet, unfortunately, there are special interests in Washington who deny that carbon pollution causes global temperatures to rise; deny that melting icecaps destabilize our climate so that regions face extreme drought or outsized precipitation events; deny that they have any responsibility to do anything about this. These special interests have a strong grip on Washington and on Congress. They pretend to us and to the American public that the jury is actually still out on climate change caused by carbon pollution, that we should wait, we should let them continue with business as usual and wait for the verdict to come in. Well, they are wrong. The jury is not still out. The verdict is, indeed, in, and their claims to the contrary are, frankly, outright false.

This is a pattern, actually, that has manifested itself with other industries in the past. The lead paint industry, the tobacco industry, and others have all had legions of scientists who have been willing to manufacture enough doubt about the danger of the product—tobacco is safe to smoke, lead paint won't hurt children, that sort of thing—so as to delay public safety action that would protect the public from their product. They obviously have a motive in doing that because they want to keep selling their product and keep making profits, but the cost has been terribly high to the public when we have listened to that kind of science. Unfortunately, we are listening to that now again. We should not be fooled. The vast overwhelming bulk of scientists agree that climate change is happening and that human activities are the driving cause of this change.

When I give these talks, I often refer to a paragraph from a letter we received in Congress in October of 2009. The letter was very powerfully stated, particularly when we consider the cautious way in which scientists ordinarily couch their findings. Here is what the letter said:

> Observations throughout the world make it clear—

Clear is the word they use—

> that climate change is occurring, and rigorous scientific research demonstrates that the greenhouse gases emitted by human activities are the primary driver. These conclusions are based on multiple independent lines of evidence—

And they close with this—

and contrary assertions are inconsistent with an objective assessment of the vast body of peer-reviewed science.

In other words, if we look at the peer-reviewed science, the body of science, objectively, one cannot reach those conclusions. Those contrary assertions are inconsistent with an objective assessment. Clearly, subjective assessments are different, but subjective assessments we should discount because of the motives that lie behind them.

The letter I just quoted was signed by an enormous number of very prestigious scientific organizations, from the American Association of the Advancement of Science, to the American Chemical Society, the Geophysical Union, Institute of Biological Science, Meteorological Society, Society of Agronomy, American Plant Biologists, the Ecological Society of America, the Organization of Biological Field Stations, Soil Science Society of America, and an immense group of very respectable organizations not gathered together for the purposes of argument about climate change but who have a responsibility to their scientific communities to be accurate. These are highly esteemed scientific organizations. They know the jury is not still out. They know that the verdict is, in fact, in and that it is time we did something about it. It is really irresponsible and nonsensical for us not to.

The science on this goes back to the Civil War. It was a scientist named John Tyndall, an Irish scientist practicing in England, who determined that carbon dioxide and water, when they were trapped in the atmosphere, had a blanketing effect and would trap heat in the atmosphere—the basic principle of global warming.

In 1955, the year I was born, a textbook called ''Our Astonishing Atmosphere'' said the following:

Nearly a century ago, scientist John Tyndall suggested that a fall in the atmospheric carbon dioxide could allow the Earth to cool, whereas a rise in carbon dioxide would make it warmer.

If that was century-old information the year I was born, then I think it is entitled to some credence around here.

Of course, we are observing these changes. Let me put one into context, and then I will yield the floor. That one is that 390-parts-per-million figure I alluded to earlier. For the last 8,000 centuries—800,000 years—we have been able to measure what the range was of carbon dioxide in the Earth's atmosphere, and for all that period, 800,000 years, it has been between 170 parts per million and 300 parts per million. So 170 to 300 is the range. So when we are out of that not by a little bit but by a lot—we are already to 390, and in the Arctic we have hit 400—this is measurement, by the way, not theory—that is something to be worried about because when we look back at history, before 800,000 years ago, back into previous geological events, we find that these high carbon concentrations are associated with really dramatic die-offs, very hostile environments for human occupation.

Of course, we have never had that experience because we have really only been around on this planet for probably less than 200,000 years. We only started scratching the soil, planting things and developing agriculture, 10,000 years ago. So 800,000 years ago is a long time, and the safe bandwidths our species has developed within during that 800,000 years is something that we should not be so frivolous about flying outside of to the tune of now hitting 390 parts per million. There will be consequences that will be grave.

We are already seeing consequences that are grave. Our ocean is acidifying in unprecedented ways. If we are looking for a first catastrophe to ensue, it is as likely to be through the acidification of our oceans as it is through climate and through the damage that an acidic ocean can do to small creatures, particularly those at the very bottom of the food chain, the ones all the others eat. Let me put it this way: It is a hard thing for an animal to succeed and survive in a physical environment in which it is soluble.

So I see a colleague on the floor, and I will yield to him. I appreciate the attention of the Senate to this issue, and I hope the day will come soon when we can wrench ourselves free of the grip of the special interests and do something serious about this looming threat.

I thank the Presiding Officer, and I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

PROGROWTH TAX REFORM

Mr. HOEVEN. I rise today to discuss the need for progrowth tax reform. I came to the floor last week, I have been here this week on the subject, and I am here again today to talk about the need to get started and get going right now on the progrowth tax reform that will unleash private investment in this country and help us grow our economy and create jobs for the more than 13 million people we have unemployed today.

The current Tax Code changes at the end of the year. If we fail to act, the current Tax Code changes. That is a fact. Simply put, tax rates go up. The income tax rates rise. Capital gains taxes go up. The death tax goes up.

Today, we voted on a measure regarding outsourcing. Its goal was to encourage U.S. companies to invest and hire workers in the United States rather than overseas. But, at best—at best—that is a piecemeal approach. The reality is, the tax increases that will occur at the end of the year will do far more to drive investment and employment overseas than any measure like the one we considered today. Those increases to the tax rates on small businesses across this country will have a much bigger impact than any single measure like the one that was offered today.

So think about it. By not extending the current tax rates, we will have a business climate that makes it harder to do business in this country. It seems to me that makes the solution pretty simple. Let's extend the current tax rates for 1 year, and let's set up a process to engage in progrowth tax reform that will empower small businesses—millions of small businesses across this country—to do what they do best; that is, to invest and hire people, to put Americans back to work.

The question is, Why aren't we doing it? By setting up a process to undertake comprehensive, progrowth tax reform over the next year, everyone has a chance to provide their input and to provide their ideas, to offer their legislation, Republicans and Democrats alike. In fact, formats have already been proposed, formats such as Simpson-Bowles, Domenici-Rivlin, groups such as the Gang of 6 and others that have put forward different concepts. So there is absolutely no reason to wait.

The question is not are we or are we not going to do it. The reality is, we have to do it. The reality is we have to do it to get our economy going. So let's get started. President Obama needs to join with us in this effort. Look at our economy. Look at the statistics since President Obama took office.

Unemployment. We have 8.2 percent unemployment. Unemployment has been over 8 percent for 41 straight months. We have 13 million people in this country unemployed—13 million people in this country looking for work—and we have another 10 million who are underemployed; that is, 23 million people either unemployed or underemployed.

Middle class income. Middle class income has declined from approximately $55,000 annually to $50,000 since the current administration took office.

Food stamps. Food stamp usage has increased dramatically, from 32 million recipients to 46 million recipients.

Home values. Home values have dropped. Home values have dropped, on average, from $169,000 to $148,000.

Economic growth. GDP, gross domestic product, growth is the weakest for any recovery since World War II.

Job creation last month. Mr. President, 80,000 jobs were created. But it takes 150,000 jobs each and every month just to keep up with population growth to actually reduce the unemployment rate.

So these facts speak for themselves. These are the facts. The President's approach to our economy is making it worse, and his failure to join with us to extend the lower tax rates and engage in progrowth tax reform is sitting on our economy like a big wet blanket. But we can change that. We can change that right now. We can change that by extending the current tax rates and by together, on a bipartisan basis, with the administration, joining in a process to put in place progrowth tax reform and at the same time getting control of our spending.

Business investment and economic activity would respond immediately. Look at the latest information from the Congressional Budget Office, the CBO. The CBO projects the economy will contract—will contract—by 1.3 percent on an annualized rate for the first 6 months of next year, meeting the definition of ''recession'' if the fiscal cliff we now face is not addressed. Overall, the economy, based on the CBO projection for next year, would grow by only one-half of 1 percent for the entire year. That compares to a 4.4-percent growth rate for next year if the fiscal cliff is avoided.

Granted, that fiscal cliff includes not only addressing the tax increases that would go into effect but also sequestration. But we have put forward ideas to address sequestration as well. Clearly, the tax piece is a huge part of what drives that difference in economic growth—the difference between one-half of 1 percent and over 4 percent economic growth next year.

Think of what that means in terms of employment to the people who are looking for a job. Think of what that means in terms of growth in the economy and revenue growth to help address our deficit and our debt. All that stands to reason because business needs certainty. Business needs certainty to invest, to grow, to hire more people.

With legal, tax, and regulatory certainty—not more government spending but with legal, tax, and regulatory certainty, businesses in this country will invest and grow and put people back to work. There is more cash, there is more private capital on the sidelines now than ever before in our history. With the uncertainty about what the Tax Code is going to be, that investment will continue to be sidelined rather than deployed in ventures that will create jobs.

The longer we go, the more uncertainty. That means slow economic growth; that means higher unemployment; that means more people out of work rather than finding a job; and it means less revenue to help reduce our deficit and our debt. Clearly, that is not the way to go.

President Obama, however, says: But wait a minute. Everyone needs to pay their fair share. So he is proposing tax increases on that basis. Of course, everyone needs to pay their fair share. But the way to ensure that gets accomplished is with progrowth tax reform and closing loopholes. That is exactly what we have proposed—not by raising taxes on more than 1 million small businesses across this country, which is what the President has proposed.

Let's extend the current tax rates for 1 year. Let's set up a process to pass comprehensive, progrowth tax reform that lowers rates, closes loopholes, that is fairer, that is simpler and that will generate revenue to reduce our deficit and our debt through economic growth rather than through higher taxes. In reality, that is the only way we will get our economy going, and that along with controlling our spending will reduce our deficit and our debt and it will put Americans back to work.

Leadership is all about finding common ground. President Obama needs to join with us to find common ground on this issue. We have offered it. We are offering it right now. I hope the President will join with us in this endeavor. It is simple. It is straightforward. It is what the American people want and what they need and we need to get started right now.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

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

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

CAMPUS DEBIT CARDS

Mr. DURBIN. Mr. President, there was a troubling report recently released by the U.S. Public Interest Research Group. It is entitled ''The Campus Debit Card Trap.'' The report from PIRG documents how colleges and universities across the country have signed deals with financial service companies to provide campus debit cards and prepaid credit cards to students.

Sometimes these debit cards are linked to a student checking account, and many times the school's name will appear on the card. In some cases, the student ID card is turned into a bank debit card. We are also seeing colleges and universities make deals in which banks issue prepaid debit cards to make financial aid disbursements to students.

When they are managed appropriately, debit and prepaid cards can be a good thing for students. It can give them an effective way to conduct transactions and receive their student aid payments. But, unfortunately, as the PIRG research found, some of these campus debit card arrangements raise some serious questions.

Why did the U.S. PIRG title its report, ''The Campus Debit Card Trap''? You guessed it. Many students are being charged unreasonable fees that are costing them millions of dollars. According to the U.S. PIRG report, 15 financial institutions have debit or prepaid card contracts with 878 campuses that serve more than 9 million students. It is a big business. Forty-two percent of all students nationwide go to school on these 878 campuses.

It is a lucrative business for financial institutions. There is a lot of money to be paid from fees on college debit cards, especially when they start charging fees on the billions of dollars disbursed each year in Federal student aid. So the Federal money is passing through these cards to the students. The financial institutions are making money in the process.

As the U.S. PIRG report shows, some of the fees being charged are clearly unreasonable. One of the most egregious fees is a per-transaction fee on students for using a PIN number on debit purchases instead of a signature. One of the largest campus debit card companies, Higher One, currently charges students 50 cents every time the student enters his PIN number at a checkout. PIN-based transactions are supposed to be more secure than signature transactions. But this deal actually penalizes the students for using PIN numbers which are supposed to be more secure.

Another unacceptable fee is the ATM balance inquiry fee that some banks charge. This penalizes students who check on their balances to make sure they do not overdraw their accounts or incur an overdraft fee. Why would you discourage a student from checking on their balance so they do not overdraw their account?

Some banks charge inactivity fees, when a student is charged $10 a month if they are not using the account after 6 months. In other words, if the student is not using the card, racking up fees by making purchases, the financial institution still charges $10 each month. So it is going to get the money either way.

Of course, there are mysterious fees such as Higher One's $50 lack of documentation fee. That is what they call it. They recently abandoned this. And not to mention the obscure and unreasonable overdraft fees that some institutions charge.

Not only do those fees eat away at the limited money these students have for books, food, and living expenses, but these fees also cut into taxpayer-subsidized student aid dollars.

Student aid should be used to aid students, period, not banks. We should not allow financial institutions to take a slice off a taxpayer-subsidized student aid disbursement through unreasonable fees. We should not have debit card deals between financial institutions and colleges that leave students holding the bag.

Colleges and universities should negotiate for the students, for the best deal for them; the lowest fees, the best consumer protection. We need these deals to be fully transparent. Students often think: Wait a minute. If the university is recommending this bank or this school ID or this debit card, then it must be approved by the school.

The terms of the deal ought to be clear to the student so they can make the right choice. In addition, if the school receives incentives or kickbacks for providing exclusive access to the students, there is an inherent conflict of interest that at least ought to be disclosed.

I wrote a letter, along with Senator JACK REED and Congressman PETER WELCH, calling on the 15 financial institutions mentioned in the PIRG report to immediately discontinue several of the worst fees that were highlighted and disclose their contracts with colleges and universities. I am pleased that some financial institutions are responding to this PIRG report, but more needs to be done.

Fortunately, there are colleges and universities out there that are ready to step up. Soon after the PIRG report came out, I met the with the president of a university in Illinois that uses prepaid Visa debit cards to disburse title IV student aid. Students at this school were being charged some of the fees that were mentioned in the PIRG report, such as the inactivity fee and a fee for checking on the balance on their account.

When I alerted the president of the university to these fees, he immediately responded and agreed that he thought that was unreasonable. He said he will work to promptly address this issue for the benefit of the students.

I hope other leaders of colleges and universities who try to convince students and their families that they are truly their friends will be their friends when it comes to these debit cards. In the days to come, I am going to work with the regulators at the Department of Education and the Consumer Financial Protection Bureau and with the higher education and financial communities to take the tricks and traps out of the campus debit card programs.

Let's give our college students who are already borrowing money, deep in debt, struggling to pay their bills a break. Let's not increase the debt they are going to carry out of school, trying to enter into the job market. I thank my colleagues who are already working with me on this. I urge others to join me.

VA CAREGIVER PROGRAM

Mr. President, since last July, the Veterans' Administration's Caregivers Program has been providing the families of severely disabled Iraq and Afghanistan veterans with the support they deserve to care for their loved ones. I would like to mark the 1-year anniversary of this program by taking a few minutes to talk about its impact on families across America.

The Caregivers Program was originally conceived by then-Senator Hillary Rodham Clinton. She came up with this notion to help those caregivers who were staying at home with disabled veterans, many of them parents and spouses, who make considerable sacrifices to make sure their disabled vet has the very best love and care in the place they want to be, right in their home.

Sometimes it is a hardship, not just the medical requirements but sometimes the financial requirements. So we passed the Caregivers Program, originally conceived by Senator Clinton. With the assistance of Senator AKAKA, it became the law of the land. Here is what it said: For the veterans of Iraq and Afghanistan who came home with a disability and needed a caregiver to make sure they could go about their daily routine, we would say first to the caregiver, we are going to provide you with the medical training you need so you can take care of this vet in terms of their personal needs.

Secondly, we will provide you with a respite. If you need time off to go spend a few days somewhere to rest and relax and recharge your batteries, we will find a nurse or someone to come in and take care of that vet so you can have a little time to yourself.

Third, if there is a final need, an economic hardship, we pay up to $3,000 a month—not a huge sum of money—but up to $3,000 a month to the caregivers who are willing to help. I just had a group of wounded warriors in my office the other day. They talked about what this meant to some of these families. It meant whether their homes would be foreclosed upon. So when you think about it, the alternative is institutional care for these veterans, not nearly the level we want, the kind of care we would want to have. Instead, they are home with someone they love at a fraction of the cost of institutional care. We are just giving a helping hand to the caregivers.

So let me show a couple of photographs because these are some stories that I think are important for everyone to know about. This is a family I know pretty well. They are from North Carolina. Eric Edmundson served in the U.S. Army. Eric is shown with his wife Stephanie, his daughter Gracie, 7 years old, and his baby son Hunter, who is almost 2 years old. Eric served in the Army and was injured, and during the course of surgery, there were complications. He ended up a quadriplegic, unable to speak. They almost gave up on him. They talked to his father about sending him, at the age of about 24, into a nursing home. His dad blew his stack and said: You are not going to do that to my boy. He got on the Internet and started asking questions and ended up with Eric being admitted to the Rehab Institute in Chicago. That is where I met them, this North Carolina family. His dad said: My son will get the best care no matter what. Because he worked so hard and pushed so hard, Eric got the care he needed.

I can remember visiting him in his hospital room and saying that I want to come back from time to time to see how he is doing in Chicago. I came back a few weeks later, and his mom said Eric had a gift for me.

I said: For me, a gift? What is it?

She said: I will show you.

His mom and dad walked to the side of his wheelchair, lifted him up, and he took three steps. There wasn't a dry eye in that room. There were tears of joy all the way around. This man who had been given up on was taking steps. His mom and dad said: He is supposed to check out on Memorial Day, and he will walk out of the front door of this hospital in his full dress uniform. Can you be there?

I said I wouldn't be anywhere else. So I came, as did the mayor of Chicago and a lot of press, and watched Eric walk out of that hospital. It was one of the happiest days I can ever remember. His wife Stephanie was waiting with his daughter Gracie, and they moved back to North Carolina. His mom and dad gave up their business and devoted their lives to him. They are living with this family to make sure Eric has a life. They have a brandnew baby boy.

I have visited at their home. It is one of those stories where local vets and good people said: We will build you a home at no expense so you can get around in your wheelchair.

It is a terrific, wonderful story of a brave family who worked hard to give Eric a life, and all the neighbors and friends have helped sustain him.

I can tell you that Eric's story went a chapter further. His dad came to me and said: Have you ever heard of the caregivers bill Hillary Clinton had introduced?

I said no.

He said: She is leaving the Senate to be Secretary of State, so would you take a look at it?

I said I would. As a result of that, I worked with Senators AKAKA and INOUYE and the President, who signed it into law. As a result, families just like the Edmundsons will get the helping hand they need, like Eric got the kind of care he needed. The Iraq war is over, but his struggle will continue. We want to make sure he has the loving care he needs throughout his life.

Let me tell you about another family from Clinton, IL. I don't have a photo. It is Nathan Florey and his caregiver mother Deanna.

Nathan was a military police officer in Iraq, and he suffered an aneurysm while on duty in 2008. His recovery took 15 months. At one point it was suggested that Nathan should go to a group home. His mother refused to allow that to happen and said: No, send him home with me. She has taken care of him ever since. They were told that Nathan might never wake up, regain consciousness, but he exceeded everyone's expectations. He has received an associate's degree and is working on a bachelor's degree. Deanna says the caregiver program gives her a support system so that she doesn't feel like she is caring for Nathan alone.

This is a common refrain. Another caregiver named Beth, whom I spoke with this spring in downstate Illinois near Marion, pointed out that this support from the caregivers program gave her the flexibility to be able to care for her husband full time.

These are the kinds of families we want to help with this program. When we started, we thought a few thousand Iraq and Afghanistan families might qualify. As it turns out, these signature wounds that lead to this type of

care are more prevalent than we thought and families' hearts are even bigger than we imagined. So far, 5,153 families have qualified for the caregivers program. Think about that. They have taken the training to provide quality care for their loved ones in the comfort of their own homes. This includes Deanna and Beth and 129 other families in my State, and I will bet there are some families in Minnesota.

This is an interesting and amazing story as well. This is a family from Oak Lawn, IL. This is Yuriy and Aimee Zmysly in the center of the photo. I was connected with the Zmyslys several years ago after I read about them in a Chicago newspaper. They became strong advocates for the caregivers program, spreading the word about it in Illinois, including at this event in Chicago last fall.

Yuriy was a marine serving in Afghanistan and Iraq. In 2006, he came back to the United States for surgery at the military hospital, where he suffered complications from a burst appendix and was left with a severe brain injury. When she got the news, Aimee drove to the hospital and put her whole heart and life into caring for Yuriy. At the time, they weren't married, but Aimee said she made her commitment to him before this. They got married after he suffered this grievous injury. The Zmyslys qualified for the caregiver program last summer. As Aimee told the Sun Times in an update to their story, ''It's good to be recognized for what I've been doing and other people have been doing for years.''

Let me close with a brief update on Eric Edmundson, whom I started talking about. His father Ed tells me in a recent note that enrollment in the program went smoothly—the caregivers program. His wife Beth, who gave up her health insurance when she left her job to care for her son, now has her health insurance back thanks to the program. And Eric is doing great as well. He is back hunting and fishing. He can literally go hunting. He loves it so much. And he can also fish with his dad. He recently completed a multistate hunting trip sponsored by the Wounded Warrior Project. Eric also received the 2011 Pathfinder Award from Safari Club International in recognition of the way he has explored life undeterred by his injuries. As part of the award, he is going to head to South Africa in September to hunt big game. Who would have imagined that this young man, abandoned by our system, which said he would virtually spend the rest of his life alone in a nursing home, now has such a full life?

His father said in his note to me, ''Eric works through his challenges. He will not be disabled by them—always a warrior.''

I am pleased that the caregivers program has been able to help veterans in America—over 5,000 in Illinois, North Carolina, and everywhere. I encourage anybody who is following this statement on the floor of the Senate and knows of an Iraq or Afghanistan veteran who may qualify for the caregivers program to get more information at www.caregiver.va.gov.

CROP INSURANCE

Mr. President, last Sunday I went to Gardner Township outside of Springfield and met with a group of farmers to talk about the drought. We were across the street from a cornfield, and I have seen these since I was a little kid. If you looked at it driving by, you would think it was just another cornfield. The farmers took me into the cornfield, and we started looking at the corn and stalks. It is a disaster.

The drought has really taken its toll. As of last week, my entire State is suffering through at least a moderate drought, and 33 counties have been declared to be in severe drought. They have joined 1,000 other counties in 26 States that have already been declared disaster areas by the U.S. Department of Agriculture. Some people think it is the worst drought we have had in 25 years. I am afraid they could be right. Nobody knows better than our farmers, which I learned when I made this visit. Some of this corn crop is going to be flatout lost. They chop it off at ground level and let it dry out and try to feed it to the livestock. But it will get worse if the drought continues. We need rain and need it desperately—not just a little rain but a level of consistent, meaningful accumulation.

The primary tool available to producers to help them get through this is crop insurance. Taxpayers help the Crop Insurance Program by subsidizing about 62 percent of the premiums, but it is a better deal than disaster payments, which are unfortunately massive in amount and don't reward good conduct. The basic Crop Insurance Program rewards those producers who are trying to protect themselves from these outcomes.

I talked to Secretary Vilsack with the Department of Agriculture last week. I know they are watching this disastrous situation across Illinois and the Nation as, unfortunately, it increases. The benefits that are available to local farmers are low-interest loans they can take out to get through this while waiting for the crop insurance payout. These farmers don't want a handout, but they have no choice. They have to get through this year so they can get into next year. The loans are not going to solve the problem, but they will help address them.

There is a political thing we can do. I wish we would pass a bill to create rain, but we obviously can't. We did pass a farm bill. Sixty-four Senators, Democrats and Republicans, voted for the farm bill. Senator STABENOW of Michigan and Senator ROBERTS of Kansas, a Democrat and a Republican, worked through a bipartisan bill when most people said they didn't have a chance. They did it and did a great job. They sent it to the House. The House, unfortunately, has not been able to move the farm bill.

This is like the story we heard on the Transportation bill. Here is a bill that is critically important for farmers, many of whom are facing disasters like the drought now, and the House needs to get moving. I hate to put pressure on the House, but that is what Senators do to House Members, and they try to do the same to us. If they fail to pass a farm bill, it will reduce the opportunities to help our farmers through this drought.

So I am encouraging all Members of the House of Representatives, Democrats and Republicans, to at least vote on the Senate bipartisan bill if you can't come up with a bill. It will give us a chance to help producers in rural America facing a natural disaster. As they face these natural disasters, we should not create political disasters to make it worse.

I call on the House of Representatives, before you leave for the August recess, pass a farm bill, get to conference, and get the job done.

I yield the floor.

Mr. JOHNSON of South Dakota. Mr. President, I rise today to discuss the urgency that is growing with each passing day for the House to take up and pass the farm bill. Most Senators in this body have a constituency that is being impacted by the worsening drought conditions, which is currently affecting 61 percent of the landmass of the continental United States. I have seen a growing frustration among my colleagues, myself included, with the lack of action on the part of the House of Representatives.

The Agriculture Reform, Food and Jobs Act of 2012, which is the Senate's version of the farm bill, contains an extension of the critical livestock disaster assistance programs, and would ensure that this assistance would apply to losses experienced this year. The bill also contains a new commodity program which would serve to supplement crop insurance.

Unfortunately, if we do not complete a full reauthorization by the end of September, producers are at risk of not having this assistance available to them. Our disaster assistance programs, which we authorized in the 2008 farm bill, expired on September 30, 2011, and so they will not be available unless the House leadership brings up the farm bill for immediate consideration. We need to move the process forward so that we can get to a conference committee and complete a full reauthorization by the end of September.

Continued unwillingness of the House leadership to bring the farm bill up for consideration puts my producers at risk. The uncertainty of how the House will proceed led me to join last week with Senators BAUCUS, TESTER, and CONRAD in introducing standalone legislation to extend the Supplemental Revenue Assistance, SURE, program, the Livestock Indemnity Program, LIP, Livestock Forage Program, LFP, and the Emergency Livestock Assistance Program, ELAP, through the current crop year. While the farm bill that

we passed through the Senate last week includes the livestock disaster programs and a new commodity program to supplement crop insurance, the House has not given any indication that it will move the reauthorization process forward. As such, we introduced this standalone disaster assistance bill as another option for ensuring assistance is available for our producers.

There are a lot of things in the House farm bill that I do not like, but that is why we have a process in place to work out differences between the House and Senate versions. Ideally, the House should just bring up and pass the Senate bill, which passed last month with wide bipartisan support, so we can give our producers some certainty and the assistance they need.

EXECUTIVE SESSION

NOMINATION OF MICHAEL A. SHIPP TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Executive Calendar No. 663, which is the nomination of Michael A. Shipp of New Jersey.

The PRESIDING OFFICER (Mr. FRANKEN). Without objection, the clerk will report the nomination.

The assistant legislative clerk read the nomination of Michael A. Shipp, of New Jersey, to be United States District Judge for the District of New Jersey.

CLOTURE MOTION

Mr. REID. Mr. President, I sent a cloture motion to the desk with respect to the Shipp nomination. In fact, it may already be there.

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

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Michael A. Shipp, of New Jersey, to be United States District Judge for the District of New Jersey.

Harry Reid, Patrick J. Leahy, Sheldon Whitehouse, Patty Murray, Jeff Merkley, Richard Blumenthal, Christopher A. Coons, Mark Udall, Joseph I. Lieberman, Tom Harkin, Bernard Sanders, Debbie Stabenow, John F. Kerry, Barbara A. Mikulski, Jeanne Shaheen, Richard J. Durbin, Al Franken.

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

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

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that we proceed to a period of morning business and that Senators be allowed to speak therein for up to 10 minutes each.

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

TRIBUTE TO KATHRYN LANDRETH

Mr. REID. Mr. President, I recognize and honor Kathryn E. Landreth for her distinguished service from 2005 to 2012 as the State Director of the Nevada Chapter of The Nature Conservancy.

Under Kathryn's leadership, The Nature Conservancy—Nevada Chapter has maintained its focus on its core mission to conserve lands and waters on which all life depends. Kathryn was first drawn to The Nature Conservancy for its commitment to science-based information to reach collaborative outcomes for conservation. She was instrumental in working with important partners to establish the Ash Meadows National Wildlife Refuge and protect the desert tortoise habitat. Kathryn's vision and leadership also helped the Chapter acquire Independence Lake—one of the most pristine alpine lakes—complete the Whit Hall Interpretive Center and complete restoration work at the McCarran Ranch and Lower Truckee River. In Western Nevada, the Chapter completed the restoration of the Carson and Truckee Rivers to improve wildlife habitats and water quality.

I have had the good fortune of working with Kathryn and The Nature Conservancy in Nevada and nationally on legislation that impacts our Federal wild lands heritage. She and The Nature Conservancy have been important partners in successful efforts to protect Nevada's unique landscapes; their advocacy has led to the protection of over 1 million acres across the Silver State.

Prior to her work with The Nature Conservancy, she was appointed by President Clinton in October of 1993 to serve as United States Attorney for the District of Nevada. Kathryn served as a tough and effective prosecutor and established a fine legal reputation.

Due to her impressive and dedicated work, her efforts have not gone unacknowledged. The Nevada Chapter of the National Association of Social Workers previously recognized her as Public Advocate of the Year, the State Bar of Nevada named her Public Lawyer of the Year, and the Las Vegas Chamber of Commerce recognized her as a Woman of Distinction in Government.

I am tremendously proud of the legacy that she has imprinted on the State of Nevada. Thank you, Kathryn, for your extraordinary service as a leader and advocate for conservation and justice.

RECOGNIZING ST. BERNARD HOSPITAL

Mr. DURBIN. Mr. President, for the past several years much of the conversation about health care in Washington has been a war of words. Today I would like to talk about a hospital in my home State that is seeking to better the lives of the women in its community, not simply with words but with action.

This month, St. Bernard Hospital in the Englewood neighborhood in Chicago, announced it would provide 150 free mammograms for women. The mammograms will be for women who are over the age of 40 and do not have health insurance.

For those who may not know, Englewood is a neighborhood in Chicago that struggles with high levels of crime and unemployment.

The mammograms will be offered as part of the Metropolitan Chicago Breast Cancer Task Force's ''Screen to Live'' initiative. The Task Force was created in 2007, after a landmark study by the Sinai Urban Health Institute found that the mortality rate from breast cancer for African American women in Chicago was 68 percent higher than white women.

That startling statistic is not unique to Chicago.

According to the American Cancer Society, African American women nationally have the lowest survival rate from breast cancer of any racial or ethnic group. Not surprisingly, the study found poverty and a lack of health insurance are also associated with lower breast cancer survival.

It is this disparity that led St. Bernard President and CEO, Sister Elizabeth Van Straten, to offer the mammograms. St. Bernard Hospital is not a wealthy hospital. But this gift of 150 free mammograms to the community will save lives. And this partnership between St. Bernard's and the Metropolitan Chicago Breast Cancer Task Force should be applauded.

This brings me to the Affordable Care Act.

The lesson to learn from St. Bernard's effort is that preventive care matters. Because survival often hinges on early detection, the Affordable Care Act has made preventive services free. In fact 54 million Americans, including 2.4 million in Illinois have received preventive services from their insurance company at no cost. In 2011, 1.3 million people on Medicare in Illinois received free preventive services. And starting next year, States will receive an increased share from the Federal Government to cover preventive services for people on Medicaid.

This effort to bring preventive services to millions of Americans across the country will no doubt save lives.

I want to acknowledge the outstanding people at St. Bernard's and

the Metropolitan Chicago Breast Cancer Task Force who made this happen. I am proud to be their Senator.

REMEMBERING WILLIAM RASPBERRY

Mr. COCHRAN. Mr. President, my State of Mississippi and the American journalism community have suffered a great loss with the death of William Raspberry. As a widely respected writer, his articles were refreshing in their depth of understanding and even handed reporting of the perils and triumphs of politics and government.

I ask unanimous consent to have printed in the RECORD an article from the Clarion-Ledger in Jackson, Mississippi, written by Sid Salter.

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

[From the Clarion-Ledger, July 18, 2012]

RASPBERRY'S AMAZING LEGACY REACHES BEYOND JOURNALISM

(By Sid Salter)

When I learned of the death of longtime Washington Post columnist William Raspberry, I was immediately reminded of a conversation I'd had with him in 2005 in his hometown of Okolona. Raspberry, who logged 40 years writing commentary for the Post and saw his work syndicated nationally in over 200 newspapers, died at age 76 at his Washington home of prostate cancer on July 17.

Raspberry won the 1994 Pulitzer Prize for commentary and was then only the second African-American writer afforded that honor.

I had met Raspberry several times over the years at conferences, but never spent much time with him until 2000 when he became the first African-American journalist inducted into the Mississippi Press Association's Hall of Fame. In 2005, after learning of the early childhood education/intervention effort he was personally funding in Okolona, I asked him to meet me there and to tell me about his vision for changing the game for disadvantaged children in a town with a poor track record in public education.

Prior to the interview, I asked him if it bothered him that in 2000 he had been the first black MPA Hall of Fame inductee and that coming some six years after winning the Pulitzer. He reflected on the question, then said: "No, not really. One thing one learns growing up in the segregated South is patience. I was pleasantly surprised when the honor came and I was glad that my mother lived to see it, but my career had taught me that change comes ever so slowly."

One area in which Raspberry lost his patience was early childhood education. Raspberry's solution was program he funded and founded called Baby Steps in Okolona. The Baby Steps Program has been a partnership between columnist William Raspberry, the Okolona Area Chamber of Commerce, the University of Mississippi and the Barksdale Reading Institute. Other key community partners include a number of Okolona and Tupelo churches and local volunteers. "The (Baby Steps') basic idea is that all parents, no matter how unsuccessful they might have been in school, want their children to succeed academically—even if many of them don't know how to make that happen," Raspberry wrote in his nationally syndicated Nov. 17, 2003, column in The Washington Post.

"We propose to teach them. The text for the effort is Dorothy Rich's "MegaSkills"—a set of 11 attitudes and competencies that she believes lead to success in school and in life . . . the idea is to train the parents themselves, as they children's most effective teachers, to pass these MegaSkills along to their children."

On that day in 2005 in Okolona, I joined Raspberry at the Hazel Ivy Child Care Center—Ground Zero for the Baby Steps program in Okolona—along with two of the city's other day care centers. Raspberry arrived at Ivy's center and was greeted not as one of the nation's premier journalists, but as a neighbor and friend called "Bill."

Raspberry cut his journalistic teeth covering the Watts Riots in Los Angeles in 1965 and wrote passionately about the violence that gripped Washington, D.C., for a time. But in many ways, Raspberry never forgot his Mississippi upbringing and the inspiration of his schoolteacher parents. He was an advocate of self-reliance and hard work.

In 2005, I asked Raspberry to define his legacy in journalism: "I'm at an age where legacy becomes important. I'd like to leave something behind other than yellowing newspaper columns, something that people can carry forward. At the end of the day, I'd like to be remembered as someone who always tried to make clear the things that were pulling us apart and tried to ameliorate it, to point out that we're not as far apart as folks would have us to believe."

Bill Raspberry's place in American journalism is assured, but Mississippians would be wise to claim our part of this good man's distinguished personal and professional legacy.

HONORING AMERICA'S VETERANS AND CARING FOR CAMP LEJEUNE FAMILIES ACT

Mr. NELSON of Florida, Mr. President, it has been 31 years since Camp Lejeune officials became aware that toxic compounds were found in the drinking water at the North Carolina base. It has taken 31 years for countless water tests, analyses, investigations, studies, and reports to be conducted so we can finally vote on H.R. 1627, a bill that will give thousands of Marine veterans and their families the health care they deserve after suffering from illnesses caused by this water contamination.

Almost 1 million people at Camp Lejeune were exposed to drinking water that was poisoned with cancer-causing industrial compounds, including trichloroethylene—a metal degreaser, tetrachloroethylene—a dry cleaning solvent, benzene and vinyl chloride. For almost 3 decades people who lived and worked at the base were drinking, cooking, and bathing in water with these toxic chemicals, which medical experts have linked to birth defects, childhood leukemia and a variety of other cancers.

There are over 181,000 people currently registered on the Camp Lejeune water contamination website registry, which is the critical information link for the Camp Lejeune veterans, civilians, and their families who may have been exposed to water contaminants. Next to North Carolina, Florida has the second highest number of registrants with over 15,000. Every single State has residents registered on the Camp Lejeune website, and every Member of the Senate has constituents who have been affected by this water contamination.

Some scientists have been calling this one of the worst public drinking-water contaminations in our Nation's history. Some of the most vocal supporters of the Camp Lejeune victims are from my State of Florida. I am happy to tell them that we are finally doing right by those harmed while serving our country. Thanks to the dedication of these folks, the full impact of the contamination is being exposed.

I have pressed the Navy for all the facts surrounding the incident, and have advocated for conducting the right studies so those affected and their families can get more information on the possible association between their exposures and current and future health effects. The Agency for Toxic Substances and Disease Registry has been assessing the effects of exposure to drinking water containing volatile organic compounds since 1993. This Agency is also conducting an investigation, at the request of Congress, to determine the health effects of exposure to this drinking water. And the Department of Veterans Affairs already employs mechanisms to prevent fraudulent claims.

We are finally fulfilling our duty to protect our Nation's veterans and families who have sacrificed so much. After 55 years, they will finally get the medical coverage they are owed.

Finally, I would like to applaud my colleagues in the Judiciary Committee Senators LEAHY and GRASSLEY, for shedding some light on this water contamination issue.

Mr. GRASSLEY. Mr. President, I am pleased that Chairman LEAHY and I were able to help with the effort to look at the issue of water contamination at Marine Corps Base Camp Lejeune in North Carolina. In particular, in June, we sent a letter to the Department of Defense, which has resulted in it producing more than 8,500 documents to the Judiciary Committee.

I know that Senator BURR and others have been leaders with the effort to look into the situation at Camp Lejeune.

Every member of the Senate should be aware of the situation at Camp Lejeune.

The drinking water contamination that took place over several decades at the base was one of the worst environmental disasters in American history.

Camp Lejeune was designated a Superfund site by the Environmental Protection Agency (EPA) in 1988 after inspections confirmed contamination of the ground water due to the migration of hazardous chemicals from outside the base and inadequate procedures to contain and dispose of hazardous chemicals on the base.

Residents of every State, who previously lived or worked at the base, have been impacted by the contamination.

Indeed, more than 180,000 current and former members of the armed services and employees at the base have signed up for the Camp Lejeune Historic Drinking Water Registry. By registering, individuals who lived or worked at the base before 1987 receive notifications about the contamination.

The Camp Lejeune registry includes residents from all 50 States. 1,121 Iowans are among them. It's estimated that more than 750,000 people may have been exposed to hazardous chemicals at the base.

The numbers don't fully reflect the impact of the disaster at the base. There are real people behind those numbers.

In March, as part of the Judiciary Committee's annual oversight hearing on the Freedom of Information Act, we heard the testimony of retired Marine Master Sergeant Jerry Ensminger. He was stationed at Camp Lejeune with his family and told us of the battle his daughter, Janey, fought with leukemia for two-and-a-half years, before she died at the age of nine. He also told us of the difficulties that he and others were having getting information from the Department of Defense.

The men and women of the armed services protect us every day. We should never take them or the sacrifices that they and their families make for granted.

We in Congress have an obligation to do everything that we can to support them in their mission.

That's why I'm a cosponsor of the Caring for Camp Lejeune Veterans Act, which was introduced by Senator BURR in 2011. That bill, a version of which passed by unanimous consent in the Senate yesterday, will help to provide medical treatment and care for servicemembers and their families, who lived at the camp and were injured by the chemical contamination.

Unfortunately, the Department of Defense has not been forthcoming with information about the contamination at Camp Lejeune.

That's troubling, especially coming from the administration that proclaims itself to be the ''most transparent administration ever.''

As we all recall, on his first full day in office, President Obama declared openness and transparency to be touchstones of his administration, and ordered agencies to make it easier for the public to get information about the government.

Specifically, he issued two memoranda written in grand language and purportedly designed to usher in a ''new era of open government.''

Based on my experience in trying to pry information out of the Executive Branch and based on investigations I've conducted, and inquiries by the media, I'm disappointed to report that President Obama's statements in memos about transparency are not being put into practice.

There's a complete disconnect between the President's grand pronouncements about transparency and the actions of his political appointees.

The situation with the Camp Lejeune documents is just another example of that disconnect. The documents should have been produced long ago.

The recent letter that Chairman LEAHY and I sent from the Judiciary Committee had to be sent because the Defense Department refused to produce documents in response to a March letter signed by six senators and three members of the House of Representatives. Chairman LEAHY and I had also signed that March letter.

The March letter had to be sent because of complaints that Congressional offices had received about the Navy's refusal to disclose documents needed for scientific studies of the contamination at Camp Lejeune. It was also needed because of claims that the Navy is improperly citing exemptions under the Freedom of Information Act to withhold documents related to the contamination.

So, while I'm pleased that there was a bipartisan effort to obtain these documents, I'm disappointed by the stonewalling and by the hurdles that were put up by the administration.

Transparency and open government must be more than just pleasant sounding words found in memos. They are essential to the functioning of a democratic government.

Transparency is about basic good government and accountability—not party politics or ideology.

Throughout my career I have actively conducted oversight of the Executive Branch regardless of who controls the Congress or the White House.

I'll continue doing what I can to hold this administration's feet to the fire with Camp Lejeune and where ever else I find stonewalling and secrecy.

Thank you. I yield the floor.

LEADERSHIP ALLIANCE 20TH ANNIVERSARY

Mr. REED. Mr. President, twenty years ago, Brown University, located in my home State of Rhode Island, established the Leadership Alliance, a national academic consortium of leading research universities and minority serving institutions with the mission to develop underrepresented students into outstanding leaders and role models in academia, business, and the public sector. Brown University and its partner institutions have continued to address this pressing national need.

The National Research Council recently published a report titled ''Research Universities and the Future of America'' that included a call for ten ''breakthrough actions.'' Two of these actions involve reforming graduate education and creating pathways into the fields of science, technology, engineering, and mathematics (STEM) for women and underrepresented minorities. That is what the Leadership Alliance has been striving to do since 1992.

Through an organized program of research, networking and mentorship at critical transitions along the entire academic training pathway, the Leadership Alliance prepares young scientists and scholars from underrepresented and underserved populations for graduate training and professional apprenticeships. Leadership Alliance faculty mentors provide high quality, cutting-edge research experiences in all academic disciplines at the Nation's most competitive graduate training institutions and share insights into the nature of academic careers.

In the 20 years since its establishment, the Leadership Alliance has established a strong track record of success. More than half of the students who participated in the Summer Research Early Identification program enrolled in a graduate level program. Leadership Alliance institutions graduated approximately 25 percent of all doctorates in the biomedical sciences degrees to underrepresented minority students between 2004 and 2008, making it a leading consortium grantor of PhD degrees in the biomedical sciences in the United States.

Since founding the Leadership Alliance in 1992, Brown has mentored 386 scholars, of whom 35 percent have attained a graduate level degree. Nearly half of the students who participated in its Summer Research Early Identification program completed a graduate level degree. A majority of the Leadership Alliance doctoral degree recipients are in the STEM disciplines.

The Leadership Alliance is a model for identifying, training, and mentoring underrepresented minorities who are poised to expand and diversify the base of the 21st century workforce. I am pleased today to recognize the importance of such efforts and acknowledge the continued dedication of institutional leaders, faculty members, and administrators across the United States who provide training and mentoring of underrepresented students along the academic pathway. As such, I congratulate and commend the Leadership Alliance, including Brown University, for 20 years of contributing to creating a diverse and competitive research and scholarly workforce.

Mr. CASEY: Mr. President, today I would like to acknowledge the great work of the Leadership Alliance during its 20th anniversary. The Leadership Alliance is a consortium of 32 leading colleges and universities that aims to train, mentor and inspire a diverse group of students from a wide range of backgrounds to enter competitive graduate programs and research careers. This admirable goal of expanding access to high-quality programs is supported by the consortium's shared resources and vision.

I would especially like to acknowledge the program at the University of Pennsylvania, which is one of the

Leadership Alliance founding members and the only member in Pennsylvania. According to the university, the Leadership Alliance complements Penn's broader strategic vision of increasing diversity within its graduate student body and faculty. As it seeks to prepare leaders and role models for service in academia and the private and public sectors, the Leadership Alliance disseminates best practices in recruitment, mentoring and career development. With 20 years of experience in developing and sharing these essential techniques, the Leadership Alliance has helped to provide the Nation with a more diverse and globally competitive workforce. I wish to congratulate the Leadership Alliance on its 20th anniversary and thank its leaders and scholars for their significant contributions.

Mr. WHITEHOUSE. Mr. President, I am proud to rise today to honor the Leadership Alliance, which was founded 20 years ago in 1992 at Rhode Island's Brown University. It has grown to become a consortium of 32 of our country's leading higher education research and minority serving institutions, working together to bring students from underrepresented groups into competitive graduate programs and professional research careers. Through training and mentorship, the Leadership Alliance opens doors for our best and brightest young people to become the innovators of tomorrow.

During its 20 years, the Leadership Alliance has mentored more than 2,600 undergraduates, including 43 Rhode Islanders. These students are offered the unique and exciting opportunity, through the Summer Research-Early Identification Program, to participate in a 9-week paid summer internship where they work side by side with faculty in the academic discipline of their choice at some of our leading research institutions. They then present their research to the annual Leadership Alliance National Symposium. This summer experience gives the students the opportunity to expand their intellectual horizons, as well as network with academics and their peers. The program has produced nearly 200 PhDs, the Leadership Alliance Doctoral Scholars, along with professionals in private research and academia.

It is vital for our country's continued competitiveness in the world that we seek to inspire our young people to innovate and experiment, to push the boundaries of our current knowledge. The Leadership Alliance has recognized that mentoring is key in order to ensure that students from all backgrounds feel that they have access to graduate education and know that they have peers in research. The innovative programs the Leadership Alliance has created over 20 years have not only allowed these students to increase their own opportunities academically and professionally, but allowed past students to become role models themselves.

I congratulate the Leadership Alliance, Brown University, and the other participating colleges and universities, as well as academics and students, past and present, who through 20 years have shown their commitment to American education, leadership, and innovation.

ADDITIONAL STATEMENTS

TRIBUTE TO EDWARD J. HAMILL

• Mrs. McCASKILL. Mr. President, today I wish to pay tribute to Edward J. ''Eddie'' Hamill, who is retiring on July 31, 2012 after more than three decades of exemplary service to the U.S. Department of Agriculture Farm Service Agency. On July 17, the Missouri Farm Service Agency, FSA, held a reception for Eddie recognizing his service. Today, I would like to stand to honor his contributions to agriculture and the people of Missouri.

Eddie is a lifelong Missourian who has served the people of Missouri through his work at the Farm Service Agency since 1979. In addition to his dedicated work at the Farm Service Agency, Eddie's passion for public service is evident in his willingness to serve beyond his normal workload. He is active in the Perry Lion's Club, Mark Twain Young Farmers, Missouri Cattlemen's Association, Missouri Farmer's Union, and serves as a member of the Ralls County Health Department Board of Directors. On top of all this, Eddie operates a family farm with 1,200 acres of cropland and pasture for a cow-calf herd.

In July 2009, Eddie was appointed by President Obama to serve as the State Executive Director of FSA, responsible for overseeing the delivery of the income support, disaster assistance, conservation and farm loan programs. With more than 100,000 farms, Missouri agriculture employs nearly 250,000 people. Immensely productive and highly diverse, it is the backbone of Missouri's economy. The task of ensuring that Missouri's farmers and ranchers have the tools they need to provide for our families and communities is vital.

During his tenure as Missouri FSA Director, Eddie has worked tirelessly to ensure the agency is doing everything it can to properly serve our State. With nearly 100 offices in counties throughout the State, the local Farm Service Agency office is where Missouri farmers turn for assistance. A husband, father of four, and a farmer himself, Eddie believes in improving economic stability for Missouri farmers one family at a time. From the letters that have come in to my office from Missourians expressing the importance they place on their local Farm Service Agency office, the value of his approach and dedication is clear.

Perhaps nowhere has the value of Eddie's leadership been clearer than in response to the devastating natural disasters Missouri agriculture has faced. From the devastating flooding we experienced along the Missouri River, to the catastrophe at Birds Point, to this year's crippling drought conditions, Eddie and the entire Missouri Farm Service Agency staff have answered every call to help.

I am happy today to pay tribute to Eddie Hamill. He stands out amongst public servants, and he has my thanks and surely that of all Missourians for his service to our State. I wish congratulations and good luck to him and his entire family.•

REMEMBERING HIRAM HISANORI KANO

• Mr. NELSON of Nebraska. Mr. President, today I wish to pay tribute to a historic figure in Nebraska who helped this country through troubling times in a battle against racism, hatred and fear and in pursuit of justice and equality.

Hiram Hisanori Kano was born in Tokyo, Japan, in 1889. When former Presidential candidate William Jennings Bryan traveled to Japan, the Kanos, as part of the Imperial family, hosted his visit. Their visitor from the west sparked in young Kano an intense desire to travel to the United States and especially to Bryan's home state of Nebraska.

As the story is told by James E. Krotz during the Annual Council Eucharist at the Church of Our Savior in North Platte, NE, in 1916 Mr. Kano came to America, where his skills were put to good use in helping the many young Japanese who were immigrating to the United States to farm. He came to America and quickly earned a Masters Degree in Agricultural Economics at the University of Nebraska. In the years that followed he served as organizer, translator, teacher and spokesman for Japanese immigrants living in Nebraska.

Just 1 year after his graduation from the University, Kano faced his first challenge when the Nebraska Constitutional Convention assembled in Lincoln in 1919. The purpose was to update the State constitution to reflect the monumental social, economic and political changes brought about by World War I. A number of bills were introduced that would have discriminated bitterly against Japanese immigrants. One would have prohibited aliens from owning land, inheriting farmland, or even leasing land for more than 1 year. Since the Japanese did not have the right to become naturalized citizens at that time, these laws would have excluded them entirely from farming, except as hired laborers.

Mr. Kano left his farm in rural Nebraska and hurried off to the State capital, where he testified before the Judiciary Committee. ''In Nebraska,'' he told them, ''there are about 700 Japanese, including Nisei [American citizens born to Japanese immigrant parents]. There are about 200 Japanese farms, mostly raising sugar beets along the North Platte River. Nearly all are

tenant farmers whose skill and hard work satisfies their landlords and the sugar company. Japanese living in towns or cities mostly operate cafes and restaurants, with the help of their employees. They are friendly and cooperative with their neighbors, sharing their joys and sorrows.'' Mr. Kano was successful in persuading the Nebraska Legislature to vote against the anti-Japanese bills, which went down in defeat.

Several years later, Mr. Kano joined with Bishop George Allen Beecher to defeat a similar bill and came up with a compromise. Bishop Beecher, an Episcopalian, was obviously impressed by Hiram Kano because in 1923 he descended on the Kano farmstead unannounced and asked Mr. Kano to serve as a missionary to the Japanese immigrants living in western Nebraska. Already a deeply committed Christian, though not an Episcopalian, Kano was profoundly moved; and in 1925, he left his farm and traveled to Mitchell, NE, to begin Bishop Beecher's missionary work among the Japanese.

Kano was ordained Deacon in 1928 and continued in that order for 8 years. He served as pastor of St. Mary's church in Mitchell and also served the Japanese mission in North Platte. For the next 12 years, Deacon Kano served as an agricultural consultant, English teacher, advocate, friend and pastor to the Japanese in the Platte Valley. In 1936 he was ordained priest and continued his tireless ministry.

On December 7, 1941, the Japanese Imperial Navy attacked Pearl Harbor in Hawaii. American reaction against Japanese immigrants was swift and harsh. Father Kano was arrested by agents of the Federal Bureau of Investigation that very afternoon on the steps of his church in North Platte.

Despite the protests of their many friends and without regard for their exemplary behavior, the Japanese were severely treated and some even sent to prison camps. Father Kano spent time in five different camps. There he continued his ministry, calming the fears of his people and giving them strength through knowledge. Through what he called the ''Internment University,'' he helped hundreds of Japanese Americans learn to read, speak, and write English. Following his release from custody, Father Kano returned to his mission with the church.

It was not until the Walter-McCarran Act of 1952 that Father Kano, then 63 years old, could become a naturalized citizen. By then, he had worked 33 years in service to his country, his people, and his church.

The Reverend Hiram Hisanori Kano died on October 24, 1988, at the age of 99. Each year, the Episcopal Church in Nebraska and in Colorado celebrates the life and ministry of Father Kano on the anniversary of his death. As a layman, Father Kano was a quiet, persevering warrior in the battle against the evils of racism. He was a champion for his people in the struggle for justice and peace, respected as he fought for the dignity of every human being.●

POLITICS AND GOVERNMENT

● Mr. ALEXANDER. Mr. President, on July 11, I addressed the Fund for American Studies annual Congressional Scholarship Award Dinner here in Washington. I ask consent to have this transcript of my remarks printed in the RECORD.

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

Very often, young people say to me, ''How can I get involved in politics and government?'' Tonight there are at least 85 of you here who are young and may be wondering about that, so I'm going to tell you exactly how to do it.

Here's the secret formula: Pick someone whom you admire. Volunteer to help carry their bag, write their speeches, do anything they ask you to do that's legal. Watch what they do, watch what they do well, watch what they do wrong, and learn from it. That's the way I would suggest to get involved in politics and government.

Now, back when I was governor, I made a speech and my late friend Alex Haley, the author of Roots, was in the audience, and he came up to me afterwards and said, ''Lamar, may I make a suggestion to you?'' And I said, ''Of course Alex.'' He said, ''When you start a speech, if you will just say Instead of making a speech, let me tell you a story,' people might actually listen to what you have to say.'' So instead of making a speech, let me tell you some stories to illustrate my secret formula for how to get involved in politics and government.

I'm going to mention three of my mentors, and I think it's important for you to know that I had no special connection to these three who helped me get involved in politics and government.

When I was running for president some years ago, the New York Times wrote an article that said, I grew up in a small town in lower-middle class family, in a small town on the edge of the mountains in Tennessee. And, when I called home later in the week to talk to my mother, I found her reading Thessalonians to gather strength on how to deal with this slur on the family. She said, ''Son, we had never thought of ourselves in that way. You had a library card from the day you were three, you had music lessons from the day you were four. You had everything you needed that was important.'' So I had everything I needed that was important, but to these three men, who helped me so much, I had no special connection at all.

The first was John Minor Wisdom. Toward the end of my third year at New York University Law School, I didn't know what to do and the dean of the Law School said, ''Would you like to clerk for Judge Wisdom in New Orleans?'' And I said, ''Well of course, he's one of the best in the country.'' He said, ''There's one hitch, he's already got a clerk and he's only allowed one.'' So I said, ''Well how do I get to be a clerk?'' He said, ''He has a position of messenger that pays $300 a month, and if you'll take the job as messenger he'll treat you like a clerk.'' So, I took it. I drove down to New Orleans—the Harvard guy got a clerkship, and I was the messenger. Of course, Judge Wisdom treated me like a clerk and I had a wonderful year. I did get tired of making so little money, so I went down to Bourbon Street and got a job playing trombone, washboard and tuba at a place called ''Your Father's Mustache,'' and that's how I got started with Judge Wisdom. So, if you want to be a clerk, and someone offers you a job as messenger, take it, and then learn to play the trombone, the washboard, and tuba.

Now my second mentor: Howard Baker. Many people here know Howard. I could speak about him for a week, and he is undoubtedly the most important person in my life, other than my own family members. But how did I get connected to him? Well, I didn't know him. His father was our congressman. My dad took me to the courthouse to meet Mr. Baker, Howard's father, when I was ten years old. He gave me a dime, I remember that, and I thought I'd probably met the most respected man I was ever likely to meet, other than my father and the preacher. But when I was getting through with Judge Wisdom I noticed that Howard Baker was running for the United States Senate from Tennessee. We'd never had a Republican Senator, so I wrote him a letter, volunteering to work in his campaign. I never heard from him. So I was home for Easter in 1966 and I finagled an appointment with him, got in to see him and volunteered for his campaign. The long and short of it was, a couple of months later I had a little bit of a paying job.

Then, to our surprise, he got elected, he brought me to Washington, and I was his first legislative assistant. We had, as he likes to tell it, a perfect relationship. One of my duties was as his speechwriter. I would write a speech, give it to him, and he seemed happy. Well one day, I wanted to hear him deliver one. He didn't say a word of anything I'd written. I went a second time. Not a word. So I asked to see him. I said, ''Senator, we have a problem.'' He said, ''What's the problem?'' I said, ''I work hard, write these speeches and you never give a word of it.'' He said, ''Lamar, we have a perfect relationship. You write what you want to write, I say what I want to say.''

Now the mentor I'd like to talk about tonight is a man well known to this organization because this institute was once named for him—Bryce Harlow.

In 1968, I was working for United Citizens for Nixon-Agnew in the Willard Hotel, and it was filled with people who didn't quite fit into the Republican establishment at the time, one of whom was Bud Wilkinson, the most famous football coach of the time. And when the campaign was over, I didn't have a job. And so Bud said, ''Well, let me call Bryce Harlow.'' Which he did, and I got a job. And so Bryce Harlow was President Nixon's first appointee and I, without ever having known him, ended up as his executive assistant, which means I sat in his office in the West Wing of the White House, about eight feet from him for six months, smoking cigarettes with him, answering the telephone and getting a Ph.D. in politics and government from the wisest man in Washington, D.C. Today, that office is the office of the Vice President of the United States, JOE BIDEN.

After Bryce got tired of me sitting so close to his office for six months, he moved me out and created a little cubbyhole. And, if any of you are in there visiting JOE BIDEN, you can still see that cubbyhole today.

But why do I say that Bryce Harlow was the wisest man in Washington, D.C.? Well, here's an example. He was from Oklahoma. He was recruited to Washington to work for General George Marshall. He used to tell me, and here's a lesson, that he was very popular with the generals because he could take shorthand. Bryce was a small guy. He said there's nobody more popular in a room full of generals than a short little guy who can take shorthand and write down all those orders. He moved straight up the ladder. So the

lesson is: learn shorthand. Bryce stayed in Washington, worked for the House Armed Services Committee, and became President Eisenhower's favorite staff member.

He was in charge of government relations for Proctor & Gamble when he wasn't in the government. And when President Nixon was elected, Bryce Harlow was his first appointee. The campaign transition headquarters was in the Pierre Hotel, New York City. And on one occasion, Mr. Nixon, the president-elect, had said something about foreign policy that made President Johnson, who was still President, very upset. So, President Johnson called the one person he knew in the Nixon campaign, Bryce Harlow. As Mr. Harlow is sitting there listening to President Johnson chew his ear out on the phone—saying ''Bryce, there's only one President at a time, and I am that President!''—Mr. Harlow's secretary comes in and says, ''Mr. Harlow, President Eisenhower is calling for you.'' So, Mr. Harlow, listening to President Johnson, told Sally, the secretary, ''You'll have to put President Eisenhower on hold.'' Then Larry Higby, who was working at the Pierre Hotel, came running in and said, ''Mr. Harlow, Mr. Harlow, President Nixon wants to see you immediately.'' So, you can see that Bryce Harlow was in demand, with the current president chewing his ear off, the former President on hold, and the President-elect demanding to see him in his office.

The wiser members of the White House staff would drop by that office and ask Mr. Harlow what to do. Here's an example: Peter Flannigan, who lives in New York and is a great friend of mine still today, was a very good businessman. I remember he came in to see Mr. Harlow and said, ''Bryce, I just wanted to chat with you. I'm in charge of the Independent Regulatory Agencies, and we are a pro-business administration, we need efficiency in government. There's a television license that's been pending for 18 months for a Miami station. I'm going to call over there and I'm not going to tell them what way to decide, I'm just going to say that we want to know the status of the case.''

And Bryce responded, ''Peter, do you remember Sherman Adams?'' And Peter said, ''Well of course I do. He was President Eisenhower's disgraced Chief of Staff.'' Bryce said, ''Peter, do you remember what disgraced him?'' Peter said, ''No I'm not sure.'' Bryce said, ''He made a telephone call to an Independent Regulatory Agency on behalf of a friend who was a campaign contributor and had given him a Christmas present.'' So Mr. Flannigan thought about this and thought better of making that telephone call.

We young people in the White House were very impatient. We wanted the president and his top advisors to do even more this way, even more that way. And I remember Mr. Harlow saying to me, ''No Lamar. Remember that in the White House, just a little ripple here makes a very big wave out there. So, just settle down, just a little bit.''

In the early months of the Nixon administration, the new, brasher young members of the White House staff, and some of the old ones too, were in deep trouble with the United States Senate. They knew nothing about the Senate. Finally, they came to Mr. Harlow and said, ''Bryce, we can't get anything done, can you help us out?'' So Mr. Harlow got his bag, got in a car, drove up to the Senate, went to some back room where Senator Eastland and a bunch of the old boys, who were the Southern senators, were all clumped together having a bourbon in the late afternoon. They were in a very foul mood about the Nixon White House. Mr. Harlow went in, he went down on one knee, bowed to them and said, ''Ah, I see before me 155 years of accumulated seniority and wisdom.'' Upon which they all burst out laughing, and everything was fine. He had the experience and the good judgment just to show a little respect to the office that these Senators held, and that was really all it took for him to get what he wanted.

I remember once that an irate Democratic chairman called, complaining because the new Republican administration was announcing grants in his district before Democratic congressman knew about it. Bryce said, ''Mr. Chairman, I understand your feelings. Let me call you right back, I want to check on something.'' So he called Larry O'Brien, who was the Chief of Congressional Relations for President Johnson in the Democratic administration. He said, ''Now Larry, could you tell me exactly how you and President Johnson announced those grants when you were in office?'' Once he heard, he called back the chairman and he said, ''Mr. Chairman, I've just checked with Larry O'Brien and here's exactly what President Johnson did. We're going to be exactly fair with you, we're going to do just the reverse and let the Republicans announce them.'' And there was this big laugh on the end of the line. So he got done what he had to do, but he did it in a way that made the other person feel good about it.

Bryce Harlow had a great sense of ethics. One of his personal ethics was that he never wrote a book. He thought it would be a betrayal of all the confidential relationships that he had in the White House, and couldn't do it. It's a shame he didn't, in a way, because he was the best writer around in the Nixon and the Eisenhower administrations.

On one occasion, he was planning to take a vacation with his wife in Mexico with an old friend. There couldn't be any possible conflict of interest with this friend—they'd known each other forever, and there was really nothing Mr. Harlow could do for this person. Then about a week before the trip, the friend called, asking for a small favor, and the next thing I knew, Mr. Harlow's secretary was calling the friend saying, ''I'm so sorry, but the President has asked Bryce to go to thus and so, and he won't be able to go on the trip.'' She didn't embarrass the friend, but he also didn't even take the risk of an appearance of impropriety based upon a tiny favor that the friend had asked of him.

I heard it said a little earlier that ''Your word is your bond.'' That's Bryce Harlow's phrase, he always would say to a lobbyist or anyone working with a member of Congress or with a Senator, or even with another Senator, ''Always tell the truth, tell the exact truth. Don't overstate a thing, don't understate a thing, and if you have to, tell the other side to make sure that whomever you're speaking with is never surprised as a result of what you've just told them. And always keep your word.'' It gave him a tremendous reputation in this community and it greatly influenced hundreds of people who work here.

One other thing, he told me a story that I've remembered for a long time about his days with the Eisenhower administration. Some people must read books about Lyndon Johnson and suspect that maybe most of the people who work in high positions of trust—in politics, in business, in universities, or whatever line of work—are always shading the truth and looking at the angle and elbowing one another and taking advantage. How else, you might ask, would they get to the top? It's hard to get a picture of what people who are really at the top actually do when they make decisions.

While I can't tell you what they all do, I can tell you this is the story that pretty much symbolizes my impression of most of the successful people I know in politics and how they make their most difficult decisions.

President Eisenhower was having a Cabinet meeting in the 1950s. Some great issue was laid before the Cabinet, so the President put the issue to the Secretary of State, ''Mr. Secretary, what shall we do?'' ''Well, from a foreign policy point of view,'' said the Secretary, ''we must do X.'' ''Mr. Secretary of Defense, what shall we do?'' ''Well, um, from a defense point of view, if we did X that would be a disaster for the country, so we've got to do Y.'' ''And Mr. Treasury Secretary, what shall we do?'' And the Treasury Secretary had Z as an angle. Before long they went around the cabinet room and they all had a different opinion about how the decision might affect the department each headed. And then President Eisenhower asked this question, ''Well gentlemen,'' (and I think they were all gentleman but one at that time), he said, ''What would be the right thing to do for the country?''

The Secretary of State said, ''Well Mr. President, the right thing to do would be C.'' And Secretary of Defense said, ''Yes, the right thing to do would be C,'' and pretty quickly they all agreed that would be the right thing to do for the country. And so the President of the United States said to his Press Secretary Jim Hagerty, ''Jim, then that's what we'll do, go tell the press.''

Now, here we have, not an unsophisticated man, this was the leading general during World War II, this was a man who was President of the United States. He had the biggest job in the world. And he was making a big decision. And when it came time to ask the question that had to be answered before a bunch of very sophisticated people, his question was, ''What would be the right thing to do for our country?'' I think you'll find more often than not that when we're puzzled by what to do, that's the right question. And the answer isn't always obvious, but that question will lead to the answer more quickly than just about any other question that you can ask.

So thank you for allowing me to come tonight. I'm here to honor you. I'm glad to have a chance to tell you about the great Bryce Harlow, who has meant so much to this organization. My advice about how to get involved in politics and government is: Pick someone who you admire, volunteer to work for them, carry their bag, do anything that they ask you to do that's legal, learn from them, watch what they do right, watch what they do wrong—and one more little piece of advice that my railroad-engineer grandfather used to tell me when I was a little boy, he'd say ''Aim for the top, there's more room there.'' Thank you.●

SOUTH DAKOTA HUMANITIES COUNCIL

● Mr. JOHNSON of South Dakota. Mr. President, today I wish to recognize the 40th anniversary of the South Dakota Humanities Council, SDHC. As an organization dedicated to promoting culture and our State's rich history, SDHC plays an integral role in fostering an interest in history, literature, and other humanities subjects. Founded in 1972, this important anniversary gives us the opportunity to recognize and celebrate 40 successful years of SDHC humanities programming in South Dakota.

SDHC serves as a faithful steward of our State's heritage and a leader in promoting cultural awareness. After 40

years, SDHC continues to fulfill its mission ''to support and promote the exchange of ideas to foster a thoughtful and engaged society.'' With funding from the National Endowment for Humanities and support from local communities, SDHC has improved access to outstanding cultural and civic opportunities for all South Dakotans. Virtually every county and most school districts in our State have benefitted from SDHC-sponsored programs. Especially at a time when many school districts have been forced to make difficult cuts to their budgets, SDHC has served as a valuable partner to schools across our State through its support of programs like National History Day. In addition, SDHC grants to community organizations provide critical ''seed money'' that promotes the preservation and study of humanities topics in cities and towns across South Dakota.

In addition to enriching the lives of South Dakotans, humanities programs represent an important source of economic development. The annual Festival of Books attracts thousands of booklovers every year who are given the chance to talk with locally and nationally recognized authors. In addition, the Museum on Main Street program brings Smithsonian exhibits to rural communities. This year, six communities in South Dakota will be hosting the exhibit ''New Harmonies: Celebrating American Roots Music.'' The SDHC's Speakers' Bureau provides funding for humanities scholars to present and lead discussions on humanities topics. These and many other programs sponsored by SDHC play an important role in attracting visitors to our State, which in turn brings in tourism dollars and supports jobs in local communities.

I appreciate the valuable role of SDHC in promoting the humanities in communities and schools across South Dakota. As a member of the Senate Cultural Caucus and a lifelong supporter of the arts and humanities, I congratulate SDHC on 40 successful years and thank the organization for its service to our State.●

RECOGNIZING UNITED HEALTH FOUNDATION SCHOLARS

● Ms. KLOBUCHAR. Mr. President, I want to take this opportunity to highlight two bright, young scholars from my home State of Minnesota, David Koffa and Victoria Okuneye, who have received scholarships from the United Health Foundation's Diverse Scholars Initiative.

David and Victoria are both hardworking and dedicated individuals who will undoubtedly be great members of the health care workforce.

David, who is currently attending Dartmouth College, believes that we can improve the health care system by taking a holistic approach to patient care. As a member of the future health workforce, David plans to focus not only on the physical well-being of patients, but on the social and emotional aspects of patient health. Taking advantage of the skills and opportunities provided through the United Health Diverse Scholars Initiative, David intends to provide high-quality health care services to impoverished communities and third-world countries.

Victoria, who is excelling at the Massachusetts Institute of Technology, strives to make a difference by working to expand mental health research and services for disadvantaged/low resource communities, particularly among youth and adolescents. Through the United Health Diverse Scholars Initiative, Victoria has been able to take advantage of rewarding opportunities such as academic research internships and experiences in international public service.

Both David and Victoria are examples of academic excellence and personal determination. And as scholars of the United Health Foundation's Diverse Scholars Initiative, they will be great representatives of a multicultural and diverse health care workforce. I want to congratulate them on their achievements and look forward to their promising futures. ●

TRIBUTE TO MICHAEL McSHANE

● Mr. LIEBERMAN. Mr. President, today I wish to honor my long-time friend and advisor, Michael McShane, who will be retiring next month after 40 remarkable years working in government, the private sector, and in Democratic politics.

I first got to know Michael when he and I worked together to advance the goals of the Democratic Leadership Council and Third Way. He was responsible for all the DLC activities at both Clinton inaugurals and the 1996 and 2000 Democratic Conventions. Later, when I decided to run for President in 2004, I was honored to have Michael serve as the vice chair of my campaign.

Michael has built a long and impressive record of public service. As a young man, he served in the Air Force for 6 years, where he flew B–52s and served in Vietnam. After leaving the military in 1972, Michael worked as press secretary for Congressman John J. Rooney and then as a Foreign Service Officer before joining the Carter-Mondale 1976 Presidential campaign. Following that election, he served in the Carter White House as a Special Assistant to Vice President Mondale. Michael was later a White House advisor to President Clinton. He recently returned to public service, joining the Congressional Liaison Office at the United States Agency for International Development.

Mike McShane has also had a notable career in the private sector. After leaving the Carter administration in 1979, he began managing government relations programs for trade associations and Fortune 500 companies including System Development Corporation, National Computer Systems, and TRW. He also founded and led The Policy Institute, and, later, the McShane Group International.

The academic and nonprofit communities have also benefitted greatly from Michael's talents and experience. He has served on the faculty of the Bryce Harlow Foundation, which seeks to promote the highest standards within the profession of lobbying and government relations, as Visiting Lecturer in American Political History at Boston University, and as a teacher of politics at Stanford, Notre Dame, Villanova, Georgetown, American, and East Carolina, his alma mater. A proud alum, Michael presently serves as vice chair of the Board of Visitors at East Carolina and the Board of the ECU Alumni Association. In 1998, he was named the East Carolina University Alumni of the Year.

I can't help but view Michael McShane's departure from Washington through a bittersweet lens. For while I am excited that he and his wonderful wife Susan will get to enjoy a much deserved retirement, I will miss Michael's wise counsel and thoughtful insights. Still, I am confident that his example will live on in all of us who were lucky enough to know him, and I wish Michael and Susan much happiness and success in their retirement in Charlottesville.●

REMEMBERING CHERYLL HEINZE

● Ms. MURKOWSKI. Mr. President, I am saddened to inform the Senate of the death of a friend and former member of the Alaska Legislature Cheryll Heinze. Cheryll died last week when a float plane that was carrying her and colleagues to a fishing outing cartwheeled on landing and became submerged on Beluga Lake near Homer. At the time Cheryll was working as Director of Human Resources and Public Relations for the Matanuska Electric Association.

It is appropriate that we remember those whose lives end in tragedy for the way they lived their lives so I want to take the next few minutes to speak in tribute to an Alaskan who lived life to the fullest.

Cheryll Heinze was born in Wewoka, OK. She spent part of her childhood in Anchorage when her father was an Army Chaplain at Fort Richardson. In 1985, Cheryll returned to be an Alaskan for life. Most of her time in Alaska was spent in Anchorage but she also lived in Slana, Talkeetna and Valdez. Cheryll was married to Harold Heinze, the former President of ARCO Alaska. The two met when Harold was serving as Alaska's Commissioner of Natural Resources under former Governor Walter Hickel. Cheryll served as Press Secretary on Governor Hickel's 1990 campaign. The two made quite a power couple.

In 2002, Cheryll was elected to the 23rd Alaska Legislature representing House District 24 in Anchorage. Although she served a single 2-year term,

she accomplished a great deal during her time in Juneau. During that term she chaired the Special Committee on Economic Development, International Trade and Tourism and was Vice Chair of the Resources Committee.

Cheryll is best known for working with colleagues across the aisle in moving Alaska's anti-stalking law out of the legislature and to the Governor's desk. Her bill allowed victims of stalking to obtain protective orders in the same way that victims of domestic violence could in the State of Alaska. Cheryll was also a strong supporter of therapeutic courts and passed a resolution encouraging prosecutors and public defenders to take full advantage of this important resource. She worked to make health insurance more affordable to small employers and helped promote trade relations between Alaska and Taiwan.

Cheryll was well liked by those inside and outside of the political circle and was viewed as a genuinely nice person. A mutual friend, Mike Chenault of Nikiski, who served with Cheryll in the Alaska House and is today the House Speaker had this to say about Cheryll: ''She had a light smile and an easy way about her that made her popular not only inside, but outside the Capitol.''

Alaska takes pride in the fact that our Legislature is composed of citizens who come to Juneau for a few months each year to do the business of the State and then return home to carry on their own lives. Art was central to Cheryll Heinze's life. In fact, her official legislative biography lists her profession as ''Artist.'' In fact, she was a world class oil painter who took inspiration from Alaska's fabulous scenery. Her painting of Mount Foraker hung in the offices of the Foraker Group, a consulting group that supports Alaska's non-profit sector. We also took pride in Cheryll's poetry.

In addition to all of her other activities she was a former President of the Anchorage Symphony League, a board member of the Pacific Northern Academy and Breast Cancer Focus, Inc., a member of the Alaska Pacific University President's Steering Committee, and an Art Instructor at the University of Alaska Rural Extension. She was a member of the Anchorage Opera Board, the World Affairs Council and the Matanuska Charitable Foundation Board. Cheryll brought energy and enthusiasm to all she did.

I extend the Senate's deepest condolences to Harold and other members of the family. Cheryll left us well before her time but in a way that is so appropriate for Alaskans—in pursuit of adventure. Alaskans have lost a friend and a leader and she will be greatly missed.●

TRIBUTE TO MAYOR TED JENNINGS

● Mr. SESSIONS. Mr. President, today I wish to pay tribute to a dedicated individual in Alabama, Mayor Ted Jennings of Brewton, AL. Ted has been a successful businessman, pharmacist, and community, State, and national leader.

When he retires this year, he will have served as the mayor of Brewton for 24 years. During that time, he has grown Brewton both economically and technologically. But in addition to his success as a mayor, he has been a successful business owner and pharmacist. He is also well known in Alabama as former president and an active officer of the Alabama League of Municipalities and nationally has served on the board and in many other positions in the National League of Cities. He has, in both capacities, represented Brewton and Alabama as a strong advocate on matters of economic development. On a personal level, I want to express my appreciation to Ted for his friendship, advice, and counsel on matters critical to the area.

All of us who have come to know him over the years have observed his dedication to public service, his hard work, and his effective leadership. He has a host of friends and admirers—this Senator is one. I thank him for his service and know that, even in retirement, he will be a strong advocate for rural economic development and Alabama. I extend my best wishes to Ted and family as you begin your next adventure.●

RECOGNIZING BALDWIN APPLE LADDERS

● Ms. SNOWE. Mr. President, small, local businesses play a critical role in our economy, creating two-thirds of all jobs across the Nation. Nowhere is small businesses' value more evident than in my home State of Maine. Even during these challenging economic times, entrepreneurs across the State continue to make headlines for their perseverance and can-do attitude in the face of adversity. I rise today to recognize and commend Baldwin Apple Ladders and owner Peter Baldwin for their tremendous contribution to the local economy and for resilience in the face of disaster that struck a mere 2 months ago.

Mr. Baldwin founded Baldwin Apple Ladders in 1984, in his hometown of Brooks, ME. Since its opening, Baldwin Apple Ladders has built approximately 30,000 ladders, which have been used in orchards throughout Maine, Massachusetts, Michigan, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Virginia, and Wisconsin. Famous for their durability and signature style, the ladders were even featured in Martha Stewart Magazine. Mr. Baldwin's business purchases the lumber used in ladder production from local sources, generates jobs through shipping and delivery, and supplies customers nationwide, giving it a national as well local presence. While business was at its peak, the Baldwin Apple Ladders manufactured and sold an average of 1,200 ladders annually.

On May 8th 2012, Mr. Baldwin was contacted by a neighbor with the devastating news that Baldwin's ladder building facility was on fire. Along with the stock inventory of finished ladders, production equipment, and stacks of unused materials, the fire consumed the 6,500 square foot dairy barn which housed his manufacturing operations.

After the smoke cleared and the remaining assets were assessed, Mr. Baldwin was faced with a difficult decision to retire after 30 years in business, or rebuild. Mr. Baldwin chose to rebuild, refusing to let the fire dictate his future. Mr. Baldwin is committed to making ladders for as long as possible; recently building his first post-fire ladder, using tools that are no more advanced than what he had to work with when he first opened, back in 1984. Though this manner of manufacturing is considerably more arduous and time consuming, Mr. Baldwin is continuing his business and hoping to emerge stronger than ever.

Generous local donations, assistance, and support have helped in making tremendous strides in the rejuvenation of Baldwin Apple Ladders, a testament to the goodwill Mr. Baldwin has earned throughout the community. Mr. Baldwin's dedication to starting over and his perseverance in the face of such unimaginable obstacles is inspiring and a true example of the grit and incomparable spirit of Maine's entrepreneurs. I will eagerly follow Mr. Baldwin's progress in rebuilding, and extend my best wishes to him and Baldwin Apple Ladders and their future success.●

TRIBUTE TO TYLER DUTTON

● Mr. THUNE. Mr. President, today I recognize Tyler Dutton, a legal intern in my Washington, DC, office, for all the hard work he has done for me, my staff, and the State of South Dakota over the past several weeks.

Tyler is a graduate of South Dakota State University in Brookings, SD. Currently, he is attending Emory University Law School in Atlanta, GA. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to Tyler for all the fine work he has done and wish him continued success in the years to come.●

MESSAGE FROM THE HOUSE

ENROLLED BILLS SIGNED

At 9:33 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker had signed the following enrolled bills:

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.

H.R. 205. An act to amend the Act title 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.

The enrolled bills were subsequently signed by the President pro tempore (Mr. INOUYE).

ENROLLED BILL SIGNED

At 11:35 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the speaker had signed the following enrolled bill:

H.R. 4155. An act to direct the head of each Federal department and agency to treat relevant military training as sufficient to satisfy training or certification requirements for Federal licenses.

The enrolled bill was subsequently signed by the President pro tempore (Mr. INOUYE).

At 12:08 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5872. An act to require the President to provide a report detailing the sequester required by the Budget Control Act of 2011 on January 2, 2013.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

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.

The following bills were read the first and second times by unanimous consent, and placed on the calendar:

S. 3412. A bill to amend the Internal Revenue Code of 1986 to provide tax relief to middle-class families.

S. 3413. 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.

MEASURES READ THE FIRST TIME

The following bills were read the first time:

H.R. 5872. An act to require the President to provide a report detailing the sequester required by the Budget Control Act of 2011 on January 2, 2013.

S. 3414. A bill to enhance the security and resiliency of the cyber and communications infrastructure of the United States.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, July 19, 2012, she had presented to the President of the United States the following enrolled bills:

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.

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–6882. A communication from the Acting Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the second quarter of fiscal year 2011 quarterly report of the Department of Justice's Office of Privacy and Civil Liberties; to the Committee on the Judiciary.

EC–6883. A communication from the Secretary of Defense, transmitting a report on the approved retirement of General Norton A. Schwartz, United States Air Force, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC–6884. A communication from the Assistant Secretary of the Army (Manpower and Reserve Affairs), transmitting, pursuant to law, an annual report relative to recruitment incentives; to the Committee on Armed Services.

EC–6885. A communication from the Secretary of Defense, transmitting, pursuant to law, a report entitled ''A Report on Policies and Practices of the U.S. Navy for Naming the Vessels of the Navy; to the Committee on Armed Services.

EC–6886. A communication from the Chairman of the Board of Governors, Federal Reserve System, transmitting, pursuant to law, the Board's semiannual Monetary Policy Report to Congress; to the Committee on Banking, Housing, and Urban Affairs.

EC–6887. A communication from the Attorney, Office of the General Counsel, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled ''Rules of Practice for Adjudication Proceedings'' ((RIN3170–AA05) (Docket No. CFPB–2011–0006)) received in the Office of the President of the Senate on July 17, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–6888. A communication from the Attorney, Office of the General Counsel, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled ''State Official Notification Rule'' ((RIN3170–AA02) (Docket No. CFPB–2011–0006)) received in the Office of the President of the Senate on July 17, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–6889. A communication from the Attorney, Office of the General Counsel, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled ''Rules Relating to Investigations'' ((RIN3170–AA03) (Docket No. CFPB–2011–0007)) received in the Office of the President of the Senate on July 17, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–6890. A communication from the Attorney, Office of the General Counsel, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled ''Equal Access to Justice Act Implementation Rule'' ((RIN3170–AA27) (Docket No. CFPB–2012–0020)) received in the Office of the President of the Senate on July 17, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–6891. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates'' (Notice 2012–47) received in the Office of the President of the Senate on July 16, 2012; to the Committee on Finance.

EC–6892. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Notice Requirements under Section 101(j) of ERISA for Funding-Related Benefit Limitations in Single-Employer Defined Benefit Pension Plans'' (Notice 2012–46) received in the Office of the President of the Senate on July 16, 2012; to the Committee on Finance.

EC–6893. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''National Institute on Disability and Rehabilitation Research (NIDRR)—Disability and Rehabilitation Research Projects and Centers Program—Disability and Rehabilitation Research Project—Employment of Individuals with Disabilities'' (CFDA No. 84.133A–1) received in the Office of the President of the Senate on July 12, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC–6894. A communication from the Assistant General Counsel for Regulatory Services, Office of Postsecondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Federal Pell Grant Program'' (RIN1840–AD11) received in the Office of the President of the Senate on July 12, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC–6895. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''D and C Red No. 6 and D and C Red No. 7; Change in Specification'' (Docket No. FDA–2011–C–0050) received in the Office of the President of the Senate on July 16, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC–6896. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Effective Date of Requirement for Premarket Approval for Cardiovascular Permanent Pacemaker Electrode'' (Docket No. FDA–2011–N–0505) received in the Office of the President of the Senate on July 16, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC–6897. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Significant New Use Rule for Phenol, 2,4 dimethyl-6-(1-methylpentadecyl)-'' (FRL No. 9649–4) received in the Office of the President of the Senate on July 12, 2012; to the Committee on Environment and Public Works.

EC–6898. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Indiana'' (FRL No. 9699–1) received in the Office of the

President of the Senate on July 12, 2012; to the Committee on Environment and Public Works.

EC–6899. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Idaho: Infrastructure Requirements for the 1997 8-Hour Ozone National Ambient Air Quality Standard; Prevention of Significant Deterioration Greenhouse Gas Permitting Authority and Tailoring Rule'' (FRL No. 9676–6) received in the Office of the President of the Senate on July 12, 2012; to the Committee on Environment and Public Works.

EC–6900. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Oil and Natural Gas Sector: New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants Reviews'' (FRL No. 9665–1) received in the Office of the President of the Senate on July 12, 2012; to the Committee on Environment and Public Works.

EC–6901. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Comprehensive Ecosystem-Based Amendment 2 for the South Atlantic Region; Correction'' (RIN0648–BB26) received in the Office of the President of the Senate on July 12, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6902. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Deep-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska'' (RIN0648–XC001) received in the Office of the President of the Senate on July 12, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6903. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species; Commercial Porbeagle Shark Fishery Closure'' (RIN0648–XC044) received in the Office of the President of the Senate on July 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6904. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Snapper-Grouper Fishery of the South Atlantic; 2012 Commercial Accountability Measure and Closure for the South Atlantic Lesser Amberjack, Almaco Jack, and Banded Rudderfish Complex'' (RIN0648–XC060) received in the Office of the President of the Senate on July 12, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6905. A communication from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; Closure of the Delmarva Access Area'' (RIN0648–BC04) received in the Office of the President of the Senate on July 12, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6906. A communication from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Temporary Rule To Delay Start Date of 2012–2013 South Atlantic Black Sea Bass Commercial Fishing Season'' (RIN0648–BB98) received in the Office of the President of the Senate on July 12, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6907. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Exempted Fishery for the Southern New England Skate Bait Trawl Fishery'' (RIN0648–BB35) received in the Office of the President of the Senate on July 12, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6908. A communication from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Gray Triggerfish Management Measures'' (RIN0648–BB90) received in the Office of the President of the Senate on July 12, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6909. A communication from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Northeast Multispecies, Monkfish, Atlantic Sea Scallop; Amendment 17'' (RIN0648–BB34) received in the Office of the President of the Senate on July 12, 2012; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mrs. BOXER, from the Committee on Environment and Public Works, without amendment:

S. 2104. A bill to amend the Water Resources Research Act of 1984 to reauthorize grants for and require applied water supply research regarding the water resources research and technology institutes established under that Act (Rept. No. 112–189).

H.R. 1160. A bill to require the Secretary of the Interior to convey the McKinney Lake National Fish Hatchery to the State of North Carolina, and for other purposes (Rept. No. 112–190).

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment:

S. 285. A bill for the relief of Sopuruchi Chukwueke.

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 3276. An original bill to extend certain amendments made by the FISA Amendments Act of 2008, and for other purposes.

By Mr. BAUCUS, from the Committee on Finance, without amendment:

S. 3406. An original bill to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to products of the Russian Federation and Moldova, to require reports on the compliance of the Russian Federation with its obligations as a member of the World Trade Organization, and to impose sanctions on persons responsible for gross violations of human rights, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. LEAHY for the Committee on the Judiciary.

Frank Paul Geraci, Jr., of New York, to be United States District Judge for the Western District of New York.

Fernando M. Olguin, of California, to be United States District Judge for the Central District of California.

Matthew W. Brann, of Pennsylvania, to be United States District Judge for the Middle District of Pennsylvania.

Malachy Edward Mannion, of Pennsylvania, to be United States District Judge for the Middle District of Pennsylvania.

Charles R. Breyer, of California, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2015.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. BOOZMAN:

S. 3403. A bill to repeal the Federal estate and gift taxes; to the Committee on Finance.

By Mr. COATS (for himself and Mr. VITTER):

S. 3404. A bill to establish within the Department of Energy an Office of Federal Energy Production, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HELLER (for himself and Mr. BURR):

S. 3405. A bill to amend title 38, United States Code, to treat small businesses bequeathed to spouses and dependents by members of the Armed Forces killed in line of duty as small business concerns owned and controlled by veterans for purposes of Department of Veterans Affairs contracting goals and preferences, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BAUCUS:

S. 3406. An original bill to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to products of the Russian Federation and Moldova, to require reports on the compliance of the Russian Federation with its obligations as a member of the World Trade Organization, and to impose sanctions on persons responsible for gross violations of human rights, and for other purposes; from the Committee on Finance; placed on the calendar.

By Mr. WYDEN:

S. 3407. A bill to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, and other programs, to promote education in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine; to the Committee on Health, Education, Labor, and Pensions.

By Mr. JOHANNS:

S. 3408. A bill to prohibit the Secretary of Energy from enforcing regulations pertaining to certain battery chargers; to the Committee on Energy and Natural Resources.

By Mr. LEE:

S. 3409. A bill to address the forest health, public safety, and wildlife habitat threat presented by the risk of wildfire, including catastrophic wildfire, on National Forest System land and public land managed by the Bureau of Land Management by requiring the Secretary of Agriculture and the Secretary of the Interior to expedite forest management projects relating to hazardous fuels reduction, forest health, and economic development, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. PRYOR (for himself and Ms. AYOTTE):

S. 3410. A bill to extend the Undertaking Spam, Spyware, And Fraud Enforcement With Enforcers beyond Borders Act of 2006, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. LEE:

S. 3411. A bill to provide that the individual mandate under the Patient Protection and Affordable Care Act shall not be construed as a tax; to the Committee on Finance.

By Mr. REID:

S. 3412. A bill to amend the Internal Revenue Code of 1986 to provide tax relief to middle-class families; placed on the calendar.

By Mr. HATCH (for himself and Mr. MCCONNELL):

S. 3413. 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; placed on the calendar.

By Mr. LIEBERMAN (for himself, Ms. COLLINS, Mr. ROCKEFELLER, Mrs. FEINSTEIN, and Mr. CARPER):

S. 3414. A bill to enhance the security and resiliency of the cyber and communications infrastructure of the United States; read the first time.

By Mr. INHOFE (for himself and Mr. VITTER):

S. 3415. A bill to require the disclosure of all payments made under the Equal Access to Justice Act; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LEE:

S. Con. Res. 52. A concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2013 and setting forth the appropriate budgetary levels for fiscal years 2014 through 2022; placed on the calendar.

ADDITIONAL COSPONSORS

S. 19

At the request of Mr. HATCH, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 19, a bill to restore American's individual liberty by striking the Federal mandate to purchase insurance.

S. 424

At the request of Mr. SCHUMER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 424, a bill to amend title XVIII of the Social Security Act to preserve access to ambulance services under the Medicare program.

S. 581

At the request of Mr. BURR, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 581, a bill to amend the Child Care and Development Block Grant Act of 1990 to require criminal background checks for child care providers.

S. 657

At the request of Mr. CARDIN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 657, a bill to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty.

S. 687

At the request of Mr. CONRAD, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 687, a bill to amend the Internal Revenue Code of 1986 to permanently extend the 15-year recovery period for qualified leasehold improvement property, qualified restaurant property, and qualified retail improvement property.

S. 1167

At the request of Mr. JOHNSON of South Dakota, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1167, a bill to amend the Public Health Service Act to improve the diagnosis and treatment of hereditary hemorrhagic telangiectasia, and for other purposes.

S. 1381

At the request of Mr. BLUMENTHAL, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1381, a bill to provide for the expansion of Federal efforts concerning the prevention, education, treatment, and research activities related to Lyme and other tick-borne disease, including the establishment of a Tick-Borne Diseases Advisory Committee.

S. 1460

At the request of Mr. BAUCUS, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 1460, a bill to grant the congressional gold medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II.

S. 1555

At the request of Mr. VITTER, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1555, a bill to authorize the use of certain offshore oil and gas platforms in the Gulf of Mexico for artificial reefs, and for other purposes.

S. 1577

At the request of Mr. BAUCUS, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1577, a bill to amend the Internal Revenue Code of 1986 to increase and make permanent the alternative simplified research credit, and for other purposes.

S. 1744

At the request of Ms. KLOBUCHAR, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1744, a bill to provide funding for State courts to assess and improve the handling of proceedings relating to adult guardianship and conservatorship, to authorize the Attorney General to carry out a pilot program for the conduct of background checks on individuals to be appointed as guardians or conservators, and to promote the widespread adoption of information technology to better monitor, report, and audit conservatorships of protected persons.

S. 1884

At the request of Mr. DURBIN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1884, a bill to provide States with incentives to require elementary schools and secondary schools to maintain, and permit school personnel to administer, epinephrine at schools.

S. 1929

At the request of Mr. BLUMENTHAL, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 1929, a bill to require the Secretary of the Treasury to mint coins in commemoration of Mark Twain.

S. 1990

At the request of Mr. LIEBERMAN, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 1990, a bill to require the Transportation Security Administration to comply with the Uniformed Services Employment and Reemployment Rights Act.

S. 2137

At the request of Mrs. BOXER, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 2137, a bill to prohibit the issuance of a waiver for commissioning or enlistment in the Armed Forces for any individual convicted of a felony sexual offense.

S. 2205

At the request of Mr. MORAN, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 2205, a bill to prohibit funding to negotiate a United Nations Arms Trade Treaty that restricts the Second Amendment rights of United States citizens.

S. 2253

At the request of Mr. DURBIN, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 2253, a bill to require individuals who file under the Ethics in Government Act of 1978 to disclose any financial accounts that are or have been deposited in a country that is a tax haven.

S. 2264

At the request of Mr. HOEVEN, the name of the Senator from Mississippi (Mr. WICKER) 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. 2620

At the request of Mr. SCHUMER, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors 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. 3280

At the request of Mr. JOHANNS, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 3280, a bill to preserve the companionship services exemption for minimum wage and overtime pay under the Fair Labor Standards Act of 1938.

S. 3332

At the request of Mr. BEGICH, the names of the Senator from Florida (Mr. NELSON) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 3332, a bill to provide for the establishment of nationally uniform and environmentally sound standards governing discharges incidental to the normal operation of a vessel in the navigable waters of the United States.

S. 3340

At the request of Mrs. MURRAY, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor 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. 3356

At the request of Mr. PORTMAN, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 3356, a bill to strengthen the role of the United States in the international community of nations in conserving natural resources to further global prosperity and security.

S. 3366

At the request of Mrs. FEINSTEIN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 3366, a bill to designate the Haqqani network as a foreign terrorist organization.

S. 3394

At the request of Mr. JOHNSON of South Dakota, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor 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. 3397

At the request of Mr. HATCH, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of 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.

S.J. RES. 42

At the request of Mr. DEMINT, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S.J. Res. 42, a joint resolution proposing an amendment to the Constitution of the United States relative to parental rights.

S.J. RES. 43

At the request of Mr. MCCONNELL, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S.J. Res. 43, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

S.J. RES. 45

At the request of Mrs. HUTCHISON, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S.J. Res. 45, a joint resolution amending title 36, United States Code, to designate June 19 as ''Juneteenth Independence Day''.

S.J. RES. 46

At the request of Mr. RUBIO, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S.J. Res. 46, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rules submitted by the Department of the Treasury and the Internal Revenue Service relating to the reporting requirements for interest that relates to deposits maintained at United States offices of certain financial institutions and is paid to certain nonresident alien individuals.

S. CON. RES. 50

At the request of Mr. RUBIO, the names of the Senator from Tennessee (Mr. ALEXANDER), the Senator from Wyoming (Mr. BARRASSO), the Senator from Georgia (Mr. ISAKSON), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Montana (Mr. TESTER) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of S. Con. Res. 50, a concurrent resolution expressing the sense of Congress regarding actions to preserve and advance the multistakeholder governance model under which the Internet has thrived.

S. RES. 494

At the request of Mr. CORNYN, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. Res. 494, a resolution condemning the Government of the Russian Federation for providing weapons to the regime of President Bashar al-Assad of Syria.

AMENDMENT NO. 2556

At the request of Mrs. HUTCHISON, the names of the Senator from Wyoming (Mr. ENZI), the Senator from Tennessee (Mr. ALEXANDER) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of amendment No. 2556 intended to be proposed to S. 3364, a bill to provide an incentive for businesses to bring jobs back to America.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HELLER (for himself and Mr. BURR):

S. 3405. A bill to amend title 38, United States Code, to treat small businesses bequeathed to spouses and dependents by members of the Armed Forces killed in line of duty as small business concerns owned and controlled by veterans for purposes of Department of Veterans Affairs contracting goals and preferences, and for other purposes; to the Committee on Veterans' Affairs.

Mr. HELLER. Mr. President, last month was yet another disappointing month of job growth. Over 12 million Americans are unemployed, close to 6 million have been unemployed for over 27 weeks, and 8 million have been forced to work part time because they have been unable to find full-time work.

To put this in context, since this administration came into office, the number of Americans who are unemployed has increased by 700,000. This is a 5-percent increase in our national unemployment rate. Home values and middle-class income have decreased, and America has dropped from being the most competitive Nation in the world to the fourth most competitive Nation in the world.

After this administration's failed policies of bailout after bailout, Senate Democrats are endorsing the idea of letting America go off the so-called fiscal cliff at the end of this year instead of letting businesses maintain their existing tax rates. This would effectively raise taxes on every American during one of the slowest economic recoveries in modern times.

While I support extending these taxes and giving our Nation's job creators certainty, I believe we need tax reform. Our Tax Code is too complex. We need to close loopholes, broaden the base, and lower rates.

As a member of the Committee on Ways and Means in the House, I worked on this issue, and I will continue to advocate for comprehensive reform while I am in the Senate. While I recognize that sometimes comprehensive policies may be difficult to move forward, especially in an election year, I believe we can find consensus on commonsense solutions.

Since coming to the Senate, I have advocated for policies that create jobs for Nevadans and for all Americans. My State has been one of the hardest hit in this current economic climate. Nevada

has had the distinction of leading the Nation in unemployment for over 2 years, as well as in foreclosures and bankruptcies. One part of our population has been especially hit hard, and that is our veterans.

Over 13 percent of the Nation's bravest who put their lives on the line are unable to find a job in this economy. They come home from overseas to find their homes underwater or chronic unemployment in their communities. While a number of veterans have fallen on tough times financially, some have had difficulty adjusting to civilian life. Congress should make it a priority that necessary resources are made available to those who have bravely served our Nation. We must also not forget the families of our veterans, particularly those who have lost loved ones in combat.

So I am proud to join with Senator BURR to introduce the Veterans Small Business Act, which simply ensures that surviving spouses and children are eligible for small business benefits. Congress has provided numerous benefits to our Nation's veterans who own small businesses, including sole-source contracting, low-interest loans, and other resources in order to help these small businesses grow and create jobs. However, should a spouse or a child of a veteran lose a loved one in combat, they can no longer receive these benefits or enroll in these programs.

My legislation closes this large gap in Federal law that does little for those who own businesses before their activation and were killed in the line of duty. As a Member of Congress, we must honor our Nation's fallen as well as ensuring that the loved ones they leave behind have the same economic opportunities afforded to that veteran.

We should be doing all we can to provide all of our Nation's small businesses with the tools needed to survive in this current economic climate. Congress needs to stop worrying about the next election and put in place policies that will not only ignite economic growth, but also get our country back to work.

While there are larger issues we must address, such as tax reform, there are smaller commonsense measures, such as this bill, that we can pass right now if given the opportunity. Measures such as this will make a big difference in our Nation's veterans and job creators.

If it is any indication of how important these issues are to Nevada, I had a constituent, Dan Lyons, who walked from Reno, NV, to Washington, DC, because he didn't think Washington was doing enough for veterans. This was a 6-month walk from Reno, NV, to Washington, DC. He felt he was not getting through to his elected officials via phone or e-mails. So Dan, with a tent, a map, and a plan, started walking across America to see his elected officials face to face.

He walked 25 miles a day, battling treacherous weather, snakes, long, lonely miles, and probably a few blisters just for the chance to sit down and ask that we do more to help struggling veterans. I was proud to meet with Dan, and he is a reminder of what is right with society. He reminds us that we must honor our obligation to our veterans. When they have sacrificed so much to preserve and protect our freedoms, we should at least ensure their needs are met when they and their surviving families fall on hard economic times.

By Mr. WYDEN:

S. 3407. A bill to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, and other programs, to promote education in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine; to the Committee on Health, Education, Labor, and Pensions.

Mr. WYDEN. Mr. President, I rise today to discuss the critical need in today's health care workforce for additional training related to palliative care. Palliative care is an interdisciplinary model of care focused on relieving the pain, stress and other debilitating symptoms of serious illness, such as cancer, cardiac disease, respiratory disease, kidney failure, Alzheimer's, AIDS, ALS, and MS. Its goal is to relieve suffering and provide the best possible quality of life for patients and their families.

Many people mistakenly believe that palliative care is only beneficial when a cure is not possible. Actually, palliative care is not dependent on a life-limiting prognosis and may actually help individuals recover by relieving symptoms—such as pain, anxiety or loss of appetite—while they are undergoing sometimes difficult medical treatments or procedures, such as surgery or chemotherapy. Palliative care is provided by a team of doctors, nurses, social workers, and other specialists who work with a patient's other health care providers to provide an extra layer of support, including assistance with difficult medical decision-making and coordination of care among specialists. Palliative care is appropriate for people of any age and at any stage in an illness, whether that illness is curable, chronic or life-threatening.

There is a specific type of palliative care, called hospice, for people for whom a cure is no longer possible and who likely have 6 months or less to live. Hospice care can be provided at one's home, a hospice facility, a hospital or a nursing home. Hospice care is about giving patients control, dignity and comfort so they have the best possible quality of life during the time they have. Hospice care also provides support and grief therapy for loved ones whose struggles are often cast aside or forgotten during treatment.

A growing evidence base has demonstrated that palliative care, including hospice, improves quality, controls cost and enhances patient and family satisfaction for the rapidly expanding population of individuals with serious or life-threatening illness. Palliative care may also prolong the lives of some seriously ill patients.

Over the last 10 years, the number of hospital-based palliative care programs has more than doubled due to the increasing number of Americans living with serious, complex and chronic illnesses and the realities of the care responsibilities faced by their families. Studies suggest that in states with more hospital-based palliative care programs, patients are less likely to die in the hospital, are likely to spend fewer days in the ICU, have better pain management and higher satisfaction with their health care.

As usual, Oregon is ahead of the curve and I am proud to say that in a 2011 report ranking states on their citizens' access to hospital-based palliative care programs, Oregon was among the seven states who earned an ''A'' rating, with 88 percent of Oregon hospitals offering palliative care.

Unfortunately, many seriously ill patients and their families lack the access available to Oregonians. Palliative care is a relatively new medical specialty and more must be done to ensure an adequate, well-trained palliative care workforce is available to provide comprehensive symptom management, intensive communication and a level of care coordination that addresses the episodic and long-term nature of serious, chronic illness. I believe that, with Federal support, we can help address the workforce gap between those currently practicing in palliative care and hospice and the number of health care professionals required to care for this expanding patient population That is why today I am introducing the Palliative Care and Hospice Education and Training Act or PCHETA. This authorizing legislation focuses on three key areas to grow the palliative care and hospice workforce.

Education centers to expand interdisciplinary training in palliative and hospice care.

Training of physicians who plan to teach palliative medicine and fellowships to encourage re-training for mid-career physicians, and academic career awards and career incentive awards to support physicians and other health care providers who provide palliative and hospice care training.

With this legislation, patients and families who are facing serious or life-threatening illness will have access to the high-quality palliative care and hospice services that can maximize their quality of life. I urge my colleagues to join me in this effort.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3407

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 ''Palliative Care and Hospice Education and Training Act''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Health care providers need better education about pain management and palliative care. Students graduating from medical school have very little, if any, training in the core precepts of pain and symptom management, advance care planning, communication skills, and care coordination for patients with serious, life-threatening, or terminal illness.

(2) Palliative care is interdisciplinary, patient- and family-centered health care for people with serious illnesses. This type of care is focused on providing patients with relief from the symptoms, pain, and stress of a serious illness, whatever the diagnosis. The goal of palliative care is to relieve suffering and improve quality of life for both patients and their families. Palliative care is provided by a team of doctors, nurses, social workers, chaplains, and other specialists who work with a patient's other health care providers to provide an extra layer of support, including assistance with difficult medical decisionmaking and coordination of care among specialists. Palliative care is appropriate at any age and at any stage in a serious illness, and can be provided together with curative treatment. Palliative care is not dependent on a life-limiting prognosis and may actually help an individual recover from illness by relieving symptoms, such as pain, anxiety, or loss of appetite, while undergoing sometimes difficult medical treatments or procedures, such as surgery or chemotherapy. There were 1,623 hospitals with palliative care programs in 2012.

(3) Hospice is palliative care for patients in their last year of life. Considered the model for quality compassionate care for individuals facing a life-limiting illness, hospice provides expert medical care, pain management, and emotional and spiritual support expressly tailored to the patient's needs and wishes. In most cases, care is provided in the patient's home but may also be provided in freestanding hospice centers, hospitals, nursing homes, and other long-term care facilities. In 2010, an estimated 1,580,000 patients received services from hospice or approximately 41.9 percent of all United States deaths. Hospice is a covered benefit under the Medicare program. There were 3,509 Medicare-certified hospices in 2010.

(4) A 2005 study at Michigan State University found that the formal training of United States doctors in palliative care is ''grossly inadequate''. When the American Society of Clinical Oncology surveyed their members, 65 percent said they had received inadequate education in controlling symptoms associated with cancer, and 81 percent felt they had inadequate mentoring in discussing a poor prognosis with their patients and families. Training in pediatric palliative care is also seriously lacking according to physicians, residents, and medical students responding to a survey presented at a meeting of American Federation for Medical Research.

(5) The American Board of Medical Specialties (ABMS) and the Accreditation Council for Graduate Medical Education (ACGME) provided formal subspecialty status for hospice and palliative medicine (HPM) in 2006, and the Centers for Medicare & Medicaid Services recognized hospice and palliative medicine as a medical subspecialty in October of 2008.

(6) As of June 2012, there were a total of 86 hospice and palliative medicine training programs. Seventy-eight programs have been accredited by the Accreditation Council for Graduate Medical Education and seven programs have been accredited by the American Osteopathic Association. For the 2011–2012 academic year, these programs were training 176 physicians in hospice and palliative medicine. Some programs include an additional track in research, geriatrics, or public health.

(7) There is a large gap between those practicing in the palliative medicine field and the number of physicians needed. A midrange estimate by the American Academy of Hospice and Palliative Medicine's Workforce Task Force calls for 6,000 or more full time equivalents to serve current needs in hospice and palliative care programs. At maximum capacity, the current system would produce roughly 4,600 new hospice and palliative medicine certified physicians over the next 20 years, during which time some 70,000,000 new Medicare beneficiaries will enter the Medicare program. At the same time, there is expected to be increasing acceptance of the hospice and palliative approach to care among the general population and health care providers.

SEC. 3. PALLIATIVE CARE AND HOSPICE EDUCATION AND TRAINING.

(a) IN GENERAL.—Part D of title VII of the Public Health Service Act (42 U.S.C. 294 et seq.) is amended by adding at the end the following:

''SEC. 759A. PALLIATIVE CARE AND HOSPICE EDUCATION AND TRAINING.

''(a) PALLIATIVE CARE AND HOSPICE EDUCATION CENTERS.—

''(1) IN GENERAL.—The Secretary shall award grants or contracts under this section to entities described in paragraph (1), (3), or (4) of section 799B, and section 801(2), for the establishment or operation of Palliative Care and Hospice Education Centers that meet the requirements of paragraph (2).

''(2) REQUIREMENTS.—A Palliative Care and Hospice Education Center meets the requirements of this paragraph if such Center—

''(A) improves the training of health professionals in palliative care, including residencies, traineeships, or fellowships;

''(B) develops and disseminates curricula relating to the palliative treatment of the complex health problems of individuals with serious or life threatening illnesses;

''(C) supports the training and retraining of faculty to provide instruction in palliative care;

''(D) supports continuing education of health professionals who provide palliative care to patients with serious or life threatening illness;

''(E) provides students (including residents, trainees, and fellows) with clinical training in palliative care in the home, long-term care facilities, home care, hospices, chronic and acute disease hospitals, and ambulatory care centers;

''(F) establishes traineeships for individuals who are preparing for advanced education nursing degrees in palliative care nursing, home care, hospice, in the home, long-term care, or other nursing areas that specialize in palliative care; and

''(G) does not duplicate the activities of existing education centers funded under this section or under section 753 or 865.

''(3) EXPANSION OF EXISTING CENTERS.—Nothing in this section shall be construed to—

''(A) prevent the Secretary from providing grants to expand existing education centers, including geriatric education centers established under section 753 or 865, to provide for education and training focused specifically on palliative care, including for non-geriatric populations; or

''(B) limit the number of education centers that may be funded in a community.

''(b) PALLIATIVE MEDICINE PHYSICIAN TRAINING.—

''(1) IN GENERAL.—The Secretary may make grants to, and enter into contracts with, schools of medicine, schools of osteopathic medicine, teaching hospitals, and graduate medical education programs, for the purpose of providing support for projects that fund the training of physicians (including residents, trainees, and fellows) who plan to teach palliative medicine.

''(2) REQUIREMENTS.—Each project for which a grant or contract is made under this subsection shall—

''(A) be staffed by full-time teaching physicians who have experience or training in palliative medicine;

''(B) be based in a hospice and palliative medicine fellowship program accredited by the Accreditation Council for Graduate Medical Education;

''(C) provide training in palliative medicine through a variety of service rotations, such as consultation services, acute care services, extended care facilities, ambulatory care and comprehensive evaluation units, hospice, home health, and community care programs;

''(D) develop specific performance-based measures to evaluate the competency of trainees; and

''(E) provide training in palliative medicine through one or both of the training options described in subparagraphs (A) and (B) of paragraph (3).

''(3) TRAINING OPTIONS.—The training options referred to in subparagraph (E) of paragraph (2) shall be as follows:

''(A) 1-year retraining programs in hospice and palliative medicine for physicians who are faculty at schools of medicine and osteopathic medicine, or others determined appropriate by the Secretary.

''(B) 1- or 2-year training programs that shall be designed to provide training in hospice and palliative medicine for physicians who have completed graduate medical education programs in any medical specialty leading to board eligibility in hospice and palliative medicine pursuant to the American Board of Medical Specialties.

''(4) DEFINITIONS.—For purposes of this subsection the term 'graduate medical education' means a program sponsored by a school of medicine, a school of osteopathic medicine, a hospital, or a public or private institution that—

''(A) offers postgraduate medical training in the specialties and subspecialties of medicine; and

''(B) has been accredited by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association through its Committee on Postdoctoral Training.

''(c) PALLIATIVE MEDICINE AND HOSPICE ACADEMIC CAREER AWARDS.—

''(1) ESTABLISHMENT OF PROGRAM.—The Secretary shall establish a program to provide awards, to be known as the 'Palliative Medicine and Hospice Academic Career Awards', to eligible individuals to promote the career development of such individuals as academic hospice and palliative care physicians.

''(2) ELIGIBLE INDIVIDUALS.—To be eligible to receive an award under paragraph (1), an individual shall—

''(A) be board certified or board eligible in hospice and palliative medicine; and

''(B) have a junior (non-tenured) faculty appointment at an accredited (as determined by the Secretary) school of medicine or osteopathic medicine.

''(3) LIMITATIONS.—No award under paragraph (1) may be made to an eligible individual unless the individual—

''(A) has submitted to the Secretary an application, at such time, in such manner, and containing such information as the Secretary may require, and the Secretary has approved such application;

''(B) provides, in such form and manner as the Secretary may require, assurances that the individual will meet the service requirement described in paragraph (6); and

''(C) provides, in such form and manner as the Secretary may require, assurances that the individual has a full-time faculty appointment in a health professions institution and documented commitment from such institution to spend a majority of the total funded time of such individual on teaching and developing skills in interdisciplinary education in palliative care.

''(4) MAINTENANCE OF EFFORT.—An eligible individual who receives an award under paragraph (1) shall provide assurances to the Secretary that funds provided to the eligible individual under this subsection will be used only to supplement, not to supplant, the amount of Federal, State, and local funds otherwise expended by the eligible individual.

''(5) AMOUNT AND TERM.—

''(A) AMOUNT.—The amount of an award under this subsection shall be equal to the award amount provided for under section 753(c)(5)(A) for the fiscal year involved.

''(B) TERM.—The term of an award made under this subsection shall not exceed 5 years.

''(C) PAYMENT TO INSTITUTION.—The Secretary shall make payments for awards under this subsection to institutions which include schools of medicine and osteopathic medicine.

''(6) SERVICE REQUIREMENT.—An individual who receives an award under this subsection shall provide training in palliative care and hospice, including the training of interdisciplinary teams of health care professionals. The provision of such training shall constitute a majority of the total funded obligations of such individual under the award.

''(d) PALLIATIVE CARE WORKFORCE DEVELOPMENT.—

''(1) IN GENERAL.—The Secretary shall award grants or contracts under this subsection to entities that operate a Palliative Care and Hospice Education Center pursuant to subsection (a)(1).

''(2) APPLICATION.—To be eligible for an award under paragraph (1), an entity described in such paragraph shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

''(3) USE OF FUNDS.—Amounts awarded under a grant or contract under paragraph (1) shall be used to carry out the fellowship program described in paragraph (4).

''(4) FELLOWSHIP PROGRAM.—

''(A) IN GENERAL.—Pursuant to paragraph (3), a Palliative Care and Hospice Education Center that receives an award under this subsection shall use such funds to offer short-term intensive courses (referred to in this subsection as a 'fellowship') that focus on palliative care that provide supplemental training for faculty members in medical schools and other health professions schools with programs in psychology, pharmacy, nursing, social work, chaplaincy, or other health disciplines, as approved by the Secretary. Such a fellowship shall be open to current faculty, and appropriately credentialed volunteer faculty and practitioners, who do not have formal training in palliative care, to upgrade their knowledge and clinical skills for the care of individuals with serious or life-threatening illness and to enhance their interdisciplinary teaching skills.

''(B) LOCATION.—A fellowship under this paragraph shall be offered either at the Palliative Care and Hospice Education Center that is sponsoring the course, in collaboration with other Palliative Care and Hospice Education Centers, or at medical schools, schools of nursing, schools of pharmacy, schools of social work, schools of chaplaincy or pastoral care education, graduate programs in psychology, or other health professions schools approved by the Secretary with which the Centers are affiliated.

''(C) CME CREDIT.—Participation in a fellowship under this paragraph shall be accepted with respect to complying with continuing health profession education requirements. As a condition of such acceptance, the recipient shall subsequently provide a minimum of 18 hours of voluntary instruction in palliative care content (that has been approved by a palliative care and hospice education center) to students or trainees in health-related educational, home, hospice, or long-term care settings.

''(5) TARGETS.—A Palliative Care and Hospice Education Center that receives an award under this subsection shall meet targets approved by the Secretary for providing palliative care training to a certain number of faculty or practitioners during the term of the award, as well as other parameters established by the Secretary.

''(6) AMOUNT OF AWARD.—An award under this subsection shall be in an amount of $150,000. Not more than 24 Palliative Care and Hospice Education Centers may receive an award under this subsection.

''(7) MAINTENANCE OF EFFORT.—A Palliative Care and Hospice Education Center that receives an award under this subsection shall provide assurances to the Secretary that funds provided to the Center under the award will be used only to supplement, not to supplant, the amount of Federal, State, and local funds otherwise expended by such Center.

''(e) PALLIATIVE CARE AND HOSPICE CAREER INCENTIVE AWARDS.—

''(1) IN GENERAL.—The Secretary shall award grants or contracts under this subsection to individuals described in paragraph (2) to foster greater interest among a variety of health professionals in entering the field of palliative care.

''(2) ELIGIBLE INDIVIDUALS.—To be eligible to receive an award under paragraph (1), an individual shall—

''(A) be an advanced practice nurse, a clinical social worker, a pharmacist, a chaplain, or student of psychology who is pursuing a doctorate or other advanced degree in palliative care or related fields in an accredited health professions school; and

''(B) submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

''(3) CONDITIONS OF AWARD.—As a condition of receiving an award under this subsection, an individual shall agree that, following completion of the award period, the individual will teach or practice palliative care in health-related educational, home, hospice or long-term care settings for a minimum of 5 years under guidelines established by the Secretary.

''(4) PAYMENT TO INSTITUTION.—The Secretary shall make payments for awards under this subsection to institutions which include schools of medicine, osteopathic medicine, nursing, social work, psychology, chaplaincy or pastoral care education, dentistry, and pharmacy, or other allied health discipline in an accredited health professions school that is approved by the Secretary.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, $44,100,000 for each of the fiscal years 2013 through 2017.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall be effective beginning on the date that is 90 days after the date of enactment of this Act.

SEC. 4. APPLICATION TO ADVANCED PRACTICE NURSES.

(a) ADVANCED EDUCATION NURSING GRANTS.—Section 811(a) of the Public Health Service Act (42 U.S.C. 296j(a)) is amended—

(1) in paragraph (1), by striking ''and'' at the end;

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1), the following:

''(2) palliative care and hospice career incentive awards authorized under section 759A(e); and''.

(b) IN GENERAL.—Part D of title VIII of the Public Health Service Act (42 U.S.C. 296p et seq.) is amended by adding at the end the following:

''SEC. 832. PALLIATIVE CARE AND HOSPICE EDUCATION AND TRAINING.

''(a) PROGRAM AUTHORIZED.—The Secretary shall award grants to eligible entities to develop and implement, in coordination with programs under section 759A, programs and initiatives to train and educate individuals in providing palliative care in health related educational, hospice, home, or long-term care settings.

''(b) USE OF FUNDS.—An eligible entity that receives a grant under subsection (a) shall use funds under such grant to—

''(1) provide training to individuals who will provide palliative care in health-related educational, home, hospice, or long-term care settings;

''(2) develop and disseminate curricula relating to palliative care in health-related educational, home, hospice, or long-term care settings;

''(3) train faculty members in palliative care in health related educational, home, hospice, or long-term care settings; or

''(4) provide continuing education to individuals who provide palliative care in health-related educational, home, hospice, or long-term care settings.

''(c) APPLICATION.—An eligible entity desiring a grant under subsection (a) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

''(d) ELIGIBLE ENTITY.—For purposes of this section, the term 'eligible entity' shall include a school of nursing, a health care facility, a program leading to certification as a certified nurse assistant, a partnership of such a school and facility, or a partnership of such a program and facility.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $5,000,000 for each of fiscal years 2013 through 2017.''.

By Mr. REID:

S. 3412. A bill to amend the Internal Revenue Code of 1986 to provide tax relief to middle-class families; placed on the calendar.

Mr. REID. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3412

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

SECTION 1. SHORT TITLE; ETC.

(a) SHORT TITLE.—This Act may be cited as the ''Middle Class Tax Cut Act''.

(b) AMENDMENT OF 1986 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 the Internal Revenue Code of 1986.

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

Sec. 1. Short title; etc.

TITLE I—TEMPORARY EXTENSION OF TAX RELIEF

Sec. 101. Temporary extension of 2001 tax relief.
Sec. 102. Temporary extension of 2003 tax relief.
Sec. 103. Temporary extension of 2010 tax relief.
Sec. 104. Temporary extension of election to expense certain depreciable business assets.

TITLE II—ALTERNATIVE MINIMUM TAX RELIEF

Sec. 201. Temporary extension of increased alternative minimum tax exemption amount.
Sec. 202. Temporary extension of alternative minimum tax relief for nonrefundable personal credits.

TITLE III—BUDGETARY EFFECTS

Sec. 301. Budgetary effects.

TITLE I—TEMPORARY EXTENSION OF TAX RELIEF

SEC. 101. TEMPORARY EXTENSION OF 2001 TAX RELIEF.

(a) TEMPORARY EXTENSION.—

(1) IN GENERAL.—Section 901(a)(1) of the Economic Growth and Tax Relief Reconciliation Act of 2001 is amended by striking ''December 31, 2012'' and inserting ''December 31, 2013''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall take effect as if included in the enactment of the Economic Growth and Tax Relief Reconciliation Act of 2001.

(b) APPLICATION TO CERTAIN HIGH-INCOME TAXPAYERS.—

(1) INCOME TAX RATES.—

(A) TREATMENT OF 25- AND 28- PERCENT RATE BRACKETS.—Paragraph (2) of section 1(i) is amended to read as follows:

''(2) 25- AND 28- PERCENT RATE BRACKETS.—The tables under subsections (a), (b), (c), (d), and (e) shall be applied—

''(A) by substituting '25%' for '28%' each place it appears (before the application of subparagraph (B)), and

''(B) by substituting '28%' for '31%' each place it appears.''.

(B) 33-PERCENT RATE BRACKET.—Subsection (i) of section 1 is amended by redesignating paragraph (3) as paragraph (4) and by inserting after paragraph (2) the following new paragraph:

''(3) 33-PERCENT RATE BRACKET.—

''(A) IN GENERAL.—In the case of taxable years beginning after December 31, 2012—

''(i) the rate of tax under subsections (a), (b), (c), and (d) on a taxpayer's taxable income in the fourth rate bracket shall be 33 percent to the extent such income does not exceed an amount equal to the excess of—

''(I) the applicable amount, over

''(II) the dollar amount at which such bracket begins, and

''(ii) the 36 percent rate of tax under such subsections shall apply only to the taxpayer's taxable income in such bracket in excess of the amount to which clause (i) applies.

''(B) APPLICABLE AMOUNT.—For purposes of this paragraph, the term 'applicable amount' means the excess of—

''(i) the applicable threshold, over

''(ii) the sum of the following amounts in effect for the taxable year:

''(I) the basic standard deduction (within the meaning of section 63(c)(2)), and

''(II) the exemption amount (within the meaning of section 151(d)(1) (or, in the case of subsection (a), 2 such exemption amounts).

''(C) APPLICABLE THRESHOLD.—For purposes of this paragraph, the term 'applicable threshold' means—

''(i) $250,000 in the case of subsection (a),

''(ii) $225,000 in the case of subsection (b),

''(iii) $200,000 in the case of subsections (c), and

''(iv) ½ the amount applicable under clause (i) (after adjustment, if any, under subparagraph (E)) in the case of subsection (d).

''(D) FOURTH RATE BRACKET.—For purposes of this paragraph, the term 'fourth rate bracket' means the bracket which would (determined without regard to this paragraph) be the 36-percent rate bracket.

''(E) INFLATION ADJUSTMENT.—For purposes of this paragraph, with respect to taxable years beginning in calendar years after 2012, each of the dollar amounts under clauses (i), (ii), and (iii) of subparagraph (C) shall be adjusted in the same manner as under paragraph (1)(C), except that subsection (f)(3)(B) shall be applied by substituting '2008' for '1992'.''.

(2) PHASEOUT OF PERSONAL EXEMPTIONS AND ITEMIZED DEDUCTIONS.—

(A) OVERALL LIMITATION ON ITEMIZED DEDUCTIONS.—Section 68 is amended—

(i) by striking ''the applicable amount'' the first place it appears in subsection (a) and inserting ''the applicable threshold in effect under section 1(i)(3)'',

(ii) by striking ''the applicable amount'' in subsection (a)(1) and inserting ''such applicable threshold'',

(iii) by striking subsection (b) and redesignating subsections (c), (d), and (e) as subsections (b), (c), and (d), respectively, and

(iv) by striking subsections (f) and (g).

(B) PHASEOUT OF DEDUCTIONS FOR PERSONAL EXEMPTIONS.—

(i) IN GENERAL.—Paragraph (3) of section 151(d) is amended—

(I) by striking ''the threshold amount'' in subparagraphs (A) and (B) and inserting ''the applicable threshold in effect under section 1(i)(3)'',

(II) by striking subparagraph (C) and redesignating subparagraph (D) as subparagraph (C), and

(III) by striking subparagraphs (E) and (F).

(ii) CONFORMING AMENDMENTS.—Paragraph (4) of section 151(d) is amended—

(I) by striking subparagraph (B),

(II) by redesignating clauses (i) and (ii) of subparagraph (A) as subparagraphs (A) and (B), respectively, and by indenting such subparagraphs (as so redesignated) accordingly, and

(III) by striking all that precedes ''in a calendar year after 1989,'' and inserting the following:

''(4) INFLATION ADJUSTMENT.—In the case of any taxable year beginning''.

(c) EFFECTIVE DATE.—Except as otherwise provided, the amendments made by this section shall apply to taxable years beginning after December 31, 2012.

(d) APPLICATION OF EGTRRA SUNSET.—Each amendment made by subsection (b) shall be subject to title IX of the Economic Growth and Tax Relief Reconciliation Act of 2001 to the same extent and in the same manner as if such amendment was included in title I of such Act.

SEC. 102. TEMPORARY EXTENSION OF 2003 TAX RELIEF.

(a) EXTENSION.—

(1) IN GENERAL.—Section 303 of the Jobs and Growth Tax Relief Reconciliation Act of 2003 is amended by striking ''December 31, 2012'' and inserting ''December 31, 2013''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall take effect as if included in the enactment of the Jobs and Growth Tax Relief Reconciliation Act of 2003.

(b) 20-PERCENT CAPITAL GAINS RATE FOR CERTAIN HIGH INCOME INDIVIDUALS.—

(1) IN GENERAL.—Paragraph (1) of section 1(h) is amended by striking subparagraph (C), by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F) and by inserting after subparagraph (B) the following new subparagraphs:

''(C) 15 percent of the lesser of—

''(i) so much of the adjusted net capital gain (or, if less, taxable income) as exceeds the amount on which a tax is determined under subparagraph (B), or

''(ii) the excess (if any) of—

''(I) the amount of taxable income which would (without regard to this paragraph) be taxed at a rate below 36 percent, over

''(II) the sum of the amounts on which a tax is determined under subparagraphs (A) and (B),

''(D) 20 percent of the adjusted net capital gain (or, if less, taxable income) in excess of the sum of the amounts on which tax is determined under subparagraphs (B) and (C),''.

(2) MINIMUM TAX.—Paragraph (3) of section 55(b) is amended by striking subparagraph (C), by redesignating subparagraph (D) as subparagraph (E), and by inserting after subparagraph (B) the following new subparagraphs:

''(C) 15 percent of the lesser of—

''(i) so much of the adjusted net capital gain (or, if less, taxable excess) as exceeds the amount on which tax is determined under subparagraph (B), or

''(ii) the excess described in section 1(h)(1)(C)(ii), plus

''(D) 20 percent of the adjusted net capital gain (or, if less, taxable excess) in excess of the sum of the amounts on which tax is determined under subparagraphs (B) and (C), plus''.

(c) CONFORMING AMENDMENTS.—

(1) The following provisions are each amended by striking ''15 percent'' and inserting ''20 percent'':

(A) Section 531.

(B) Section 541.

(C) Section 1445(e)(1).

(D) The second sentence of section 7518(g)(6)(A).

(E) Section 53511(f)(2) of title 46, United States Code.

(2) Sections 1(h)(1)(B) and 55(b)(3)(B) are each amended by striking ''5 percent (0 percent in the case of taxable years beginning after 2007)'' and inserting ''0 percent''.

(3) Section 1445(e)(6) is amended by striking ''15 percent (20 percent in the case of taxable years beginning after December 31, 2010)'' and inserting ''20 percent''.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as otherwise provided, the amendments made by subsections (b) and (c) shall apply to taxable years beginning after December 31, 2012.

(2) WITHHOLDING.—The amendments made by paragraphs (1)(C) and (3) of subsection (c) shall apply to amounts paid on or after January 1, 2013.

(e) APPLICATION OF JGTRRA SUNSET.—Each amendment made by subsections (b) and (c) shall be subject to section 303 of the Jobs and Growth Tax Relief Reconciliation Act of 2003 to the same extent and in the same manner as if such amendment was included in title III of such Act.

SEC. 103. TEMPORARY EXTENSION OF 2010 TAX RELIEF.

(a) AMERICAN OPPORTUNITY TAX CREDIT.—

(1) IN GENERAL.—Section 25A(i) is amended by striking ''or 2012'' and inserting ''2012, or 2013''.

(2) TREATMENT OF POSSESSIONS.—Section 1004(c)(1) of division B of the American Recovery and Reinvestment Tax Act of 2009 is amended by striking ''and 2012'' each place it appears and inserting ''2012, and 2013''.

(b) CHILD TAX CREDIT.—Section 24(d)(4) is amended—

(1) by striking ''AND 2012'' in the heading and inserting ''2012, AND 2013'', and

(2) by striking ''or 2012'' and inserting ''2012, or 2013''.

(c) EARNED INCOME TAX CREDIT.—Section 32(b)(3) is amended—

(1) by striking ''AND 2012'' in the heading and inserting ''2012, AND 2013'', and

(2) by striking ''or 2012'' and inserting ''2012, or 2013''.

(d) TEMPORARY EXTENSION OF RULE DISREGARDING REFUNDS IN THE ADMINISTRATION OF FEDERAL PROGRAMS AND FEDERALLY ASSISTED PROGRAMS.—Subsection (b) of section 6409 is amended by striking ''December 31, 2012'' and inserting ''December 31, 2013''.

(e) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to taxable years beginning after December 31, 2012.

(2) RULE DISREGARDING REFUNDS IN THE ADMINISTRATION OF CERTAIN PROGRAMS.—The amendment made by subsection (d) shall apply to amounts received after December 31, 2012.

SEC. 104. TEMPORARY EXTENSION OF ELECTION TO EXPENSE CERTAIN DEPRECIABLE BUSINESS ASSETS.

(a) IN GENERAL.—

(1) DOLLAR LIMITATION.—Section 179(b)(1) is amended—

(A) by striking ''and'' at the end of subparagraph (C),

(B) by redesignating subparagraph (D) as subparagraph (E),

(C) by inserting after subparagraph (C) the following new subparagraph:

''(D) $250,000 in the case of taxable years beginning in 2013, and'', and

(D) in subparagraph (E), as so redesignated, by striking ''2012'' and inserting ''2013''.

(2) REDUCTION IN LIMITATION.—Section 179(b)(2) is amended—

(A) by striking ''and'' at the end of subparagraph (C),

(B) by redesignating subparagraph (D) as subparagraph (E),

(C) by inserting after subparagraph (C) the following new subparagraph:

''(D) $800,000 in the case of taxable years beginning in 2013, and'', and

(D) in subparagraph (E), as so redesignated, by striking ''2012'' and inserting ''2013''.

(b) COMPUTER SOFTWARE.—Section 179(d)(1)(A)(ii) is amended by striking ''2013'' and inserting ''2014''.

(c) ELECTION.—Section 179(c)(2) is amended by striking ''2013'' and inserting ''2014''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2012.

TITLE II—ALTERNATIVE MINIMUM TAX RELIEF

SEC. 201. TEMPORARY EXTENSION OF INCREASED ALTERNATIVE MINIMUM TAX EXEMPTION AMOUNT.

(a) IN GENERAL.—Paragraph (1) of section 55(d) is amended—

(1) by striking ''$72,450'' and all that follows through ''2011'' in subparagraph (A) and inserting ''$78,750 in the case of taxable years beginning in 2012'', and

(2) by striking ''$47,450'' and all that follows through ''2011'' in subparagraph (B) and inserting ''$50,600 in the case of taxable years beginning in 2012''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2011.

SEC. 202. TEMPORARY EXTENSION OF ALTERNATIVE MINIMUM TAX RELIEF FOR NONREFUNDABLE PERSONAL CREDITS.

(a) IN GENERAL.—Paragraph (2) of section 26(a) is amended—

(1) by striking ''or 2011'' and inserting ''2011, or 2012'', and

(2) by striking ''2011'' in the heading thereof and inserting ''2012''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2011.

TITLE III—BUDGETARY EFFECTS

SEC. 301. BUDGETARY EFFECTS.

(a) PAYGO SCORECARD.—The budgetary effects of this Act shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(b) SENATE PAYGO SCORECARD.—The budgetary effects of this Act shall not be entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con Res. 21 (110th Congress).

By Mr. INHOFE (for himself and Mr. VITTER):

S. 3415. A bill to require the disclosure of all payments made under the Equal Access to Justice Act; to the Committee on the Judiciary.

Mr. INHOFE. Mr. President, I rise today to introduce the Government Transparency and Recordkeeping Act along with Senator VITTER.

The purpose of this bill is to require that all records of individual payments under 31 U.S.C. 1304, which is the Judgment Fund, are reported to Congress and made available to the public. It further requires that agencies provide this information by keeping accurate and thorough records.

Simply put, most Americans have a checking account. When you write a check, you also record it in your checking book. This checking book is your record of how much you paid and to whom you paid. Simply put, the Federal Government does not do this in terms of the Judgment Fund. The Federal government has not been keeping track of its Judgment Fund payments because they are not required to do so. In this age of technology, shouldn't the federal government keep track of its finances?

If the Federal Government is named as a defendant and the plaintiffs are successful then the plaintiffs may be awarded for certain attorney fees and costs. Such payments are made from the Judgment Fund.

The Judgment Fund was created in 1956 and is a permanent fund available to pay judgments against the government and settlements resulting from lawsuits.

As the Ranking Member of the Senate Environment and Public Works Committee, I had to request that GAO investigate how much the Judgment Fund has paid related to the environmental statutes in our jurisdiction and get back to me. Even GAO had trouble getting complete records over the past ten years. This is federal taxpayers' money that we are spending without keeping accurate and up to date records. This information needs to be readily available and accessible to the public.

Federal agencies that are impacted by these costs as well as policymakers and taxpayers should be able to track payments from the Judgment Fund to determine who is suing a particular Federal agency, the nature of their claims, how often agencies settle and agree to pay plaintiffs' legal fees, and so forth. If Congress and the public had access to this information in a useable form, they could identify problem areas and work to save taxpayer money by bringing loss rates down.

Article I, section 9 of the U.S. Constitution provides ''that a regular Statement and Account of the Receipts of all public money shall be published from time to time.'' The operation and payment of Judgment fund monies should not be an exception. This bill will ensure that Congress and the public have access to such information.

SUBMITTED RESOLUTIONS

SENATE CONCURRENT RESOLUTION 52—SETTING FORTH THE CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2013 AND SETTING FORTH THE APPROPRIATE BUDGETARY LEVELS FOR FISCAL YEARS 2014 THROUGH 2022

Mr. LEE submitted the following concurrent resolution; which was placed on the calendar:

S. CON. RES. 52

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2013.

(a) DECLARATION.—Congress declares that this resolution is the concurrent resolution on the budget for fiscal year 2013 and that this resolution sets forth the appropriate budgetary levels for fiscal years 2014 through 2022.

(b) TABLE OF CONTENTS.—The table of contents for this concurrent resolution is as follows:

Sec. 1. Concurrent resolution on the budget for fiscal year 2013.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Sec. 101. Recommended levels and amounts.
Sec. 102. Social Security.
Sec. 103. Major functional categories.

TITLE II—RESERVE FUNDS

Sec. 201. Deficit-reduction reserve fund for the sale of unused or vacant Federal properties.
Sec. 202. Deficit-reduction reserve fund for selling excess Federal land.
Sec. 203. Deficit-reduction reserve fund for the repeal of Davis-Bacon prevailing wage laws.
Sec. 204. Deficit-reduction reserve fund for the reduction of purchasing and maintaining Federal vehicles.
Sec. 205. Deficit-reduction reserve fund for the sale of financial assets purchased through the Troubled Asset Relief Program.

Sec. 206. Reserve fund for the repeal of the 2010 health care laws.
TITLE III—BUDGET PROCESS
Subtitle A—Budget Enforcement
Sec. 301. Discretionary spending limits for fiscal years 2013 through 2022, program integrity initiatives, and other adjustments.
Sec. 302. Point of order against advance appropriations.
Subtitle B—Other Provisions
Sec. 311. Oversight of government performance.
Sec. 312. Application and effect of changes in allocations and aggregates.
Sec. 313. Adjustments to reflect changes in concepts and definitions.
TITLE IV—RECONCILIATION
Sec. 401. Reconciliation in the Senate.
TITLE V—CONGRESSIONAL POLICY CHANGES
Sec. 501. Policy statement on social security.
Sec. 502. Policy statement on Medicare.
Sec. 503. Policy statement on Medicaid.
Sec. 504. Policy statement on tax reform.
Sec. 505. Policy statement on government asset sales.
Sec. 506. Policy on repealing Obamacare.
TITLE VI—SENSE OF CONGRESS
Sec. 601. Regulatory reform.
Sec. 602. Rescind unspent or unobligated balances after 36 months.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2013 through 2022:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2013: $1,961,929,000,000.
Fiscal year 2014: $2,144,992,000,000.
Fiscal year 2015: $2,376,945,000,000.
Fiscal year 2016: $2,558,632,000,000.
Fiscal year 2017: $2,715,114,000,000.
Fiscal year 2018: $2,846,304,000,000.
Fiscal year 2019: $2,984,528,000,000.
Fiscal year 2020: $3,135,231,000,000.
Fiscal year 2021: $3,292,091,000,000.
Fiscal year 2022: $3,453,764,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2013: −$328,000,000,000.
Fiscal year 2014: −$440,000,000,000.
Fiscal year 2015: −$421,000,000,000.
Fiscal year 2016: −$406,000,000,000.
Fiscal year 2017: −$457,000,000,000.
Fiscal year 2018: −$484,000,000,000.
Fiscal year 2019: −$513,000,000,000.
Fiscal year 2020: −$541,000,000,000.
Fiscal year 2021: −$585,000,000,000.
Fiscal year 2022: −$631,000,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2013: $2,602,345,000,000.
Fiscal year 2014: $2,498,340,000,000.
Fiscal year 2015: $2,584,430,000,000.
Fiscal year 2016: $2,598,024,000,000.
Fiscal year 2017: $2,712,605,000,000.
Fiscal year 2018: $2,834,797,000,000.
Fiscal year 2019: $2,991,342,000,000.
Fiscal year 2020: $3,124,945,000,000.
Fiscal year 2021: $3,216,804,000,000.
Fiscal year 2022: $3,326,195,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2013: $2,658,535,000,000.
Fiscal year 2014: $2,540,263,000,000.
Fiscal year 2015: $2,600,001,000,000.
Fiscal year 2016: $2,600,898,000,000.
Fiscal year 2017: $2,698,998,000,000.
Fiscal year 2018: $2,817,023,000,000.
Fiscal year 2019: $2,960,794,000,000.
Fiscal year 2020: $3,092,448,000,000.
Fiscal year 2021: $3,181,088,000,000.
Fiscal year 2022: $3,289,369,000,000.

(4) DEFICITS.—For purposes of the enforcement of this resolution, the amounts of the deficits are as follows:

Fiscal year 2013: $696,606,000,000.
Fiscal year 2014: $395,271,000,000.
Fiscal year 2015: $223,056,000,000.
Fiscal year 2016: $42,265,000,000.
Fiscal year 2017: −$16,115,000,000.
Fiscal year 2018: −$29,282,000,000.
Fiscal year 2019: −$23,735,000,000.
Fiscal year 2020: −$42,783,000,000.
Fiscal year 2021: −$111,004,000,000.
Fiscal year 2022: −$164,394,000,000.

(5) PUBLIC DEBT.—Pursuant to section 301(a)(5) of the Congressional Budget Act of 1974, the appropriate levels of the public debt are as follows:

Fiscal year 2013: $11,871,000,000,000.
Fiscal year 2014: $12,368,000,000,000.
Fiscal year 2015: $12,679,000,000,000.
Fiscal year 2016: $12,799,000,000,000.
Fiscal year 2017: $12,855,000,000,000.
Fiscal year 2018: $12,888,000,000,000.
Fiscal year 2019: $12,928,000,000,000.
Fiscal year 2020: $12,932,000,000,000.
Fiscal year 2021: $12,874,000,000,000.
Fiscal year 2022: $12,770,000,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:

Fiscal year 2013: $16,782,000,000,000.
Fiscal year 2014: $17,423,000,000,000.
Fiscal year 2015: $17,908,000,000,000.
Fiscal year 2016: $18,210,000,000,000.
Fiscal year 2017: $18,468,000,000,000.
Fiscal year 2018: $18,729,000,000,000.
Fiscal year 2019: $18,943,000,000,000.
Fiscal year 2020: $19,112,000,000,000.
Fiscal year 2021: $19,204,000,000,000.
Fiscal year 2022: $19,224,000,000,000.

SEC. 102. SOCIAL SECURITY.

(a) SOCIAL SECURITY REVENUES.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of revenues of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2013: $675,120,000,000.
Fiscal year 2014: $731,427,000,000.
Fiscal year 2015: $772,640,000,000.
Fiscal year 2016: $821,698,000,000.
Fiscal year 2017: $872,014,000,000.
Fiscal year 2018: $919,303,000,000.
Fiscal year 2019: $965,008,000,000.
Fiscal year 2020: $1,010,593,000,000.
Fiscal year 2021: $1,055,547,000,000.
Fiscal year 2022: $1,102,093,000,000.

(b) SOCIAL SECURITY OUTLAYS.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2013: $720,436,000,000.
Fiscal year 2014: $758,457,000,000.
Fiscal year 2015: $797,609,000,000.
Fiscal year 2016: $839,879,000,000.
Fiscal year 2017: $887,426,000,000.
Fiscal year 2018: $939,147,000,000.
Fiscal year 2019: $995,537,000,000.
Fiscal year 2020: $1,032,447,000,000.
Fiscal year 2021: $1,093,921,000,000.
Fiscal year 2022: $1,153,017,000,000.

(c) SOCIAL SECURITY ADMINISTRATIVE EXPENSES.—In the Senate, the amounts of new budget authority and budget outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for administrative expenses are as follows:

Fiscal year 2013:
(A) New budget authority, $5,539,000,000.
(B) Outlays, $5,543,000,000.
Fiscal year 2014:
(A) New budget authority, $5,701,000,000.
(B) Outlays, $5,709,000,000.
Fiscal year 2015:
(A) New budget authority, $5,868,000,000.
(B) Outlays, $5,842,000,000.
Fiscal year 2016:
(A) New budget authority, $6,047,000,000.
(B) Outlays, $6,019,000,000.
Fiscal year 2017:
(A) New budget authority, $6,231,000,000.
(B) Outlays, $6,201,000,000.
Fiscal year 2018:
(A) New budget authority, $6,434,000,000.
(B) Outlays, $6,402,000,000.
Fiscal year 2019:
(A) New budget authority, $6,651,000,000.
(B) Outlays, $6,617,000,000.
Fiscal year 2020:
(A) New budget authority, $6,867,000,000.
(B) Outlays, $6,832,000,000.
Fiscal year 2021:
(A) New budget authority, $7,088,000,000.
(B) Outlays, $7,052,000,000.
Fiscal year 2022:
(A) New budget authority, $7,320,000,000.
(B) Outlays, $7,283,000,000.

SEC. 103. MAJOR FUNCTIONAL CATEGORIES.

Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2013 through 2022 for each major functional category are:

(1) National Defense (050):
Fiscal year 2013:
(A) New budget authority, $696,600,000,000.
(B) Outlays, $713,500,000,000.
Fiscal year 2014:
(A) New budget authority, $699,900,000,000.
(B) Outlays, $713,900,000,000.
Fiscal year 2015:
(A) New budget authority, $724,900,000,000.
(B) Outlays, $732,100,000,000.
Fiscal year 2016:
(A) New budget authority, $749,500,000,000.
(B) Outlays, $749,500,000,000.
Fiscal year 2017:
(A) New budget authority, $766,700,000,000.
(B) Outlays, $759,100,000,000.
Fiscal year 2018:
(A) New budget authority, $784,800,000,000.
(B) Outlays, $777,100,000,000.
Fiscal year 2019:
(A) New budget authority, $812,700,000,000.
(B) Outlays, $796,700,000,000.
Fiscal year 2020:
(A) New budget authority, $835,600,000,000.
(B) Outlays, $819,800,000,000.
Fiscal year 2021:
(A) New budget authority, $857,900,000,000.
(B) Outlays, $841,500,000,000.
Fiscal year 2022:
(A) New budget authority, $881,100,000,000.
(B) Outlays, $864,300,000,000.

(2) International Affairs (150):
Fiscal year 2013:
(A) New budget authority, $38,024,000,000.
(B) Outlays, $41,175,000,000.
Fiscal year 2014:
(A) New budget authority, $36,214,000,000.
(B) Outlays, $41,078,000,000.
Fiscal year 2015:
(A) New budget authority, $32,615,000,000.
(B) Outlays, $37,851,000,000.
Fiscal year 2016:
(A) New budget authority, $34,605,000,000.
(B) Outlays, $39,104,000,000.
Fiscal year 2017:
(A) New budget authority, $36,288,000,000.
(B) Outlays, $39,950,000,000.

Fiscal year 2018:
(A) New budget authority, $36,754,000,000.
(B) Outlays, $39,928,000,000.
Fiscal year 2019:
(A) New budget authority, $38,239,000,000.
(B) Outlays, $41,199,000,000.
Fiscal year 2020:
(A) New budget authority, $39,017,000,000.
(B) Outlays, $42,036,000,000.
Fiscal year 2021:
(A) New budget authority, $39,856,000,000.
(B) Outlays, $42,873,000,000.
Fiscal year 2022:
(A) New budget authority, $40,168,000,000.
(B) Outlays, $43,043,000,000.
(3) General Science, Space, and Technology (250):
Fiscal year 2013:
(A) New budget authority, $11,390,000,000.
(B) Outlays, $11,875,000,000.
Fiscal year 2014:
(A) New budget authority, $10,781,000,000.
(B) Outlays, $10,925,000,000.
Fiscal year 2015:
(A) New budget authority, $10,190,000,000.
(B) Outlays, $10,175,000,000.
Fiscal year 2016:
(A) New budget authority, $10,043,000,000.
(B) Outlays, $9,984,000,000.
Fiscal year 2017:
(A) New budget authority, $10,281,000,000.
(B) Outlays, $10,200,000,000.
Fiscal year 2018:
(A) New budget authority, $10,953,000,000.
(B) Outlays, $10,850,000,000.
Fiscal year 2019:
(A) New budget authority, $11,201,000,000.
(B) Outlays, $11,075,000,000.
Fiscal year 2020:
(A) New budget authority, $10,976,000,000.
(B) Outlays, $10,848,000,000.
Fiscal year 2021:
(A) New budget authority, $11,231,000,000.
(B) Outlays, $11,064,000,000.
Fiscal year 2022:
(A) New budget authority, $11,044,000,000.
(B) Outlays, $10,879,000,000.
(4) Energy (270):
Fiscal year 2013:
(A) New budget authority, $1,924,000,000.
(B) Outlays, $8,075,000,000.
Fiscal year 2014:
(A) New budget authority, $1,765,000,000.
(B) Outlays, $4,807,000,000.
Fiscal year 2015:
(A) New budget authority, $934,000,000.
(B) Outlays, $2,035,000,000.
Fiscal year 2016:
(A) New budget authority, $1,043,000,000.
(B) Outlays, $2,080,000,000.
Fiscal year 2017:
(A) New budget authority, $1,260,000,000.
(B) Outlays, $2,125,000,000.
Fiscal year 2018:
(A) New budget authority, $1,292,000,000.
(B) Outlays, $2,170,000,000.
Fiscal year 2019:
(A) New budget authority, $1,323,000,000.
(B) Outlays, $2,215,000,000.
Fiscal year 2020:
(A) New budget authority, $1,081,000,000.
(B) Outlays, $1,808,000,000.
Fiscal year 2021:
(A) New budget authority, $1,105,000,000.
(B) Outlays, $1,844,000,000.
Fiscal year 2022:
(A) New budget authority, $1,138,000,000.
(B) Outlays, $1,892,000,000.
(5) Natural Resources and Environment (300):
Fiscal year 2013:
(A) New budget authority, $24,988,000,000.
(B) Outlays, $28,975,000,000.
Fiscal year 2014:
(A) New budget authority, $23,662,000,000.
(B) Outlays, $27,094,000,000.
Fiscal year 2015:
(A) New budget authority, $20,775,000,000.
(B) Outlays, $24,013,000,000.
Fiscal year 2016:
(A) New budget authority, $22,093,000,000.
(B) Outlays, $24,128,000,000.
Fiscal year 2017:
(A) New budget authority, $23,753,000,000.
(B) Outlays, $25,075,000,000.
Fiscal year 2018:
(A) New budget authority, $25,130,000,000.
(B) Outlays, $25,172,000,000.
Fiscal year 2019:
(A) New budget authority, $26,291,000,000.
(B) Outlays, $26,137,000,000.
Fiscal year 2020:
(A) New budget authority, $26,460,000,000.
(B) Outlays, $26,216,000,000.
Fiscal year 2021:
(A) New budget authority, $27,487,000,000.
(B) Outlays, $27,199,000,000.
Fiscal year 2022:
(A) New budget authority, $27,265,000,000.
(B) Outlays, $26,961,000,000.
(6) Agriculture (350):
Fiscal year 2013:
(A) New budget authority, $9,822,000,000.
(B) Outlays, $9,775,000,000.
Fiscal year 2014:
(A) New budget authority, $9,390,000,000.
(B) Outlays, $9,357,000,000.
Fiscal year 2015:
(A) New budget authority, $8,666,000,000.
(B) Outlays, $8,620,000,000.
Fiscal year 2016:
(A) New budget authority, $8,760,000,000.
(B) Outlays, $8,710,000,000.
Fiscal year 2017:
(A) New budget authority, $8,423,000,000.
(B) Outlays, $8,375,000,000.
Fiscal year 2018:
(A) New budget authority, $8,506,000,000.
(B) Outlays, $8,456,000,000.
Fiscal year 2019:
(A) New budget authority, $8,588,000,000.
(B) Outlays, $8,537,000,000.
Fiscal year 2020:
(A) New budget authority, $8,671,000,000.
(B) Outlays, $8,618,000,000.
Fiscal year 2021:
(A) New budget authority, $9,687,000,000.
(B) Outlays, $9,621,000,000.
Fiscal year 2022:
(A) New budget authority, $9,822,000,000.
(B) Outlays, $9,753,000,000.
(7) Commerce and Housing Credit (370):
Fiscal year 2013:
(A) New budget authority, $13,261,000,000.
(B) Outlays, $13,001,000,000.
Fiscal year 2014:
(A) New budget authority, −$1,068,000,000.
(B) Outlays, −$1,118,000,000.
Fiscal year 2015:
(A) New budget authority, −$3,900,000,000.
(B) Outlays, −$3,894,000,000.
Fiscal year 2016:
(A) New budget authority, −$5,351,000,000.
(B) Outlays, −$5,362,000,000.
Fiscal year 2017:
(A) New budget authority, −$7,049,000,000.
(B) Outlays, −$7,080,000,000.
Fiscal year 2018:
(A) New budget authority, −$6,172,000,000.
(B) Outlays, −$6,210,000,000.
Fiscal year 2019:
(A) New budget authority, −$9,909,000,000.
(B) Outlays, −$9,972,000,000.
Fiscal year 2020:
(A) New budget authority, −$9,578,000,000.
(B) Outlays, −$9,647,000,000.
Fiscal year 2021:
(A) New budget authority, −$2,999,000,000.
(B) Outlays, −$3,087,000,000.
Fiscal year 2022:
(A) New budget authority, −$1,184,000,000.
(B) Outlays, −$1,302,000,000.
(8) Transportation (400):
Fiscal year 2013:
(A) New budget authority, $17,078,000,000.
(B) Outlays, $27,075,000,000.
Fiscal year 2014:
(A) New budget authority, $6,958,000,000.
(B) Outlays, $18,791,000,000.
Fiscal year 2015:
(A) New budget authority, $8,203,000,000.
(B) Outlays, $19,129,000,000.
Fiscal year 2016:
(A) New budget authority, $8,169,000,000.
(B) Outlays, $19,136,000,000.
Fiscal year 2017:
(A) New budget authority, $8,275,000,000.
(B) Outlays, $19,125,000,000.
Fiscal year 2018:
(A) New budget authority, $8,439,000,000.
(B) Outlays, $19,096,000,000.
Fiscal year 2019:
(A) New budget authority, $8,657,000,000.
(B) Outlays, $19,049,000,000.
Fiscal year 2020:
(A) New budget authority, $9,401,000,000.
(B) Outlays, $20,792,000,000.
Fiscal year 2021:
(A) New budget authority, $10,926,000,000.
(B) Outlays, $22,128,000,000.
Fiscal year 2022:
(A) New budget authority, $9,793,000,000.
(B) Outlays, $22,231,000,000.
(9) Community and Regional Development (450):
Fiscal year 2013:
(A) New budget authority, $10,459,000,000.
(B) Outlays, $19,000,000,000.
Fiscal year 2014:
(A) New budget authority, $8,265,000,000.
(B) Outlays, $17,043,000,000.
Fiscal year 2015:
(A) New budget authority, $8,348,000,000.
(B) Outlays, $13,838,000,000.
Fiscal year 2016:
(A) New budget authority, $10,611,000,000.
(B) Outlays, $14,144,000,000.
Fiscal year 2017:
(A) New budget authority, $12,652,000,000.
(B) Outlays, $14,875,000,000.
Fiscal year 2018:
(A) New budget authority, $14,022,000,000.
(B) Outlays, $15,190,000,000.
Fiscal year 2019:
(A) New budget authority, $14,349,000,000.
(B) Outlays, $15,062,000,000.
Fiscal year 2020:
(A) New budget authority, $14,365,000,000.
(B) Outlays, $14,916,000,000.
Fiscal year 2021:
(A) New budget authority, $15,547,000,000.
(B) Outlays, $16,135,000,000.
Fiscal year 2022:
(A) New budget authority, $15,512,000,000.
(B) Outlays, $16,082,000,000.
(10) Education, Training, Employment, and Social Services (500):
Fiscal year 2013:
(A) New budget authority, $56,341,000,000.
(B) Outlays, $57,875,000,000.
Fiscal year 2014:
(A) New budget authority, $52,978,000,000.
(B) Outlays, $53,499,000,000.
Fiscal year 2015:
(A) New budget authority, $50,710,000,000.
(B) Outlays, $50,180,000,000.
Fiscal year 2016:
(A) New budget authority, $54,699,000,000.
(B) Outlays, $54,080,000,000.
Fiscal year 2017:
(A) New budget authority, $56,797,000,000.
(B) Outlays, $56,100,000,000.
Fiscal year 2018:
(A) New budget authority, $57,622,000,000.
(B) Outlays, $56,854,000,000.
Fiscal year 2019:
(A) New budget authority, $58,400,000,000.
(B) Outlays, $57,590,000,000.
Fiscal year 2020:
(A) New budget authority, $59,907,000,000.
(B) Outlays, $59,059,000,000.
Fiscal year 2021:
(A) New budget authority, $60,799,000,000.
(B) Outlays, $59,930,000,000.

Fiscal year 2022:
(A) New budget authority, $60,885,000,000.
(B) Outlays, $60,071,000,000.
(11) Health (550):
Fiscal year 2013:
(A) New budget authority, $353,800,000,000.
(B) Outlays, $348,000,000,000.
Fiscal year 2014:
(A) New budget authority, $337,591,000,000.
(B) Outlays, $326,887,000,000.
Fiscal year 2015:
(A) New budget authority, $351,655,000,000.
(B) Outlays, $330,821,000,000.
Fiscal year 2016:
(A) New budget authority, $361,046,000,000.
(B) Outlays, $340,432,000,000.
Fiscal year 2017:
(A) New budget authority, $374,026,000,000.
(B) Outlays, $349,175,000,000.
Fiscal year 2018:
(A) New budget authority, $385,327,000,000.
(B) Outlays, $360,180,000,000.
Fiscal year 2019:
(A) New budget authority, $399,456,000,000.
(B) Outlays, $371,797,000,000.
Fiscal year 2020:
(A) New budget authority, $413,929,000,000.
(B) Outlays, $383,778,000,000.
Fiscal year 2021:
(A) New budget authority, $443,416,000,000.
(B) Outlays, $411,012,000,000.
Fiscal year 2022:
(A) New budget authority, $472,571,000,000.
(B) Outlays, $438,342,000,000.
(12) Medicare (570):
Fiscal year 2013:
(A) New budget authority, $585,288,000,000.
(B) Outlays, $585,220,000,000.
Fiscal year 2014:
(A) New budget authority, $617,452,000,000.
(B) Outlays, $617,414,000,000.
Fiscal year 2015:
(A) New budget authority, $650,316,000,000.
(B) Outlays, $650,265,000,000.
Fiscal year 2016:
(A) New budget authority, $624,673,000,000.
(B) Outlays, $624,626,000,000.
Fiscal year 2017:
(A) New budget authority, $623,319,000,000.
(B) Outlays, $623,271,000,000.
Fiscal year 2018:
(A) New budget authority, $625,754,000,000.
(B) Outlays, $625,706,000,000.
Fiscal year 2019:
(A) New budget authority, $653,437,000,000.
(B) Outlays, $653,384,000,000.
Fiscal year 2020:
(A) New budget authority, $665,758,000,000.
(B) Outlays, $665,702,000,000.
Fiscal year 2021:
(A) New budget authority, $632,639,000,000.
(B) Outlays, $632,583,000,000.
Fiscal year 2022:
(A) New budget authority, $663,152,000,000.
(B) Outlays, $663,095,000,000.
(13) Income Security (600):
Fiscal year 2013:
(A) New budget authority, $458,510,000,000.
(B) Outlays, $462,945,000,000.
Fiscal year 2014:
(A) New budget authority, $388,595,000,000.
(B) Outlays, $391,402,000,000.
Fiscal year 2015:
(A) New budget authority, $382,123,000,000.
(B) Outlays, $383,981,000,000.
Fiscal year 2016:
(A) New budget authority, $384,516,000,000.
(B) Outlays, $385,762,000,000.
Fiscal year 2017:
(A) New budget authority, $385,722,000,000.
(B) Outlays, $386,070,000,000.
Fiscal year 2018:
(A) New budget authority, $394,436,000,000.
(B) Outlays, $394,212,000,000.
Fiscal year 2019:
(A) New budget authority, $400,998,000,000.
(B) Outlays, $400,516,000,000.
Fiscal year 2020:
(A) New budget authority, $416,931,000,000.
(B) Outlays, $416,354,000,000.
Fiscal year 2021:
(A) New budget authority, $405,108,000,000.
(B) Outlays, $404,451,000,000.
Fiscal year 2022:
(A) New budget authority, $417,175,000,000.
(B) Outlays, $416,541,000,000.
(14) Social Security (650):
Fiscal year 2013:
(A) New budget authority, $53,216,000,000.
(B) Outlays, $53,296,000,000.
Fiscal year 2014:
(A) New budget authority, $31,892,000,000.
(B) Outlays, $32,002,000,000.
Fiscal year 2015:
(A) New budget authority, $35,135,000,000.
(B) Outlays, $35,210,000,000.
Fiscal year 2016:
(A) New budget authority, $38,953,000,000.
(B) Outlays, $38,991,000,000.
Fiscal year 2017:
(A) New budget authority, $43,140,000,000.
(B) Outlays, $43,140,000,000.
Fiscal year 2018:
(A) New budget authority, $47,590,000,000.
(B) Outlays, $47,590,000,000.
Fiscal year 2019:
(A) New budget authority, $52,429,000,000.
(B) Outlays, $52,429,000,000.
Fiscal year 2020:
(A) New budget authority, $57,425,000,000.
(B) Outlays, $57,425,000,000.
Fiscal year 2021:
(A) New budget authority, $62,604,000,000.
(B) Outlays, $62,604,000,000.
Fiscal year 2022:
(A) New budget authority, $68,079,000,000.
(B) Outlays, $68,079,000,000.
(15) Veterans Benefits and Services (700):
Fiscal year 2013:
(A) New budget authority, $119,099,000,000.
(B) Outlays, $119,750,000,000.
Fiscal year 2014:
(A) New budget authority, $121,154,000,000.
(B) Outlays, $121,456,000,000.
Fiscal year 2015:
(A) New budget authority, $123,497,000,000.
(B) Outlays, $123,506,000,000.
Fiscal year 2016:
(A) New budget authority, $131,075,000,000.
(B) Outlays, $130,702,000,000.
Fiscal year 2017:
(A) New budget authority, $128,369,000,000.
(B) Outlays, $127,870,000,000.
Fiscal year 2018:
(A) New budget authority, $127,819,000,000.
(B) Outlays, $127,274,000,000.
Fiscal year 2019:
(A) New budget authority, $134,992,000,000.
(B) Outlays, $134,425,000,000.
Fiscal year 2020:
(A) New budget authority, $139,848,000,000.
(B) Outlays, $139,274,000,000.
Fiscal year 2021:
(A) New budget authority, $142,925,000,000.
(B) Outlays, $142,327,000,000.
Fiscal year 2022:
(A) New budget authority, $142,670,000,000.
(B) Outlays, $142,079,000,000.
(16) Administration of Justice (750):
Fiscal year 2013:
(A) New budget authority, $47,182,000,000.
(B) Outlays, $48,925,000,000.
Fiscal year 2014:
(A) New budget authority, $45,833,000,000.
(B) Outlays, $48,070,000,000.
Fiscal year 2015:
(A) New budget authority, $45,232,000,000.
(B) Outlays, $46,805,000,000.
Fiscal year 2016:
(A) New budget authority, $46,682,000,000.
(B) Outlays, $47,840,000,000.
Fiscal year 2017:
(A) New budget authority, $47,921,000,000.
(B) Outlays, $48,875,000,000.
Fiscal year 2018:
(A) New budget authority, $48,995,000,000.
(B) Outlays, $49,910,000,000.
Fiscal year 2019:
(A) New budget authority, $50,690,000,000.
(B) Outlays, $50,945,000,000.
Fiscal year 2020:
(A) New budget authority, $51,208,000,000.
(B) Outlays, $51,980,000,000.
Fiscal year 2021:
(A) New budget authority, $52,229,000,000.
(B) Outlays, $53,015,000,000.
Fiscal year 2022:
(A) New budget authority, $52,207,000,000.
(B) Outlays, $52,976,000,000.
(17) General Government (800):
Fiscal year 2013:
(A) New budget authority, $17,292,000,000.
(B) Outlays, $19,000,000,000.
Fiscal year 2014:
(A) New budget authority, $18,113,000,000.
(B) Outlays, $18,791,000,000.
Fiscal year 2015:
(A) New budget authority, $17,574,000,000.
(B) Outlays, $17,908,000,000.
Fiscal year 2016:
(A) New budget authority, $17,752,000,000.
(B) Outlays, $17,888,000,000.
Fiscal year 2017:
(A) New budget authority, $19,100,000,000.
(B) Outlays, $19,125,000,000.
Fiscal year 2018:
(A) New budget authority, $19,082,000,000.
(B) Outlays, $19,096,000,000.
Fiscal year 2019:
(A) New budget authority, $19,466,000,000.
(B) Outlays, $19,049,000,000.
Fiscal year 2020:
(A) New budget authority, $20,345,000,000.
(B) Outlays, $19,888,000,000.
Fiscal year 2021:
(A) New budget authority, $20,278,000,000.
(B) Outlays, $19,823,000,000.
Fiscal year 2022:
(A) New budget authority, $20,320,000,000.
(B) Outlays, $19,866,000,000.
(18) Net Interest (900):
Fiscal year 2013:
(A) New budget authority, $226,273,000,000.
(B) Outlays, $226,273,000,000.
Fiscal year 2014:
(A) New budget authority, $241,665,000,000.
(B) Outlays, $241,665,000,000.
Fiscal year 2015:
(A) New budget authority, $278,158,000,000.
(B) Outlays, $278,158,000,000.
Fiscal year 2016:
(A) New budget authority, $329,553,000,000.
(B) Outlays, $329,553,000,000.
Fiscal year 2017:
(A) New budget authority, $377,828,000,000.
(B) Outlays, $377,828,000,000.
Fiscal year 2018:
(A) New budget authority, $419,849,000,000.
(B) Outlays, $419,849,000,000.
Fiscal year 2019:
(A) New budget authority, $456,458,000,000.
(B) Outlays, $456,458,000,000.
Fiscal year 2020:
(A) New budget authority, $483,401,000,000.
(B) Outlays, $483,401,000,000.
Fiscal year 2021:
(A) New budget authority, $497,066,000,000.
(B) Outlays, $497,066,000,000.
Fiscal year 2022:
(A) New budget authority, $508,481,000,000.
(B) Outlays, $508,481,000,000.
(19) Allowances (920):
Fiscal year 2013:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2014:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2015:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2016:
(A) New budget authority, $0.
(B) Outlays, $0.

Fiscal year 2017:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2018:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2019:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2020:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2021:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2022:
(A) New budget authority, $0.
(B) Outlays, $0.
(20) Undistributed Offsetting Receipts (950):
Fiscal year 2013:
(A) New budget authority, −$138,200,000,000.
(B) Outlays, −$138,200,000,000.
Fiscal year 2014:
(A) New budget authority, −$152,800,000,000.
(B) Outlays, −$152,800,000,000.
Fiscal year 2015:
(A) New budget authority, −$160,700,000,000.
(B) Outlays, −$160,700,000,000.
Fiscal year 2016:
(A) New budget authority, −$230,400,000,000.
(B) Outlays, −$230,400,000,000.
Fiscal year 2017:
(A) New budget authority, −$204,200,000,000.
(B) Outlays, −$204,200,000,000.
Fiscal year 2018:
(A) New budget authority, −$175,400,000,000.
(B) Outlays, −$175,400,000,000.
Fiscal year 2019:
(A) New budget authority, −$145,800,000,000.
(B) Outlays, −$145,800,000,000.
Fiscal year 2020:
(A) New budget authority, −$119,800,000,000.
(B) Outlays, −$119,800,000,000.
Fiscal year 2021:
(A) New budget authority, −$71,000,000,000.
(B) Outlays, −$71,000,000,000.
Fiscal year 2022:
(A) New budget authority, −$74,000,000,000.
(B) Outlays, −$74,000,000,000.

TITLE II—RESERVE FUNDS

SEC. 201. DEFICIT-REDUCTION RESERVE FUND FOR THE SALE OF UNUSED OR VACANT FEDERAL PROPERTIES.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by selling any unused or vacant Federal properties. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 202. DEFICIT-REDUCTION RESERVE FUND FOR SELLING EXCESS FEDERAL LAND.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by selling any excess Federal land. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 203. DEFICIT-REDUCTION RESERVE FUND FOR THE REPEAL OF DAVIS-BACON PREVAILING WAGE LAWS.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports from savings achieved by repealing the Davis-Bacon prevailing wage laws. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 204. DEFICIT-REDUCTION RESERVE FUND FOR THE REDUCTION OF PURCHASING AND MAINTAINING FEDERAL VEHICLES.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by reducing the Federal vehicles fleet. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 205. DEFICIT-REDUCTION RESERVE FUND FOR THE SALE OF FINANCIAL ASSETS PURCHASED THROUGH THE TROUBLED ASSET RELIEF PROGRAM.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by selling financial instruments and equity accumulated through the Troubled Asset Relief Program. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 206. RESERVE FUND FOR THE REPEAL OF THE 2010 HEALTH CARE LAWS.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by repealing the Patient Protection and Affordable Care Act of 2010. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

TITLE III—BUDGET PROCESS

Subtitle A—Budget Enforcement

SEC. 301. DISCRETIONARY SPENDING LIMITS FOR FISCAL YEARS 2013 THROUGH 2022, PROGRAM INTEGRITY INITIATIVES, AND OTHER ADJUSTMENTS.

(a) SENATE POINT OF ORDER.—

(1) IN GENERAL.—Except as otherwise provided in this section, it shall not be in order in the Senate to consider any bill or joint resolution (or amendment, motion, or conference report on that bill or joint resolution) that would cause the discretionary spending limits in this section to be exceeded.

(2) SUPERMAJORITY WAIVER AND APPEALS.—

(A) WAIVER.—This subsection may be waived or suspended in the Senate only by the affirmative vote of two-thirds of the Members, duly chosen and sworn.

(B) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution. An affirmative vote of two-thirds of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(b) SENATE DISCRETIONARY SPENDING LIMITS.—In the Senate and as used in this section, the term ''discretionary spending limit'' means—

(1) for fiscal year 2013, $996,000,000,000 in new budget authority and $1,084,000,000,000 in outlays;

(2) for fiscal year 2014, $986,000,000,000 in new budget authority and $1,099,000,000,000 in outlays;

(3) for fiscal year 2015, $1,017,000,000,000 in new budget authority and $1,086,000,000,000 in outlays;

(4) for fiscal year 2016 $1,062,000,000,000 in new budget authority and $1,112,000,000,000 in outlays;

(5) for fiscal year 2017, $1,096,000,000,000 in new budget authority and $1,130,000,000,000 in outlays;

(6) for fiscal year 2018, $1,127,000,000,000 in new budget authority and $1,157,000,000,000 in outlays;

(7) for fiscal year 2019, $1,166,000,000,000 in new budget authority and $1,186,000,000,000 in outlays;

(8) for fiscal year 2020, $1,196,000,000,000 in new budget authority and $1,217,000,000,000 in outlays;

(9) for fiscal year 2021, $1,232,000,000,000 in new budget authority and $1,248,000,000,000 in outlays; and

(10) for fiscal year 2022, $1,255,000,000,000 in new budget authority and $1,279,000,000,000 in outlays.

SEC. 302. POINT OF ORDER AGAINST ADVANCE APPROPRIATIONS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, or conference report that would provide an advance appropriation.

(b) DEFINITION.—In this section, the term ''advance appropriation'' means any new budget authority provided in a bill or joint resolution making appropriations for fiscal year 2013 that first becomes available for any fiscal year after 2012, or any new budget authority provided in a bill or joint resolution making general appropriations or continuing appropriations for fiscal year 2013, that first becomes available for any fiscal year after 2013.

Subtitle B—Other Provisions

SEC. 311. OVERSIGHT OF GOVERNMENT PERFORMANCE.

In the Senate, all committees are directed to review programs and tax expenditures within their jurisdiction to identify waste, fraud, abuse, or duplication, and increase the use of performance data to inform committee work. Committees are also directed

to review the matters for congressional consideration identified on the High Risk list reports of the Government Accountability Office. Based on these oversight efforts and performance reviews of programs within their jurisdiction, committees are directed to include recommendations for improved governmental performance in their annual views and estimates reports required under section 301(d) of the Congressional Budget Act of 1974 to the Committees on the Budget.

SEC. 312. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this resolution the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

SEC. 313. ADJUSTMENTS TO REFLECT CHANGES IN CONCEPTS AND DEFINITIONS.

Upon the enactment of a bill or joint resolution providing for a change in concepts or definitions, the Chairman of the Committee on the Budget of the Senate may make adjustments to the levels and allocations in this resolution in accordance with section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as in effect prior to September 30, 2002).

TITLE IV—RECONCILIATION

SEC. 401. RECONCILIATION IN THE SENATE.

(a) SUBMISSION TO PROVIDE FOR THE REFORM OF MANDATORY SPENDING.—

(1) IN GENERAL.—Not later than September 1, 2012, the Senate committees named in paragraph (2) shall submit their recommendations to the Committee on the Budget of the Senate of the United States. After receiving those recommendations from the applicable committees of the Senate, the Committee on the Budget shall report to the Senate a reconciliation bill carrying out all such recommendations without substantive revision.

(2) INSTRUCTIONS.—

(A) COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION.—The Committee on Commerce, Science, and Transportation shall report changes in law within its jurisdiction sufficient to reduce direct spending outlays by $59,000,000,000 for the period of fiscal years 2013 through 2022.

(B) COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY.—The Committee on Agriculture, Nutrition, and Forestry shall report changes in law within its jurisdiction sufficient to reduce direct spending outlays by $563,000,000,000 for the period of fiscal years 2013 through 2022.

(C) COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS.—The Committee on Health, Education, Labor, and Pensions shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by $6,000,000,000 for the period of fiscal years 2013 through 2022.

(D) COMMITTEE ON FINANCE.—The Committee on Finance shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by $159,000,000,000 for the period of fiscal years 2013 through 2022.

(b) SUBMISSION OF REVISED ALLOCATIONS.—Upon the submission to the Committee on the Budget of the Senate of a recommendation that has complied with its reconciliation instructions solely by virtue of section 310(c) of the Congressional Budget Act of 1974, the chairman of that committee may file with the Senate revised allocations under section 302(a) of such Act and revised functional levels and aggregates.

TITLE V—CONGRESSIONAL POLICY CHANGES

SEC. 501. POLICY STATEMENT ON SOCIAL SECURITY.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure the Social Security System achieves solvency over the 75-year window as follows:

(1) The legislation must modify the Primary Insurance Amount formula starting in 2013 to smoothly phase down so that starting with workers born after 1985, it will reach a flat benefit of $1,200 in 2012 dollars indexed between 2012 and the year in question by the increase in average wages.

(2) Effective 2013, reduce benefits on a progressive basis for single beneficiaries with incomes over $55,000 and married couples with incomes over $110,000 so that individuals and married couples who file taxes jointly, with more than $110,000 and $165,000, respectively, in non-Social Security income will receive no benefit.

(3) From 2013 to 2022, the normal retirement age will rise to 68 for workers born in or after 1959. After 2031, the normal retirement age will be indexed to longevity, adding about 1 month every 2 years according to current projections.

(4) The normal retirement age will be increased by 4 months per year starting with individuals born in 1954 and stopping when it reaches age 68 for individuals born in or after 1959.

(5) From 2013 to 2031, the early retirement age rises to 65 for workers born in or after 1964. After 2031, the early retirement age will be indexed to longevity, adding about 1 month every 2 years according to current projections.

(6) The early eligibility age will be increased by 3 months per year starting with individuals born in 1953 and stopping when it reaches age 65 for individuals born in or after 1964.

SEC. 502. POLICY STATEMENT ON MEDICARE.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure a reduction in the unfunded liabilities of Medicare as follows:

(1) In 2017, Medicare is reformed to provide a premium support payment and a selection of guaranteed health coverage options from which recipients can choose a plan that best suits their needs overseen by a separate independent agency.

(2) Preserves the traditional Medicare fee for service option administered by the Department of Health and Human Services.

(3) For each region, the base Federal premium support would be initially set at 88 percent of the average of 3 lowest bids.

(4) Provides for enhanced risk adjustment to ensure continuity in coverage and market stability.

(5) Raises the age of eligibility gradually over 10 years, increasing from 65 to 68, resulting in a 3.6 month increase per year and subsequently increased or decreased based on longevity.

(6) The Federal-based premium support amount would be reduced or phased out for upper income seniors and increased for lower income seniors.

SEC. 503. POLICY STATEMENT ON MEDICAID.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure fiscal sustainability at the Federal level while protecting the most vulnerable and promoting beneficiary independence as follows:

(1) Medicaid is reformed to provide direct Federal premium support for low-income, nondisabled, nonelderly individuals.

(2) The Federal Government would provide at least $2,000 for an individual and at least $3,500 in premium support for a family and up to $9,000 for the lowest income families.

(3) Current Federal Medicaid funding for acute and long-term care services provided to the disabled and elderly (dual eligibles) would be converted into a fixed payment to the States adjusted on a per capita basis for medical inflation.

(4) States would be permitted to design and manage more appropriate care and service delivery to the disabled and elderly populations remaining in the program.

SEC. 504. POLICY STATEMENT ON TAX REFORM.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction shall enact legislation to ensure the adoption of a new tax system that replaces all existing taxes collected by the Federal Government including but not limited to income, payroll, gift and estate taxes, and excises except those dedicated to specific Trust Funds, with a new flat tax featuring a consumed-income tax base structure that is economically neutral with respect to saving and investment, reduces tax complexity, and provides for a globally competitive single tax rate as follows:

(1) The new tax will have a single flat tax rate consistent with and sufficient to collect the annual revenue levels specified herein. The individual tax code shall include no deductions, exemptions, exclusions, or credits except as follows:

(A) A deduction for charitable contributions to institutions qualifying as charitable organizations under current law.

(B) An elective deduction for home mortgage interest subject to the condition that if and only if the borrow elects the deduction the lender would then owe tax on all resulting income.

(C) A deduction for higher education tuition and fees.

(D) A standard deduction for seniors equal to the sum of the flat Social Security benefit amount plus the value of the Medicare defined contributions.

(E) An exclusion for seniors of up to $10,000 in wage and salary income.

(F) The current law Earned Income Credit.

(G) A $3,500 nonrefundable tax credit for families ($2,000 for individuals) to purchase health insurance. The new individual tax would tax all income and other proceeds used for consumption and exclude all savings.

(2) The business tax code shall apply the same rate as the individual tax code, and shall levy tax on total revenue from the domestic sale of goods and services less purchases of goods and services from other firms less wages, salaries, and related employee costs. All credits currently applicable to business income would be repealed except the Alternative Simplified Credit for research and development expenditures.

(3) Individuals and businesses would be subject to taxation solely on income generated within the United States. A border tax adjustment system would be developed in consultation with the World Trade Organization to neutralize tax differences for goods and services entering and leaving the United States proper.

(4) Tax reform shall be enacted with due care through transition provisions to avoid insofar as possible retroactive tax increases or decreases arising from the accrued tax consequences of decisions made under current tax law.

SEC. 505. POLICY STATEMENT ON GOVERNMENT ASSET SALES.

(a) FINDINGS.—The Senate finds the following:

(1) The Federal Government owns and controls vast assets, including huge swaths of commercial land, especially in the West; power generation facilities; valuable portions of the electromagnetic spectrum; underutilized buildings; and financial assets.

(2) Control of these numerous and varied assets is 1 key expression of a government much too large and intrusive.

(3) Given the Federal Government's excessive spending, which has driven trillion-dollar-plus deficits for 4 straight years, and generated debt burdens that are stifling present-day economic growth and threatening the Nation's future prosperity.

(4) Divesting itself of these assets would make an important contribution to reducing Government's debt and interest costs.

(b) POLICY ON ASSET SALES.—It is the policy of this budget resolution that the House and Senate shall each develop a package of asset sales and transfers of government activities to the private sector. These proposals, which are to yield revenues or savings of at least $260,000,000,000 through fiscal year 2028, shall be submitted to the respective chambers for enactment in fiscal year 2013.

(c) ASSUMPTIONS REGARDING ASSET SALES.—The assets in the package must include, though not be limited to, the following:

(1) Land administered by the Bureau of Land Management and the Department of Agriculture.

(2) Federal buildings and other real estate.

(3) Mineral rights.

(4) Electromagnetic spectrum.

(5) Facilities administered by the Power Marketing Administrations and by the Tennessee Valley Authority.

(6) Federal loans and other financial assets.

(7) Amtrak.

(d) ASSUMPTIONS REGARDING TRANSFER OF GOVERNMENT ACTIVITIES.—Transfers of government activities to the private must include, though not be limited to, the following:

(1) The Neighborhood Reinvestment Corporation.

(2) The Government Printing Office.

(3) The Architect of the Capitol.

(4) The Bureau of Reclamation.

SEC. 506. POLICY ON REPEALING OBAMACARE.

(a) FINDINGS.—The Senate finds the following:

(1) The quality of United States health care, as well as the stability of the nation's economy and the Federal budget, depend on solving the genuine cost and delivery challenges in the health sector.

(2) But the pervasive government intrusiveness and $1,390,000,000,000 cost of Obamacare are precisely the wrong prescription for problems that have developed grown from faulty government policy, particularly on the part of the Federal Government.

(3) Obamacare will generate fewer choices, less access, and greater dependence on the Government for health care, while increasing taxes, regulation and mandates on individuals and businesses.

(4) A majority of Americans continue to oppose this one-size-fits-all ''remedy,'' a Government takeover of one sixth of the economy that was rammed through Congress despite a clear lack of consensus.

(b) POLICY ON OBAMACARE.—It is the policy of this budget resolution that Congress should repeal Obamacare and develop a fresh strategy built on a patient-centered, market-based solution.

TITLE VI—SENSE OF CONGRESS

SEC. 601. REGULATORY REFORM.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure a regulatory reform as follows:

(1) APPLY REGULATORY ANALYSIS REQUIREMENTS TO INDEPENDENT AGENCIES.—It shall be the policy of Congress to pass into law a requirement for independent agencies to abide by the same regulatory analysis requirement as those required by executive branch agencies.

(2) ADOPT THE REGULATIONS FROM THE EXECUTIVE IN NEED OF SCRUTINY ACT (REINS).—It shall be the policy of Congress to vote on the Regulations From the Executive in Need of Scrutiny Act of 2011, legislation that would require all regulations that impose a burden greater than $100 million in economic aggregate may not be implemented as law unless Congress gives their consent by voting on the rule.

(3) SUNSET ALL REGULATIONS.—It shall be the policy of Congress that regulations imposed by the Federal Government shall automatically sunset every 2 years unless re-promulgated by Congress.

(4) PROCESS REFORM.—It shall be the policy of Congress to implement regulatory process reform by instituting statutorily required regulatory impact analysis for all agencies, require the publication of regulatory impact analysis before the regulation is finalized, and ensure that not only are regulatory impact analysis conducted, but applied to the issued regulation or rulemaking.

(5) INCORPORATION OF FORMAL RULEMAKING FOR MAJOR RULES.—It shall be the policy of Congress to apply formal rulemaking procedures to all major regulations or those regulations that exceed $100,000,000 in aggregate economic costs.

SEC. 602. RESCIND UNSPENT OR UNOBLIGATED BALANCES AFTER 36 MONTHS.

It is the sense of Congress that—

(1) any adjustments of allocations and aggregates made pursuant to this resolution shall require that any unobligated or unspent allocations be rescinded after 36 months;

(2) revised allocations and aggregates resulting from these adjustments resulting from the required rescissions shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution; and

(3) for purposes of this resolution the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2561. Mrs. SHAHEEN (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.

SA 2562. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 3364, supra; which was ordered to lie on the table.

SA 2563. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 3364, supra; which was ordered to lie on the table.

SA 2564. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 3364, supra; which was ordered to lie on the table.

SA 2565. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 3364, supra; which was ordered to lie on the table.

SA 2566. Mr. MCCAIN (for himself and Mrs. HAGAN) submitted an amendment intended to be proposed by him to the bill S. 3364, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2561. Mrs. SHAHEEN (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 of the bill, add the following:

TITLE II—ENERGY SAVINGS AND INDUSTRIAL COMPETITIVENESS

SEC. 201. SHORT TITLE.

This title may be cited as the ''Energy Savings and Industrial Competitiveness Act of 2012''.

Subtitle A—Buildings

PART I—BUILDING ENERGY CODES

SEC. 211. GREATER ENERGY EFFICIENCY IN BUILDING CODES.

(a) DEFINITIONS.—Section 303 of the Energy Conservation and Production Act (42 U.S.C. 6832) is amended—

(1) by striking paragraph (14) and inserting the following:

''(14) MODEL BUILDING ENERGY CODE.—The term 'model building energy code' means a voluntary building energy code and standards developed and updated through a consensus process among interested persons, such as the IECC or the code used by—

''(A) the Council of American Building Officials;

''(B) the American Society of Heating, Refrigerating, and Air-Conditioning Engineers; or

''(C) other appropriate organizations.''; and

(2) by adding at the end the following:

''(17) IECC.—The term 'IECC' means the International Energy Conservation Code.

''(18) INDIAN TRIBE.—The term 'Indian tribe' has the meaning given the term in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).''.

(b) STATE BUILDING ENERGY EFFICIENCY CODES.—Section 304 of the Energy Conservation and Production Act (42 U.S.C. 6833) is amended to read as follows:

''SEC. 304. UPDATING STATE BUILDING ENERGY EFFICIENCY CODES.

''(a) IN GENERAL.—The Secretary shall—

''(1) encourage and support the adoption of building energy codes by States, Indian tribes, and, as appropriate, by local governments that meet or exceed the model building energy codes, or achieve equivalent or greater energy savings; and

''(2) support full compliance with the State and local codes.

''(b) STATE AND INDIAN TRIBE CERTIFICATION OF BUILDING ENERGY CODE UPDATES.—

''(1) REVIEW AND UPDATING OF CODES BY EACH STATE AND INDIAN TRIBE.—

''(A) IN GENERAL.—Not later than 2 years after the date on which a model building energy code is updated, each State or Indian tribe shall certify whether or not the State or Indian tribe, respectively, has reviewed and updated the energy provisions of the building code of the State or Indian tribe, respectively.

''(B) DEMONSTRATION.—The certification shall include a demonstration of whether or not the energy savings for the code provisions that are in effect throughout the State or Indian tribal territory meet or exceed—

''(i) the energy savings of the updated model building energy code; or

''(ii) the targets established under section 307(b)(2).

''(C) NO MODEL BUILDING ENERGY CODE UPDATE.—If a model building energy code is not updated by a target date established under section 307(b)(2)(D), each State or Indian tribe shall, not later than 2 years after the specified date, certify whether or not the State or Indian tribe, respectively, has reviewed and updated the energy provisions of the building code of the State or Indian tribe, respectively, to meet or exceed the target in section 307(b)(2).

''(2) VALIDATION BY SECRETARY.—Not later than 90 days after a State or Indian tribe certification under paragraph (1), the Secretary shall—

''(A) determine whether the code provisions of the State or Indian tribe, respectively, meet the criteria specified in paragraph (1); and

''(B) if the determination is positive, validate the certification.

''(c) IMPROVEMENTS IN COMPLIANCE WITH BUILDING ENERGY CODES.—

''(1) REQUIREMENT.—

''(A) IN GENERAL.—Not later than 3 years after the date of a certification under subsection (b), each State and Indian tribe shall certify whether or not the State and Indian tribe, respectively, has—

''(i) achieved full compliance under paragraph (3) with the applicable certified State and Indian tribe building energy code or with the associated model building energy code; or

''(ii) made significant progress under paragraph (4) toward achieving compliance with the applicable certified State and Indian tribe building energy code or with the associated model building energy code.

''(B) REPEAT CERTIFICATIONS.—If the State or Indian tribe certifies progress toward achieving compliance, the State or Indian tribe shall repeat the certification until the State or Indian tribe certifies that the State or Indian tribe has achieved full compliance, respectively.

''(2) MEASUREMENT OF COMPLIANCE.—A certification under paragraph (1) shall include documentation of the rate of compliance based on—

''(A) independent inspections of a random sample of the buildings covered by the code in the preceding year; or

''(B) an alternative method that yields an accurate measure of compliance.

''(3) ACHIEVEMENT OF COMPLIANCE.—A State or Indian tribe shall be considered to achieve full compliance under paragraph (1) if—

''(A) at least 90 percent of building space covered by the code in the preceding year substantially meets all the requirements of the applicable code specified in paragraph (1), or achieves equivalent or greater energy savings level; or

''(B) the estimated excess energy use of buildings that did not meet the applicable code specified in paragraph (1) in the preceding year, compared to a baseline of comparable buildings that meet this code, is not more than 5 percent of the estimated energy use of all buildings covered by this code during the preceding year.

''(4) SIGNIFICANT PROGRESS TOWARD ACHIEVEMENT OF COMPLIANCE.—A State or Indian tribe shall be considered to have made significant progress toward achieving compliance for purposes of paragraph (1) if the State or Indian tribe—

''(A) has developed and is implementing a plan for achieving compliance during the 8-year-period beginning on the date of enactment of this paragraph, including annual targets for compliance and active training and enforcement programs; and

''(B) has met the most recent target under subparagraph (A).

''(5) VALIDATION BY SECRETARY.—Not later than 90 days after a State or Indian tribe certification under paragraph (1), the Secretary shall—

''(A) determine whether the State or Indian tribe has demonstrated meeting the criteria of this subsection, including accurate measurement of compliance; and

''(B) if the determination is positive, validate the certification.

''(d) STATES OR INDIAN TRIBES THAT DO NOT ACHIEVE COMPLIANCE.—

''(1) REPORTING.—A State or Indian tribe that has not made a certification required under subsection (b) or (c) by the applicable deadline shall submit to the Secretary a report on—

''(A) the status of the State or Indian tribe with respect to meeting the requirements and submitting the certification; and

''(B) a plan for meeting the requirements and submitting the certification.

''(2) FEDERAL SUPPORT.—For any State or Indian tribe for which the Secretary has not validated a certification by a deadline under subsection (b) or (c), the lack of the certification may be a consideration for Federal support authorized under this section for code adoption and compliance activities.

''(3) LOCAL GOVERNMENT.—In any State or Indian tribe for which the Secretary has not validated a certification under subsection (b) or (c), a local government may be eligible for Federal support by meeting the certification requirements of subsections (b) and (c).

''(4) ANNUAL REPORTS BY SECRETARY.—

''(A) IN GENERAL.—The Secretary shall annually submit to Congress, and publish in the Federal Register, a report on—

''(i) the status of model building energy codes;

''(ii) the status of code adoption and compliance in the States and Indian tribes;

''(iii) implementation of this section; and

''(iv) improvements in energy savings over time as result of the targets established under section 307(b)(2).

''(B) IMPACTS.—The report shall include estimates of impacts of past action under this section, and potential impacts of further action, on—

''(i) upfront financial and construction costs, cost benefits and returns (using investment analysis), and lifetime energy use for buildings;

''(ii) resulting energy costs to individuals and businesses; and

''(iii) resulting overall annual building ownership and operating costs.

''(e) TECHNICAL ASSISTANCE TO STATES AND INDIAN TRIBES.—The Secretary shall provide technical assistance to States and Indian tribes to implement the goals and requirements of this section, including procedures and technical analysis for States and Indian tribes—

''(1) to improve and implement State residential and commercial building energy codes;

''(2) to demonstrate that the code provisions of the States and Indian tribes achieve equivalent or greater energy savings than the model building energy codes and targets;

''(3) to document the rate of compliance with a building energy code; and

''(4) to otherwise promote the design and construction of energy efficient buildings.

''(f) AVAILABILITY OF INCENTIVE FUNDING.—

''(1) IN GENERAL.—The Secretary shall provide incentive funding to States and Indian tribes—

''(A) to implement the requirements of this section;

''(B) to improve and implement residential and commercial building energy codes, including increasing and verifying compliance with the codes and training of State, tribal, and local building code officials to implement and enforce the codes; and

''(C) to promote building energy efficiency through the use of the codes.

''(2) ADDITIONAL FUNDING.—Additional funding shall be provided under this subsection for implementation of a plan to achieve and document full compliance with residential and commercial building energy codes under subsection (c)—

''(A) to a State or Indian tribe for which the Secretary has validated a certification under subsection (b) or (c); and

''(B) in a State or Indian tribe that is not eligible under subparagraph (A), to a local government that is eligible under this section.

''(3) TRAINING.—Of the amounts made available under this subsection, the State may use amounts required, but not to exceed $750,000 for a State, to train State and local building code officials to implement and enforce codes described in paragraph (2).

''(4) LOCAL GOVERNMENTS.—States may share grants under this subsection with local governments that implement and enforce the codes.

''(g) STRETCH CODES AND ADVANCED STANDARDS.—

''(1) IN GENERAL.—The Secretary shall provide technical and financial support for the development of stretch codes and advanced standards for residential and commercial buildings for use as—

''(A) an option for adoption as a building energy code by local, tribal, or State governments; and

''(B) guidelines for energy-efficient building design.

''(2) TARGETS.—The stretch codes and advanced standards shall be designed—

''(A) to achieve substantial energy savings compared to the model building energy codes; and

''(B) to meet targets under section 307(b), if available, at least 3 to 6 years in advance of the target years.

''(h) STUDIES.—The Secretary, in consultation with building science experts from the National Laboratories and institutions of higher education, designers and builders of energy-efficient residential and commercial buildings, code officials, and other stakeholders, shall undertake a study of the feasibility, impact, economics, and merit of—

''(1) code improvements that would require that buildings be designed, sited, and constructed in a manner that makes the buildings more adaptable in the future to become zero-net-energy after initial construction, as advances are achieved in energy-saving technologies;

''(2) code procedures to incorporate measured lifetimes, not just first-year energy use, in trade-offs and performance calculations; and

''(3) legislative options for increasing energy savings from building energy codes, including additional incentives for effective State and local action, and verification of compliance with and enforcement of a code other than by a State or local government.

''(i) EFFECT ON OTHER LAWS.—Nothing in this section or section 307 supersedes or modifies the application of sections 321 through 346 of the Energy Policy and Conservation Act (42 U.S.C. 6291 et seq.).

''(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to

carry out this section and section 307 $200,000,000, to remain available until expended.''.

(c) FEDERAL BUILDING ENERGY EFFICIENCY STANDARDS.—Section 305 of the Energy Conservation and Production Act (42 U.S.C. 6834) is amended by striking ''voluntary building energy code'' each place it appears in subsections (a)(2)(B) and (b) and inserting ''model building energy code''.

(d) MODEL BUILDING ENERGY CODES.—Section 307 of the Energy Conservation and Production Act (42 U.S.C. 6836) is amended to read as follows:

''SEC. 307. SUPPORT FOR MODEL BUILDING ENERGY CODES.

''(a) IN GENERAL.—The Secretary shall support the updating of model building energy codes.

''(b) TARGETS.—

''(1) IN GENERAL.—The Secretary shall support the updating of the model building energy codes to enable the achievement of aggregate energy savings targets established under paragraph (2).

''(2) TARGETS.—

''(A) IN GENERAL.—The Secretary shall work with State, Indian tribes, local governments, nationally recognized code and standards developers, and other interested parties to support the updating of model building energy codes by establishing 1 or more aggregate energy savings targets to achieve the purposes of this section.

''(B) SEPARATE TARGETS.—The Secretary may establish separate targets for commercial and residential buildings.

''(C) BASELINES.—The baseline for updating model building energy codes shall be the 2009 IECC for residential buildings and ASHRAE Standard 90.1–2010 for commercial buildings.

''(D) SPECIFIC YEARS.—

''(i) IN GENERAL.—Targets for specific years shall be established and revised by the Secretary through rulemaking and coordinated with nationally recognized code and standards developers at a level that—

''(I) is at the maximum level of energy efficiency that is technologically feasible and life-cycle cost effective, while accounting for the economic considerations under paragraph (4);

''(II) is higher than the preceding target; and

''(III) promotes the achievement of commercial and residential high-performance buildings through high performance energy efficiency (within the meaning of section 401 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17061)).

''(ii) INITIAL TARGETS.—Not later than 1 year after the date of enactment of this clause, the Secretary shall establish initial targets under this subparagraph.

''(iii) DIFFERENT TARGET YEARS.—Subject to clause (i), prior to the applicable year, the Secretary may set a later target year for any of the model building energy codes described in subparagraph (A) if the Secretary determines that a target cannot be met.

''(iv) SMALL BUSINESS.—When establishing targets under this paragraph through rulemaking, the Secretary shall ensure compliance with the Small Business Regulatory Enforcement Fairness Act of 1996 (5 U.S.C. 601 note; Public Law 104–121).

''(3) APPLIANCE STANDARDS AND OTHER FACTORS AFFECTING BUILDING ENERGY USE.—In establishing building code targets under paragraph (2), the Secretary shall develop and adjust the targets in recognition of potential savings and costs relating to—

''(A) efficiency gains made in appliances, lighting, windows, insulation, and building envelope sealing;

''(B) advancement of distributed generation and on-site renewable power generation technologies;

''(C) equipment improvements for heating, cooling, and ventilation systems;

''(D) building management systems and SmartGrid technologies to reduce energy use; and

''(E) other technologies, practices, and building systems that the Secretary considers appropriate regarding building plug load and other energy uses.

''(4) ECONOMIC CONSIDERATIONS.—In establishing and revising building code targets under paragraph (2), the Secretary shall consider the economic feasibility of achieving the proposed targets established under this section and the potential costs and savings for consumers and building owners, including a return on investment analysis.

''(c) TECHNICAL ASSISTANCE TO MODEL BUILDING ENERGY CODE-SETTING AND STANDARD DEVELOPMENT ORGANIZATIONS.—

''(1) IN GENERAL.—The Secretary shall, on a timely basis, provide technical assistance to model building energy code-setting and standard development organizations consistent with the goals of this section.

''(2) ASSISTANCE.—The assistance shall include, as requested by the organizations, technical assistance in—

''(A) evaluating code or standards proposals or revisions;

''(B) building energy analysis and design tools;

''(C) building demonstrations;

''(D) developing definitions of energy use intensity and building types for use in model building energy codes to evaluate the efficiency impacts of the model building energy codes;

''(E) performance-based standards;

''(F) evaluating economic considerations under subsection (b)(4); and

''(G) developing model building energy codes by Indian tribes in accordance with tribal law.

''(3) AMENDMENT PROPOSALS.—The Secretary may submit timely model building energy code amendment proposals to the model building energy code-setting and standard development organizations, with supporting evidence, sufficient to enable the model building energy codes to meet the targets established under subsection (b)(2).

''(4) ANALYSIS METHODOLOGY.—The Secretary shall make publicly available the entire calculation methodology (including input assumptions and data) used by the Secretary to estimate the energy savings of code or standard proposals and revisions.

''(d) DETERMINATION.—

''(1) REVISION OF MODEL BUILDING ENERGY CODES.—If the provisions of the IECC or ASHRAE Standard 90.1 regarding building energy use are revised, the Secretary shall make a preliminary determination not later than 90 days after the date of the revision, and a final determination not later than 15 months after the date of the revision, on whether or not the revision will—

''(A) improve energy efficiency in buildings compared to the existing model building energy code; and

''(B) meet the applicable targets under subsection (b)(2).

''(2) CODES OR STANDARDS NOT MEETING TARGETS.—

''(A) IN GENERAL.—If the Secretary makes a preliminary determination under paragraph (1)(B) that a code or standard does not meet the targets established under subsection (b)(2), the Secretary may at the same time provide the model building energy code or standard developer with proposed changes that would result in a model building energy code that meets the targets and with supporting evidence, taking into consideration—

''(i) whether the modified code is technically feasible and life-cycle cost effective;

''(ii) available appliances, technologies, materials, and construction practices; and

''(iii) the economic considerations under subsection (b)(4).

''(B) INCORPORATION OF CHANGES.—

''(i) IN GENERAL.—On receipt of the proposed changes, the model building energy code or standard developer shall have an additional 270 days to accept or reject the proposed changes of the Secretary to the model building energy code or standard for the Secretary to make a final determination.

''(ii) FINAL DETERMINATION.—A final determination under paragraph (1) shall be on the modified model building energy code or standard.

''(e) ADMINISTRATION.—In carrying out this section, the Secretary shall—

''(1) publish notice of targets and supporting analysis and determinations under this section in the Federal Register to provide an explanation of and the basis for such actions, including any supporting modeling, data, assumptions, protocols, and cost-benefit analysis, including return on investment; and

''(2) provide an opportunity for public comment on targets and supporting analysis and determinations under this section.

''(f) VOLUNTARY CODES AND STANDARDS.—Nothwithstanding any other provision of this section, any model building code or standard established under this section shall not be binding on a State, local government, or Indian tribe as a matter of Federal law.''.

PART II—WORKER TRAINING AND CAPACITY BUILDING

SEC. 221. BUILDING TRAINING AND ASSESSMENT CENTERS.

(a) IN GENERAL.—The Secretary of Energy shall provide grants to institutions of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) and Tribal Colleges or Universities (as defined in section 316(b) of that Act (20 U.S.C. 1059c(b)) to establish building training and assessment centers—

(1) to identify opportunities for optimizing energy efficiency and environmental performance in buildings;

(2) to promote the application of emerging concepts and technologies in commercial and institutional buildings;

(3) to train engineers, architects, building scientists, building energy permitting and enforcement officials, and building technicians in energy-efficient design and operation;

(4) to assist institutions of higher education and Tribal Colleges or Universities in training building technicians;

(5) to promote research and development for the use of alternative energy sources and distributed generation to supply heat and power for buildings, particularly energy-intensive buildings; and

(6) to coordinate with and assist State-accredited technical training centers, community colleges, Tribal Colleges or Universities, and local offices of the National Institute of Food and Agriculture and ensure appropriate services are provided under this section to each region of the United States.

(b) COORDINATION AND NONDUPLICATION.—

(1) IN GENERAL.—The Secretary shall coordinate the program with the Industrial Assessment Centers program and with other Federal programs to avoid duplication of effort.

(2) COLLOCATION.—To the maximum extent practicable, building, training, and assessment centers established under this section shall be collocated with Industrial Assessment Centers.

Subtitle B—Building Efficiency Finance

SEC. 231. LOAN PROGRAM FOR ENERGY EFFICIENCY UPGRADES TO EXISTING BUILDINGS.

Title XVII of the Energy Policy Act of 2005 (42 U.S.C. 16511 et seq.) is amended by adding at the end the following:

"SEC. 1706. BUILDING RETROFIT FINANCING PROGRAM.

''(a) DEFINITIONS.—In this section:

''(1) CREDIT SUPPORT.—The term 'credit support' means a guarantee or commitment to issue a guarantee or other forms of credit enhancement to ameliorate risks for efficiency obligations.

''(2) EFFICIENCY OBLIGATION.—The term 'efficiency obligation' means a debt or repayment obligation incurred in connection with financing a project, or a portfolio of such debt or payment obligations.

''(3) PROJECT.—The term 'project' means the installation and implementation of efficiency, advanced metering, distributed generation, or renewable energy technologies and measures in a building (or in multiple buildings on a given property) that are expected to increase the energy efficiency of the building (including fixtures) in accordance with criteria established by the Secretary.

''(b) ELIGIBLE PROJECTS.—

''(1) IN GENERAL.—Notwithstanding sections 1703 and 1705, the Secretary may provide credit support under this section, in accordance with section 1702.

''(2) INCLUSIONS.—Buildings eligible for credit support under this section include commercial, multifamily residential, industrial, municipal, government, institution of higher education, school, and hospital facilities that satisfy criteria established by the Secretary.

''(c) GUIDELINES.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Secretary shall—

''(A) establish guidelines for credit support provided under this section; and

''(B) publish the guidelines in the Federal Register; and

''(C) provide for an opportunity for public comment on the guidelines.

''(2) REQUIREMENTS.—The guidelines established by the Secretary under this subsection shall include—

''(A) standards for assessing the energy savings that could reasonably be expected to result from a project;

''(B) examples of financing mechanisms (and portfolios of such financing mechanisms) that qualify as efficiency obligations;

''(C) the threshold levels of energy savings that a project, at the time of issuance of credit support, shall be reasonably expected to achieve to be eligible for credit support;

''(D) the eligibility criteria the Secretary determines to be necessary for making credit support available under this section; and

''(E) notwithstanding subsections (d)(3) and (g)(2)(B) of section 1702, any lien priority requirements that the Secretary determines to be necessary, in consultation with the Director of the Office of Management and Budget, which may include—

''(i) requirements to preserve priority lien status of secured lenders and creditors in buildings eligible for credit support;

''(ii) remedies available to the Secretary under chapter 176 of title 28, United States Code, in the event of default on the efficiency obligation by the borrower; and

''(iii) measures to limit the exposure of the Secretary to financial risk in the event of default, such as—

''(I) the collection of a credit subsidy fee from the borrower as a loan loss reserve, taking into account the limitation on credit support under subsection (d);

''(II) minimum debt-to-income levels of the borrower;

''(III) minimum levels of value relative to outstanding mortgage or other debt on a building eligible for credit support;

''(IV) allowable thresholds for the percent of the efficiency obligation relative to the amount of any mortgage or other debt on an eligible building;

''(V) analysis of historic and anticipated occupancy levels and rental income of an eligible building;

''(VI) requirements of third-party contractors to guarantee energy savings that will result from a retrofit project, and whether financing on the efficiency obligation will amortize from the energy savings;

''(VII) requirements that the retrofit project incorporate protocols to measure and verify energy savings; and

''(VIII) recovery of payments equally by the Secretary and the retrofit.

''(3) EFFICIENCY OBLIGATIONS.—The financing mechanisms qualified by the Secretary under paragraph (2)(B) may include—

''(A) loans, including loans made by the Federal Financing Bank;

''(B) power purchase agreements, including energy efficiency power purchase agreements;

''(C) energy services agreements, including energy performance contracts;

''(D) property assessed clean energy bonds and other tax assessment-based financing mechanisms;

''(E) aggregate on-meter agreements that finance retrofit projects; and

''(F) any other efficiency obligations the Secretary determines to be appropriate.

''(4) PRIORITIES.—In carrying out this section, the Secretary shall prioritize—

''(A) the maximization of energy savings with the available credit support funding;

''(B) the establishment of a clear application and approval process that allows private building owners, lenders, and investors to reasonably expect to receive credit support for projects that conform to guidelines;

''(C) the distribution of projects receiving credit support under this section across States or geographical regions of the United States; and

''(D) projects designed to achieve whole-building retrofits.

''(d) LIMITATION.—Notwithstanding section 1702(c), the Secretary shall not issue credit support under this section in an amount that exceeds—

''(1) 90 percent of the principal amount of the efficiency obligation that is the subject of the credit support; or

''(2) $10,000,000 for any single project.

''(e) AGGREGATION OF PROJECTS.—To the extent provided in the guidelines developed in accordance with subsection (c), the Secretary may issue credit support on a portfolio, or pool of projects, that are not required to be geographically contiguous, if each efficiency obligation in the pool fulfills the requirements described in this section.

''(f) APPLICATION.—

''(1) IN GENERAL.—To be eligible to receive credit support under this section, the applicant shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary determines to be necessary.

''(2) CONTENTS.—An application submitted under this section shall include assurances by the applicant that—

''(A) each contractor carrying out the project meets minimum experience level criteria, including local retrofit experience, as determined by the Secretary;

''(B) the project is reasonably expected to achieve energy savings, as set forth in the application using any methodology that meets the standards described in the program guidelines;

''(C) the project meets any technical criteria described in the program guidelines;

''(D) the recipient of the credit support and the parties to the efficiency obligation will provide the Secretary with—

''(i) any information the Secretary requests to assess the energy savings that result from the project, including historical energy usage data, a simulation-based benchmark, and detailed descriptions of the building work, as described in the program guidelines; and

''(ii) permission to access information relating to building operations and usage for the period described in the program guidelines; and

''(E) any other assurances that the Secretary determines to be necessary.

''(3) DETERMINATION.—Not later than 90 days after receiving an application, the Secretary shall make a final determination on the application, which may include requests for additional information.

''(g) FEES.—

''(1) IN GENERAL.—In addition to the fees required by section 1702(h)(1), the Secretary may charge reasonable fees for credit support provided under this section.

''(2) AVAILABILITY.—Fees collected under this section shall be subject to section 1702(h)(2).

''(h) UNDERWRITING.—The Secretary may delegate the underwriting activities under this section to 1 or more entities that the Secretary determines to be qualified.

''(i) REPORT.—Not later than 1 year after commencement of the program, the Secretary shall submit to the appropriate committees of Congress a report that describes in reasonable detail—

''(1) the manner in which this section is being carried out;

''(2) the number and type of projects supported;

''(3) the types of funding mechanisms used to provide credit support to projects;

''(4) the energy savings expected to result from projects supported by this section;

''(5) any tracking efforts the Secretary is using to calculate the actual energy savings produced by the projects; and

''(6) any plans to improve the tracking efforts described in paragraph (5).

''(j) FUNDING.—

''(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $400,000,000 for the period of fiscal years 2012 through 2021, to remain available until expended.

''(2) ADMINISTRATIVE COSTS.—Not more than 1 percent of any amounts made available to the Secretary under paragraph (1) may be used by the Secretary for administrative costs incurred in carrying out this section.''.

Subtitle C—Industrial Efficiency and Competitiveness

PART I—MANUFACTURING ENERGY EFFICIENCY

SEC. 241. STATE PARTNERSHIP INDUSTRIAL ENERGY EFFICIENCY REVOLVING LOAN PROGRAM.

Section 399A of the Energy Policy and Conservation Act (42 U.S.C. 6371h–1) is amended—

(1) in the section heading, by inserting ''**AND INDUSTRY**'' before the period at the end;

(2) by redesignating subsections (h) and (i) as subsections (i) and (j), respectively; and

(3) by inserting after subsection (g) the following:

''(h) STATE PARTNERSHIP INDUSTRIAL ENERGY EFFICIENCY REVOLVING LOAN PROGRAM.—

''(1) IN GENERAL.—The Secretary shall carry out a program under which the Secretary shall provide grants to eligible lenders to pay the Federal share of creating a revolving loan program under which loans are provided to commercial and industrial manufacturers to implement commercially available technologies or processes that significantly—

''(A) reduce systems energy intensity, including the use of energy-intensive feedstocks; and

''(B) improve the industrial competitiveness of the United States.

''(2) ELIGIBLE LENDERS.—To be eligible to receive cost-matched Federal funds under this subsection, a lender shall—

''(A) be a community and economic development lender that the Secretary certifies meets the requirements of this subsection;

''(B) lead a partnership that includes participation by, at a minimum—

''(i) a State government agency; and

''(ii) a private financial institution or other provider of loan capital;

''(C) submit an application to the Secretary, and receive the approval of the Secretary, for cost-matched Federal funds to carry out a loan program described in paragraph (1); and

''(D) ensure that non-Federal funds are provided to match, on at least a dollar-for-dollar basis, the amount of Federal funds that are provided to carry out a revolving loan program described in paragraph (1).

''(3) AWARD.—The amount of cost-matched Federal funds provided to an eligible lender shall not exceed $100,000,000 for any fiscal year.

''(4) RECAPTURE OF AWARDS.—

''(A) IN GENERAL.—An eligible lender that receives an award under paragraph (1) shall be required to repay to the Secretary an amount of cost-match Federal funds, as determined by the Secretary under subparagraph (B), if the eligible lender is unable or unwilling to operate a program described in this subsection for a period of not less than 10 years beginning on the date on which the eligible lender first receives funds made available through the award.

''(B) DETERMINATION BY SECRETARY.—The Secretary shall determine the amount of cost-match Federal funds that an eligible lender shall be required to repay to the Secretary under subparagraph (A) based on the consideration by the Secretary of—

''(i) the amount of non-Federal funds matched by the eligible lender;

''(ii) the amount of loan losses incurred by the revolving loan program described in paragraph (1); and

''(iii) any other appropriate factor, as determined by the Secretary.

''(C) USE OF RECAPTURED COST-MATCH FEDERAL FUNDS.—The Secretary may distribute to eligible lenders under this subsection each amount received by the Secretary under this paragraph.

''(5) ELIGIBLE PROJECTS.—A program for which cost-matched Federal funds are provided under this subsection shall be designed to accelerate the implementation of industrial and commercial applications of technologies or processes (including distributed generation, applications or technologies that use sensors, meters, software, and information networks, controls, and drives or that have been installed pursuant to an energy savings performance contract, project, or strategy) that—

''(A) improve energy efficiency, including improvements in efficiency and use of water, power factor, or load management;

''(B) enhance the industrial competitiveness of the United States; and

''(C) achieve such other goals as the Secretary determines to be appropriate.

''(6) EVALUATION.—The Secretary shall evaluate applications for cost-matched Federal funds under this subsection on the basis of—

''(A) the description of the program to be carried out with the cost-matched Federal funds;

''(B) the commitment to provide non-Federal funds in accordance with paragraph (2)(D);

''(C) program sustainability over a 10-year period;

''(D) the capability of the applicant;

''(E) the quantity of energy savings or energy feedstock minimization;

''(F) the advancement of the goal under this Act of 25-percent energy avoidance;

''(G) the ability to fund energy efficient projects not later than 120 days after the date of the grant award; and

''(H) such other factors as the Secretary determines appropriate.

''(7) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection, $400,000,000 for the period of fiscal years 2012 through 2021.''.

SEC. 242. COORDINATION OF RESEARCH AND DEVELOPMENT OF ENERGY EFFICIENT TECHNOLOGIES FOR INDUSTRY.

(a) IN GENERAL.—As part of the research and development activities of the Industrial Technologies Program of the Department of Energy, the Secretary shall establish, as appropriate, collaborative research and development partnerships with other programs within the Office of Energy Efficiency and Renewable Energy (including the Building Technologies Program), the Office of Electricity Delivery and Energy Reliability, and the Office of Science that—

(1) leverage the research and development expertise of those programs to promote early stage energy efficiency technology development;

(2) support the use of innovative manufacturing processes and applied research for development, demonstration, and commercialization of new technologies and processes to improve efficiency (including improvements in efficient use of water), reduce emissions, reduce industrial waste, and improve industrial cost-competitiveness; and

(3) apply the knowledge and expertise of the Industrial Technologies Program to help achieve the program goals of the other programs.

(b) REPORTS.—Not later than 2 years after the date of enactment of this Act and biennially thereafter, the Secretary shall submit to Congress a report that describes actions taken to carry out subsection (a) and the results of those actions.

SEC. 243. REDUCING BARRIERS TO THE DEPLOYMENT OF INDUSTRIAL ENERGY EFFICIENCY.

(a) DEFINITIONS.—In this section:

(1) INDUSTRIAL ENERGY EFFICIENCY.—The term ''industrial energy efficiency'' means the energy efficiency derived from commercial technologies and measures to improve energy efficiency or to generate or transmit electric power and heat, including electric motor efficiency improvements, demand response, direct or indirect combined heat and power, and waste heat recovery.

(2) INDUSTRIAL SECTOR.—The term ''industrial sector'' means any subsector of the manufacturing sector (as defined in North American Industry Classification System codes 31-33 (as in effect on the date of enactment of this Act)) establishments of which have, or could have, thermal host facilities with electricity requirements met in whole, or in part, by onsite electricity generation, including direct and indirect combined heat and power or waste recovery.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(b) REPORT ON THE DEPLOYMENT OF INDUSTRIAL ENERGY EFFICIENCY.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report describing—

(A) the results of the study conducted under paragraph (2); and

(B) recommendations and guidance developed under paragraph (3).

(2) STUDY.—The Secretary, in coordination with the industrial sector, shall conduct a study of the following:

(A) The legal, regulatory, and economic barriers to the deployment of industrial energy efficiency in all electricity markets (including organized wholesale electricity markets, and regulated electricity markets), including, as applicable, the following:

(i) Transmission and distribution interconnection requirements.

(ii) Standby, back-up, and maintenance fees (including demand ratchets).

(iii) Exit fees.

(iv) Life of contract demand ratchets.

(v) Net metering.

(vi) Calculation of avoided cost rates.

(vii) Power purchase agreements.

(viii) Energy market structures.

(ix) Capacity market structures.

(x) Other barriers as may be identified by the Secretary, in coordination with the industrial sector.

(B) Examples of—

(i) successful State and Federal policies that resulted in greater use of industrial energy efficiency;

(ii) successful private initiatives that resulted in greater use of industrial energy efficiency; and

(iii) cost-effective policies used by foreign countries to foster industrial energy efficiency.

(C) The estimated economic benefits to the national economy of providing the industrial sector with Federal energy efficiency matching grants of $5,000,000,000 for 5- and 10-year periods, including benefits relating to—

(i) estimated energy and emission reductions;

(ii) direct and indirect jobs saved or created;

(iii) direct and indirect capital investment;

(iv) the gross domestic product; and

(v) trade balance impacts.

(D) The estimated energy savings available from increased use of recycled material in energy-intensive manufacturing processes.

(3) RECOMMENDATIONS AND GUIDANCE.—The Secretary, in coordination with the industrial sector, shall develop policy recommendations regarding the deployment of industrial energy efficiency, including proposed regulatory guidance to States and relevant Federal agencies to address barriers to deployment.

SEC. 244. FUTURE OF INDUSTRY PROGRAM.

(a) IN GENERAL.—Section 452 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17111) is amended by striking the section heading and inserting the following: ''future of industry program''.

(b) DEFINITION OF ENERGY SERVICE PROVIDER.—Section 452(a) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17111(a)) is amended—

(1) by redesignating paragraphs (3) through (5) as paragraphs (4) through (6), respectively; and

(2) by inserting after paragraph (3):

''(5) ENERGY SERVICE PROVIDER.—The term 'energy service provider' means any private company or similar entity providing technology or services to improve energy efficiency in an energy-intensive industry.''.

(c) INDUSTRIAL RESEARCH AND ASSESSMENT CENTERS.—

(1) IN GENERAL.—Section 452(e) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17111(e)) is amended—

(A) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively, and indenting appropriately;

(B) by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—The Secretary'';

(C) in subparagraph (A) (as redesignated by subparagraph (A)), by inserting before the semicolon at the end the following: '', including assessments of sustainable manufacturing goals and the implementation of information technology advancements for supply chain analysis, logistics, system monitoring, industrial and manufacturing processes, and other purposes''; and

(D) by adding at the end the following:

''(2) CENTERS OF EXCELLENCE.—

''(A) IN GENERAL.—The Secretary shall establish a Center of Excellence at up to 10 of the highest performing industrial research and assessment centers, as determined by the Secretary.

''(B) DUTIES.—A Center of Excellence shall coordinate with and advise the industrial research and assessment centers located in the region of the Center of Excellence.

''(C) FUNDING.—Subject to the availability of appropriations, of the funds made available under subsection (f), the Secretary shall use to support each Center of Excellence not less than $500,000 for fiscal year 2012 and each fiscal year thereafter, as determined by the Secretary.

''(3) EXPANSION OF CENTERS.—The Secretary shall provide funding to establish additional industrial research and assessment centers at institutions of higher education that do not have industrial research and assessment centers established under paragraph (1), taking into account the size of, and potential energy efficiency savings for, the manufacturing base within the region of the proposed center.

''(4) COORDINATION.—

''(A) IN GENERAL.—To increase the value and capabilities of the industrial research and assessment centers, the centers shall—

''(i) coordinate with Manufacturing Extension Partnership Centers of the National Institute of Standards and Technology;

''(ii) coordinate with the Building Technologies Program of the Department of Energy to provide building assessment services to manufacturers;

''(iii) increase partnerships with the National Laboratories of the Department of Energy to leverage the expertise and technologies of the National Laboratories for national industrial and manufacturing needs;

''(iv) increase partnerships with energy service providers and technology providers to leverage private sector expertise and accelerate deployment of new and existing technologies and processes for energy efficiency, power factor, and load management;

''(v) identify opportunities for reducing greenhouse gas emissions; and

''(vi) promote sustainable manufacturing practices for small- and medium-sized manufacturers.

''(5) OUTREACH.—The Secretary shall provide funding for—

''(A) outreach activities by the industrial research and assessment centers to inform small- and medium-sized manufacturers of the information, technologies, and services available; and

''(B) a full-time equivalent employee at each center of excellence whose primary mission shall be to coordinate and leverage the efforts of the center with—

''(i) Federal and State efforts;

''(ii) the efforts of utilities and energy service providers;

''(iii) the efforts of regional energy efficiency organizations; and

''(iv) the efforts of other centers in the region of the center of excellence.

''(6) WORKFORCE TRAINING.—

''(A) IN GENERAL.—The Secretary shall pay the Federal share of associated internship programs under which students work with or for industries, manufacturers, and energy service providers to implement the recommendations of industrial research and assessment centers.

''(B) FEDERAL SHARE.—The Federal share of the cost of carrying out internship programs described in subparagraph (A) shall be 50 percent.

''(C) FUNDING.—Subject to the availability of appropriations, of the funds made available under subsection (f), the Secretary shall use to carry out this paragraph not less than $5,000,000 for fiscal year 2012 and each fiscal year thereafter.

''(7) SMALL BUSINESS LOANS.—The Administrator of the Small Business Administration shall, to the maximum practicable, expedite consideration of applications from eligible small business concerns for loans under the Small Business Act (15 U.S.C. 631 et seq.) to implement recommendations of industrial research and assessment centers established under paragraph (1).''.

SEC. 245. SUSTAINABLE MANUFACTURING INITIATIVE.

(a) IN GENERAL.—Part E of title III of the Energy Policy and Conservation Act (42 U.S.C. 6341) is amended by adding at the end the following:

''SEC. 376. SUSTAINABLE MANUFACTURING INITIATIVE.

''(a) IN GENERAL.—As part of the Industrial Technologies Program of the Department of Energy, the Secretary shall carry out a sustainable manufacturing initiative under which the Secretary, on the request of a manufacturer, shall conduct onsite technical assessments to identify opportunities for—

''(1) maximizing the energy efficiency of industrial processes and cross-cutting systems;

''(2) preventing pollution and minimizing waste;

''(3) improving efficient use of water in manufacturing processes;

''(4) conserving natural resources; and

''(5) achieving such other goals as the Secretary determines to be appropriate.

''(b) COORDINATION.—The Secretary shall carry out the initiative in coordination with the private sector and appropriate agencies, including the National Institute of Standards and Technology to accelerate adoption of new and existing technologies or processes that improve energy efficiency.

''(c) RESEARCH AND DEVELOPMENT PROGRAM FOR SUSTAINABLE MANUFACTURING AND INDUSTRIAL TECHNOLOGIES AND PROCESSES.—As part of the Industrial Technologies Program of the Department of Energy, the Secretary shall carry out a joint industry-government partnership program to research, develop, and demonstrate new sustainable manufacturing and industrial technologies and processes that maximize the energy efficiency of industrial systems, reduce pollution, and conserve natural resources.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be to carry out this section $10,000,000 for the period of fiscal years 2012 through 2021.''.

(b) TABLE OF CONTENTS.—The table of contents of the Energy Policy and Conservation Act (42 U.S.C. prec. 6201) is amended by adding at the end of the items relating to part E of title III the following:

''Sec. 376. Sustainable manufacturing initiative.''.

SEC. 246. STUDY OF ADVANCED ENERGY TECHNOLOGY MANUFACTURING CAPABILITIES IN THE UNITED STATES.

(a) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary shall enter into an arrangement with the National Academy of Sciences under which the Academy shall conduct a study of the development of advanced manufacturing capabilities for various energy technologies, including—

(1) an assessment of the manufacturing supply chains of established and emerging industries;

(2) an analysis of—

(A) the manner in which supply chains have changed over the 25-year period ending on the date of enactment of this Act;

(B) current trends in supply chains; and

(C) the energy intensity of each part of the supply chain and opportunities for improvement;

(3) for each technology or manufacturing sector, an analysis of which sections of the supply chain are critical for the United States to retain or develop to be competitive in the manufacturing of the technology;

(4) an assessment of which emerging energy technologies the United States should focus on to create or enhance manufacturing capabilities; and

(5) recommendations on leveraging the expertise of energy efficiency and renewable energy user facilities so that best materials and manufacturing practices are designed and implemented.

(b) REPORT.—Not later than 2 years after the date on which the Secretary enters into the agreement with the Academy described in subsection (a), the Academy shall submit to the Committee on Energy and Natural Resources of the Senate, the Committee on Energy and Commerce of the House of Representatives, and the Secretary a report describing the results of the study required under this section, including any findings and recommendations.

SEC. 247. INDUSTRIAL TECHNOLOGIES STEERING COMMITTEE.

The Secretary shall establish an advisory steering committee that includes national trade associations representing energy-intensive industries or energy service providers to provide recommendations to the Secretary on planning and implementation of the Industrial Technologies Program of the Department of Energy.

PART II—SUPPLY STAR

SEC. 251. SUPPLY STAR.

Part B of title III of the Energy Policy and Conservation Act (42 U.S.C. 6291) is amended by inserting after section 324A (42 U.S.C. 6294a) the following:

''SEC. 324B. SUPPLY STAR PROGRAM.

''(a) IN GENERAL.—There is established within the Department of Energy a Supply Star program to identify and promote practices, recognize companies, and, as appropriate, recognize products that use highly efficient supply chains in a manner that conserves energy, water, and other resources.

''(b) COORDINATION.—In carrying out the program described in subsection (a), the Secretary shall—

''(1) consult with other appropriate agencies; and

''(2) coordinate efforts with the Energy Star program established under section 324A.

''(c) DUTIES.—In carrying out the Supply Star program described in subsection (a), the Secretary shall—

''(1) promote practices, recognize companies, and, as appropriate, recognize products that comply with the Supply Star program as the preferred practices, companies, and products in the marketplace for maximizing supply chain efficiency;

''(2) work to enhance industry and public awareness of the Supply Star program;

''(3) collect and disseminate data on supply chain energy resource consumption;

''(4) develop and disseminate metrics, processes, and analytical tools (including software) for evaluating supply chain energy resource use;

''(5) develop guidance at the sector level for improving supply chain efficiency;

''(6) work with domestic and international organizations to harmonize approaches to analyzing supply chain efficiency, including the development of a consistent set of tools, templates, calculators, and databases; and

''(7) work with industry, including small businesses, to improve supply chain efficiency through activities that include—

''(A) developing and sharing best practices; and

''(B) providing opportunities to benchmark supply chain efficiency.

''(d) EVALUATION.—In any evaluation of supply chain efficiency carried out by the Secretary with respect to a specific product, the Secretary shall consider energy consumption and resource use throughout the entire lifecycle of a product, including production, transport, packaging, use, and disposal.

''(e) GRANTS AND INCENTIVES.—

''(1) IN GENERAL.—The Secretary may award grants or other forms of incentives on a competitive basis to eligible entities, as determined by the Secretary, for the purposes of—

''(A) studying supply chain energy resource efficiency; and

''(B) demonstrating and achieving reductions in the energy resource consumption of commercial products through changes and improvements to the production supply and distribution chain of the products.

''(2) USE OF INFORMATION.—Any information or data generated as a result of the grants or incentives described in paragraph (1) shall be used to inform the development of the Supply Star Program.

''(f) TRAINING.—The Secretary shall use funds to support professional training programs to develop and communicate methods, practices, and tools for improving supply chain efficiency.

''(g) EFFECT OF IMPACT ON CLIMATE CHANGE.—For purposes of this section, the impact on climate change shall not be a factor in determining supply chain efficiency.

''(h) EFFECT OF OUTSOURCING OF AMERICAN JOBS.—For purposes of this section, the outsourcing of American jobs in the production of a product shall not count as a positive factor in determining supply chain efficiency.

''(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $10,000,000 for the period of fiscal years 2012 through 2021.''.

PART III—ELECTRIC MOTOR REBATE PROGRAM

SEC. 261. ENERGY SAVING MOTOR CONTROL REBATE PROGRAM.

(a) ESTABLISHMENT.—Not later than January 1, 2012, the Secretary of Energy (referred to in this section as the ''Secretary'') shall establish a program to provide rebates for expenditures made by entities for the purchase and installation of a new constant speed electric motor control that reduces motor energy use by not less than 5 percent.

(b) REQUIREMENTS.—

(1) APPLICATION.—To be eligible to receive a rebate under this section, an entity shall submit to the Secretary an application in such form, at such time, and containing such information as the Secretary may require, including—

(A) demonstrated evidence that the entity purchased a constant speed electric motor control that reduces motor energy use by not less than 5 percent; and

(B) the physical nameplate of the installed motor of the entity to which the energy saving motor control is attached.

(2) AUTHORIZED AMOUNT OF REBATE.—The Secretary may provide to an entity that meets the requirements of paragraph (1) a rebate the amount of which shall be equal to the product obtained by multiplying—

(A) the nameplate horsepower of the electric motor to which the energy saving motor control is attached; and

(B) $25.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000 for each of fiscal years 2012 and 2013, to remain available until expended.

PART IV—TRANSFORMER REBATE PROGRAM

SEC. 271. ENERGY EFFICIENT TRANSFORMER REBATE PROGRAM.

(a) DEFINITION OF QUALIFIED TRANSFORMER.—In this section, the term ''qualified transformer'' means a transformer that meets or exceeds the National Electrical Manufacturers Association (NEMA) Premium Efficiency designation, calculated to 2 decimal points, as having 30 percent fewer losses than the NEMA TP-1-2002 efficiency standard for a transformer of the same number of phases and capacity, as measured in kilovolt-amperes.

(b) ESTABLISHMENT.—Not later than January 1, 2012, the Secretary of Energy (referred to in this section as the ''Secretary'') shall establish a program to provide rebates for expenditures made by owners of commercial buildings and multifamily residential buildings for the purchase and installation of a new energy efficient transformers.

(c) REQUIREMENTS.—

(1) APPLICATION.—To be eligible to receive a rebate under this section, an owner shall submit to the Secretary an application in such form, at such time, and containing such information as the Secretary may require, including demonstrated evidence that the owner purchased a qualified transformer.

(2) AUTHORIZED AMOUNT OF REBATE.—For qualified transformers, rebates, in dollars per kilovolt-ampere (referred to in this paragraph as ''kVA'') shall be—

(A) for 3-phase transformers—

(i) with a capacity of not greater than 10 kVA, $15;

(ii) with a capacity of not less than 10 kVA and not greater than 100 kVA, the difference between 15 and the quotient obtained by dividing—

(I) the difference between—

(aa) the capacity of the transformer in kVA; and

(bb) 10; by

(II) 9; and

(iii) with a capacity greater than or equal to 100 kVA, $5; and

(B) for single-phase transformers, 75 percent of the rebate for a 3-phase transformer of the same capacity.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000 for each of fiscal years 2012 and 2013, to remain available until expended.

Subtitle D—Federal Agency Energy Efficiency

SEC. 281. ADOPTION OF PERSONAL COMPUTER POWER SAVINGS TECHNIQUES BY FEDERAL AGENCIES.

(a) IN GENERAL.—Not later than 360 days after the date of enactment of this Act, the Secretary of Energy, in consultation with the Secretary of Defense, the Secretary of Veterans Affairs, and the Administrator of General Services, shall issue guidance for Federal agencies to employ advanced tools allowing energy savings through the use of computer hardware, energy efficiency software, and power management tools.

(b) REPORTS ON PLANS AND SAVINGS.—Not later than 180 days after the date of the issuance of the guidance under subsection (a), each Federal agency shall submit to the Secretary of Energy a report that describes—

(1) the plan of the agency for implementing the guidance within the agency; and

(2) estimated energy and financial savings from employing the tools described in subsection (a).

SEC. 282. AVAILABILITY OF FUNDS FOR DESIGN UPDATES.

Section 3307 of title 40, United States Code, is amended—

(1) by redesignating subsections (d) through (h) as subsections (e) through (i), respectively; and

(2) by inserting after subsection (c) the following:

''(d) AVAILABILITY OF FUNDS FOR DESIGN UPDATES.—

''(1) IN GENERAL.—Subject to paragraph (2), for any project for which congressional approval is received under subsection (a) and for which the design has been substantially completed but construction has not begun, the Administrator of General Services may use appropriated funds to update the project design to meet applicable Federal building energy efficiency standards established under section 305 of the Energy Conservation and Production Act (42 U.S.C. 6834) and other requirements established under section 3312.

''(2) LIMITATION.—The use of funds under paragraph (1) shall not exceed 125 percent of the estimated energy or other cost savings associated with the updates as determined by a life-cycle cost analysis under section 544 of the National Energy Conservation Policy Act (42 U.S.C. 8254).''.

SEC. 283. BEST PRACTICES FOR ADVANCED METERING.

Section 543(e) of the National Energy Conservation Policy Act (42 U.S.C. 8253(e) is amended by striking paragraph (3) and inserting the following:

''(3) PLAN.—

''(A) IN GENERAL.—Not later than 180 days after the date on which guidelines are established under paragraph (2), in a report submitted by the agency under section 548(a), each agency shall submit to the Secretary a plan describing the manner in which the agency will implement the requirements of paragraph (1), including—

''(i) how the agency will designate personnel primarily responsible for achieving the requirements; and

''(ii) a demonstration by the agency, complete with documentation, of any finding that advanced meters or advanced metering devices (as those terms are used in paragraph (1)), are not practicable.

''(B) UPDATES.—Reports submitted under subparagraph (A) shall be updated annually.

''(4) BEST PRACTICES REPORT.—

''(A) IN GENERAL.—Not later than 180 days after the date of enactment of the Energy Savings and Industrial Competitiveness Act of 2012, the Secretary of Energy, in consultation with the Secretary of Defense and the Administrator of General Services, shall develop, and issue a report on, best practices for the use of advanced metering of energy use in Federal facilities, buildings, and equipment by Federal agencies.

''(B) UPDATING.—The report described under subparagraph (A) shall be updated annually.

''(C) COMPONENTS.—The report shall include, at a minimum—

''(i) summaries and analysis of the reports by agencies under paragraph (3);

''(ii) recommendations on standard requirements or guidelines for automated energy management systems, including—

''(I) potential common communications standards to allow data sharing and reporting;

''(II) means of facilitating continuous commissioning of buildings and evidence-based maintenance of buildings and building systems; and

''(III) standards for sufficient levels of security and protection against cyber threats to ensure systems cannot be controlled by unauthorized persons; and

''(iii) an analysis of—

''(I) the types of advanced metering and monitoring systems being piloted, tested, or installed in Federal buildings; and

''(II) existing techniques used within the private sector or other non-Federal government buildings.''.

SEC. 284. FEDERAL ENERGY MANAGEMENT AND DATA COLLECTION STANDARD.

Section 543 of the National Energy Conservation Policy Act (42 U.S.C. 8253) is amended—

(1) by redesignating the second subsection (f) (as added by section 434(a) of Public Law 110–140 (121 Stat. 1614)) as subsection (g); and

(2) in subsection (f)(7), by striking subparagraph (A) and inserting the following:

''(A) IN GENERAL.—For each facility that meets the criteria established by the Secretary under paragraph (2)(B), the energy manager shall use the web-based tracking system under subparagraph (B)—

''(i) to certify compliance with the requirements for—

''(I) energy and water evaluations under paragraph (3);

''(II) implementation of identified energy and water measures under paragraph (4); and

''(III) follow-up on implemented measures under paragraph (5); and

''(ii) to publish energy and water consumption data on an individual facility basis.''.

SEC. 285. ELECTRIC VEHICLE CHARGING INFRASTRUCTURE.

Section 804(4) of the National Energy Conservation Policy Act (42 U.S.C. 8287c(4)) is amended—

(1) in subparagraph (A), by striking ''or'' after the semicolon;

(2) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(C) a measure to support the use of electric vehicles or the fueling or charging infrastructure necessary for electric vehicles.''.

SEC. 286. FEDERAL PURCHASE REQUIREMENT.

Section 203 of the Energy Policy Act of 2005 (42 U.S.C. 15852) is amended—

(1) in subsections (a) and (b)(2), by striking ''electric energy'' each place it appears and inserting ''electric, direct, and thermal energy'';

(2) in subsection (b)(2)—

(A) by inserting '', or avoided by,'' after ''generated from''; and

(B) by inserting ''(including ground-source, reclaimed, and ground water)''after ''geothermal'';

(3) by redesignating subsection (d) as subsection (e); and

(4) by inserting after subsection (c) the following:

''(d) SEPARATE CALCULATION.—Renewable energy produced at a Federal facility, on Federal land, or on Indian land (as defined in section 2601 of the Energy Policy Act of 1992 (25 U.S.C. 3501))—

''(1) shall be calculated (on a BTU-equivalent basis) separately from renewable energy used; and

''(2) may be used individually or in combination to comply with subsection (a).''.

SEC. 287. STUDY ON FEDERAL DATA CENTER CONSOLIDATION.

(a) IN GENERAL.—The Secretary of Energy shall conduct a study on the feasibility of a government-wide data center consolidation, with an overall Federal target of a minimum of 800 Federal data center closures by October 1, 2015.

(b) COORDINATION.—In conducting the study, the Secretary shall coordinate with Federal data center program managers, facilities managers, and sustainability officers.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report that describes the results of the study, including a description of agency best practices in data center consolidation.

Subtitle E—Miscellaneous

SEC. 291. OFFSETS.

(a) ZERO-NET ENERGY COMMERCIAL BUILDINGS INITIATIVE.—Section 422(f) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17082(f)) is amended by striking paragraphs (2) through (4) and inserting the following:

''(2) $50,000,000 for each of fiscal years 2009 through 2012;

''(3) $100,000,000 for fiscal year 2013; and

''(4) $200,000,000 for each of fiscal years 2014 through 2018.''.

(b) ENERGY SUSTAINABILITY AND EFFICIENCY GRANTS AND LOANS FOR INSTITUTIONS.—Subsection (j) of section 399A of the Energy Policy and Conservation Act (42 U.S.C. 6371h–1) (as redesignated by section 241(2)) is amended—

(1) in paragraph (1), by striking ''through 2013'' and inserting ''and 2010, $100,000,000 for each of fiscal years 2011 and 2012, and $250,000,000 for fiscal year 2013''; and

(2) in paragraph (2), by striking ''through 2013'' and inserting ''and 2010, $100,000,000 for each of fiscal years 2011 and 2012, and $425,000,000 for fiscal year 2013''.

(c) WASTE ENERGY RECOVERY INCENTIVE PROGRAM.—Section 373(f)(1) of the Energy Policy and Conservation Act (42 U.S.C. 6343(f)(1)) is amended—

(1) by redesignating subparagraph (B) as subparagraph (D); and

(2) by striking subparagraph (A) and inserting the following:

''(A) $100,000,000 for fiscal year 2008;

''(B) $200,000,000 for each of fiscal years 2009 and 2010;

''(C) $100,000,000 for each of fiscal years 2011 and 2012; and''.

(d) ENERGY-INTENSIVE INDUSTRIES PROGRAM.—Section 452(f)(1) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17111(f)(1)) is amended—

(1) in subparagraph (D), by striking ''$202,000,000'' and inserting ''$102,000,000''; and

(2) in subparagraph (E), by striking ''$208,000,000'' and inserting ''$108,000,000''.

SEC. 292. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SEC. 293. ADVANCE APPROPRIATIONS REQUIRED.

The authorization of amounts under this title and the amendments made by this title shall be effective for any fiscal year only to the extent and in the amount provided in advance in appropriations Acts.

SA 2562. Ms. COLLINS 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. __. EXTENSION OF 2001 AND 2003 TAX RELIEF.

(a) IN GENERAL.—Paragraph (1) of section 901(a) of the Economic Growth and Tax Relief Reconciliation Act of 2001 is amended by striking ''December 31, 2012'' and inserting ''December 31, 2013''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect as if included in the enactment of the Economic Growth and Tax Relief Reconciliation Act of 2001.

SEC. __. SURTAX ON MILLIONAIRES.

(a) IN GENERAL.—Subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new part:

''PART VIII—SURTAX ON MILLIONAIRES

''Sec. 59B. Surtax on millionaires.

''SEC. 59B. SURTAX ON MILLIONAIRES.

''(a) GENERAL RULE.—In the case of a taxpayer other than a corporation for any taxable year beginning after 2012 and before 2014, there is hereby imposed (in addition to any other tax imposed by this subtitle) a tax equal to 2 percent of so much of the modified adjusted gross income of the taxpayer for such taxable year as exceeds $1,000,000 ($500,000, in the case of a married individual filing a separate return).

''(b) MODIFIED ADJUSTED GROSS INCOME.—For purposes of this section—

''(1) IN GENERAL.—The term 'modified adjusted gross income' means adjusted gross income reduced by the excess of—

''(A) gross income from a small business (as defined in section 6654(d)(1)(D)(iii))—

''(i) which is not a passive activity with respect to the taxpayer (within the meaning of section 469(c)), and

''(ii) which pays wages to at least 1 full-time equivalent employee (as defined in section 45R(d)(2)), other than the taxpayer, the taxpayer's spouse, or an individual who bears a relationship to the taxpayer described in section 152(d)(2), over

''(B) the deductions which are properly allocable to such income.

''(2) AGGREGATION RULE.—All persons treated as a single employer under subsection (a) or (b) of section 52 or subsection (m) or (o) of section 414 shall be treated as one employer for purposes of paragraph (1)(A).

''(3) REGULATIONS.—The Secretary shall prescribe regulations similar to the regulations under section 469(l) for determining the income that is taken into account under paragraph (1)(A).

''(c) SPECIAL RULES.—

''(1) NONRESIDENT ALIEN.—In the case of a nonresident alien individual, only amounts taken into account in connection with the tax imposed under section 871(b) shall be taken into account under this section.

''(2) CITIZENS AND RESIDENTS LIVING ABROAD.—The applicable dollar amount under subsection (a) shall be decreased by the excess of—

''(A) the amounts excluded from the taxpayer's gross income under section 911, over

''(B) the amounts of any deductions or exclusions disallowed under section 911(d)(6) with respect to the amounts described in subparagraph (A).

''(3) CHARITABLE TRUSTS.—Subsection (a) shall not apply to a trust all the unexpired interests in which are devoted to one or more of the purposes described in section 170(c)(2)(B).

''(4) NOT TREATED AS TAX IMPOSED BY THIS CHAPTER FOR CERTAIN PURPOSES.—The tax

imposed under this section shall not be treated as tax imposed by this chapter for purposes of determining the amount of any credit under this chapter or for purposes of section 55.''.

(b) CLERICAL AMENDMENT.—The table of parts for subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''PART VIII. SURTAX ON MILLIONAIRES.''.

(c) SECTION 15 NOT TO APPLY.—The amendment made by subsection (a) shall not be treated as a change in a rate of tax for purposes of section 15 of the Internal Revenue Code of 1986.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2012.

SA 2563. Mr. CORNYN 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. ___. POINT OF ORDER ON LEGISLATION THAT RAISES INCOME TAX RATES ON SMALL BUSINESSES.

(a) POINT OF ORDER.—

(1) IN GENERAL.—In the Senate, it shall not be in order to consider any bill, joint resolution, amendment, motion, or conference report that includes any provision which increases Federal income tax rates.

(2) DEFINITION.—In this section, the term ''Federal income tax rates'' means any rate of tax under—

(A) subsection (a), (b), (c), (d), or (e) of section 1 of the Internal Revenue Code of 1986,

(B) section 11(b) of such Code, or

(C) section 55(b) of such Code.

(b) SUPERMAJORITY WAIVER AND APPEALS.—

(1) WAIVER.—This section may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, dully chosen and sworn.

(2) APPEALS.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

SA 2564. Mr. ENZI 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:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; AMENDMENT OF 1986 CODE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''United States Job Creation and International Tax Reform Act of 2012''.

(b) AMENDMENT OF 1986 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 the Internal Revenue Code of 1986.

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

Sec. 1. Short title; amendment of 1986 Code; table of contents.

TITLE I—PARTICIPATION EXEMPTION SYSTEM FOR TAXATION OF FOREIGN INCOME

Sec. 101. Deduction for dividends received by domestic corporations from certain foreign corporations.

Sec. 102. Application of dividends received deduction to certain sales and exchanges of stock.

Sec. 103. Deduction for foreign intangible income derived from trade or business within the United States.

Sec. 104. Treatment of deferred foreign income upon transition to participation exemption system of taxation.

TITLE II—OTHER INTERNATIONAL TAX REFORMS

Subtitle A—Modifications of Subpart F

Sec. 201. Treatment of low-taxed foreign income as subpart F income.

Sec. 202. Permanent extension of look-thru rule for controlled foreign corporations.

Sec. 203. Permanent extension of exceptions for active financing income.

Sec. 204. Foreign base company income not to include sales or services income.

Subtitle B—Modifications Related to Foreign Tax Credit

Sec. 211. Modification of application of sections 902 and 960 with respect to post-2012 earnings.

Sec. 212. Separate foreign tax credit basket for foreign intangible income.

Sec. 213. Inventory property sales source rule exceptions not to apply for foreign tax credit limitation.

Subtitle C—Allocation of Interest on Worldwide Basis

Sec. 221. Acceleration of election to allocate interest on a worldwide basis.

TITLE I—PARTICIPATION EXEMPTION SYSTEM FOR TAXATION OF FOREIGN INCOME

SEC. 101. DEDUCTION FOR DIVIDENDS RECEIVED BY DOMESTIC CORPORATIONS FROM CERTAIN FOREIGN CORPORATIONS.

(a) ALLOWANCE OF DEDUCTION.—Part VIII of subchapter B of chapter 1 is amended by inserting after section 245 the following new section:

''SEC. 245A. DIVIDENDS RECEIVED BY DOMESTIC CORPORATIONS FROM CERTAIN FOREIGN CORPORATIONS.

''(a) IN GENERAL.—In the case of any dividend received from a controlled foreign corporation by a domestic corporation which is a United States shareholder with respect to such controlled foreign corporation, there shall be allowed as a deduction an amount equal to 95 percent of the qualified foreign-source portion of the dividend.

''(b) TREATMENT OF ELECTING NONCONTROLLED SECTION 902 CORPORATIONS AS CONTROLLED FOREIGN CORPORATIONS.—

''(1) IN GENERAL.—If a domestic corporation elects the application of this subsection for any noncontrolled section 902 corporation with respect to the domestic corporation, then, for purposes of this title—

''(A) the noncontrolled section 902 corporation shall be treated as a controlled foreign corporation with respect to the domestic corporation, and

''(B) the domestic corporation shall be treated as a United States shareholder with respect to the noncontrolled section 902 corporation.

''(2) ELECTION.—

''(A) TIME OF ELECTION.—Any election under this subsection with respect to any noncontrolled section 902 corporation shall be made not later than the due date for filing the return of tax for the first taxable year of the taxpayer with respect to which the foreign corporation is a noncontrolled section 902 corporation with respect to the taxpayer (or, if later, the first taxable year of the taxpayer for which this section is in effect).

''(B) REVOCATION OF ELECTION.—Any election under this subsection, once made, may be revoked only with the consent of the Secretary.

''(C) CONTROLLED GROUPS.—If a domestic corporation making an election under this subsection with respect to any noncontrolled section 902 corporation is a member of a controlled group of corporations (within the meaning of section 1563(a), except that 'more than 50 percent' shall be substituted for 'at least 80 percent' each place it appears therein), then, except as otherwise provided by the Secretary, such election shall apply to all members of such group.

''(c) QUALIFIED FOREIGN-SOURCE PORTION OF DIVIDENDS.—For purposes of this section—

''(1) QUALIFIED FOREIGN-SOURCE PORTION.—

''(A) IN GENERAL.—The qualified foreign-source portion of any dividend is an amount which bears the same ratio to such dividend as—

''(i) the post-2012 undistributed qualified foreign earnings, bears to

''(ii) the total post-2012 undistributed earnings.

''(B) POST-2012 UNDISTRIBUTED EARNINGS.—The term 'post-2012 undistributed earnings' means the amount of the earnings and profits of a controlled foreign corporation (computed in accordance with sections 964(a) and 986) accumulated in taxable years beginning after December 31, 2012—

''(i) as of the close of the taxable year of the controlled foreign corporation in which the dividend is distributed, and

''(ii) without diminution by reason of dividends distributed during such taxable years.

''(C) POST-2012 UNDISTRIBUTED QUALIFIED FOREIGN EARNINGS.—The term 'post-2012 undistributed qualified foreign earnings' means the portion of the post-2012 undistributed earnings which is attributable to income other than—

''(i) income described in section 245(a)(5)(A), or

''(ii) dividends described in section 245(a)(5)(B).

''(2) ORDERING RULE FOR DISTRIBUTIONS OF EARNINGS AND PROFITS.—Distributions shall be treated as first made out of earnings and profits of a controlled foreign corporation which are not post-2012 undistributed earnings and then out of post-2012 undistributed earnings.

''(d) DISALLOWANCE OF FOREIGN TAX CREDIT, ETC.—

''(1) IN GENERAL.—No credit shall be allowed under section 901 for any taxes paid or accrued (or treated as paid or accrued) with respect to the qualified foreign-source portion of any dividend.

''(2) DENIAL OF DEDUCTION.—No deduction shall be allowed under this chapter for any tax for which credit is not allowable under section 901 by reason of paragraph (1).

''(3) COORDINATION WITH SECTION 78.—Section 78 shall not apply to any tax for which credit is not allowable under section 901 by reason of paragraph (1).

''(4) TREATMENT OF NONDEDUCTIBLE PORTION IN APPLYING FOREIGN TAX CREDIT LIMIT.—For purposes of applying the limitation under section 904(a), the remaining 5 percent of the qualified foreign-source portion of any dividend with respect to which a deduction is not allowable to the domestic corporation under subsection (a) shall be treated as income from sources within the United States.

''(e) SPECIAL RULES FOR HYBRID DIVIDENDS.—

''(1) IN GENERAL.—Subsection (a) shall not apply to any dividend received by a United States shareholder from a controlled foreign corporation if the dividend is a hybrid dividend.

''(2) HYBRID DIVIDENDS OF TIERED CONTROLLED FOREIGN CORPORATIONS.—If a controlled foreign corporation with respect to which a domestic corporation is a United States shareholder receives a hybrid dividend from any other controlled foreign corporation with respect to which such domestic corporation is also a United States shareholder, then, notwithstanding any other provision of this title—

''(A) the hybrid dividend shall be treated for purposes of section 951(a)(1)(A) as subpart F income of the receiving controlled foreign corporation for the taxable year of the controlled foreign corporation in which the dividend was received, and

''(B) the United States shareholder shall include in gross income an amount equal to the shareholder's pro rata share (determined in the same manner as under section 951(a)(2)) of the subpart F income described in subparagraph (A).

''(3) DENIAL OF FOREIGN TAX CREDIT, ETC.—The rules of subsection (d) shall apply to any hybrid dividend received by, or any amount included under paragraph (2) in the gross income of, a United States shareholder, except that, for purposes of applying subsection (d)(4), all of such dividend or amount shall be treated as income from sources within the United States.

''(4) HYBRID DIVIDEND.—The term 'hybrid dividend' means an amount received from a controlled foreign corporation—

''(A) which is treated as a dividend for purposes of this title, and

''(B) for which the controlled foreign corporation received a deduction (or similar tax benefit) under the laws of the country in which the controlled foreign corporation was created or organized.

''(f) DEFINITIONS.—For purposes of this section—

''(1) UNITED STATES SHAREHOLDER.—The term 'United States shareholder' has the meaning given such term in section 951(b).

''(2) CONTROLLED FOREIGN CORPORATION.—The term 'controlled foreign corporation' has the meaning given such term in section 957(a).

''(3) NONCONTROLLED SECTION 902 CORPORATION.—The term 'noncontrolled section 902 corporation' has the meaning given such term in section 904(d)(2)(E)(i).

''(g) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary or appropriate to carry out the provisions of this section.''.

(b) APPLICATION OF HOLDING PERIOD REQUIREMENT.—Subsection (c) of section 246 is amended—

(1) by striking ''or 245'' in paragraph (1) and inserting ''245, or 245A'', and

(2) by adding at the end the following new paragraph:

''(5) SPECIAL RULES FOR QUALIFIED FOREIGN-SOURCE PORTION OF DIVIDENDS RECEIVED FROM CONTROLLED FOREIGN CORPORATIONS.—

''(A) 1-YEAR HOLDING PERIOD REQUIREMENT.—For purposes of section 245A—

''(i) paragraph (1)(A) shall be applied—

''(I) by substituting '365 days' for '45 days' each place it appears, and

''(II) by substituting '731-day period' for '91-day period', and

''(ii) paragraph (2) shall not apply.

''(B) STATUS MUST BE MAINTAINED DURING HOLDING PERIOD.—For purposes of section 245A, the holding period requirement of this subsection shall be treated as met only if—

''(i) the controlled foreign corporation referred to in section 245A(a) is a controlled foreign corporation at all times during such period, and

''(ii) the taxpayer is a United States shareholder (as defined in section 951) with respect to such controlled foreign corporation at all times during such period.

''(C) SPECIAL RULES FOR ELECTING NONCONTROLLED SECTION 902 CORPORATIONS.—In the case of an election under section 245A(b) to treat a noncontrolled section 902 corporation as a controlled foreign corporation, the requirements of subparagraph (B) shall be treated as met for any continuous period ending on the day before the effective date of the election for which the taxpayer met the ownership requirements of section 904(d)(2)(E) with respect to such corporation.''.

(c) APPLICATION OF RULES GENERALLY APPLICABLE TO DEDUCTIONS FOR DIVIDENDS RECEIVED.—

(1) TREATMENT OF DIVIDENDS FROM TAX-EXEMPT CORPORATIONS.—Paragraph (1) of section 246(a) is amended by striking ''and 245'' and inserting ''245, and 245A''.

(2) ASSETS GENERATING TAX-EXEMPT PORTION OF DIVIDEND NOT TAKEN INTO ACCOUNT IN ALLOCATING AND APPORTIONING DEDUCTIBLE EXPENSES.—Paragraph (3) of section 864(e) is amended by striking ''or 245(a)'' and inserting '', 245(a), or 245A''.

(3) COORDINATION WITH SECTION 1059.—Subparagraph (B) of section 1059(b)(2) is amended by striking ''or 245'' and inserting ''245, or 245A''.

(d) CONFORMING AMENDMENTS.—

(1) Clause (vi) of section 56(g)(4)(C) is amended by inserting ''245A or'' before ''965''.

(2) Subsection (b) of section 951 is amended—

(A) by striking ''subpart'' and inserting ''title'', and

(B) by adding at the end the following: ''Such term shall include, with respect to any entity treated as a controlled foreign corporation under section 245A(b), any domestic corporation treated as a United States shareholder with respect to such entity under such section.''.

(3) Subsection (a) of section 957 is amended—

(A) by striking ''subpart'' in the matter preceding paragraph (1) and inserting ''title'', and

(B) by adding at the end the following: ''Such term shall include any entity treated as a controlled foreign corporation under section 245A(b).''.

(4) The table of sections for part VIII of subchapter B of chapter 1 is amended by inserting after the item relating to section 245 the following new item:

''Sec. 245A. Dividends received by domestic corporations from certain foreign corporations.''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years of foreign corporations beginning after December 31, 2012, and to taxable years of United States shareholders with or within which such taxable years of foreign corporations end.

SEC. 102. APPLICATION OF DIVIDENDS RECEIVED DEDUCTION TO CERTAIN SALES AND EXCHANGES OF STOCK.

(a) SALES BY UNITED STATES PERSONS OF STOCK IN CFC.—Section 1248 is amended by redesignating subsection (j) as subsection (k) and by inserting after subsection (i) the following new subsection:

''(j) COORDINATION WITH DIVIDENDS RECEIVED DEDUCTION.—

''(1) IN GENERAL.—In the case of the sale or exchange by a domestic corporation of stock in a foreign corporation held for 1 year or more, any amount received by the domestic corporation which is treated as a dividend by reason of this section shall be treated as a dividend for purposes of applying section 245A.

''(2) LOSSES DISALLOWED.—If a domestic corporation—

''(A) sells or exchanges stock in a foreign corporation in a taxable year of the domestic corporation with or within which a taxable year of the foreign corporation beginning after December 31, 2012, ends, and

''(B) met the ownership requirements of subsection (a)(2) with respect to such stock, no deduction shall be allowed to the domestic corporation with respect to any loss from the sale or exchange.''.

(b) SALE BY A CFC OF A LOWER TIER CFC.—Section 964(e) is amended by adding at the end the following new paragraph:

''(4) COORDINATION WITH DIVIDENDS RECEIVED DEDUCTION.—

''(A) IN GENERAL.—If, for any taxable year of a controlled foreign corporation beginning after December 31, 2012, any amount is treated as a dividend under paragraph (1) by reason of a sale or exchange by the controlled foreign corporation of stock in another foreign corporation held for 1 year or more, then, notwithstanding any other provision of this title—

''(i) the qualified foreign-source portion of such dividend shall be treated for purposes of section 951(a)(1)(A) as subpart F income of the selling controlled foreign corporation for such taxable year,

''(ii) a United States shareholder with respect to the selling controlled foreign corporation shall include in gross income for the taxable year of the shareholder with or within which such taxable year of the controlled foreign corporation ends an amount equal to the shareholder's pro rata share (determined in the same manner as under section 951(a)(2)) of the amount treated as subpart F income under clause (i), and

''(iii) the deduction under section 245A(a) shall be allowable to the United States shareholder with respect to the subpart F income included in gross income under clause (ii) in the same manner as if such subpart F income were a dividend received by the shareholder from the selling controlled foreign corporation.

''(B) EFFECT OF LOSS ON EARNINGS AND PROFITS.—For purposes of this title, in the case of a sale or exchange by a controlled foreign corporation of stock in another foreign corporation in a taxable year of the selling controlled foreign corporation beginning after December 31, 2012, to which this paragraph would apply if gain were recognized, the earnings and profits of the selling controlled foreign corporation shall not be reduced by reason of any loss from such sale or exchange.

''(C) QUALIFIED FOREIGN-SOURCE PORTION.—For purposes of this paragraph, the qualified foreign-source portion of any amount treated as a dividend under paragraph (1) shall be determined in the same manner as under section 245A(c).''.

SEC. 103. DEDUCTION FOR FOREIGN INTANGIBLE INCOME DERIVED FROM TRADE OR BUSINESS WITHIN THE UNITED STATES.

(a) IN GENERAL.—Part VIII of subchapter B of chapter 1 is amended by adding at the end the following new section:

''SEC. 250. FOREIGN INTANGIBLE INCOME DERIVED FROM TRADE OR BUSINESS WITHIN THE UNITED STATES.

''(a) IN GENERAL.—In the case of a domestic corporation, there shall be allowed as a deduction an amount equal to 50 percent of the qualified foreign intangible income of such domestic corporation for the taxable year.

''(b) QUALIFIED FOREIGN INTANGIBLE INCOME.—

''(1) IN GENERAL.—The term 'qualified foreign intangible income' means, with respect to any domestic corporation, foreign intangible income which is derived by the domestic corporation from the active conduct of a trade or business within the United States with respect to the intangible property giving rise to the income.

''(2) REQUIREMENTS RELATING TO TRADE OR BUSINESS WITHIN THE UNITED STATES.—For purposes of this section, foreign intangible income shall be treated as derived by a domestic corporation from the active conduct of a trade or business within the United States only if—

''(A) the domestic corporation developed, created, or produced within the United States the intangible property giving rise to the income, or

''(B) in any case in which the domestic corporation acquired such intangible property, the domestic corporation added substantial value to the property through the active conduct of such trade or business within the United States.

''(c) FOREIGN INTANGIBLE INCOME.—For purposes of this section—

''(1) IN GENERAL.—The term 'foreign intangible income' means any intangible income which is derived in connection with—

''(A) property which is sold, leased, licensed, or otherwise disposed of for use, consumption, or disposition outside the United States, or

''(B) services provided with respect to persons or property located outside the United States.

''(2) EXCEPTIONS FOR CERTAIN INCOME.—The following amounts shall not be taken into account in computing foreign intangible income:

''(A) Any amount treated as received by the domestic corporation under section 367(d)(2) with respect to any intangible property.

''(B) Any payment under a cost-sharing arrangement entered into under section 482.

''(C) Any amount received from a controlled foreign corporation with respect to which the domestic corporation is a United States shareholder to the extent such amount is attributable or properly allocable to income which is—

''(i) effectively connected with the conduct of a trade or business within the United States and subject to tax under this chapter, or

''(ii) subpart F income.

For purposes of clause (ii), amounts not otherwise treated as subpart F income shall be so treated if the amount creates (or increases) a deficit which under section 952(c) may reduce the subpart F income of the payor or any other controlled foreign corporation.

''(3) INTANGIBLE INCOME.—The term 'intangible income' means gross income from—

''(A) the sale, lease, license, or other disposition of property in which intangible property is used directly or indirectly, or

''(B) the provision of services related to intangible property or in connection with property in which intangible property is used directly or indirectly,

to the extent that such gross income is properly attributable to such intangible property.

''(4) DEDUCTIONS TO BE TAKEN INTO ACCOUNT.—The gross income of a domestic corporation taken into account under this subsection shall be reduced, under regulations prescribed by the Secretary, so as to take into account deductions properly allocable to such income.

''(5) INTANGIBLE PROPERTY.—The term 'intangible property' has the meaning given such term by section 936(h)(3)(B).

''(d) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary or appropriate to carry out the provisions of this section.''.

(b) CONFORMING AMENDMENT.—The table of sections for part VIII of subchapter B of chapter 1 is amended by adding at the end the following new item:

''Sec. 250. Foreign intangible income derived from trade or business within the United States.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years of domestic corporations beginning after December 31, 2012.

SEC. 104. TREATMENT OF DEFERRED FOREIGN INCOME UPON TRANSITION TO PARTICIPATION EXEMPTION SYSTEM OF TAXATION.

(a) IN GENERAL.—Section 965 is amended to read as follows:

''SEC. 965. TREATMENT OF DEFERRED FOREIGN INCOME UPON TRANSITION TO PARTICIPATION EXEMPTION SYSTEM OF TAXATION.

''(a) DEDUCTION ALLOWED.—In the case of a domestic corporation which elects the application of this section to any controlled foreign corporation with respect to which it is a United States shareholder, there shall be allowed as a deduction for the taxable year of the United States shareholder with or within which the first taxable year of the controlled foreign corporation beginning after December 31, 2012, ends an amount equal to 70 percent of the amount determined under subsection (b) for the taxable year.

''(b) ELIGIBLE AMOUNT.—For purposes of subsection (a)—

''(1) IN GENERAL.—The amount determined under this subsection for a United States shareholder with respect to any controlled foreign corporation for the taxable year of the shareholder described in subsection (a) is the lesser of—

''(A) the shareholder's pro rata share of the earnings and profits of the controlled foreign corporation described in section 959(c)(3) as of the close of the taxable year preceding the first taxable year of the controlled foreign corporation beginning after December 31, 2012, or

''(B) an amount equal to the sum of—

''(i) the dividends received by the shareholder during such taxable year from the controlled foreign corporation which are attributable to the earnings and profits described in subparagraph (A), plus

''(ii) the increase in subpart F income required to be included in gross income of the shareholder for the taxable year by reason of the election under paragraph (2).

''(2) ELECTION OF DEEMED SUBPART F INCLUSION.—A United States shareholder may elect for purposes of paragraph (1)(B)(ii) to treat all (or any portion) of the shareholder's pro rata share of the earnings and profits of a controlled foreign corporation described in paragraph (1)(A) as subpart F income includible in the gross income of the shareholder for the taxable year of the shareholder described in subsection (a).

''(3) ORDERING RULE.—For purposes of paragraph (1)(B)(i), distributions shall be treated as first made out of earnings and profits of a controlled foreign corporation described in paragraph (1)(A).

''(4) DIVIDEND.—The term 'dividend' shall not include amounts includible in gross income as a dividend under section 78.

''(c) DISALLOWANCE OF FOREIGN TAX CREDIT, ETC.—In the case of a domestic corporation making an election under subsection (a) with respect to any controlled foreign corporation—

''(1) IN GENERAL.—No credit shall be allowed under section 901 for any taxes paid or accrued (or treated as paid or accrued) with respect to the earnings and profits taken into account in determining the amount under subsection (b).

''(2) DENIAL OF DEDUCTION.—No deduction shall be allowed under this chapter for any tax for which credit is not allowable under section 901 by reason of paragraph (1).

''(3) COORDINATION WITH SECTION 78.—Section 78 shall not apply to any tax for which credit is not allowable under section 901 by reason of paragraph (1).

''(4) TREATMENT OF NONDEDUCTIBLE PORTION IN APPLYING FOREIGN TAX CREDIT LIMIT.—For purposes of applying the limitation under section 904(a), the remaining 30 percent of the amount determined under subsection (b) with respect to which a deduction is not allowable under subsection (a) shall be treated as income from sources within the United States.

''(d) ELECTION TO PAY LIABILITY FOR DEEMED SUBPART F INCOME IN INSTALLMENTS.—

''(1) IN GENERAL.—In the case of a United States shareholder with respect to 1 or more controlled foreign corporations to which elections under subsections (a) and (b)(2) apply, such United States shareholder may elect to pay the net tax liability determined with respect to its deemed subpart F inclusions with respect to such corporations under subsection (b)(2) for the taxable year described in subsection (a) in 2 or more (but not exceeding 8) equal installments.

''(2) DATE FOR PAYMENT OF INSTALLMENTS.—If an election is made under paragraph (1), the first installment shall be paid on the due date (determined without regard to any extension of time for filing the return) for the return of tax for the taxable year for which the election was made and each succeeding installment shall be paid on the due date (as so determined) for the return of tax for the taxable year following the taxable year with respect to which the preceding installment was made.

''(3) ACCELERATION OF PAYMENT.—If there is an addition to tax for failure to pay timely assessed with respect to any installment required under this subsection, a liquidation or sale of substantially all the assets of the taxpayer (including in a title 11 or similar case), a cessation of business by the taxpayer, or any similar circumstance, then the unpaid portion of all remaining installments shall be due on the date of such event (or in the case of a title 11 or similar case, the day before the petition is filed).

''(4) PRORATION OF DEFICIENCY TO INSTALLMENTS.—If an election is made under paragraph (1) to pay the net tax liability described in paragraph (1) in installments and a deficiency has been assessed which increases such net tax liability, the increase shall be prorated to the installments payable under paragraph (1). The part of the increase so prorated to any installment the date for payment of which has not arrived shall be collected at the same time as, and as a part of, such installment. The part of the increase so prorated to any installment the date for payment of which has arrived shall be paid upon notice and demand from the Secretary. This subsection shall not apply if the deficiency is due to negligence, to intentional disregard of rules and regulations, or to fraud with intent to evade tax.

''(5) TIME FOR PAYMENT OF INTEREST.—Interest payable under section 6601 on the unpaid portion of any amount of tax the time for payment of which as been extended under this subsection shall be paid annually at the same time as, and as part of, each installment payment of such tax. In the case of a deficiency to which paragraph (4) applies, interest with respect to such deficiency which is assigned under the preceding sentence to any installment the date for payment of which has arrived on or before the date of the assessment of the deficiency, shall be paid upon notice and demand from the Secretary.

''(6) NET TAX LIABILITY FOR DEEMED SUBPART F INCLUSIONS.—For purposes of this subsection—

''(A) IN GENERAL.—The net tax liability described in paragraph (1) with respect to any United States shareholder for any taxable year is the excess (if any) of—

''(i) such taxpayer's net income tax for the taxable year, over

''(ii) such taxpayer's net income tax for such taxable year determined as if the elections under subsection (b)(2) with respect to 1 or more controlled foreign corporations had not been made.

''(B) NET INCOME TAX.—The term 'net income tax' means the net income tax (as defined in section 38(c)(1)) reduced by the credit allowed under section 38.

''(e) SPECIAL RULES.—For purposes of this section—

''(1) ELECTIONS.—Any election under subsection (a), (b)(2), or (d)(1) shall be made not later than the due date (including extensions) for the return of tax for the taxable year for which made and shall be made in such manner as the Secretary may provide.

''(2) SECTION NOT TO APPLY TO NONCONTROLLED SECTION 902 CORPORATIONS TREATED AS CFCS.—No election may be made under subsection (a) with respect to a controlled foreign corporation which was a noncontrolled section 902 corporation which a United States shareholder elected under section 245A(b) to treat as a controlled foreign corporation.

''(3) PRO RATA SHARE.—A shareholder's pro rata share of any earnings and profits shall be determined in the same manner as under section 951(a)(2).''.

(b) CONFORMING AMENDMENTS.—

(1) Clause (vi) of section 56(g)(4)(C), as amended by this Act, is amended—

(A) by striking ''965'' and inserting ''965(b)'', and

(B) by inserting ''AND INCLUSIONS'' after ''CERTAIN DISTRIBUTIONS'' in the heading thereof.

(2) Paragraph (2) of section 6601(b) is amended—

(A) by striking ''section 6156(a)'' in the matter preceding subparagraph (A) and inserting ''section 965(d)(1) or 6156(a)'', and

(B) by striking ''section 6156(b)'' in subparagraph (A) and inserting ''section 965(d)(2) or 6156(b), as the case may be''.

(3) The table of section for subpart F of part III of subchapter N of chapter 1 is amended by striking the item relating to section 965 and inserting the following:

''Sec. 965. Treatment of deferred foreign income upon transition to participation exemption system of taxation.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years of foreign corporations beginning after December 31, 2012, and to taxable years of United States shareholders with or within which such taxable years of foreign corporations end.

TITLE II—OTHER INTERNATIONAL TAX REFORMS

Subtitle A—Modifications of Subpart F

SEC. 201. TREATMENT OF LOW-TAXED FOREIGN INCOME AS SUBPART F INCOME.

(a) IN GENERAL.—Subsection (a) of section 952 is amended by redesignating paragraphs (3), (4), and (5) as paragraphs (4), (5), and (6), respectively, and by inserting after paragraph (2) the following new paragraph:

''(3) low-taxed income (as defined under subsection (e)),''.

(b) LOW-TAXED INCOME.—Section 952 is amended by adding at the end the following new subsection:

''(e) LOW-TAXED INCOME.—

''(1) IN GENERAL.—For purposes of subsection (a), except as provided in paragraph (2), the term 'low-taxed income' means, with respect to any taxable year of a controlled foreign corporation, the entire gross income of the controlled foreign corporation unless the taxpayer establishes to the satisfaction of the Secretary that such income was subject to an effective rate of income tax (determined under rules similar to the rules of section 954(b)(4)) imposed by a foreign country in excess of one-half of the highest rate of tax under section 11(b) for taxable years of United States corporations beginning in the same calendar year as the taxable year of the controlled foreign corporation begins.

''(2) EXCEPTION FOR QUALIFIED BUSINESS INCOME.—For purposes of paragraph (1), qualified business income—

''(A) shall be taken into account in determining the effective rate of income tax at which the entire gross income of the controlled foreign corporation is taxed, but

''(B) the amount of gross income treated as low-taxed income under paragraph (1) shall be reduced by the amount of the qualified business income.

''(3) QUALIFIED BUSINESS INCOME.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'qualified business income' means, with respect to any controlled foreign corporation, income derived by the controlled foreign corporation in a foreign country but only if—

''(i) such income is attributable to the active conduct of a trade or business of such corporation in such foreign country,

''(ii) the corporation maintains an office or fixed place of business in such foreign country, and

''(iii) officers and employees of the corporation physically located at such office or place of business in such foreign country conducted (or significantly contributed to the conduct of) activities within the foreign country which are substantial in relation to the activities necessary for the active conduct of the trade or business to which such income is attributable.

''(B) EXCEPTION FOR INTANGIBLE INCOME.—For purposes of subparagraph (A), qualified business income of a controlled foreign corporation shall not include intangible income (as defined in section 250(c)(3)).

''(4) DETERMINATION OF EFFECTIVE RATE OF FOREIGN INCOME TAX AND QUALIFIED BUSINESS INCOME.—

''(A) COUNTRY-BY-COUNTRY DETERMINATION.—For purposes of determining the effective rate of income tax imposed by any foreign country under paragraph (1) and qualified business income under paragraph (3), each such paragraph shall be applied separately with respect to—

''(i) each foreign country in which a controlled foreign corporation conducts any trade or business, and

''(ii) the entire gross income and qualified business income derived with respect to such foreign country.

''(B) TREATMENT OF LOSSES.—For purposes of determining the effective rate of income tax imposed by any foreign country under paragraph (1)—

''(i) such effective rate shall be determined without regard to any losses carried to the relevant taxable year, and

''(ii) to the extent the income of the controlled foreign corporation reduces losses in the relevant taxable year, such effective rate shall be treated as being the effective rate which would have been imposed on such income without regard to such losses.

''(5) DEDUCTIONS TO BE TAKEN INTO ACCOUNT.—The gross income of a controlled foreign corporation taken into account under this subsection shall be reduced, under regulations prescribed by the Secretary, so as to take into account deductions (including taxes) properly allocable to such income.''.

(c) CONFORMING AMENDMENTS.—

(1) Subsection (a) of section 952 is amended—

(A) by striking ''paragraph (4)'' in the next to last sentence and inserting ''paragraph (5)'', and

(B) by striking ''paragraph (5)'' in the last sentence and inserting ''paragraph (6)''.

(2) Subsection (d) of section 952 is amended by striking ''subsection (a)(5)'' and inserting ''subsection (a)(6)''.

(3) Paragraphs (1) and (2) of section 999(c) are each amended by striking ''section 952(a)(3)'' and inserting ''section 952(a)(4)''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years of foreign corporations beginning after December 31, 2012, and to taxable years of United States shareholders with or within which such taxable years of foreign corporations end.

SEC. 202. PERMANENT EXTENSION OF LOOK-THRU RULE FOR CONTROLLED FOREIGN CORPORATIONS.

(a) IN GENERAL.—Section 954(c)(6)(C) is amended by striking ''and before January 1, 2012,''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years of foreign corporations beginning after December 31, 2011, and to taxable years of United States shareholders with or within which such taxable years of foreign corporations end.

SEC. 203. PERMANENT EXTENSION OF EXCEPTIONS FOR ACTIVE FINANCING INCOME.

(a) EXCEPTION FROM INSURANCE INCOME.—Section 953(e)(10) is amended—

(1) by striking ''and before January 1, 2012,'', and

(2) by striking the last sentence.

(b) EXCEPTION FROM FOREIGN PERSONAL HOLDING COMPANY INCOME.—Section 954(h)(9) is amended by striking ''and before January 1, 2012,''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years of foreign corporations beginning after December 31, 2011, and to taxable years of United States shareholders with or within which such taxable years of foreign corporations end.

SEC. 204. FOREIGN BASE COMPANY INCOME NOT TO INCLUDE SALES OR SERVICES INCOME.

(a) REPEAL.—Paragraphs (2) and (3) of section 954(a) are repealed.

(b) CONFORMING AMENDMENTS.—

(1) Section 954(d) is amended by adding at the end the following new paragraph:

''(5) TERMINATION.—This subsection shall not apply to taxable years of foreign corporations beginning after December 31, 2012, and to taxable years of United States shareholders with or within which such taxable years of foreign corporations end.''.

(2) Section 954(e) is amended by adding at the end the following new paragraph:

''(3) TERMINATION.—This subsection shall not apply to taxable years of foreign corporations beginning after December 31, 2012, and to taxable years of United States shareholders with or within which such taxable years of foreign corporations end.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years of foreign corporations beginning after December 31, 2012, and to taxable years of United States shareholders with or within which such taxable years of foreign corporations end.

Subtitle B—Modifications Related to Foreign Tax Credit

SEC. 211. MODIFICATION OF APPLICATION OF SECTIONS 902 AND 960 WITH RESPECT TO POST-2012 EARNINGS.

(a) SECTION 902 NOT TO APPLY TO DIVIDENDS FROM POST-2012 EARNINGS.—Section 902 is

amended by redesignating subsection (d) as subsection (e) and by inserting after subsection (c) the following new subsection:

''(d) SECTION NOT TO APPLY TO DIVIDENDS FROM POST-2012 EARNINGS.—

''(1) IN GENERAL.—This section shall not apply to the portion of any dividend paid by a foreign corporation to the extent such portion is made out of earnings and profits of the foreign corporation (computed in accordance with sections 964(a) and 986) accumulated in taxable years beginning after December 31, 2012.

''(2) COORDINATION WITH DISTRIBUTIONS FROM PRE-2013 EARNINGS AND PROFITS.—For purposes of this section—

''(A) ORDERING RULE.—Any distribution in a taxable year beginning after December 31, 2012, shall be treated as first made out of earnings and profits of the foreign corporation (computed in accordance with sections 964(a) and 986) accumulated in taxable years beginning before January 1, 2013.

''(B) POST-1986 UNDISTRIBUTED EARNINGS.—Post-1986 undistributed earnings shall not include earnings and profits described in paragraph (1).''.

(b) DETERMINATION OF SECTION 960 CREDIT ON CURRENT YEAR BASIS.—Section 960 is amended by adding at the end the following new subsection:

''(d) DEEMED PAID CREDIT FOR SUBPART F INCLUSIONS ATTRIBUTABLE TO POST-2012 EARNINGS.—

''(1) IN GENERAL.—For purposes of this subpart, if there is included in the gross income of a domestic corporation any amount under section 951(a)—

''(A) with respect to any controlled foreign corporation with respect to which such domestic corporation is a United States shareholder, and

''(B) which is attributable to the earnings and profits of the controlled foreign corporation (computed in accordance with sections 964(a) and 986) accumulated in taxable years beginning after December 31, 2012,

then subsections (a), (b), and (c) shall not apply and such domestic corporation shall be deemed to have paid so much of such foreign corporation's foreign income taxes as are properly attributable to the amount so included.

''(2) FOREIGN INCOME TAXES.—For purposes of this subsection, the term 'foreign income taxes' means any income, war profits, or excess profits taxes paid or accrued by the controlled foreign corporation to any foreign country or possession of the United States.

''(3) REGULATIONS.—The Secretary shall provide such regulations as may be necessary or appropriate to carry out the provisions of this subsection.''.

SEC. 212. SEPARATE FOREIGN TAX CREDIT BASKET FOR FOREIGN INTANGIBLE INCOME.

(a) IN GENERAL.—Paragraph (1) of section 904(d) is amended by striking ''and'' at the end of subparagraph (A), by striking the period at the end of subparagraph (B) and inserting '', and'', and by adding at the end the following:

''(C) foreign intangible income (as defined in paragraph (2)(J)).''.

(b) FOREIGN INTANGIBLE INCOME.—

(1) IN GENERAL.—Section 904(d)(2) is amended by redesignating subparagraphs (J) and (K) as subparagraphs (K) and (L) and by inserting after subparagraph (I) the following:

''(J) FOREIGN INTANGIBLE INCOME.—For purposes of this section—

''(i) IN GENERAL.—The term 'foreign intangible income' has the meaning given such term by section 250(c).

''(ii) COORDINATION.—Passive category income and general category income shall not include foreign intangible income.''.

(2) GENERAL CATEGORY INCOME.—Section 904(d)(2)(A)(ii) is amended by inserting ''or foreign intangible income'' after ''passive category income''.

(c) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by this section shall apply to taxable years beginning after December 31, 2012.

(2) TRANSITIONAL RULE.—For purposes of section 904(d)(1) of the Internal Revenue Code of 1986 (as amended by this Act)—

(A) taxes carried from any taxable year beginning before January 1, 2013, to any taxable year beginning on or after such date, with respect to any item of income, shall be treated as described in the subparagraph of such section 904(d)(1) in which such income would be described without regard to the amendments made by this section, and

(B) any carryback of taxes with respect to foreign intangible income from a taxable year beginning on or after January 1, 2013, to a taxable year beginning before such date shall be allocated to the general income category.

SEC. 213. INVENTORY PROPERTY SALES SOURCE RULE EXCEPTIONS NOT TO APPLY FOR FOREIGN TAX CREDIT LIMITATION.

(a) IN GENERAL.—Section 904 is amended by redesignating subsection (l) as subsection (m) and by inserting after subsection (k) the following new subsection:

''(l) INVENTORY PROPERTY SALES SOURCE RULE EXCEPTIONS NOT TO APPLY.—Any amount which would be treated as derived from sources without the United States by reason of the application of section 862(a)(6) or 863(b)(2) for any taxable year shall be treated as derived from sources within the United States for purposes of this section.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2012.

Subtitle C—Allocation of Interest on Worldwide Basis

SEC. 221. ACCELERATION OF ELECTION TO ALLOCATE INTEREST ON A WORLDWIDE BASIS.

Section 864(f)(6) is amended by striking ''December 31, 2020'' and inserting ''December 31, 2012''.

SA 2565. Mr. ENZI 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:

TITLE ____—TAX RETURN DUE DATE SIMPLIFICATION AND MODERNIZATION

SEC. __01. SHORT TITLE; REFERENCE.

(a) SHORT TITLE.—This title may be cited as the ''Tax Return Due Date Simplification and Modernization Act of 2012''.

(b) REFERENCE.—Except as otherwise expressly provided, whenever in this title 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 the Internal Revenue Code of 1986.

SEC. __02. NEW DUE DATE FOR PARTNERSHIP FORM 1065, S CORPORATION FORM 1120S, AND C CORPORATION FORM 1120.

(a) PARTNERSHIPS.—

(1) IN GENERAL.—Section 6072 is amended by adding at the end the following new subsection:

''(f) RETURNS OF PARTNERSHIPS.—Returns of partnerships under section 6031 made on the basis of the calendar year shall be filed on or before the 15th day of March following the close of the calendar year, and such returns made on the basis of a fiscal year shall be filed on or before the 15th day of the third month following the close of the fiscal year.''.

(2) CONFORMING AMENDMENT.—Section 6072(a) is amended by striking ''6017, or 6031'' and inserting ''or 6017''.

(b) S CORPORATIONS.—

(1) IN GENERAL.—So much of subsection (b) of 6072 as precedes the second sentence thereof is amended to read as follows:

''(b) RETURNS OF CERTAIN CORPORATIONS.—Returns of S corporations under sections 6012 and 6037 made on the basis of the calendar year shall be filed on or before the 31st day of March following the close of the calendar year, and such returns made on the basis of a fiscal year shall be filed on or before the last day of the third month following the close of the fiscal year.''.

(2) CONFORMING AMENDMENTS.—

(A) Section 1362(b) is amended—

(i) by striking ''15th'' each place it appears and inserting ''last'',

(ii) by striking ''2½'' each place it appears and inserting ''3'', and

(iii) by striking ''2 months and 15 days'' in paragraph (4) and inserting ''3 months''.

(B) Section 1362(d)(1)(C)(i) is amended by striking ''15th'' and inserting ''last''.

(C) Section 1362(d)(1)(C)(ii) is amended by striking ''such 15th day'' and inserting ''the last day of the 3d month thereof''.

(c) CONFORMING AMENDMENTS RELATING TO C CORPORATIONS.—

(1) Section 170(a)(2)(B) is amended by striking ''third month'' and inserting ''4th month''.

(2) Section 563 is amended by striking ''third month'' each place it appears and inserting ''4th month''.

(3) Section 1354(d)(1)(B)(i) is amended by striking ''3d month'' and inserting ''4th month''.

(4) Subsection (a) and (c) of section 6167 are each amended by striking ''third month'' and inserting ''4th month''.

(5) Section 6425(a)(1) is amended by striking ''third month'' and inserting ''4th month''.

(6) Subsections (b)(2)(A), (g)(3), and (h)(1) of section 6655 are each amended by striking ''3rd month'' and inserting ''4th month''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to returns for taxable years beginning after December 31, 2012.

SEC. __03. MODIFICATION OF DUE DATES BY REGULATION.

In the case of returns for taxable years beginning after December 31, 2012, the Secretary of the Treasury or the Secretary's delegate shall modify appropriate regulations to provide as follows:

(1) The maximum extension for the returns of partnerships filing Form 1065 shall be a 6-month period ending on September 15 for calendar year taxpayers.

(2) The maximum extension for the returns of trusts filing Form 1041 shall be a 5½-month period ending on September 30 for calendar year taxpayers.

(3) The maximum extension for the returns of employee benefit plans filing Form 5500 shall be an automatic 3½-month period ending on November 15 for calendar year taxpayers.

(4) The maximum extension for the returns of organizations exempt from income tax filing Form 990 shall be an automatic 6-month period ending on November 15 for calendar year filers.

(5) The due date of Form 3520-A (relating to the Annual Information Return of Foreign Trust with a United States Owner) for calendar year filers shall be April 15 with a maximum extension for a 6-month period ending on October 15.

(6) The due date of Form TD F 90-22.1 (relating to Report of Foreign Bank and Financial Accounts) shall be April 15 with a maximum extension for a 6-month period ending on October 15 and with provision for an extension under rules similar to the rules in Treas. Reg. 1.6081-5. For any taxpayer required to file such Form for the first time, any penalty for failure to timely request for, or file, an extension, may be waived by the Secretary of the Treasury or the Secretary's delegate.

SEC. __04. CORPORATIONS PERMITTED STATUTORY AUTOMATIC 6-MONTH EXTENSION OF INCOME TAX RETURNS.

(a) IN GENERAL.—Section 6081(b) is amended by striking ''3 months'' and inserting ''6 months''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to returns for taxable years beginning after December 31, 2012.

SA 2566. Mr. MCCAIN (for himself and Mrs. HAGAN) 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:

TITLE ____—FOREIGN EARNINGS REINVESTMENT

SEC. __01. SHORT TITLE.

This title may be cited as the ''Foreign Earnings Reinvestment Act''.

SEC. __02. ALLOWANCE OF TEMPORARY DIVIDENDS RECEIVED DEDUCTION FOR DIVIDENDS RECEIVED FROM A CONTROLLED FOREIGN CORPORATION.

(a) APPLICABILITY OF PROVISION.—

(1) IN GENERAL.—Subsection (f) of section 965 is amended to read as follows:

''(f) ELECTION; ELECTION YEAR.—

''(1) IN GENERAL.—The taxpayer may elect to apply this section to—

''(A) the taxpayer's last taxable year which begins before the date of the enactment of the Foreign Earnings Reinvestment Act, or

''(B) the taxpayer's first taxable year which begins during the 1-year period beginning on such date.

Such election may be made for a taxable year only if made on or before the due date (including extensions) for filing the return of tax for such taxable year.

''(C) ELECTION YEAR.—For purposes of this section, the term 'election year' means the taxable year—

''(i) which begins after the date that is one year before the date of the enactment of the Foreign Earnings Reinvestment Act, and

''(ii) to which the taxpayer elects under paragraph (1) to apply this section.''.

(2) CONFORMING AMENDMENTS.—

(A) EXTRAORDINARY DIVIDENDS.—Section 965(b)(2) of such Code is amended—

(i) by striking ''June 30, 2003'' and inserting ''September 30, 2011'', and

(ii) by adding at the end the following new sentence: ''The amounts described in clauses (i), (ii), and (iii) shall not include any amounts which were taken into account in determining the deduction under subsection (a) for any prior taxable year.''.

(B) DETERMINATIONS RELATING TO RELATED PARTY INDEBTEDNESS.—Section 965(b)(3)(B) of such Code is amended by striking ''October 3, 2004'' and inserting ''September 30, 2011''.

(C) APPLICABLE FINANCIAL STATEMENT.—Section 965(c)(1) of such Code is amended by striking ''June 30, 2003'' each place it appears and inserting ''September 30, 2011''.

(D) DETERMINATIONS RELATING TO BASE PERIOD.—Section 965(c)(2) of such Code is amended by striking ''June 30, 2003'' and inserting ''September 30, 2011''.

(b) DEDUCTION INCLUDES CURRENT AND ACCUMULATED FOREIGN EARNINGS.—

(1) IN GENERAL.—Paragraph (1) of section 965(b) of the Internal Revenue Code of 1986 is amended to read as follows:

''(1) IN GENERAL.—The amount of dividends taken into account under subsection (a) shall not exceed the sum of the current and accumulated earnings and profits described in section 959(c)(3) for the year a deduction is claimed under subsection (a), without diminution by reason of any distributions made during the election year, for all controlled foreign corporations of the United States shareholder.''.

(2) CONFORMING AMENDMENTS.—

(A) Section 965(c) of such Code, as amended by subsection (a), is amended by striking paragraph (1) and by redesignating paragraphs (2), (3), (4), and (5), as paragraphs (1), (2), (3), and (4), respectively.

(B) Paragraph (4) of section 965(c) of such Code, as redesignated by subparagraph (A), is amended to read as follows:

''(4) CONTROLLED GROUPS.—All United States shareholders which are members of an affiliated group filing a consolidated return under section 1501 shall be treated as one United States shareholder.''.

(c) AMOUNT OF DEDUCTION.—

(1) IN GENERAL.—Paragraph (1) of section 965(a) of the Internal Revenue Code of 1986 is amended by striking ''85 percent'' and inserting ''75 percent''.

(2) BONUS DEDUCTION IN SUBSEQUENT TAXABLE YEAR FOR INCREASING JOBS.—Section 965 of such Code is amended by adding at the end the following new subsection:

''(g) BONUS DEDUCTION.—

''(1) IN GENERAL.—In the case of any taxpayer who makes an election to apply this section, there shall be allowed as a deduction for the first taxable year following the election year an amount equal to the applicable percentage of the cash dividends which are taken into account under subsection (a) with respect to such taxpayer for the election year.

''(2) APPLICABLE PERCENTAGE.—For purposes of paragraph (1), the applicable percentage is the amount which bears the same ratio (not greater than 1) to 10 percent as—

''(A) the excess (if any) of—

''(i) the qualified payroll of the taxpayer for the calendar year which begins with or within the first taxable year following the election year, over

''(ii) the qualified payroll of the taxpayer for calendar year 2010, bears to

''(B) 10 percent of the qualified payroll of the taxpayer for calendar year 2010.

''(3) QUALIFIED PAYROLL.—For purposes of this paragraph:

''(A) IN GENERAL.—The term 'qualified payroll' means, with respect to a taxpayer for any calendar year, the aggregate wages (as defined in section 3121(a)) paid by the corporation during such calendar year.

''(B) EXCEPTION FOR CHANGES IN OWNERSHIP OF TRADES OR BUSINESSES.—

''(i) ACQUISITIONS.—If, after December 31, 2009, and before the close of the first taxable year following the election year, a taxpayer acquires the trade or business of a predecessor, then the qualified payroll of such taxpayer for any calendar year shall be increased by so much of the qualified payroll of the predecessor for such calendar year as was attributable to the trade or business acquired by the taxpayer.

''(ii) DISPOSITIONS.—If, after December 31, 2009, and before the close of the first taxable year following the election year, a taxpayer disposes of a trade or business, then—

''(I) the qualified payroll of such taxpayer for calendar year 2010 shall be decreased by the amount of wages for such calendar year as were attributable to the trade or business which was disposed of by the taxpayer, and

''(II) if the disposition occurs after the beginning of the first taxable year following the election year, the qualified payroll of such taxpayer for the calendar year which begins with or within such taxable year shall be decreased by the amount of wages for such calendar year as were attributable to the trade or business which was disposed of by the taxpayer.

''(C) SPECIAL RULE.—For purposes of determining qualified payroll for any calendar year after calendar year 2011, such term shall not include wages paid to any individual if such individual received compensation from the taxpayer for services performed—

''(i) after the date of the enactment of this paragraph, and

''(ii) at a time when such individual was not an employee of the taxpayer.''.

(3) REDUCTION FOR FAILURE TO MAINTAIN EMPLOYMENT LEVELS.—Paragraph (4) of section 965(b) of such Code (relating to limitations) is amended to read as follows:

''(4) REDUCTION IN BENEFITS FOR FAILURE TO MAINTAIN EMPLOYMENT LEVELS.—

''(A) IN GENERAL.—If, during the period consisting of the calendar month in which the taxpayer first receives a distribution described in subsection (a)(1) and the succeeding 23 calendar months, the taxpayer does not maintain an average employment level at least equal to the taxpayer's prior average employment, an additional amount equal to $75,000 multiplied by the number of employees by which the taxpayer's average employment level during such period falls below the prior average employment (but not exceeding the aggregate amount allowed as a deduction pursuant to subsection (a)(1)) shall be taken into income by the taxpayer during the taxable year that includes the final day of such period.

''(B) AVERAGE EMPLOYMENT LEVEL.—For purposes of this paragraph, the taxpayer's average employment level for a period shall be the average number of full-time United States employees of the taxpayer, measured at the end of each month during the period.

''(C) PRIOR AVERAGE EMPLOYMENT.—For purposes of this paragraph, the taxpayer's 'prior average employment' shall be the average number of full-time United States employees of the taxpayer during the period consisting of the 24 calendar months immediately preceding the calendar month in which the taxpayer first receives a distribution described in subsection (a)(1).

''(D) FULL-TIME UNITED STATES EMPLOYEE.—For purposes of this paragraph—

''(i) IN GENERAL.—The term 'full-time United States employee' means an individual who provides services in the United States as a full-time employee, based on the employer's standards and practices; except that regardless of the employer's classification of the employee, an employee whose normal schedule is 40 hours or more per week is considered a full-time employee.

''(ii) EXCEPTION FOR CHANGES IN OWNERSHIP OF TRADES OR BUSINESSES.—Such term does not include—

''(I) any individual who was an employee, on the date of acquisition, of any trade or business acquired by the taxpayer during the 24-month period referred to in subparagraph (A), and

''(II) any individual who was an employee of any trade or business disposed of by the taxpayer during the 24-month period referred to in subparagraph (A) or the 24-month period referred to in subparagraph (C).

''(E) AGGREGATION RULES.—In determining the taxpayer's average employment level and prior average employment, all domestic members of a controlled group shall be treated as a single taxpayer.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after the date of the enactment of this Act.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on July 19, 2012, at 9:30 a.m.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor and Pensions be authorized to meet during the session of the Senate to conduct a hearing entitled ''Making College Affordability a Priority: Promising Practices and Strategies'' on July 19, 2012, at 10 a.m. in room 430 of the Dirksen Senate Office Building.

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

COMMITTEE ON INDIAN AFFAIRS

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on July 19, 2012, in room SD–628 of the Dirksen Senate Office Building, at 2:15 p.m., to conduct a hearing entitled ''Impacts of Environmental Changes on Treaty Rights, Traditional Lifestyles, and Tribal Homelands.''

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

COMMITTEE ON THE JUDICIARY

Ms. STABENOW. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on July 19, 2012, at 10 a.m., in SD–226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

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

SELECT COMMITTEE ON INTELLIGENCE

Ms. STABENOW. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 19, 2012, at 2:30 p.m.

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

PRIVILEGES OF THE FLOOR

Mr. MERKLEY. Mr. President, I ask unanimous consent that Steven Kirby, a member of my staff who is serving as an intern this summer, be granted the privilege of the floor for the balance of today.

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

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that Jennifer Parsons, a member of my staff, be granted floor privileges during today's session of the Senate.

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

MEASURES PLACED ON THE CALENDAR—S. 3412 AND S. 3413

Mr. REID. Mr. President, I ask unanimous consent that S. 3412 and S. 3413, which are both at the desk, be considered as having been read twice and placed on the calendar.

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

MEASURES READ THE FIRST TIME—S. 3414 AND H.R. 5872

Mr. REID. Mr. President, there are two bills at the desk, and I ask for their first reading.

The PRESIDING OFFICER. The clerk will report the bills by title for the first time.

The assistant legislative clerk read as follows:

A bill (S. 3414) to enhance the security and resiliency of the cyber and communications infrastructure of the United States.

A 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.

Mr. REID. Mr. President, I now ask for a second reading on both these matters but object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bills will be read for a second time on the next legislative day.

ORDERS FOR MONDAY, JULY 23, 2012

Mr. REID. Mr. President, I now ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m. on Monday, July 23; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day, and at that time I be recognized; that at 5 p.m. the Senate proceed to executive session to consider Calendar No. 663, the nomination of Michael A. Shipp to be U.S. district judge for the District of New Jersey, with 30 minutes of debate equally divided and controlled in the usual form; further, that the cloture vote on the Shipp nomination be at 5:30 p.m. on Monday.

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

PROGRAM

Mr. REID. Mr. President, the next rollcall vote will be at 5:30 p.m. on Monday on the motion to invoke cloture on the Shipp nomination.

ADJOURNMENT UNTIL MONDAY, JULY 23, 2012, AT 2 P.M.

The PRESIDING OFFICER. Mr. President, if there is no further business to come before the Senate, I ask that it adjourn under the previous order.

There being no objection, the Senate, at 5:46 p.m., adjourned until Monday, July 23, 2012, at 2 p.m.

EXTENSIONS OF REMARKS

STEVE EBNER TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2012

Mr. TIPTON. Mr. Speaker, I rise today in honor of Mr. Steve Ebner. Since 2006, Mr. Ebner has served as Fire Chief at the Fort Lewis Mesa Fire Department and on August 1, he will step down from this position.

Beginning his career as a volunteer in Maryland, Mr. Ebner worked for nearly 42 years in the fire service industry. His experience gained him teaching positions at both the University of Maryland and San Juan College Fire Science Programs. In 2006, after many distinguished years of service, the Fort Lewis Fire Department appointed Mr. Ebner to the fire chief position.

During his time at Fort Lewis Mesa, Mr. Ebner was essential to the development and expansion of the fire department. With improved training sessions and enhanced services, Mr. Ebner advanced the department's ability to perform. His leadership and commitment to the community were also recognized this past spring when eight department members shaved their heads in support of Mr. Ebner's battle with chemotherapy.

Mr. Speaker, it is an honor to recognize Chief Steve Ebner. I rise today to thank him for his work on behalf of the state of Colorado, and I wish him the best in his fight against cancer.

PERSONAL EXPLANATION

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2012

Ms. SEWELL. Mr. Speaker, on Tuesday July 17 and Wednesday July 18, 2012, I was not present for recorded votes and was with my constituents in my district preparing for and attending tornado recovery related events with the First Lady of the United States.

If I were present, I would have voted in the following way:

Tuesday July 17

H.R. 6018—To authorize appropriations for the Department of State for fiscal year 2013, and for other purposes—voted ''yes.''

S. 2009—Insular Areas Act of 2011—voted ''yes.''

Wednesday July 18

H.R. 5872—Sequestration Transparency Act of 2012—voted ''yes.''

McCollum Amendment to H.R. 5856—Reduces Military Retirement Funds (for military bands) by $187,770,000 and applies the savings to the spending reduction account—voted ''no.''

Kingston/McCollum Amendment to H.R. 5856—Reduces the amount of Defense Department funding for professional sports sponsorships by $72,300,000 and applies the savings to the spending reduction account—voted ''yes.''

Quigley Amendment to H.R. 5856—Reduces the Navy Shipbuilding and Conversion account by $988 million (funding for one DDG–51 Destroyer) and applies the savings to the spending reduction account—voted ''no.''

Cohen Amendment (#1) to H.R. 5856—Reduces the Navy Cruiser Modernization account by $506,660,000 and increases the Defense Health Program (for cancer research) account by $470 million—voted ''no.''

Pompeo Amendment to H.R. 5856—Strikes the $250 million Rapid Innovation Fund from the bill and applies the savings to the spending reduction account—voted ''no.''

Markey Amendment (#1) to H.R. 5856—Reduces the funding for ground based missile defense by $75 million and applies the savings to the spending reduction account—voted ''no.''

Amash Amendment to H.R. 5856—Allows outsourcing of Defense-related work and strikes the requirement that such outsourcing be done on a competitive and cost-beneficial basis—voted ''no.''

Cohen Amendment (#2) to H.R. 5856—Reduces the Afghanistan Infrastructure Fund by $175 million and applies the savings to the spending reduction account—voted ''no.''

Cicilline Amendment to H.R. 5856—Strikes the $375 million in funding for the Afghanistan Infrastructure Fund and applies the savings to the spending reduction account—voted ''no.''

Woolsey Amendment (#1) to H.R. 5856—Reduces total defense funding by $181 million—the same amount that the FY13 Transportation/HUD bill cut the Federal Transit Administration—voted ''no.''

Markey Amendment (#2) to H.R. 5856—Prohibits the use of funds to operate or maintain more than 300 land-based intercontinental ballistic missiles (ICBMs)—voted ''no.''

Woolsey Amendment (#2) to H.R. 5856—Reduces funding in the bill by $293,900,000—the same amount as was cut in the proposed FY13 Labor/HHS appropriations bill for Title X Family Planning (zeroing out the account)—voted ''no.''

Woolsey Amendment (#3) to H.R. 5856—Reduces funding in the bill by $1,700,000,000—the same amount as the Republican budget cut the Social Services Block Grant program (zeroing out the account)—voted ''no.''

Lee Amendment to H.R. 5856—Reduces funding for the Overseas Contingency Operation (OCO) by $21 billion, excluding: the Defense Health Program; Defense Drug Interdiction and Counter-Drug Activities; the Joint Improvised Explosive Device Defeat Fund; and the Office of the IG—voted ''no.''

King (IA) Amendment to H.R. 5856—Prohibits the use of funds to be used to implement, administer, or enforce the requirements in the Davis-Bacon Act—voted ''no.''

RECOGNIZING THE FLINN FAMILY AS THE 2012 SANTA ROSA COUNTY, FLORIDA OUTSTANDING FARM FAMILY

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2012

Mr. MILLER of Florida. Mr. Speaker, I am proud to recognize the Flinn family for being selected as the Santa Rosa County, Florida Outstanding Farm Family for 2012.

Shannon Flinn first began farming with his father in his native Illinois. From a young age, he has always been actively involved in all aspects of farming and personifies the spirit of American ingenuity that has helped make our Nation prosperous. His hands-on experience helped develop a natural aptitude for finding unique solutions to complex problems. In 1972, Shannon moved to Santa Rosa County, Florida, and in 1989, he and his wife, Audra, were married. Audra plays an instrumental role in their success, especially during the planting and harvesting seasons.

The Flinn family embodies the industrious nature and household unity that characterizes our Nation's family farmers. Today, along with their three children, the Flinns farm peanuts, cotton, corn, and soybeans on 500 acres of land in Northwest Florida. Sheldon, 16 years of age, is known as an excellent operator and is skilled at using essential farm equipment to plow, plant, and harvest the crops. Aaron, still relatively young at the age of 11, is a helpful worker who has already developed the patience required to think through problems that routinely arise on the farm. Megan, their oldest child, currently attends nursing school, but still finds time to help out on the farm when she is able.

The Flinn family is also very active in their local church and Cobbtown Christian Academy, where Sheldon and Aaron attend school. Shannon also serves on both the Santa Rosa County Farm Bureau Board and the Jay Peanut Farmers Cooperative Board of Directors.

Mr. Speaker, our great Nation was built by farmers and their families. The Santa Rosa County Outstanding Farm Family of the Year Award is a reflection of the Flinns' tireless work and their dedication to family, faith and farming. On behalf of the United States Congress, I would like to offer my congratulations to the Flinn family for this great accomplishment. My wife Vicki and I extend our best wishes for their continued success.

H.R. 4367

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2012

Mr. YOUNG of Alaska. Mr. Speaker, I rise to support H.R. 4367, a bill which would remove the current requirement under the Electronic Funds Transfer Act that ATM machines

have a physical label indicating the fee charge. Currently, ATM machines have both a physical posted notification and an on-screen prompt that inform the customer of any fees prior to the withdrawal or transfer of money. These fees are often used to offset the cost of a patron withdrawing money from an ATM owned by another financial institution.

H.R. 4367 is an essential piece of legislation which prevents greed-motivated individuals from fraudulently removing the physical fee notification and then filing frivolous lawsuits on financial institutions for not having the physical notification posted. This fraud forces financial institutions to waste huge amounts of money on legal fees, some as much as $500,000, merely to defend frivolous lawsuits. Unfortunately, the cost of this litigation forces banks to raise their ATM fees to deal with the action of a few unscrupulous individuals exploiting a legal loophole.

Today, virtually all ATM machines display on-screen notifications of a transfer fee, prior to allowing the customer to withdraw money. Altering the law so that banks are only required to post an on-screen fee notification will help them avoid expensive, unjust, and unnecessary lawsuits. H.R. 4367 is an essential and necessary part of modernizing our financial regulations to fit the needs of the digital world. Please know that I firmly support H.R. 4367 and would have voted in favor of it.

HONORING BARDSTOWN, KY

HON. BRETT GUTHRIE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2012

Mr. GUTHRIE. Mr. Speaker, I rise today to congratulate the town of Bardstown, Kentucky on its recent honor of being named the "Most Beautiful Small Town in America." This distinction was made by Rand McNally and USA Today after considering the 650 nominated towns.

This is a tremendous honor for Bardstown and its residents. Whenever people visit Kentucky, I always tell them to visit Bardstown because I believe it best exemplifies the beauty of the Bluegrass State. I am proud to call Kentucky my home, and I hope this honor will continue to draw attention to this beautiful town and all that Kentucky has to offer.

Bardstown, the second oldest city in Kentucky, has previously been named one of the 100 Best Small Towns in America and one of the 50 Best Small Southern Towns. Bardstown is home to many historic and notable sites, most notably "My Old Kentucky Home," which was visited by American composer Stephen Foster. The legendary story says it was his inspiration for the Kentucky State Song. Bardstown holds another impressive title of "Bourbon Capital of the World." Bardstown is home to Heaven Hill and Barton Brands and the distilleries at Maker's Mark and Jim Beam are just outside of town.

It is important to highlight the wonderful leadership of Bardstown, and this honor reflects on their work within the community. Thank you for making Bardstown what it is today.

I encourage everyone to visit beautiful Bardstown, Kentucky. You will fall in love with the majestic landscape and the sense of community.

RECOGNIZING 2012 BLUE STAR MUSEUMS: THE FRISCO HERITAGE MUSEUM AND THE COLLIN COUNTY FARM MUSEUM

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2012

Mr. SAM JOHNSON of Texas. Mr. Speaker, I am proud to recognize the Frisco Heritage Museum in Frisco, Texas and the Collin County Farm Museum in McKinney, Texas for participating in the National Endowment for the Arts' Blue Star Museums program.

This program—also supported by Blue Star Families organizations and the United States Department of Defense—encourages museums across the country to offer free admission to active duty military personnel and their families between Memorial Day and Labor Day. Over 1,800 facilities nationwide participate, and many extend the offer of free admission to veterans of our Armed Forces. Two of these great institutions are located in Collin County, Texas, the place I'm privileged to call home.

The Frisco Heritage Museum exists to "collect, preserve, study, interpret, exhibit, and stimulate appreciation for the history and culture of Frisco, Texas—and the North Texas region—to all the people of the region." This great museum is situated on a six-acre Heritage Center where folks can visit a reproduction of the Frisco Train Depot and historic buildings that were moved to the lot. The museum itself walks visitors through Frisco's development from a small railroad town to the fastest-growing city in America.

Another museum designated as a Blue Star is the Collin County Farm Museum. This great facility, which boasts over 8,500 square feet of collections and exhibits, strives to "develop a better understanding and appreciation of Collin County's rural heritage." The museum also loans out artifacts to popular area attractions, allowing the public to enjoy historic equipment such as a Model T Ford and early-model tractors.

I commend both museums for honoring our nation's heroes by opening their doors free of charge. After all, it's the men and women of our Armed Forces who have defined the American story and who still fight to protect the freedoms that allow the United States to be the most innovative nation on earth.

To the staff, supporters, and volunteers of the Frisco Heritage Museum and the Collin County Farm Museum, thank you for your first-rate efforts. You help make our community great.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2013

SPEECH OF

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

The House in Committee of the Whole House on the state of the Union 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:

Mr. DINGELL. Mr. Chair, I rise in support of H.R. 5856, the Department of Defense Appropriations Act for Fiscal Year 2013. We are still a nation at war. Our troops continue to remain in harm's way fighting for our country in Afghanistan. Our consideration of this legislation must begin with an acknowledgement of this critical fact.

In that light, I am pleased that this legislation gives our troops the support they need while they are serving our Nation abroad. The bill provides $519.2 billion for the Department of Defense's base budget, and $88.5 billion in funding for the war. It also gives a 1.7 percent pay raise to our troops and provides $2.3 billion for family support and advocacy programs. I am also very pleased to see the Committee include $181 million in funding to keep the M–1 Abrams tank production line in operation, which will help ensure our military industrial base is strong and vibrant. The legislation also provides $1.6 billion for activities to counter Improvised Explosive Devices (IEDs), which continue to be a leading killer of our troops abroad. All of these programs are an accurate reflection of our priorities as a nation.

That being said, I am dismayed that House Republicans chose to write all of this year's appropriations bills under a lower limit than was established under the Budget Control Act (BCA). The BCA represents a bipartisan compromise on Federal spending and it should be respected. The Senate Committee on Appropriations is moving forward with the limit established under the BCA with the blessing of the Republican leadership. Such a disconnect between the two bodies on an issue of critical significance only adds to the uncertainty surrounding our economy and is not in our national interest.

I urge all of my colleagues to join me in supporting this vital legislation so our troops can know they have the support of the Congress.

IN RECOGNITION OF BISHOP GREGORY KEITH BLUE, D.MIN.

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2012

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to pay tribute to Bishop Gregory Keith Blue, D.Min., Presiding Prelate of Perfecting Ministries Worldwide, Inc. and Overseer of Body of Christ Church International, who is celebrating 30 years of Pastoral Ministry this year. He will be honored at a banquet on Saturday, July 21, 2012 and at a church service on Sunday, July 22, 2012, in Columbus, Georgia.

A native of Miami, Florida, Bishop Blue holds five degrees: a Bachelor of Arts in Psychology, Bachelor of Science in Criminal Justice, Master of Arts in Psychology, Master of Divinity, and Doctorate of Divinity.

Stepping out of the United Methodist Church, Dr. Gregory Blue stepped into apostolic purpose birthing Perfecting Ministries Worldwide and Body of Christ Church International. Following Ephesians 4:11–13, "So Christ himself gave the apostles, the prophets,

the evangelists, the pastors and teachers, to equip his people for works of service, so that the body of Christ may be built up until we all reach unity in the faith and in the knowledge of the Son of God and become mature, attaining to the whole measure of the fullness of Christ,'' the revelation became manifestation in July 2000 on a store front property in Columbus, Georgia.

Bishop Blue is responsible for establishing, developing, and perfecting the five-fold ministry by equipping and teaching followers of God and sending them out across the globe to found churches with Christ as the Chief Apostle.

A strong leader with an exceptional work ethic, Bishop Blue has spoken and shared the Word of God as a pastor throughout the State of Georgia since 1983. He had the honor of speaking at the Congressional Black Caucus in Washington, DC in 2002 and has received many civic and social awards both locally and nationally. He is also affiliated with Potter's House International Pastoral Alliance (PHIPA) in Dallas, Texas and Summerfield Ministries in Raleigh, North Carolina.

Bishop Blue has been sought out by local and state officials for his counsel and prayers. In late 2005, he traveled with Dr. Sherlock Bally to Israel to meet with key Israeli leaders. Since then, Bishop Blue has been traveling around the United States consecrating bishops and teaching true worship.

A father of five, Bishop Blue meditates upon Psalm 66:12, ''You have caused men to ride over our heads; we went through fire and through water; But You brought us out to rich fulfillment—abundance.''

Mr. Speaker, I ask my colleagues to join me in paying tribute to Bishop G.K. Blue for 30 outstanding years of Pastoral Ministry. He has transformed the lives of countless people and his leadership has inspired others to also help lead the way to eternal life.

TRIBUTE TO THE TOWN OF ATHOL ON THE OCCASION OF THE 250TH ANNIVERSARY OF ITS FOUNDING

HON. JOHN W. OLVER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2012

Mr. OLVER. Mr. Speaker, I rise today to recognize the 250th anniversary of the town of Athol, Massachusetts. On March 4, 1762 the colonial Governor of Massachusetts, Sir Francis Bernard, officially incorporated the Town of Athol, Massachusetts into the commonwealth. The town was named in honor of the Scottish heritage of an influential settler, John Murray, who had ancestral ties to Blair Atholl in Scotland.

As with many colonial towns and villages in western Massachusetts, agriculture was an important and prosperous industry. In Athol, that industry grew to include milling lumber, grains, and other agricultural products. The advent of the locomotive and the expansion of railroads to Athol contributed greatly to the economic growth of the town and to increasing trade with Springfield and Vermont.

As the market for goods produced in Athol expanded, new industries, such as cotton processing, tanning, production of textiles, and metal working, flourished. Athol earned the nickname of ''Tool Town'' because of the Athol Machine Company and the L. S. Starrett Company, which produced machinists' hand tools and precision tools and were both established in the 19th century. Athol's booming economy turned the town into a destination for travelers from all across Massachusetts and New England. Trolley lines from Athol to Orange shuttled visitors to and from their destinations.

Today, Athol is again on the rise; its population is increasing and the spirit of resilience and determination present in the days of the lumber mills and metal works factories remains strong. On the occasion of the 250th anniversary of the town of Athol, Massachusetts, I congratulate its citizens and praise their dedication and perseverance throughout the town's history. It has been an honor to represent this great community, and I wish the people of Athol a healthy and prosperous future.

INTRODUCTION OF LEGISLATION TO REAUTHORIZE THE NATIONAL WOMEN'S RIGHTS HISTORY PROJECT

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2012

Ms. SLAUGHTER. Mr. Speaker, I rise today to introduce legislation that will reauthorize the National Women's Rights History Project. I originally worked with then-Senator Hillary Clinton to create this project, and with the authorization for the project. With its current authorization set to expire in Fiscal Year 2013, it is vital that Congress pass this reauthorization and ensure that the women who have shaped our Nation's history, and fought for women's rights, are remembered and honored for generations to come.

The National Women's Rights History Project will establish an auto route linking sites significant to the struggle for women's suffrage. It will also add to the National Register of ''Places Where Women Made History,'' a variety of historic sites that were home to pivotal moments in our Nation's struggle for gender equality. Finally, this Project will establish a public-private partnership network to offer financial and technical assistance for educational programs about the history of the fight for women's rights.

On this day in 1848, Elizabeth Cady Stanton, Lucretia Mott, and Mary Ann M'Clintock convened the first women's rights convention at Wesleyan Chapel in Seneca Falls, New York. This event marked the beginning of a 72-year struggle for women's suffrage. During the convention, 68 women and 32 men signed the Declaration of Sentiments, which set out radical notions such as women's freedom to own property, receive an education and earn fair wages.

I am especially proud that it was in Rochester, New York, where Susan B. Anthony fought so hard for the rights that women throughout this country rely on today. Among her many efforts, Susan B. Anthony established the Equal Rights Association to refute ideas that women were inferior to men and fight for women's right to vote. And in 1900, Anthony fought to tear down the walls of higher education. Twenty years earlier, a woman launched a brave petition to be the first female student at the University of Rochester. For almost twenty years, the petition was flatly denied—until 1898, when the University said that women would be allowed if they raised $100,000 for the school. In today's terms, that is equal to $2 million.

By June 1900 a group of women had managed to secure $40,000, and the University decided that women would be allowed to enroll if they could raise another $10,000 by September. Scrambling to reach the new goal, the women were $8,000 short a day before the deadline. With hours remaining, Susan B. Anthony stepped forward and raised $6,000 from friends and family before pledging her own life insurance policy to raise the final $2,000 and throw open the doors of higher education in Rochester.

Now, more than 100 years later, the University of Rochester is home to the Susan B. Anthony Institute for Gender and Women's Studies—one of the preeminent institutions in the world.

These are the stories of incredible courage, dedication, and unyielding belief in equality that the National Women's Rights History Project is designed to honor.

The fight for women's rights and equality still continues today. It was just 92 years ago that women were finally granted the right to vote.

The struggle for women's suffrage was never easy and it is vital that we honor the sacrifices and commitment of those who have led us here today.

Reauthorizing the National Women's Rights History Project Act will ensure that this important civil rights story is celebrated for generations to come. I urge my colleagues to support this bill and reauthorize the National Women's Rights History Project.

IN RECOGNITION OF SGT. RICHARD A. CUMMINGS, JR.

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2012

Mr. PALLONE. Mr. Speaker, I rise today to honor the late Sgt. Richard A. Cummings, Jr., a life long resident of Deal, New Jersey. Sgt. Cummings enlisted in the United States Marine Corps after high school and passed away while serving his country. His heroic actions to defend our nation's freedom are truly worthy of this body's recognition.

Sgt. Richard Cummings, Jr. has exemplified a long standing history of dedication to his community and country. Sgt. Cummings attended Deal Elementary School and is an alumnus of St. Rose High School in Belmar, New Jersey. Richard was a devout member of the First Baptist Church in Manasquan, New Jersey and dedicated his time to serving the community as a member of the Veterans of Foreign Wars, Post 2226. Richard was a member of Boy Scout Troop 70 and attained the rank of Life Scout. Sgt. Cummings enlisted in the United States Marine Corps the summer after he graduated high school. He proudly served at the 4th Marine Logistics Group in Red Bank, New Jersey as a diesel mechanic with the 6th Motor Transport Battalion and held this position for five years. Sgt. Cummings' most recent assignment was at the Marine Tactical Group, Marine Air Control Group–

48, in Great Lakes, Illinois. Sgt. Cummings also bravely served his country in Iraq supporting Operation Enduring Freedom. He passed away while on assignment at Marine Air Base in Yuma, Arizona at the age of twenty-four.

Sgt. Cummings is predeceased by his grandparents, Charles and Helen Cummings and Becky Correia. He is survived by his grandfather, Toddy Correia of Manasquan, New Jersey, his parents, Richard, Sr. and Odette Cummings of Deal, New Jersey, his sister, brother-in-law and niece, Stefanie, Aaron and Rebecca Green of Ocean Township, New Jersey and his sister and brother-in-law Amy and Jim Bonney of Brownsville, Vermont. Also surviving are his uncle and aunts, Elliott and Marybeth Correia, Dennis and Sheri Cummings, and cousins, Todd and Lt. Mark Correia, Gregory Cummings. He will also be missed by his cousins Amanda, Toby, Mia and Izzy Wood of Austin, Texas. Sgt. Cummings will always be remembered as a loving son, brother, gracious friend and loyal Marine.

Mr. Speaker, once again, please join me in memorializing the life and legacy of Sgt. Richard A. Cummings, Jr. His faithful dedication and service toward his country continue to uphold the proud legacy and motto of the United States Marine Corps of honor, courage and commitment.

THE REHABILITATION OF HISTORIC SCHOOLS ACT

HON. MICHAEL R. TURNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2012

Mr. TURNER of Ohio. Mr. Speaker, today, my colleague, Congressman RUSS CARNAHAN, and I, as co-chairs of the Historic Preservation Caucus, introduced the Rehabilitation of Historic Schools Act, which would incentivize private investment to help rehabilitate our country's older K–12 public school buildings.

It is imperative that we improve our educational facilities to help our children learn and compete in today's economy. According to the Department of Education's National Center for Education Statistics, 28 percent of all public K–12 schools were built before 1950. In addition, a study by the American Society of Civil Engineers gave the quality of our nation's public school facilities a ''D'' rating. As state and local governments continue to feel pressure in this difficult economy, Congress must remove red tape that hinders private investment in our public schools.

Established by Congress over thirty years ago, the Historic Tax Credit, HTC, has helped create 2.2 million jobs, incentivized nearly $100 billion in private investment, and renovated more than 38,000 buildings, while helping to revitalize our communities and protect our country's cultural heritage. In 2011, the HTC leveraged more than $4 billion in private investment and helped create nearly 56,000 jobs to rehabilitate 937 projects.

Unfortunately, under current law, a restriction on the prior use of a property limits the ability of local governments to partner with private developers to rehabilitate older public schools through the use of the HTC. This bipartisan and bicameral bill would remove this barrier, incentivizing the renovation of older K–12 public schools, improving the learning environment for our nation's youth and helping spur local job creation.

Our communities must have the ability to provide our children with the premier, 21st Century education they deserve. By allowing this incentivized private investment, school districts can rehabilitate their facilities at lower costs and dedicate more funding to educating their students.

Mr. Speaker, I urge all my colleagues to cosponsor this important bill.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2013

SPEECH OF

HON. RICHARD B. NUGENT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

The House in Committee of the Whole House on the state of the Union 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:

Mr. NUGENT. Mr. Chair, it is DoD policy that when a servicemember becomes a casualty, his remains are returned to the family as quickly as possible with the utmost respect and dignity.

This policy was revised and mandated by Congress in 2008 when new requirements were established for transportation and honor guards for the remains of combat casualties.

As a nation, we owe our fallen heroes and their families a debt that can never truly be repaid. The dignified transfer of a casualty is the least that we can do to honor the sacrifice paid by the men and women who volunteer to lay their life down in the defense of others.

I am happy that this bill in front of us today fully funds the transportation and escort of these heroes, and want to thank the Chairman and the Ranking Member for continuing to make this a priority.

I remember meeting with a family from my district last year whose son, Corporal Johnathan W. Taylor, gave his life defending our freedom on February 22, 2011 in Afghanistan.

Now beside his fellow brothers in uniform, his parents, Mark and Deborah, have said that they were proud to have seen their son off on what they like to call his final tour of duty.

This final tour of duty was important for his family, as well as his friends and fellow Marines.

It was important because they all had the opportunity to see Corporal Taylor return home for the last time, with the honor and military escort he has so rightfully earned.

Continuing to fully fund this important mission will allow other families, who have made the most difficult sacrifice imaginable, the opportunity to watch their children return home and laid to rest as a national hero.

Army SPC Clarence Williams III will be laid to rest next Monday, on July 23, in the Florida National Cemetery. He was killed in action in Afghanistan last week.

HONORING PRIVATE FIRST CLASS BRANDON D. GOODINE

HON. LYNN A. WESTMORELAND

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2012

Mr. WESTMORELAND. Mr. Speaker, I come before you today with great sadness to honor one of Georgia's own, Private First Class Brandon D. Goodine. On June 7th, Brandon gave the ultimate sacrifice when his unit was attacked with an improvised explosive device by enemy forces in the Maiwand District of Kandahar province in Afghanistan while supporting Operation Enduring Freedom.

Brandon was a beloved father, husband, brother, and son. He was taken from us much too soon, but not without accomplishing great things. He believed his greatest was his 3 year old daughter, Kathryn. Brandon became a father at a young age, but devoted his life to making sure Kathryn had everything she needed. In fact, his reason for joining the Army was so that he could be sure she was taken care of. Her birth gave him direction and purpose in life, helping him believe he could accomplish anything. Everything that Brandon did was for Kathryn.

Giving everything 110% was what Brandon did. He was just an all around great guy striving to make something of himself. Brandon attended Henry County High School, and later joined the Navy ROTC at Greenville High School. On May 2, 2011, he joined the Army and served as a scout with Bravo Troop, 4th Battalion, 73rd Cavalry Regiment of the 82nd Airborne Division in Fort Bragg, NC. In his unit, he was a brother to his fellow paratroopers. They remember not only laughing and having fun with him, but his kindness and generosity. Going out of his way to volunteer or help someone was not unusual for Brandon. On June 7th, he was assigned to a mission to prevent the enemy from freely attacking peaceful communities. He bravely gave his life doing what he did best, helping others and giving them a chance for a better life.

His commitment to his daughter, family, and our country inspired his older brother, Christopher, to enlist in the Army 3 months later. Brandon's mother, Mandy, said she was not only proud to be his mother, but his friend. He was a hero to his family, a role model for his three sisters and brother, and, a loving father, a dedicated husband to his wife, Nicole. One of the biggest tributes to Brandon's life has been the support from the community. When Brandon was being transported home, flags were placed along the road to honor him and his sacrifice. He was laid to rest on June 18 by his close friends and family in McDonough, GA.

I am proud to stand before you to honor the life of PFC Brandon Goodine and to thank him for his service to our country. Brandon has left a lasting impression on all those he has touched, and his bravery will never be forgotten.

Joan and I extend our deepest sympathy to the friends and family of Brandon, and we will never forget his great sacrifice for our nation so that we may all live free.

DR. STEPHEN R. COVEY

HON. JASON CHAFFETZ

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2012

Mr. CHAFFETZ. Mr. Speaker, today I would like to celebrate and honor the life of a great American who recently passed away—Dr. Stephen R. Covey, who lived in my district and was a dear friend. He died this past week at the age of 79 with his family at his side.

Dr. Covey received a bachelor's degree from the University of Utah, a master's in business from Harvard, and a doctorate from Brigham Young University. He began his career as a university professor and then later became a world-renowned author and leadership consultant. He is the author of many international bestsellers, including The 7 Habits of Highly Effective People, which has sold over 20 million copies and has been translated into 40 languages. In 2002, Forbes named it one of the 10 most influential management books ever written, and Chief Executive magazine called it one of the two most influential books of the 20th Century. His other bestsellers include First Things First, Principle-Centered Leadership, The 7 Habits of Highly Effective Families, and The 8th Habit. In 1996, Dr. Covey was named one of Time magazine's 25 most influential Americans.

Dr. Covey founded Covey Leadership Center, a leadership training company which later merged to become FranklinCovey in 1997. Since that time, FranklinCovey has grown to operate in over 125 countries throughout the world. Whether it was with Fortune 100 CEOs, heads of state, or university and grade school students, Dr. Covey devoted his life to spreading principle-centered leadership and influenced the lives of millions.

Despite his astounding professional career, Dr. Covey always considered his family to be his most important work and greatest accomplishment. He was a devoted husband and father, and was beloved by his nine children, 52 grandchildren, and six great-grandchildren. In 2003, he received one of his most meaningful awards—the Fatherhood Award from the National Fatherhood Initiative. Dr. Covey truly exemplified the principles he taught, balancing his family and personal priorities with an extraordinary professional career.

I invite my colleagues to join me in celebrating the life of one of the world's best—Dr. Stephen R. Covey. He left a legacy to the world and his influence will be felt for generations to come.

RECOGNIZING RICE UNIVERSITY FOR 100 YEARS OF SUCCESS

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2012

Mr. SAM JOHNSON of Texas. Mr. Speaker, it is a great honor to recognize the 100th anniversary of a fine higher educational institution in the Great State of Texas—Rice University. As one of only three Tier One schools in Texas, Rice also ranks among the world's top 100 universities. Consistently ranked as one of the nation's premier institutions, Rice is a leading university in research and its stellar academic programs.

Located in the center of Texas' largest metropolitan area, Rice's small size allows for enriched personal interaction between students and professors. Year after year, the university produces first-rate graduates and students—many of whom have received such awards and distinctions as Fulbright Scholars, Marshall Scholars, Mellon Fellows, and many other merits. This level of success is due in part to the distinguished faculty which consists of a Nobel laureate, a Pulitzer Prize award winner, 6 Fulbright Scholars, and 86 fellows of the National Science Foundation—just to name a few.

In its 100 years of award-winning success, Rice University has established itself as a model institution of higher education, and its status as a top national university promises a remarkable future. Congratulations to everyone who helped make 100 years of educating the best and brightest a reality at Rice University. For all you do for the state of Texas, God bless you, and I salute you.

A TRIBUTE TO RYAN HANSON

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2012

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Ryan Hanson of Ames, Iowa for achieving the rank of Eagle Scout.

The Eagle Scout rank is the highest advancement rank in scouting. Only about five percent of Boy Scouts earn the Eagle Scout Award. The award is a performance-based achievement with high standards that have been well-maintained over the past century.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as completing an Eagle Project to benefit the community. The work ethic Ryan has shown in his Eagle Project, and every other project leading up to his Eagle Scout rank, speaks volumes of his commitment to serving a cause greater than himself and assisting his community.

Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication and perseverance. I am honored to represent Ryan and his family in the United States Congress. I know that all of my colleagues in the House will join me in congratulating him in obtaining the Eagle Scout ranking, and will wish him continued success in his future education and career.

HONORING DR. DEREK WILLARD, SPECIAL ASSISTANT TO THE PRESIDENT FOR GOVERNMENTAL RELATIONS AND ASSOCIATE VICE PRESIDENT FOR RESEARCH AT THE UNIVERSITY OF IOWA

HON. DAVID LOEBSACK

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2012

Mr. LOEBSACK. Mr. Speaker, today I would like to recognize the long, successful, and highly dedicated career of Dr. Derek H. Willard, the Special Assistant to the President for Governmental Relations and the Associate Vice President for Research at the University of Iowa in Iowa City, Iowa. Derek has served the University of Iowa, the Iowa City community, and the State of Iowa for almost three decades with admirable leadership, devotion, and loyalty. I have worked closely with him since I came to Congress six years ago, and it has truly been a privilege to witness and work with someone so focused on advocating on behalf of Iowans.

Prior to coming to the University of Iowa, Derek earned his bachelor's degree from the University of Rhode Island in 1964, a master's degree from the University of Pennsylvania in 1968, and served as a faculty member at the United States Air Force Academy. His own research brought him to the Hawkeye State, where he earned his doctorate degree in 1975 and began his long career at the University of Iowa.

Since 1999, Derek has been the primary contact for federal relations and the Iowa Board of Regents at the University of Iowa, which is not only a top tier public university of over 45,000 students, faculty and staff but also a premier national research institution. He has overseen external funding for the University, and, under his leadership, funding secured by the University from organizations such as the National Institute of Health has increased from about $70 million annually to more than $386 million in 2008.

Prior to his appointment as federal liaison, Derek served 17 years as Associate Vice President for Research, a position he still holds today and which demonstrates his impressive dedication to the University of Iowa's research mission. He also currently serves as a faculty member in the Department of Preventive and Community Dentistry, and previously served as Director of Behavioral Sciences.

Among many career highlights, Derek played a pivotal role in securing funding and space on the University of Iowa campus for the National Advanced Driving Simulator. He also served as project director on a $2 million Higher Education Disaster Relief Grant, which provided much needed federal assistance in the wake of the Floods of 2008 that devastated the University of Iowa campus. Derek was recently recognized by the Association of Public and Land Grant Universities with a Lifetime Achievement Award for governmental relations.

The many successes he has achieved both for the University of Iowa and on a personal level demonstrate Derek's incredible dedication, professionalism, and commitment. On a personal level, I am grateful for Derek's helpfulness to my office in numerous generous

ways. His encyclopedic knowledge of University activities and his intelligent, openhanded advice has greatly helped me advocate on behalf of the University of Iowa, its students, and its faculty and staff. My staff and I will always cherish his graciousness, his wisdom, and his thoughtfulness.

On behalf of all Iowans, I would like to thank Derek for his years of service to the University of Iowa, the State of Iowa, and our nation. I know I join his colleagues, friends, and loved ones in wishing him well in his retirement.

PERSONAL EXPLANATION

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2012

Mr. BECERRA. Mr. Speaker, yesterday I was unavoidably detained and missed rollcall vote 472. If present, I would have voted "yea" on rollcall vote 472.

RECOGNIZING SHERIFF TOMAS S. HERRERA

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2012

Mr. CUELLAR. Mr. Speaker, I rise today to recognize the accomplishments of Sheriff Tomas S. Herrera, a distinguished individual who has served in law enforcement for 36 years in South Texas. He has dedicated his career to assisting the Texas community through his involvement in various coalitions, councils and distinguished positions centered on efforts to protect Texas and our southwest border.

Sheriff Herrera was born in Eagle Pass, Texas and is a graduate of Eagle Pass High. Mr. Herrera began his law enforcement career in 1974 and served as the Justice of the Peace until 1976. A year later he began his 16-year service as Chief Deputy under the late Sheriff Tom Bowles. Mr. Herrera was a key instrument in the planning and building process of the new jail facility named after the late Tom Bowles. In addition, Sheriff Herrera served as Municipal Court Judge from 1995 to 1997. After holding dual positions as Constable and Deputy Constable, Mr. Tomas S. Herrera was sworn in as the Honorable Sheriff of Maverick County in 2005.

Mr. Herrera is a highly regarded member of the South Texas community and has many notable career accomplishments. In an effort to assist the Federal Government in Homeland Security to protect our borders from terrorist activities or threats, he established the newly created Texas Border Sheriff's Coalition in Laredo, Texas in 2005. Under this newly created Coalition, he held the title of Secretary/Treasurer on the Executive Committee. Additionally, two years later Sheriff Herrera and other community individuals initiated the construction of a 688-bed detention facility.

Mr. Herrera held key positions within the community and State of Texas, including an appointment by the Sheriff's Association of Texas President by Sheriff Tomas Kerss to the Texas Jail Commission Committee. Sheriff Herrera also served as Chairman of the Texas Border Sheriff Coalition in 2007 and was appointed by Governor Rick Perry to the Border Security Council. From 2008 to 2009 Mr. Herrera was appointed as the Board of Director for the Southwest Border Sheriff Coalition (SWTBSC). Today, Sheriff Herrera continues to contribute to the community by being a member of the Sheriff's Association of Texas. He was reappointed last year by the NSA President Sheriff Paul H. Fitzgerald to a 5th term to the Immigration/Border Security Committee. Mr. Herrera was also recently appointed by President of the Sheriffs', JW Jankowski to the Jail Advisory Committee. Mr. Herrera is married to Magdalena P. Herrera and together they have three children and seven grandchildren.

Mr. Speaker, I am honored and privileged to have this time to recognize Mr. Tomas S. Herrera's extraordinary commitment and service in South Texas. His tremendous efforts to protect and serve the community have made a significant impact in the State of Texas.

TRIBUTE TO LIEUTENANT GENERAL DENNIS J. HEJLIK

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2012

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate native Iowan Lieutenant General Dennis Hejlik of the United States Marine Corps on his illustrious 44-year military career that will be coming to a close on Monday at an awards dinner at the Marine Barracks in Washington, DC.

Before he was a three-star general and commander of Marine Corps Forces Command, Lieutenant General Hejlik, then known around town as Dennis, grew up on a farm near Garner, Iowa, with his nine brothers and sisters. He would go on to graduate from Garner-Hayfield High School in 1965 and attend North Iowa Area Community College before beginning his military career when he enlisted in the Marines Corps in 1968. Four short years later, Lieutenant General Hejlik was commissioned through the Marine Corps Platoon Leaders Course. Since joining the Marines, Lieutenant General Hejlik has gone on to become an honor graduate of the Basic School, the Amphibious Warfare School, the Marine Corps Command and Staff College, and the Naval War College.

Lieutenant General Hejlik has earned numerous decorations for his service over the last four decades including the Defense Superior Service Medal with Gold Star, Meritorious Service Medal with two Gold Stars, the Navy Marine Corps Achievement Medal, and the Leftwich Award, just to name a few. Since his humble beginnings in Iowa, his time with the Marine Corps has brought him to all corners of the globe, most recently culminating to his current position as the commander of Marine Corps Forces Command in Norlfolk, Virginia and Marine Corps Forces Europe in Boblingen, Germany.

Mr. Speaker, our country owes Lieutenant General Hejlik a great debt of gratitude for his decades of service and sacrifice. His unwavering commitment to serving his country and fellow Americans embodies the Iowa spirit. I know all of my colleagues in the United States House of Representatives will join me in thanking Lieutenant General Hejlik and congratulating him on his truly stellar career. I wish him the best of luck in his future endeavors as he begins a new chapter in his life.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 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 $15,874,046,715,877.56. We've added $5,247,169,666,964.48 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.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2013

SPEECH OF

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

The House in Committee of the Whole House on the state of the Union 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:

Mr. PASCRELL. Mr. Chair, as Co-Chair of the Congressional Brain Injury Task Force, I have spent the last eleven years I have fought for patients with brain injuries, both on and off the battlefield. We all know that traumatic brain injury (TBI) is the signature wound of the conflicts in Iraq and Afghanistan, and while we made great progress on ensuring our soldiers have the best care, there is still more work to be done.

An Institute of Medicine study was released last week about the effects of Post Traumatic Stress Disorder (PTSD) on our troops who have served in Iraq and Afghanistan. I am particularly concerned with the report's analysis of the Department of Defense's efforts to identify and treat PTSD. The 2010 Defense Authorization required this study as well as mandated the Secretary of Defense and the Secretary of Veterans Affairs to report a response to this report the relevant Committees by no later than January 1, 2013.

As this report shows, there is still more work to be done when it comes to caring for our soldiers suffering from Post Traumatic Stress Disorder. The report notes that the prevalence of PTSD in 2.6 million service members who have served in Iraq or Afghanistan is at a staggering rate of 13% to 20%. This statistic points to the importance of finding better ways to identify and treat this ailment. The report's many recommendations include the need for the Department of Defense to collect data on the delivery and effectiveness of all prevention, screening, diagnosis, treatment and rehabilitative services currently in use to determine

best practices, as well as ensuring that PTSD screening occurs once a year. The report also points out barriers to care faced by returning soldiers to accessing care.

It is clear that the Department of Defense must do more to ensure that soldiers who suffer from Post Traumatic Stress Disorder are identified, the effectiveness of treatments are tracked, and that returning soldiers suffering from PTSD are encouraged to come out of the shadows. Making sure that funding for Defense Health programs and research into Post Traumatic Stress Disorder addresses the concerns raised in the IOM report is extremely important. This year's Defense Appropriations bill provides $125 million for traumatic brain injury and psychological health research, and $30 million for suicide prevention and outreach programs. We must continue to make the investments in these critical areas to ensure the health and safety of all our returning soldiers.

I hope that going forward, these recommendations will be factored into the research and funding undertaken by the Department of Defense-Defense Health Programs. With continued work and adequate funding for research and treatment for PTSD and TBI, I know our service members will be able to attain improved health outcomes, live more productive and satisfying lives, and ultimately, save our nation millions of dollars in future care costs.

HONORING THE SERVICE OF HE XIANGDONG, COUNSELOR, CONGRESSIONAL LIAISON OFFICE FOR THE CHINESE EMBASSY

HON. ENI F. H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2012

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today to honor the distinguished service of my good friend, He Xiangdong, Counselor for the Congressional Liaison Office of the Chinese Embassy.

Counselor He graduated from Wuhan University in 1985. From 1985–1994, he was editor for the World Affairs Magazine in Beijing. From 1994–1996, he was Second Secretary of the Chinese Embassy in Oman. From 1996–1999, he served as First Secretary and Chief of the Political Section for the Chinese Embassy in Saudi Arabia. From 1999–2004, he was First Secretary of the Policy Planning Department in the Foreign Ministry of China.

Since 2004, he has been assigned to work with the U.S. Congress to strengthen relations between China and the U.S., and having worked closely with him in my official capacities as Chairman and Ranking Member of the Subcommittee on Asia and the Pacific, I am proud of Counselor He's accomplishments and the indelible mark he has made in furthering relations between our countries.

Counselor He is to be commended for his exemplary service for and on behalf of the People's Republic of China. He has served his nation well.

On a personal note, I will miss him, and I extend to him my highest regards.

A TRIBUTE TO BENJAMIN HURD

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2012

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Benjamin Hurd of Ames, Iowa for achieving the rank of Eagle Scout.

The Eagle Scout rank is the highest advancement rank in scouting. Only about five percent of Boy Scouts earn the Eagle Scout Award. The award is a performance-based achievement with high standards that have been well-maintained over the past century.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as completing an Eagle Project to benefit the community. The work ethic Benjamin has shown in his Eagle Project, and every other project leading up to his Eagle Scout rank, speaks volumes of his commitment to serving a cause greater than himself and assisting his community.

Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication and perseverance. I am honored to represent Benjamin and his family in the United States Congress. I know that all of my colleagues in the House will join me in congratulating him in obtaining the Eagle Scout ranking, and will wish him continued success in his future education and career.

TRIBUTE TO DOLORES HUERTA

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2012

Mr. BERMAN. Mr. Speaker, I am honored to pay tribute to my dear friend Dolores Huerta, who recently received the Presidential Medal of Freedom. This coveted honor is the highest civilian award for service to the nation. It recognizes individuals who have made an especially meritorious contribution to the security or national interests of the United States, world peace, cultural or other significant public or private endeavors.

Dolores is a world renowned activist and is regarded as the most prominent Chicana labor leader in the United States. She is currently the President of the Dolores Huerta Foundation, whose mission is to build active communities in disadvantaged areas and to work towards fair and equal access to healthcare, housing, education, jobs, civic participation and economic resources with an emphasis on women and youth. Dolores gives a voice to the voiceless and countless Americans owe a debt of immense gratitude to her for making their causes her own.

I met Dolores in 1972 when I was a member of the California State Legislature and she was the vice president and co-founder of the United Farm Workers of America. Over the last forty years, I have had the pleasure of working with her on many issues.

In 1955, when she was only twenty-five years old, she found her calling as an organizer while serving in the leadership of the Stockton Community Service Organization (CSO), a grass roots organization that battled segregation and police brutality, led voter registration drives, pushed for improved public services, and fought to enact new legislation. Through her tireless lobbying efforts, she succeeded in getting the citizenship requirements removed from pension and public assistance programs. She was the leading force in the passage of legislation allowing voters to vote in Spanish, and the right to take the driver's license examination in their native language.

She has been arrested twenty-two times for participating in non-violent civil disobedience activities and strikes to protect farmers and women, which has resulted in great benefit to both groups. Due to her solid support for the grape strikes, farm workers won health and benefit plans for the first time, and those who had lived, worked, and paid taxes in the United States for many years were granted amnesty. Dolores fought tirelessly to provide a better working environment and stop the abuse of female immigrants across the U.S.-Mexican border, and she lobbied law enforcement agencies in both countries to stop the brutal rape and the murder of these immigrants.

Dolores was given the Outstanding Labor Leader Award in 1984 by the California State Senate. In 1993, she was inducted into the National Women's Hall of Fame. That same year she received the American Civil Liberties Union (ACLU) Roger Baldwin Medal of Liberty Award; and the Eugene V. Debs Foundation Outstanding American Award, and the Ellis Island Medal of Freedom Award. She is also the recipient of the Consumers' Union Trumpeter's Award. In 1998, she was one of three Ms. Magazine, "Women of the Year", and the Ladies Home Journal's, "100 Most Important Women of the 20th Century." She received three honorary doctorate degrees for her extraordinary life work.

Mr. Speaker and distinguished colleagues, I ask you to join me in honoring Dolores Huerta for her outstanding contribution to our community. Few Americans in our history have done more to protect workers and safeguard women's rights than Dolores Huerta. We are a better country because Dolores continues to play a vital role in shaping our laws and values.

HONORING MR. WILLIAM KAMPELMAN

HON. RUSS CARNAHAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2012

Mr. CARNAHAN. Mr. Speaker, I rise today to honor the life of a World War II Veteran, Mr. William Kampelman. He passed away in St. Louis, Missouri on Saturday, July 7, 2012. He will be deeply missed.

After serving in World War II, Mr. William Kampelman founded an electrical business in Webster Groves, Missouri. Then he strengthened the community of Webster Groves by working for the Webster Groves Public Library.

He was the beloved husband of the late Phillis Kampelman; father of Ann Amato, Bill, and Pat Quarles; and grandfather, great-grandfather, uncle, and friend.

Mr. Speaker, I stand today to honor the life of William Kampelman. I invite my colleagues

to join me in this tribute to this incredible man, and hope that his legacy lives on for future generations.

WELCOMING THE XIX INTERNATIONAL AIDS CONFERENCE TO WASHINGTON, DC

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2012

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to welcome the XIX International AIDS Conference, AIDS 2012, back to Washington, DC. On July 22, 2012, more than 30,000 people from approximately 200 countries are expected to converge on Washington, DC, for AIDS 2012, including 20,000 delegates, 10,000 additional participants in the Global Village, and up to 2,000 journalists. Over the course of the Conference, which runs through July 27, 2012, the world's leading scientists, public health experts, policymakers, community leaders, and persons living with HIV/AIDS will chart the way forward in the global response to HIV/AIDS by turning the latest scientific advancements into action.

The III International AIDS Conference was held in our Nation's capital in 1987, the same year that the United States established a policy barring HIV-positive foreigners from obtaining permanent immigration status or entering the United States without special waivers. As a result, no major scientific conferences on HIV/AIDS have been held in this country since—until now. Thanks to years of advocacy by countless individuals and the leadership of former President George W. Bush and President Barack Obama, the misguided travel and immigration ban against people with HIV was lifted in 2010. This was a critical step forward in addressing societal stigma and discriminatory practices against people living with HIV/AIDS.

The return of the International AIDS Conference to the United States could not come at a more critical time. Here at home, more than one million people are living with HIV and approximately 50,000 individuals become newly infected with the virus each year. And among individuals living with HIV, one in five is unaware of his or her infection. This not only increases one's risk for developing worse health outcomes and unknowingly transmitting the virus to others, but undermines HIV prevention efforts as a whole. Furthermore, significant disparities persist across diverse communities and populations with regard to incidence, access to treatment, and health outcomes, particularly for men who have sex with men, MSM, African Americans and other minorities, women, and young people.

However, more than 30 years after the beginning of the epidemic, we are now at a point where we have the tools necessary to prevent the spread of HIV and bring an end to the crisis. The theme of AIDS 2012, ''Turning the Tide Together,'' represents the challenge before us. In order to change the course of HIV/AIDS in the United States and abroad, we must harness the potential of the most recent scientific advances in HIV/AIDS treatment and biomedical prevention, continue research for a HIV vaccine and cure, and scale up effective, evidence-based interventions in key settings. As the world's leader in HIV research and the largest funder of international AIDS programs, including the President's Emergency Plan for AIDS Relief, PEPFAR, and the Global Fund to Fight AIDS, Tuberculosis, TB, and Malaria, continued commitment by the United States to HIV/AIDS research, prevention, and treatment programs is crucial to improving global health.

Mr. Speaker, AIDS 2012 is a tremendous opportunity to further strengthen the role of the United States in global HIV/AIDS initiatives within the current context of significant global economic challenges. Therefore, I urge my colleagues to join me in welcoming the delegates and participants of AIDS 2012 to Washington, DC, as well as commit to helping support a stronger international response to HIV/AIDS, advancing the health and rights of people living with HIV/AIDS, and working to create an ''AIDS-free generation.''

LEADERSHIP ALLIANCE

HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2012

Mr. LANGEVIN. Mr. Speaker, I rise to recognize the 20th anniversary of the Leadership Alliance. Founded in 1992 by Brown University in my home State of Rhode Island, the Leadership Alliance is a national academic consortium of leading research universities and minority-serving institutions with the mission to develop underrepresented students into outstanding leaders and role models in academia, business, and public service.

Through an organized program of research, networking, and mentorship at critical transitions along the entire academic training pathway, the Leadership Alliance prepares young scientists and scholars from underrepresented and underserved populations for graduate training and professional apprenticeships. Leadership Alliance faculty mentors provide high quality, cutting-edge research experiences in all academic disciplines at the Nation's most competitive graduate training institutions and share insights into the nature of academic careers.

During difficult economic times, it is important to educate and train young people to become active participants in the workforce. In particular, I believe we must build on programs in the science, technology, engineering, and mathematics, or STEM fields. If we do not engage future generations to excel in these fields, it will hurt our Nation's ability to innovate, and hurt our employers' ability to fill 21st century jobs. It is through their creativity and talent that we will strengthen our economy and competitiveness.

In the 20 years since its establishment, the Leadership Alliance has proven that investing in our students yields immeasurable returns. Brown University has mentored 386 Leadership Alliance participants, of whom 35 percent have received a graduate level degree. Notably, over half of the Leadership Alliance doctoral degree recipients are in the STEM disciplines.

Opportunities through the Leadership Alliance and other programs, such as the Community College to Career Fund, offer students of all gender, racial, and economic backgrounds to get involved, and ultimately, to succeed. As co-chair of the Career and Technical Education Caucus, I am always searching for ways to excite and entice these young students to develop their potential and share their knowledge. When we invest in their successes, we invest in our economic future.

I am pleased today to congratulate the Leadership Alliance and Brown University for 20 years of mentoring a diverse, competitive research and scholarly workforce, and I look forward to following their successes over the next 20 years.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2013

SPEECH OF

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 2012

The House in Committee of the Whole House on the state of the Union 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:

Mr. WILSON of South Carolina. Mr. Chair, I rise in support of Mr. YOUNG's statement. As a fellow * * * as is BILL YOUNG, and as a father of four sons currently in the military, I find the suggestion that the Department of Defense spends too much money recovering the remains of our military men and women who are killed in action to be absolutely offensive and insensitive to military families. As Chair of the Military Personnel Subcommittee I appreciate the extraordinary efforts of recovery worldwide.

Our service members who are engaged in combat operations make a solemn vow to one another: ''I will never leave a fallen comrade behind.'' The military, consisting of all the branches of service have a similar responsibility to the families of our service members. When a service member is killed in action, the military service branch that they belong to has a responsibility to return the remains home to the family. They have a responsibility to return the remains to their final resting place with dignity and honor.

The military men and women who are killed in action overseas are heroes who make the ultimate sacrifice to preserve the freedom that we all enjoy. The military rightly does everything necessary to return our service members' remains to their families. I believe that the military does a superb job under very trying circumstances, and I know that our military families are very grateful. I know firsthand of this * * *. I sadly was present for the return of a brother-in-law killed overseas as a Marine pilot. Our family appreciated the proven love of the American people, which has been promoted by Congressman BILL YOUNG and his wife, Beverly.

OBAMA TAX HIKES

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2012

Mr. POE of Texas. Mr. Speaker, at a time when businesses in this country are navigating

through waves of distress, the administration wants to deliver a tsunami in the form of tax increases. Taxing, taxing, taxing is about the only solution that it can come up with. But what it doesn't seem to realize is how it's failed all of us. It's shrinking the economy even more and is shrinking paychecks too. If the administration lets the Bush era tax cuts expire, 700,000 jobs will be destroyed. And out of those jobs, 56,800 will be in Texas.

The administration has had its chances to restore financial stability in this country without creating tax hikes. These tax increases not only target the wealthy. These taxes will actually take hard strikes at small businesses and the middle class. Contrary to what the administration believes, this is not fair.

Ernst & Young's latest study breaks it down just right. It examined the long-term impacts of increasing top tax rates. And let me tell you, they're not good. The long-run economic consequences are severe. Here it goes.

The administration proposes a one-year extension of the current tax rates for households making $250,000 or less. Then, those making $250,000 or more, including a lot of small businesses that file under the individual rate, will pay the tax rates prior to the Bush era. That means the top rate will go from 35 percent to 39.6 percent. Tax rates for the other top income tax bracket will go from 33 percent to 36 percent.

But this isn't all of them. The administration continues to tax. Medicare tax will go from 2.9 percent to 3.8 percent. A new 3.8 percent tax will be implemented on investment income. And last but not least, higher taxes on capital gains and dividends.

So, what does this total and how does it all play out? The combination of all these taxes will take the top individual income tax rate from 35 percent to 44.7 percent next year. And beware; this doesn't include all of the Obamacare taxes that will empty your wallet in 2013.

What does this do? Approximately 2 million businesses will be affected by these tax hikes. This will take capital out of the hands of business owners and reduced labor supply and the United States will lose $200 billion in economic output. And extending the rates for families earning less than $250,000 will cost us $175 billion dollars next year. As bad as this sounds already, the tax hikes will likely force American employers to trim their workers' pay by 1.8 percent.

What will happen? Business firms will be hit hard. We will see patterns of less hiring, less investment in businesses, and retarded growth of these businesses in their sector. Sixty million Americans are small business employees. About two out of three jobs was created by a small business. And the administration is trying to take this away from us.

We've had enough of their fun with taxes. As someone who claims his focus to be ''rebuilding the economy,'' he is doing quite the opposite. Our lives now revolve around taxes and this is all thanks to our nation's leader who thinks he can tax our way into economic prosperity. It doesn't take a math genius to figure out that these tax numbers are not the solution to a damaged economy. His idea that taxing the wealthy won't hurt this economy is false. If his job is to stifle job creation, create class warfare, and even further damage our market, then he's really done it well.

We can't afford to let this happen.

We can't afford to lose more than 700,000 jobs.

We can't afford to give more control to our government.

And that's just the way it is.

DESIGNATION OF AUGUST AS NATIONAL FUEL EFFICIENCY MONTH

HON. MIKE KELLY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2012

Mr. KELLY. Mr. Speaker, I rise today to urge President Obama to designate August as National Fuel Efficiency Month. It is critical that we help educate the American public that we can all contribute to energy independence and environmental sustainability if we undertake a few simple measures.

More fuel-efficient vehicles are being built and sold in the United States every day. But as we head into the major summer driving season, it's important to remember that we all can improve fuel efficiency right now, through a number of simple measures—even without buying a new car.

In my home state of Pennsylvania, there were nearly 7.9 million passenger vehicles on the roads last year. Armstrong, Butler, Crawford, Erie, Mercer, Vernango, and Warren counties accounted for almost 500,000 of those registrations. For all of the drivers in Pennsylvania's 3rd congressional district—and for all of the many drivers across the United States—we should be raising awareness about how to be more fuel efficient.

For example, simply using cruise control will help drivers maintain a steady speed and save fuel. Tuning your car and keeping tires inflated each can increase your fuel economy by 3 or 4%. Driving responsibly and at the speed limit also improve fuel economy.

AAA and many other organizations have tips for driving economically. EPA also has posted information on efficient driving at http://www.fueleconomy.gov/feg/drive.shtml. These techniques will save Americans fuel, decrease emissions and help us achieve energy independence.

Again, I urge the President to designate August as National Fuel Efficiency Month. Such a designation would provide the perfect opportunity for all of us to take a good look at our driving habits and see how easily we can improve fuel economy.

CONGRATULATING WILFRED COOPER, SR. FOR HIS INDUCTION INTO THE CALIFORNIA HOMEBUILDING FOUNDATION'S HALL OF FAME

HON. GARY G. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2012

Mr. GARY G. MILLER of California. Mr. Speaker, it is with great pleasure that I rise to recognize Wilfred Cooper, Sr. for his service to the community and this nation. Mr. Cooper has recently been inducted into the California Homebuilding Foundation's Hall of Fame, which honors individuals who are active in the home building industry and committed to improving the lives of others through service to civic, social, and philanthropic organizations.

Mr. Cooper has devoted his career to addressing the need for affordable and available housing at both the national and local level. He has served as senior life director of the National Association of Home Builders, chairman of NAHB's Multifamily Council, and as a member of NAHB's Low Income Housing Tax Credit Steering Group. Mr. Cooper also volunteers on the Board of Advisors for Jamboree Housing, the Board of Directors for Volunteers of America, and the Tuberous Sclerosis Alliance.

In addition to his advocacy and volunteer work, Mr. Cooper founded WNC & Associates, Inc. in 1971. It was one of the first affordable housing investors in the United States and has long been recognized as an industry leader in affordable housing. Today, his firm proudly serves more than 45,000 low and moderate income families in 42 states.

Mr. Cooper's tireless energy and passion, which is apparent in his business, advocacy, and volunteer work has bettered the lives of many and has produced positive change in neighborhoods across the nation. I cannot think of a more deserving candidate for this award. It is my privilege to congratulate Mr. Wilfred Cooper, Sr. on this recognition and for his lifetime of service to promote affordable housing in America.

IN HONORING OF THE 110TH ANNIVERSARY OF PLAST, THE UKRAINIAN SCOUTING ORGANIZATION

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2012

Ms. KAPTUR. Mr. Speaker, I rise today to honor the 100th anniversary of Plast, the Ukrainian Scouting Organization.

Plast was founded in 1911 by Dr. Oleksandr Tysovsky, and it is based on the principles of scouting started by Lord Baden Powell in Great Britain.

As a consequence of the country's absence of national independence through most of the 20th Century, Plast was forced to go underground when the occupying Soviet Union declared the organization illegal and banned its activities.

However, following World War II, when many Ukrainians emigrated to various countries of the Free World, including the United States, the plastuny among the émigrés formed Plast organizations in the countries of their settlement. This included incorporating ''Plast, Inc.'' in 1950 in the state of Michigan.

Additionally, after the Declaration of Independence of Ukraine in 1991, Plast was reconstituted in Ukraine with the help of plastuny from the United States and other Free-World countries.

Today, Plast is an international organization of Ukrainian youth which fosters personal development, leadership and teamwork, as well as a love of Ukrainian culture and history while also raising youth to be conscientious, responsible and valuable citizens of their communities at the local, national and international

level. Former President of Ukraine, Victor Yushchenko, is an honorary plastun, and Liubomyr Cardinal Husar, a U.S. citizen and now Patriarch-emeritus of the Ukrainian Eastern Rite Catholic Church based in Ukraine is one of many distinguished plastuns.

Currently, Plast has 23 branches coast to coast in the United States, and Plast will be celebrating its Centennial with a Jamboree in Ukraine August 10 to 24, with the official opening of the Jamboree Celebration on August 19th in the city of L'viv.

As such, we should recognize August 19, 2012 as the Centennial Day of Plast, commend the Ukrainian Scouting Organization for its tremendous contributions, and celebrate the Centennial of Plast.

PERSONAL EXPLANATION

HON. W. TODD AKIN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2012

Mr. AKIN. Mr. Speaker, on rollcall Nos. 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485 and 486 I was delayed and unable to vote. Had I been present I would have voted "no" on rollcall No. 472, "aye" on rollcall No. 473, "no" on rollcall No. 474, "no" on rollcall No. 475, "aye" on rollcall No. 476, "no" on rollcall No. 477, "aye" on rollcall No. 478, "no" on rollcall No. 479, "no" on rollcall No. 480, "no" on rollcall No. 481, "no" on rollcall No. 482, "no" on rollcall No. 483, "no" on rollcall No. 484, "no" on rollcall No. 485, "aye" on rollcall No. 486.

A TRIBUTE TO JASON KENNETH WITTMUSS

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2012

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Jason Wittmuss of Waukee, Iowa for achieving the rank of Eagle Scout.

The Eagle Scout rank is the highest advancement rank in scouting. Only about five percent of Boy Scouts earn the Eagle Scout Award. The award is a performance-based achievement with high standards that have been well-maintained over the past century.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as completing an Eagle Project to benefit the community. Jason's project involved remodeling a gardening shed for Wildwood Hills Ranch, a summer camp program for low-income youth. The work ethic Jason has shown in his Eagle Project, and every other project leading up to his Eagle Scout rank, speaks volumes of his commitment to serving a cause greater than himself and assisting his community.

Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication and perseverance. I am honored to represent Jason and his family in the United States Congress. I know that all of my colleagues in the House will join me in congratulating him in obtaining the Eagle Scout ranking, and will wish him continued success in his future education and career.

PERSONAL EXPLANATION

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2012

Mr. VISCLOSKY. Mr. Speaker, on July 18, 2012, I was absent from the House and missed rollcall vote 481.

Had I been present for rollcall 481, on agreeing to the Woolsey amendment to reduce the total amount of appropriations made by the bill by $181,000,000, I would have voted "no."

HONORING DANIEL A. SCHULTZ

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2012

Mr. MEEHAN. Mr. Speaker, I rise today to honor a constituent of the Seventh Congressional District of Pennsylvania, Daniel A. Schultz, who recently lost his battle with Sarcoma.

Daniel Schultz was an outspoken advocate for Sarcoma awareness. Sarcoma is a rare, highly aggressive, cancer which can present anywhere in the body and occurs in connective tissues, such as muscle, fat, fibrous tissue and blood vessels. As with most rare diseases, this cancer has a higher prevalence in children. Sarcoma represents approximately 15 percent of all children's cancers. Treatments for rare diseases, like Sarcoma, are difficult to achieve which is why I was happy to cosponsor the Creating Hope Act, introduced by my colleague from Texas, Congressman MICHAEL MCCAUL. This bill, which was signed into law last month, creates incentives for the development of treatments for rare diseases that disproportionately impact children. In honor of Daniel A. Schultz, I would like to recognize the importance of Sarcoma Awareness.

HONORING MRS. STELLA TOKAR

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2012

Mr. DIAZ-BALART. Mr. Speaker, I rise today to honor Mrs. Stella Tokar, an outstanding individual who has continuously supported the Miami community.

As a busy military spouse and dedicated mother of two, Mrs. Tokar has always found time to represent and lead her community. Although her family was constantly relocated around the nation to follow her husband who served in the military, this constant relocating did not stop her from giving back to her community. While living in Texas she was PTA President at four different schools in the area and served on a state appointed committee to institute media rating systems. While living in Annapolis, MD she was offered a position as Special Assistant to the House Majority Leader of the State of Maryland, and shortly after was promoted to work in the Senate.

Upon her arrival in South Florida she returned to work in education, but quickly distinguished herself as a community leader and was asked to become the President/CEO of the Miramar Pembroke Pines Chamber of Commerce. During her tenure, she was able to transform a struggling establishment into what is now considered a fiscally sound and model Chamber of Commerce in the State of Florida. She has received numerous awards for her work including the 2011 Florida Association of Chamber Professionals "Professional of the Year" and has been recognized as one of "100 Most Influential Women in Broward County".

Always striving for excellence and new endeavors Mrs. Tokar started her own company, BOLD Consulting, LLC, which stands for Build, Organize, Lead, and Discover. Mrs. Tokar is an accomplished businesswoman and community representative, but she considers her greatest treasures in life to be her husband, children, and grandchild.

Mr. Speaker, I am honored to pay tribute to Mrs. Stella Tokar for her continued service to the Miami community and I ask my colleagues to join me in recognizing this exemplary individual.

IN MEMORY OF REVEREND DR. ROBERT E. PRICE, SR.

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2012

Mr. SESSIONS. Mr. Speaker, I rise today in memory of Reverend Dr. Robert E. Price, Sr., the pastor of New Mount Zion Baptist Church in Dallas, Texas. Dr. Price passed away on Saturday, July 14, 2012.

Born in Smithville, Texas, Dr. Price grew up in a large family as the second youngest of eleven children. At an early age, he took a strong interest in ministry. He helped local pastors during his high school years and assisted chaplains during his tenure in the U.S. Army. After retiring from a successful career at a mortgage banking company, Dr. Price felt the call to ministry. He attended Bishop College for training in theology and later graduated from Saint Thomas Christian College with a Doctor of Divinity degree.

Dr. Price was a man with great vision who wholeheartedly dedicated himself to serving his community. Under his leadership, New Mount Zion Baptist Church grew from less than one hundred members to over 3,000 members. It also began to offer a variety of ministries, including educational, business, and technological ministries, to meet the needs of its congregation. His dreams of having a day care center and credit union for the church also came to fruition. To recognize Dr. Price and his dedicated service to our community, I sponsored legislation to have a local post office named in his honor. In March 2007, I had the privilege of attending the dedication ceremony, where I witnessed firsthand the countless elected officials, community leaders, and individuals that came out to show their support, love, and respect for Dr. Price. His legacy is one of faith, service, and charity.

Dr. Price is survived by his loving wife, Deloris Brashear Price; his son, Robert E. Price, Jr.; his daughters, Patricia Hicks and Lisa Rausaw; and his grandsons, Donald Hicks, Kelvin Rausaw, Jr. and Kortland Rausaw. I am honored to have known Dr. Price and know that he will be greatly missed. May the peace of God be with those he loved and sustain them through this hour of sorrow.

IN RECOGNITION OF PRESIDING JUDGE HERBERT E. PHIPPS

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2012

Mr. BISHOP of Georgia. Mr. Speaker, it is my pleasure and honor to extend my sincerest appreciation and personal congratulations to Presiding Judge Herbert E. Phipps for his distinguished service on the Court of Appeals of the State of Georgia. On Monday, July 23, 2012, his legacy as a judge will be recognized at the Unveiling and Hanging of His Portrait at the Judicial Building in Albany, Georgia, where he first began his career as a judge in 1980.

Presiding Judge Phipps was born in Baker County, Georgia to J.W. Phipps and Marion Gadson Phipps. He earned a Bachelor's degree in Political Science from Morehouse College in 1964. He has traveled throughout Europe and Asia and taught English at Thammasatt University and private schools in Thailand. He earned a Juris Doctor degree in 1971 from Case Western Reserve University School of Law in Cleveland, Ohio where he also served as an editor of the Law Review. In 2004, he was awarded a Master of Laws in the Judicial Process from the University of Virginia School of Law.

Presiding Judge Phipps returned to Albany, Georgia in 1971 to practice law, focusing on civil rights litigation. In 1980, he was appointed part-time Magistrate and Associate Judge of the Dougherty County State Court and in 1988, he was appointed to the Dougherty Circuit Juvenile Court. In 1995, he was appointed Judge of the Dougherty County Superior Court by Governor Zell Miller and in 1999, Governor Roy Barnes appointed him to the Court of Appeals. In April 2010, he became a Presiding Judge of the Court of Appeals.

Due to his enduring dedication and his strong leadership, Presiding Judge Phipps has received many awards, including the Justice Robert Benham Award for Community Service from the State Bar of Georgia. In 2007, he was inducted into the Society of Benchers of Case Western Reserve School of Law and his Commencement Address to the Class of 2007 of Case Western Reserve School of Law, ''Lawyers—the Guardians of Truth and Justice,'' is published at 58 Case Western Reserve Law Review 483 (2008).

In conjunction with his professional accomplishments, Presiding Judge Phipps has served on a number of boards and commissions and has been involved with many law and professional organizations. He also lives a life of service and faith, attending Bethel A.M.E. Church in Albany and serving as a past President of the Albany Association for Retarded Citizens, the Albany Sickle Cell Foundation, the Faith Fund Foundation and The Criterion Club, as well as being a member of numerous community organizations.

Presiding Judge Phipps has accomplished many things in his life but none of this would have been possible without the enduring love and support of his wife Connie, children Herbert and India, son-in-law Will J. Epps and granddaughter Zoë Olivia Epps.

Mr. Speaker, I ask my colleagues to join me in paying tribute to Presiding Judge Herbert E. Phipps for his outstanding professional achievements and dedicated service to the people of the state of Georgia.

TRIBUTE TO THE TOWN OF SANDISFIELD ON THE OCCASION OF THE 250TH ANNIVERSARY OF ITS FOUNDING

HON. JOHN W. OLVER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2012

Mr. OLVER. Mr. Speaker, on March 6, 1762, Sir Francis Bernard, colonial Governor of the Commonwealth of Massachusetts, approved the incorporation of the town of Sandisfield. The town was named for Samuel Sandys, the First Lord of Trade from 1761 to 1763. Beginning around 1750, settlers from Connecticut Colony, drawn in by the abundance of land, arrived in what had been called ''Housatonic Plantation Number Three.''

Today, Sandisfield boasts 53 square miles of land, the largest in Berkshire County, covered with flourishing forests and countless brooks, streams, and ponds. Sandisfield's natural beauty, highlighted in the Sandisfield State Forest, Knox Trail, and York Lake, provides many opportunities to explore hidden trails, undisturbed woods, and shimmering lakes.

Sandisfield's golden age, filled with the buzz and vibrancy of sawmills, tanneries, and numerous dairy farms, is not forgotten today; more than one hundred buildings from the 18th and 19th centuries remain. Three are included on the National Register of Historic Places, including the Baptist Meeting House from 1842. The building now houses the Sandisfield Arts Center, which exemplifies the centrality of community, so important to many cities and towns in western Massachusetts.

On the occasion of the 250th anniversary of the town of Sandisfield, Massachusetts, I congratulate its citizens and praise their civic dedication and perseverance throughout the town's history. It has been an honor to represent this great community, and I wish the people of Sandisfield a healthy and prosperous future.

IN RECOGNITION OF THE JOHN F. KENNEDY HYANNIS MUSEUM

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2012

Mr. KEATING. Mr. Speaker, I rise today to recognize the John F. Kennedy Hyannis Museum on its twentieth anniversary.

For the past two decades, the John F. Kennedy Hyannis Museum has been providing Cape Cod residents and visitors with a glimpse into the life that President Kennedy and his family led on the Cape. Founded in 1992 by the Hyannis Chamber of Commerce, the Museum has since served as a favorite Main Street destination in the town, showcasing rare photographs and family artifacts that reflect the laid-back summer vacations enjoyed by the Kennedys on the beaches of Hyannis. Guests of the museum are greeted with a bronze statue of the President just outside the main entrance, pensively walking along a sandy beach, which calls to mind the President once saying that ''the Cape is the one place I can think and be alone.'' Once inside, the main gallery houses photos from family albums and clips from home movies. These images, of the Kennedys relaxing on the beach and enjoying time with their friends, could come from the album of any American family. Even though the Kennedys' other home was the White House at the time that many of these pictures were taken, the Kennedy Hyannis Museum's display accurately portrays the truly down-to-earth family that the Kennedys were.

The Museum is also famous in the Hyannis area for hosting many special exhibits and lecture series. The now-sold-out series, Mrs. Kennedy and Me, opened this past June, and details what it was like to be a secret service agent during the Kennedy presidency. Jackie Kennedy—Life on Cape Cod is another special exhibit that the Museum launched this summer, achieving great critical success. As the Museum showcases such an important aspect of our local and national history, it continues to thrive, and it remains a celebrated destination in downtown Hyannis.

Mr. Speaker, I am proud to recognize the John F. Kennedy Hyannis Museum on its twentieth anniversary. I ask that my colleagues join me in congratulating the Museum for its many years of success, and in applauding it for preserving this important era of Cape Cod's history.

PERSONAL EXPLANATION

HON. TIMOTHY V. JOHNSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2012

Mr. JOHNSON of Illinois. Mr. Speaker on rollcall No. 490 I was present for all prior and subsequent votes but was off the floor on legislative business and inadvertently missed the vote. I support the underlying concept of non-intervention regarding the subject material, but also feel the amendment was excessively micromanagerial and did not accomplish mine and the sponsor's objectives. Had I been present, I would have voted ''present.''

38TH ANNIVERSARY OF THE ILLEGAL INVASION OF CYPRUS BY TURKISH ARMED FORCES

HON. NIKI TSONGAS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2012

Ms. TSONGAS. Mr. Speaker, today marks the 38th anniversary of the illegal invasion of Cyprus by Turkish armed forces. The lengthy duration of this occupation, which consumes

nearly 37% of Cyprus' territory, is particularly disappointing given the number of multilateral organizations—the UN, NATO and the EU—who have a vested interest in this dispute and who should work in concert to bring about a peaceful resolution. While some progress has been made, there is still much work to be done. Greek Cypriots have been evicted from their property, and cultural and religious desecration has been widespread. The Turkish government cannot maintain this occupation and hope to ever achieve membership in the EU.

Respect for international law and calls for self-representation must be answered with regard to Cyprus. Turkey must live up to its international responsibilities and return all of Cyprus to the Cypriots. Throughout my tenure in Congress, I have supported a variety of initiatives in support of this outcome including sending letters to President Obama and Secretary Clinton applauding the administration's commitment to exercise U.S. leadership in the negotiation for a just solution on Cyprus. We agree that a solution to the Cyprus problem should result in a single, sovereign country within a bi-zonal, bi-communal federation. 38 years of discord is long enough; Cypriots deserve a government for them and by them.

Since his election in February 2008, President Demetris Christofias has followed through on his promise to make the solution of the Cyprus problem his top priority and principal concern. In September of 2008, he embarked on negotiations with the then-leader of the Turkish Cypriot community, Mr. Mehmet Ali Talat, under the auspices of the United Nations with U.S. support. He also continued these negotiations with the new leader of the Turkish Cypriot community, Mr. Dervis Eroglu.

Unfortunately, despite these negotiations, Turkey has stepped up its efforts to illegally obtain natural resources like oil and natural gas from the Republic of Cyprus' sovereign territory. Furthermore, Turkey's threat of possible annexation of northern Cyprus and Turkey's refusal to be a part of any EU discussion, communication, or policymaking while Cyprus holds the EU presidency does nothing to facilitate progress.

The solution must reunite the island and safeguard the human rights and fundamental freedoms of all Cypriots and the withdrawal of Turkish forces from Cyprus.

HONORING THE LIFE OF DR. ROBERT EARL PRICE, SR.

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2012

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to honor the life of Dr. Robert Earl Price, Sr., the late pastor of the New Mount Zion Baptist Church of Dallas. Dr. Price dedicated more than 42 years of his life to his congregation before he passed away at the age of 80.

Dr. Price was born in Smithville, Texas, where he grew up working with local pastors in spreading their ministry. Dr. Price later settled in Dallas with his wife, and went on to have three children, whom he loved tremendously. While he was devoted primarily to his church, Dr. Price spent time with a number of groups such as the NAACP and Dallas Museum of Art, contributing to the betterment of his community.

Dr. Price was a vibrant leader who was well respected within the church and Dallas, and credited with expanding the church's services and bolstering their ranks. The New Mount Zion Baptist Church grew to be a pillar of the community under the leadership and direction of Dr. Price. The church now houses a robust food bank, a day care that now serves nearly 110 families, and a credit union for local residents. Dr. Price provided spiritual guidance and inspired his congregants to strive to bring about positive social change.

Mr. Speaker, Dr. Price led with the utmost integrity in his work. He prided himself on his faith, and others often looked to Dr. Price for spiritual guidance. It comes as a great loss to the community to hear of his passing, however his invaluable contributions have gone far from unnoticed. I hope his friends, loved ones, and congregants can take comfort in the good he did.

Daily Digest

HIGHLIGHTS

House passed H.R. 5856, Department of Defense Appropriations Act, 2013.

Senate

Chamber Action

Routine Proceedings, pages S5169–S5238

Measures Introduced: Thirteen bills and one resolution were introduced, as follows: S. 3403–3415 and S. Con. Res. 52. **Pages S5211–12**

Measures Reported:

S. 2104, to amend the Water Resources Research Act of 1984 to reauthorize grants for and require applied water supply research regarding the water resources research and technology institutes established under that Act. (S. Rept. No. 112–189)

H.R. 1160, to require the Secretary of the Interior to convey the McKinney Lake National Fish Hatchery to the State of North Carolina. (S. Rept. No. 112–190)

S. 285, for the relief of Sopuruchi Chukwueke, with an amendment.

S. 3276, to extend certain amendments made by the FISA Amendments Act of 2008, with an amendment in the nature of a substitute.

S. 3406, to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to products of the Russian Federation and Moldova, to require reports on the compliance of the Russian Federation with its obligations as a member of the World Trade Organization, and to impose sanctions on persons responsible for gross violations of human rights. **Page S5211**

Measures Considered:

Bring Jobs Home Act: 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 S5169–S5202**

During consideration of this measure today, Senate also took the following action:

By 56 yeas to 42 nays (Vote No. 181), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the motion to proceed to consideration of the bill. **Page S5189**

Second Reading—Agreement: A unanimous-consent agreement was reached providing that S. 3412 and S. 3413 be considered as having been read twice and placed on the calendar. **Pages S5210, S5238**

Shipp Nomination—Agreement: Senate began consideration of the nomination of Michael A. Shipp, of New Jersey, to be United States District Judge for the District of New Jersey. **Page S5202**

A motion was entered to close further debate on the nomination and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Thursday, July 19, 2012, a vote on cloture will occur at 5:30 p.m. on Monday, July 23, 2012. **Page S5202**

A unanimous-consent-time agreement was reached providing that at 5 p.m., on Monday, July 23, 2012, Senate resume consideration of the nomination; with 30 minutes of debate equally divided and controlled in the usual form; provided further, that the cloture vote on the nomination be at 5:30 p.m. **Page S5238**

Messages from the House: **Pages S5209–10**

Measures Placed on the Calendar: **Pages S5210, S5238**

Measures Read the First Time: **Pages S5210, S5238**

Enrolled Bills Presented: **Page S5210**

Executive Communications: **Pages S5210–11**

Executive Reports of Committees: **Page S5211**

Additional Cosponsors: **Pages S5212–13**

Statements on Introduced Bills/Resolutions: **Pages S5213–24**

Additional Statements: **Pages S5205–09**

Amendments Submitted: **Pages S5224–38**

Authorities for Committees to Meet: **Page S5238**

Privileges of the Floor: Page S5238

Record Votes: One record vote was taken today. (Total—181) Page S5189

Adjournment: Senate convened at 9:30 a.m. and adjourned at 5:46 p.m., until 2 p.m. on Monday, July 23, 2012. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S5238.)

Committee Meetings

(Committees not listed did not meet)

NOMINATIONS

Committee on Armed Services: Committee concluded a hearing 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, after the nominees testified and answered questions in their own behalf.

COLLEGE AFFORDABILITY

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine making college affordability a priority, focusing on promising practices and strategies, after receiving testimony from Donald E. Heller, Michigan State University, East Lansing; Steven Leath, Iowa State University, Ames; Jim Murdaugh, Tallahassee Community College, Tallahassee, Florida; Thomas J. Snyder, Ivy Tech Community College, Bloomington, Indiana, on behalf of Rebuilding America's Middle Class; and Carol A. Twigg, The National Center for Academic Transformation, Saratoga Springs, New York.

ENVIRONMENTAL CHANGES

Committee on Indian Affairs: Committee concluded an oversight hearing to examine the impacts of environmental changes on treaty rights, traditional lifestyles, and tribal homelands, after receiving testimony from JoAnn Chase, Director, American Indian Environmental Office, Environmental Protection Agency; Margaret A. Davidson, Acting Director, Office of Ocean and Coastal Resource Management, National Oceanic and Atmospheric Administration, Department of Commerce; Mike Williams, Yupiit Nation, Akiak, Alaska; Tex G. Hall, Mandan, Hidatsa and Arikara Nation of the Fort Berthold Reservation, New Town, North Dakota; Thomas Dardar, Jr., United Houma Nation, Golden Meadow, Louisiana; Billy Frank, Jr., Northwest Indian Fisheries Commission, Olympia, Washington; and Malia Akutagawa, University of Hawai'i William S. Richardson School of Law Ka Huli Ao Center for Excellence in Native Hawaiian Law and the Hawai'inuiakea School of Hawaiian Knowledge, Honolulu.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 285, for the relief of Sopuruchi Chukwueke, with an amendment;

S. 3276, to extend certain amendments made by the FISA Amendments Act of 2008, with an amendment in the nature of a substitute; 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.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 14 public bills, H.R. 6150–6163; and 3 resolutions, H. Res. 735–737 were introduced. Pages H5077–78

Additional Cosponsors: Pages H5078–79

Reports Filed: Reports were filed today as follows:

H.R. 5958, to name the Jamaica Bay Wildlife Refuge Visitor Contact Station of the Jamaica Bay Wildlife Refuge unit of Gateway National Recreation Area in honor of James L. Buckley (H. Rept. 112–608);

H.R. 2834, to recognize the heritage of recreational fishing, hunting, and shooting on Federal public lands and ensure continued opportunities for these activities, with an amendment (H. Rept. 112–609, Pt. 1);

H.R. 6029, to amend title 18, United States Code, to provide for increased penalties for foreign and economic espionage, and for other purposes (H. Rept. 112–610);

H.R. 2467, to take certain Federal lands in Mono County, California, into trust for the benefit of the Bridgeport Indian Colony, with an amendment (H. Rept. 112–611);

H.R. 4484, to provide for the conveyance of a small parcel of National Forest System land in the Uinta-Wasatch-Cache National Forest in Utah to Brigham Young University, and for other purposes, with an amendment (H. Rept. 112–612);

H.R. 3742, to designate the United States courthouse located at 100 North Church Street in Las Cruces, New Mexico, as the ''Edwin L. Mechem United States Courthouse'' (H. Rept. 112–613); and

H.R. 4347, to designate the United States courthouse located at 709 West 9th Street in Juneau, Alaska, as the ''Robert Boochever United States Courthouse'' (H. Rept. 112–614). **Page H5077**

Speaker: Read a letter from the Speaker wherein he appointed Representative Webster to act as Speaker pro tempore for today. **Page H5013**

Recess: The House recessed at 11:19 a.m. and reconvened at 12 noon. **Pages H5021–22**

Chaplain: The prayer was offered by the guest chaplain, Reverend Jeffrey Bayhi, St. John the Baptist Catholic Church, Baton Rouge, Louisiana. **Page H5022**

Department of Defense Appropriations Act, 2013: The House passed H.R. 5856, making appropriations for the Department of Defense for the fiscal year ending September 30, 2013, by a yea-and-nay vote of 326 yeas to 90 nays, Roll No. 498. Consideration of the measure began yesterday, July 18th. **Pages H5027–72**

Agreed to:

Gosar amendment that prohibits funds from being obligated or expended for assistance to the following entities: (1) The Government of Iran. (2) The Government of Syria. (3) Hamas. (4) Hizbullah. (5) The Muslim Brotherhood; **Page H5029**

Brooks amendment that prohibits funds from being used by the Department of Defense or a component thereof to provide the government of the Russian Federation with any information about the missile defense systems of the United States that is classified by the Department or component thereof; **Pages H5031–34**

Flores amendment that prohibits funds from being used to enforce section 526 of the Energy Independence and Security of Act of 2007; **Pages H5050–52**

Runyan amendment that prohibits funds from being used in contravention of section 41106 of title 49, United States Code; **Page H5052**

Engel amendment that prohibits funds from being used by the Department of Defense or any other Federal agency to lease or purchase new light duty vehicles, for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011; **Page H5057**

Kucinich amendment that prohibits funds from being used to enter into a contract with any person or other entity listed in the Federal Awardee Performance and Integrity Information System as having been convicted of fraud against the Federal Government; **Pages H5060–61**

King (IA) amendment that prohibits funds from being used in contravention of section 7 of title 1, United States Code (by a recorded vote of 247 ayes to 166 noes, Roll No. 487); **Pages H5027–28, H5063–64**

Moran amendment that prohibits funds from being 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 Rosoboronexport (by a recorded vote of 407 ayes to 5 noes, Roll No. 490); **Pages H5038–40, H5065–66**

Turner (OH) amendment that prohibits funds from being used to (1) reduce the nuclear forces of the United States in contravention of the Arms Control and Disarmament Act; or (2) to implement the Nuclear Posture Review Implementation Study or modify the Secretary of Defense Guidance for Employment of Force, Annex B, or the Joint Strategic Capabilities Plan, Annex N (by a recorded vote of 235 ayes to 178 noes, Roll No. 491); **Pages H5040–42, H5066–67**

Berg amendment that prohibits funds from being used to reduce the number of the following nuclear weapons delivery vehicles of the United States: (1) Heavy bomber aircraft; (2) Air-launched cruise missiles; (3) Nuclear-powered ballistic missile submarines; (4) Submarine-launched ballistic missiles; and (5) Intercontinental ballistic missiles (by a recorded vote of 232 ayes to 183 noes, Roll No. 493); **Pages H5047–50, H5067–68**

Mulvaney amendment (No. 1 printed in the Congressional Record of July 12, 2012) that reduces the total amount of appropriations made available by the bill by $1,072,581,000, except as provided in subsection (b) of the amendment (by a recorded vote of 247 ayes to 167 noes, Roll No. 495); **Pages H5054–57, H5069**

Mulvaney amendment (No. 9 printed in the Congressional Record of July 18, 2012) that reduces 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 (by a recorded vote of 238 ayes to 178 noes, Roll No. 496); and

Pages H5057–58, H5069–70

Stearns amendment that prohibits funds from being used to implement an enrollment fee for the TRICARE for Life program that does not exist as of the date of the enactment of this Act (by a recorded vote of 399 ayes to 17 noes, Roll No. 497).

Pages H5059–60, H5070–71

Rejected:

Kucinich amendment that sought to prohibit funds from being used for the administration of the Armed Services Vocational Aptitude Battery for the student (high school) testing programs;

Pages H5036–38

Lee amendment that sought to reduce the total amount of appropriations made available by the bill by $19,200,000,000, except as provided in subsection (b) of the amendment (by a recorded vote of 87 ayes to 326 noes, Roll No. 488);

Pages H5030–31, H5064–65

Lee amendment that sought to reduce the total amount of appropriations made available by the bill by $7,583,000,000, except as provided in subsection (b) of the amendment (by a recorded vote of 171 ayes to 243 noes, Roll No. 489);

Pages H5034–36, H5065

Coffman amendment (No. 18 printed in the Congressional Record of July 18, 2012) that sought to prohibit funds from being used to continue the deployment, beyond FY 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 (by a recorded vote of 123 ayes to 292 noes, Roll No. 492); and

Pages H5043–47, H5067

Garamendi amendment that sought to reduce appropriations made in title IX of the bill by $12,670,355,000, except as provided in subsection (b) of the amendment (by a recorded vote of 137 ayes to 278 noes, Roll No. 494).

Pages H5052–54, H5068–69

Withdrawn:

Fitzpatrick amendment that was offered and subsequently withdrawn that would have prohibited funds from being used to enter into a contract using procedures that do not give to small business concerns owned by veterans that are included in the database under section 8127(f) of title 38, United States Code, any preference available with respect to such contract, except for a preference given to small business concerns owned by service-disabled veterans.

Page H5060

Point of Order sustained against:

Lee amendment that sought to require that funds made available by the bill for operations of the Armed Forces in Afghanistan shall be obligated and expended only for purposes of providing for the safe and orderly withdrawal from Afghanistan of all members of the Armed Forces and Department of Defense contractor personnel who are in Afghanistan;

Pages H5028–29

Tonko amendment that sought to prohibit funds from being used to pay a contractor under a contract with the DoD for costs of any amount paid by the contractor or any subcontractor of the contractor to an employee performing work under the contract or any subcontract under the contract for compensation if the compensation of the employee for a fiscal year from the Federal Government for work under Federal contracts exceeds $230,700, except that the Secretary of Defense may establish one or more narrowly targeted exceptions for scientists and engineers upon a determination that such exceptions are needed to ensure that the DoD has continued access to needed skills and capabilities; **Pages H5042–43**

Ellison amendment that sought to require that not later than 30 days after a contract is awarded, the relevant contractor and subcontractor at any tier shall disclose to the Administrator of General Services all electioneering communications, independent expenditures, or contributions made in the most recent election cycle supporting or opposing a Federal political candidate, political party, or political committee, and contributions made to a third-party entity with the intention that such entity would use the contribution to make independent expenditures or electioneering communications; and **Pages H5058–59**

Jones amendment (No. 17 printed in the Congressional Record of July 18, 2012) that sought to prohibit funds from being 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 is in the form of a treaty requiring the advice and consent of the Senate or is specifically authorized by a law enacted after the date of enactment of this Act. **Pages H5061–63**

Agreed by unanimous consent that in the engrossment of H.R. 5856 the clerk be permitted to make technical and conforming changes including numerical changes in the amendment offered by Representative Walz (MN). **Page H5075**

H. Res. 717, the rule providing for consideration of the bill, was agreed to on June 29th.

Authorizing the Use of the Rotunda of the United States Capitol for an Event: The House agreed to discharge and agree to H. Con. Res. 133, to authorize the use of the rotunda of the United States Capitol for an event to present the Congressional Gold Medal to Arnold Palmer, in recognition of his service to the Nation in promoting excellence and good sportsmanship in golf. **Page H5072**

National Baseball Hall of Fame Commemorative Coin Act: The House concurred in the Senate amendment to H.R. 2527, to require the Secretary of the Treasury to mint coins in recognition and celebration of the National Baseball Hall of Fame. **Pages H5072–73**

Committee Filing Authority: Agreed that the Committee on Oversight and Government Reform have until midnight on July 20, 2012 to file its report to accompany H.R. 4078. **Page H5075**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 12 noon on Monday, July 23rd. **Page H5075**

Senate Message: Message received from the Senate today appears on page H5027.

Quorum Calls Votes: One yea-and-nay vote and 11 recorded votes developed during the proceedings of today and appear on pages H5063–64, H5064–65, H5065, H5065–66, H5066–67, H5067, H5067–68, H5068–69, H5069, H5069–70, H5070–71 and H5071–72. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 7:37 p.m.

Committee Meetings

DISCLOSURES OF NATIONAL SECURITY INFORMATION AND IMPACT ON MILITARY OPERATIONS

Committee on Armed Services: Full Committee held a hearing on disclosures of national security information and impact on military operations. Testimony was heard from Leon Panetta, Secretary, Department of Defense; General Martin Dempsey, USA, Chairman of the Joint Chiefs of Staff; and Jeh Johnson, General Counsel, Department of Defense. This was a closed hearing.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Subcommittee on Energy and Power continued markup of the following: the ''U.S. Agricultural Sector Relief Act of 2012''; and the ''Asthma Inhalers Relief Act of 2012''. The ''U.S. Agricultural Sector Relief Act of 2012'' was forwarded, as amended. The ''Asthma Inhalers Relief Act of 2012'' was forwarded without amendment.

DODD-FRANK'S IMPACT ON FAMILIES, COMMUNITIES AND SMALL BUSINESSES

Committee on Financial Services: Subcommittee on Oversight and Investigations held a hearing entitled ''Who's In Your Wallet? Dodd-Frank's Impact on Families, Communities and Small Businesses''. Testimony was heard from public witnesses.

IMPACT OF DODD-FRANK ON CONSUMER CHOICE AND ACCESS TO CREDIT

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing entitled ''The Impact of Dodd-Frank on Consumer Choice and Access to Credit''. Testimony was heard from Raj Date, Deputy Director, Consumer Financial Protection Bureau.

DEADLY U.S. MINE POLLUTION IN PERU

Committee on Foreign Affairs: Subcommittee on Africa, Global Health, and Human Rights held a hearing entitled ''Poison Harvest: Deadly U.S. Mine Pollution in Peru''. Testimony was heard from public witnesses.

UNFAIR TRADING PRACTICES AGAINST THE U.S.

Committee on Foreign Affairs: Full Committee held a hearing entitled ''Unfair Trading Practices Against the U.S.: Intellectual Property Rights Infringement, Property Expropriation, and Other Barriers''. Testimony was heard from Grant Aldonas, former Under Secretary of Commerce for International Trade; and public witnesses.

WHEN REGIMES FALL: THE CHALLENGE OF SECURING LETHAL WEAPONS

Committee on Foreign Affairs: Subcommittee on Terrorism, Nonproliferation, and Trade held a hearing entitled ''When Regimes Fall: The Challenge of Securing Lethal Weapons''. Testimony was heard from Lincoln P. Bloomfield, Jr., former Assistant Secretary of State for Political-Military Affairs; and public witnesses.

USING UNMANNED AERIAL SYSTEMS WITHIN THE HOMELAND

Committee on Homeland Security: Subcommittee on Oversight, Investigations, and Management held a hearing entitled ''Using Unmanned Aerial Systems Within the Homeland: Security Game Changer?'' Testimony was heard from Gerald Dillingham, Director, Physical Infrastructure Issues, Government Accountability Office; William McDaniel, Chief Deputy, Montgomery County Texas Sheriff's Office; and public witnesses.

MISCELLANEOUS MEASURES

Committee on House Administration: Full Committee held a 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; H. Con. Res. 132, 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; and 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. The following were ordered reported without amendment: H.R. 406; H.R. 6122; and H. Con. Res. 132. H.R. 1402 was ordered reported, as amended.

LIBRARY OF CONGRESS: 2012 INSPECTOR GENERAL REPORT ON LIBRARY-WIDE ACQUISITIONS

Committee on House Administration: Subcommittee on Oversight held a hearing entitled ''Library of Congress: 2012 Inspector General Report on Library-Wide Acquisitions''. Testimony was heard from Karl W. Schornagel, Inspector General, Library of Congress; Robert Dizard Jr., Deputy Librarian, Library of Congress; and Lucy D. Suddreth, Chief of Support Operations, Library of Congress.

OVERSIGHT OF THE DEPARTMENT OF HOMELAND SECURITY

Committee on the Judiciary: Full Committee held a hearing entitled ''Oversight of the Department of Homeland Security''. Testimony was heard from Janet Napolitano, Secretary, Department of Homeland Security.

STATUS OF OBAMA ADMINISTRATION'S REWRITE OF THE STREAM BUFFER ZONE RULE AND COMPLIANCE WITH COMMITTEE SUBPOENAS

Committee on Natural Resources: Subcommittee on Energy and Mineral Resources held a hearing entitled ''Status of Obama Administration's Rewrite of the Stream Buffer Zone Rule and Compliance with Committee Subpoenas''. Testimony was heard from Joseph Pizarchik, Director, Office of Surface Mining Reclamation and Enforcement.

LEGISLATIVE MEASURES

Committee on Natural Resources: Subcommittee on Fisheries, Wildlife, Oceans and Insular Affairs held a 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''. Testimony was heard from Representative Sessions; Tom Melius, Acting Deputy Director, Fish and Wildlife Service; Sam Rauch, Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service; Phil Dyer, Mayor, City of Plano, Texas; and public witnesses.

CONTINUING OVERSIGHT OF REGULATORY IMPEDIMENTS TO JOB CREATION

Committee on Oversight and Government Reform: Full Committee held a hearing entitled ''Continuing Oversight of Regulatory Impediments to Job Creation: Job Creators Still Buried by Red Tape''. Testimony was heard from public witnesses.

CHANGES TO THE HEIGHTS ACT: SHAPING WASHINGTON, DC, FOR THE FUTURE

Committee on Oversight and Government Reform: Subcommittee on Health Care, District of Columbia, Census and the National Archives held a hearing entitled ''Changes to the Heights Act: Shaping Washington, DC, for the Future''. Testimony was heard from Harriet Tregoning, Director, District of Columbia Office of Planning, Natwar M. Gandhi, Chief Financial Officer, District of Columbia; Marcel C. Acosta, Executive Director, National Capital Planning Commission; and public witnesses.

KEEPING AMERICA SECURE: THE SCIENCE SUPPORTING THE DEVELOPMENT OF THREAT DETECTION TECHNOLOGIES

Committee on Science, Space, and Technology: Full Committee held a hearing entitled ''Keeping America Secure: The Science Supporting the Development of Threat Detection Technologies''. Testimony was heard from Richard Cavanagh, Director, Office of Special Programs, National Institute of Standards and Technology; Huban Gowadia, Acting Director, Domestic Nuclear Detection Office, Department of Homeland Security; Anthony Peurrung, Associate Laboratory Director, National Security Directorate, Pacific Northwest National Laboratory; and Thomas Peterson, Assistant Director, Directorate for Engineering, National Science Foundation.

HEALTH CARE REALIGNMENT AND REGULATION: THE DEMISE OF SMALL AND SOLO MEDICAL PRACTICES?

Committee on Small Business: Subcommittee on Investigations, Oversight and Regulations held a hearing entitled ''Health Care Realignment and Regulation: The Demise of Small and Solo Medical Practices?'' Testimony was heard from public witnesses.

TAX REFORM AND THE U.S. MANUFACTURING SECTOR

Committee on Ways and Means: Full Committee held a hearing on Tax Reform and the U.S. Manufacturing Sector. Testimony was heard from public witnesses.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D703)*

H.R. 3902, to amend the District of Columbia Home Rule Act to revise the timing of special elections for local office in the District of Columbia. Signed on July 18, 2012. (Public Law 112–145)

S. 2061, to provide for an exchange of land between the Department of Homeland Security and the South Carolina State Ports Authority. Signed on July 18, 2012. (Public Law 112–146)

COMMITTEE MEETINGS FOR FRIDAY, JULY 20, 2012

(Committee meetings are open unless otherwise indicated)

Senate

Committee on 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, 10:30 a.m., SD–342.

House

Committee on Financial Services, Subcommittee on Capital Markets and Government Sponsored Enterprises, hearing entitled ''The Impact of the Dodd-Frank Act on Municipal Finance'', 9:30 a.m., 2128 Rayburn.

Committee on Natural Resources, Subcommittee on National Parks, Forests and Public Lands, hearing on the following measures: H.R. 5744 the ''Catastrophic Wildfire Prevention Act of 2012''; H.R. 5960, the ''Depleting Risk from Insect Infestation, Soil Erosion, and Catastrophic Fire Act of 2012''; and H.R. 6089, to address the bark beetle epidemic, drought, deteriorating forest health conditions, and high risk of wildfires on National Forest System land and land under the jurisdiction of the Bureau of Land Management in the United States by expanding authorities established in the Healthy Forest Restoration Act of 2003 to provide emergency measures for high-risk areas identified by such States, to make permanent Forest Service and Bureau of Land Management authority to conduct good-neighbor cooperation with States to reduce wildfire risks, and for other purposes, 9 a.m., 1334 Longworth.

Subcommittee on Energy and Mineral Resources, hearing entitled ''Helium: Supply Shortages Impacting our Economy, National Defense and Manufacturing'', 9:30 a.m., 1324 Longworth.

Committee on Ways and Means, Full Committee, hearing on SSI financial eligibility requirements and the use of technology to improve their administration, 9:30 a.m., 1100 Longworth.

Next Meeting of the SENATE

2 p.m., Monday, July 23

Senate Chamber

Program for Monday: The Majority Leader will be recognized. At 5 p.m., Senate will resume consideration of the nomination of Michael A. Shipp, of New Jersey, to be United States District Judge for the District of New Jersey, and vote on the motion to invoke cloture on the nomination at 5:30 p.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

2 p.m., Monday, July 23

House Chamber

Program for Monday: To be announced.

Extensions of Remarks, as inserted in this issue

HOUSE

Akin, W. Todd, Mo., E1292
Becerra, Xavier, Calif., E1288
Berman, Howard L., Calif., E1289
Bishop, Sanford D., Jr., Ga., E1284, E1293
Carnahan, Russ, Mo., E1289
Chaffetz, Jason, Utah, E1287
Coffman, Mike, Colo., E1288
Cuellar, Henry, Tex., E1288
Diaz-Balart, Mario, Fla., E1292
Dingell, John D., Mich., E1284
Faleomavaega, Eni F.H., American Samoa, E1289
Guthrie, Brett, Ky., E1284
Hastings, Alcee L., Fla., E1290
Johnson, Eddie Bernice, Tex., E1294
Johnson, Sam, Tex., E1284, E1287
Johnson, Timothy V., Ill., E1293
Kaptur, Marcy, Ohio, E1291
Keating, William R., Mass., E1293
Kelly, Mike, Pa., E1291
Langevin, James R., R.I., E1290
Latham, Tom, Iowa, E1287, E1288, E1289, E1292
Loebsack, David, Iowa, E1287
Meehan, Patrick, Pa., E1292
Miller, Gary G., Calif., E1291
Miller, Jeff, Fla., E1283
Nugent, Richard B., Fla., E1286
Olver, John W., Mass., E1285, E1293
Pallone, Frank, Jr., N.J., E1285
Pascrell, Bill, Jr., N.J., E1288
Poe, Ted, Tex., E1290
Sessions, Pete, Tex., E1292
Sewell, Terri A., Ala., E1283
Slaughter, Louise McIntosh, N.Y., E1285
Tipton, Scott R., Colo., E1283
Tsongas, Niki, Mass., E1293
Turner, Michael R., Ohio, E1286
Visclosky, Peter J., Ind., E1292
Westmoreland, Lynn A., Ga., E1286
Wilson, Joe, S.C., E1290
Young, Don, Alaska, E1283

Congressional Record

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